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CHAPMAN LAW COURIER

Issue 3, Volume 1

February 26, 2010

Dean Eastman bids Chapman farewell

By Joanne Lembo
Courier Staff

On January 28, 2010, Chapman Law School Dean John Eastman met with the University Chancellor and the Law School faculty to announce that he was stepping down as Dean, effective February 1, 2010. In an e-mail to students, Eastman wrote, "As you may have heard, I have been receiving a great deal of encouragement to consider a bid for Attorney General of California, and have decided to move forward with that endeavor."

Although excited to begin campaigning for the Republican Attorney General nomination, Eastman moves forward with mixed feelings. "I will certainly miss my daily interactions with one of the most fun, most congenial, and hard-working student bodies in higher legal education today." Eastman is proud of the great strides that Chapman has made during his time as Dean, saying, "What we have accomplished together over the past three years has been nothing short of spectacular – not just the rise in our rankings, but the



Former Chapman Law Dean John Eastman bids the law school a tearful farewell before his run for state Attorney General.

"I will certainly miss my daily interactions with one of the most fun, most congenial, and hard-working student bodies in higher legal education today."

- John Eastman
Former Dean, Chapman Law

continued commitment to a school where 'best quality of life' means a lot more than palm trees out front."

On a positive note, Eastman feels that his campaign will bring a high level of visibility to the law school. "California is a big state, and I plan to meet everyone!" exclaims

Eastman. He also believes that this attention, along with the quick progress that Chapman has made, will bring to the table many high-caliber candidates who want to be the dean of the law school. The search for a new dean will start

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Big Changes, Valid Concerns

Editor's Note



Dear Reader,

The last few weeks have seen some important changes at Chapman. By now, the news of Dean John Eastman's candidacy for Attorney General of California and his resignation as Dean of our law school has spread far and wide (See *Dean Eastman Bids Chapman Farewell*, page 1). While we retain Eastman as part of the Chapman Law family, his enthusiastic leadership will be sorely missed. In his stead, the Chapman Law community has welcomed with open arms the much beloved Professor Scott Howe as Interim Dean. Dean Howe has been a bastion of strong stewardship at our school for over 14 years and we wish him the greatest of success in guiding our ship once more.

Events over the holiday break have also brought some consternation to the Chapman community. On January 5th, two Chapman facility maintenance vehicles parked on the first floor of the Barrera

parking lot were set ablaze causing their destruction and significant damage to the parking structure and requiring the lot's closure for several days while repairs were conducted. Chief Randy Burba of Chapman Public Safety says that an official cause has not yet been determined but confirms that a group of people was in the vicinity just prior to the fire. At this point, says Burba, no cause is being ruled out. Two thousand and nine also saw a number of incidents in and around the Barrera lot: In April, a law student had a computer stolen out of their car in a "smash and grab" incident. In May, a woman was hit in the head while resisting an assailant's attempt at taking her purse right outside the Bhatthal Center. In September, three vehicles, including one parked at the Barrera lot were stolen in broad day light.

In 2008, the Courier ran a story about security at Chapman after a number of thefts took place in the law school library. The story emphasized the need for a dialogue on campus surveillance. Since then, Public Safety has installed a number of surveillance cameras to act as deterrents to crime. Unfortunately, Chief Burba says that surveillance cameras have only been installed at the vehicle entrances of the Barrera lot. He indicates, however, that plans are in the works to add cameras at other locations.

While students should not have to live

concerned about their safety or that of their belongings, common sense, too, needs to be applied. Jamming school doors open with rocks or trash cans over the weekend or after hours invites theft in the school and library as does leaving valuables unattended. Students should also make use of Public Safety's Safe Ride program when returning to their cars in the wee hours of the morning. Vigilance and awareness are the best safety tools.

On-campus crime diminished substantially between 2006 and 2008 according to the University's crime reporting statistics. By and large, Chapman students should feel safe. Arguably, however, additional safety measures may be warranted. The addition of surveillance cameras in pedestrian areas and within the law school are great starts. Several students have also suggested better monitoring of the law school library entrance and card swipes at the Glassel and library entrances. Students interested in voicing concerns about campus safety should attend Chapman's town hall meetings or communicate ideas to the administration. We all have a stake in public safety.

Jean-Laurent Pouliot
Chief Editor



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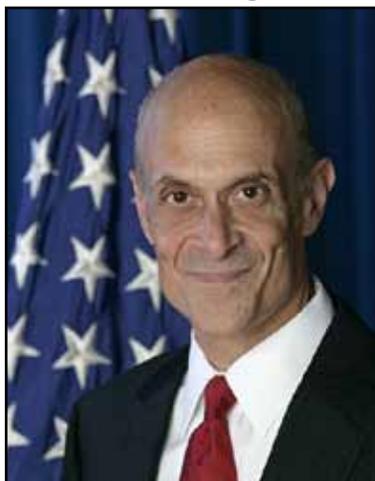
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Law school hosts drug law symposium

By Courtney Eskew
Courier Staff

The Chapman Law Review could hardly have picked a more current and stimulating topic for the 2010 Law Review Symposium than “Drug War Madness: Policies, Borders & Corruption,” given that Californians are anticipating a ballot initiative to legalize marijuana in the upcoming November election. The keynote speaker for last month’s event was the former Secretary of Homeland Security from 2005 to 2009, Michael Chertoff. Panelists included academic scholars, former congressmen, judges, and prominent veterans from the front lines of the war on drugs, including three former officials from the Drug Enforcement Agency (DEA).

“We started planning this almost one year ago,” said Chapman Law Review Senior Symposium Editor Kasey Phillips. “Everyone in Law Review gets to vote for the topic, and after the idea of the



Michael Chertoff, former Secretary of Homeland Security

drug war came up, it won by a landslide.” Chertoff was the big draw, and his compelling thesis was that the historical concept of war as solely between states is no longer relevant. “The so-called war on drugs is apt,” he said. “There is a link between terrorism and narcotrafficking.”

Drawing on examples from Colombia, Mexico, Iran, Afghanistan, and Somalia, he argued that a bifurcation of war and the criminal system does not make sense in fighting a global conflict where terrorists finance weapons and training through drug sales.

Not surprisingly, Chertoff advocated increased border security and surveillance of terrorist networks, including monitoring communications, tracking cash flow, and creating black lists of those in key leadership positions. Finally, in light of the Christmas airplane bomber affair, Chertoff recommended that the Transportation Security Administration (TSA) make greater use of biography tools such as watch lists and fingerprinting to “connect the dots” between potential and known terrorist threats.

During the Q&A session, Chertoff agreed with one audience member’s suggestion that our global security efforts ought to address the underlying causes

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Law School 2.0: Virtual classroom brings real results

By Julie Anne Ines

Courier Staff

A television displays eight people peering out at an audience as their names flash on the screen beneath them. It is a scene that would not be out of place on the Game Show Network, but this is not an episode of Hollywood Squares. Rather, this is what students enrolled in Chapman Law's LL.M. in Prosecutorial Science Program view each week when they "go to class," where they are among a growing group of students who are redefining what it means to attend class and laying the foundation for what could mean the future of education at Chapman Law.

From communications on school-created message boards or blogs, to interactions in learning communities like SecondLife, technology is breathing a new digital element into the traditional brick and mortar concept of law school. This includes Chapman Law's prosecutorial science program. The students in the program are not in a physical classroom. Instead, the students – who are all working prosecutors from different parts of California and across the nation – virtually "meet" at a set time each week. By using their individual computers to log in from any location in the world, students can instantly connect with other students

"I think we could get, and I think we will need to get, more ambitious about delivering content in alternative ways."

- Ronald Steiner
Graduate, Summer & Joint
Degree Programs Director

enrolled in the program.

There are a couple different ways for students to gain access to this virtual education network. Each student's video stream is displayed on their individual monitors and on big-screen television sets located in a classroom on the third floor of the law school, where students can go if they want a regular classroom experience or if they are close enough to the school. This program and others like it conform to the "new reality" of education by being able to deliver lectures whenever it is needed and to whomever wants to get it, according to Dr. Ronald Steiner, Visiting Associate Professor of Law, and Director

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Raising the Mandatory Median Grade

By Jonathan Mason

A Student Bar Association (SBA) proposal to raise Chapman Law's mandatory median grade policy from 2.8 to 3.0 was presented to the faculty and administration in late 2008. Since then, it has sat on SBA's desk largely unattended to.

Former SBA President Jimmy Blalock first proposed the change at a faculty meeting and was "met with sympathy," according to Dean Timothy Canova, Associate Dean for Academic Affairs. "Nobody in the faculty or administration was opposed, on principle, to the idea of raising the mandatory median grade. We understand it puts our students at a competitive disadvantage. It's not impossible to change, but the proposal was not very developed and there were some concerns raised. Changes have to be thought out and implemented correctly."

The administration gave SBA the green light to re-work the proposal to include plans for adjusting the scholarship requirements, the policy for academic dismissals, and how to implement the changes. Professor Henry Noyes volunteered to help the committee create the revamped proposal, an effort that is now spearheaded by SBA Academic Affairs representative, Amy Sakowski.

Sakowski noted, "It takes a lot of time and effort to get something this important approved. It has to go through Curriculum, Academic Standards, and the full faculty and administration. It is a very hard and long process to make changes at Chapman, but we are working on it." She also added that any changes to the mandatory median

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An insider's guide to Chapman's LL.M. tax program

By Mary Liu
Courier Staff

The success of the Chapman University School of Law Tax Law program, which ranked 17th among law school tax programs by the U.S. News and World Report in 2009, has grown with the success of the law school itself. Still, students outside of the Tax Emphasis J.D. Program and the Tax LL.M program may still wonder what the tax law program is all about. Do you have to be a math whiz to excel in the program? How do employers perceive Tax LL.M. and Tax Emphasis J.D. graduates? And can J.D. students get a head start on the Tax LL.M? As a new law student, I made it my mission to discover more about the tax program by interviewing students and professors. What I found out in the course of my investigation both surprised and impressed me. I gained a deeper appreciation for tax law as being much more than performing long columns of arithmetic



Professor Frank Doti

on tax forms. It is a highly-employable and universally-applicable legal specialty, and a field which I am excited to pursue in the next couple of years.

First and foremost, it seems that students find their tax law coursework challenging yet enjoyable. As Arnold Van Dyk, an LL.M. tax student and J.D. graduate from California Western School of Law candidly noted, "It surprised me that tax can be so fascinating. Coming in, I thought otherwise, but now I'm really happy that I did it." Van Dyk went on

to commend the program for its convenience and accessibility, stating that "the nice thing about the program is it's all at night so full time attorneys can work." Michael Loesevitz, a fellow tax LL.M. candidate agreed, saying that while "tax statutes are very long and detailed," the fact that he's "good at paying attention to detail" has allowed him, a practicing attorney and current extern at the U.S. Attorney Office's Tax Division, to excel and enjoy his studies. In other words, tax can be fun. The Chapman program also gives students the opportunity to gain national recognition, as a team of Chapman students earned 2nd place in the nation in the American Bar Association's 2004-2005 Tax Law Challenge.

Still, how is one supposed to know whether to sign up for the program in the first place if they have not yet had a chance to take many tax law courses? Jewels Jin, a Tax Law Emphasis J.D.

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U.S. Supreme Court overturns ban on corporate political spending

By Tara Simon

Courier Staff

Bitterly divided in a 5-4 split, the U.S. Supreme Court recently overturned a ban on corporate political spending on elections. Its decision did not affect the current limitations on corporations' political campaign contributions. However, it did overrule the limits on corporate spending for electioneering communications.

The Supreme Court held that the First Amendment has long been extended to corporations, giving them the same freedom as individuals. The court reasoned that the First Amendment

“stands against attempts to disfavor certain subjects or viewpoints or to distinguish among different speakers, which may be a means to control content.” It concluded that the current law imposes restrictions on speakers because they are a disfavored group.

The Court overruled the ban on spending that was “meant to prevent corporations from obtaining an unfair advantage in the political marketplace by using resources amassed in the economic marketplace.” The Court rejected this rationale holding instead

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The U.S. Supreme Court building

DRUG WAR: Law school event hosts former homeland security official Chertoff

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of the narcoterrorism problem. He added, “But what do you do in the mean time?” Although, indicating his support for soft power initiatives to provide social services to what he termed “ungoverned spaces,” Chertoff also cautioned, “You have to secure the area first.”

In response to questions on the efficacy of legalizing marijuana, he posed an argument that was echoed throughout the day by other former government official panelists: just as the end of prohibition did not mean the end of organized crime, the black market for untaxed marijuana would still exist if it were legalized. “Proponents of marijuana legalization might as well legalize human trafficking,” Chertoff reasoned.

Legalization was also a hot topic during the symposium's morning panel on current U.S. drug policy. Former Orange County Superior Court Judge Jim Gray strongly cautioned about the dangers of drug money harms that enable “law-and-order” politicians and prison lobbyists to profit off of the growth of teenage gangs and drug-related violence along the Mexican border. Gray noted that underage children can often purchase illicit drugs more easily on the black market than they can buy alcohol on the regulated market, and that child drug dealers recruit other kids to sell these substances for them. The audience was encouraged by Gray to support the marijuana legalization ballot initiative,

since the bill is projected to cut the drug cartels' current untaxed profits by 60%.

Gray's main opponent in the morning panel was former DEA Director from 2001 to 2003, Asa Hutchinson. As a former US attorney, Hutchinson prosecuted Roger Clinton for cocaine possession, and he recounted how President Bill Clinton thanked him on Air Force One for saving his brother's life. Hutchinson lauded what he perceived as the successes of the War on Drugs in reducing the abuse of harmful drugs. He pointed to the Alaska experiment with marijuana decriminalization in the 1980s and 1990s as evidence that use and addiction will likely increase if November's ballot initiative passes.

During the Q&A session, Judge Gray grilled Hutchinson on a number of marijuana-related questions, including: “Are you aware that marijuana is the largest cash crop in the State of California?” Hutchinson's coy reply was, “I hope you change your cash crops.”

The afternoon panels provided a welcome explanation of the deeper context of the narcoterrorism problem. First, local law professors explored the effects of US drug and immigration policies on life and social movements on the border, including a fascinating discussion of the increased use of mass federal criminal prosecutions of immigration offenses by UC Irvine School of Law professor, Jennifer Chacon.

Second, former senior adviser to Iraq's Ministry of Interior and former DEA Chief of Intelligence Steven Casteel re-

flected on the development of organized crime and narcoterrorism over the past 40 years. “I was there when Nixon coined the term ‘War on Drugs,’” he reminisced. Then, on September 11, 2001, he personally witnessed Flight 77's crash into the western side of the Pentagon. After that, he explained, the world's attention focus shifted to combating terrorists instead of drug cartels. However, Casteel stood in agreement with Chertoff's global conflict thesis, maintaining that terrorism in the post-9/11 world is no different than the organized crime of the 20th century.

During the last Q&A session, the conversation inevitably turned to legalization of marijuana. Panelist Edward McQuat, former Chief of New York's Narcotics Bureau, put the controversy into perspective: “From most prosecutors I know, marijuana is not a priority. We don't have the man power or the resources.”

And the question is presented: While Chertoff's recommendations for heightened anti-terrorist security measures may be appropriate in the context of TSA wait lists and Afghan poppy fields, do they have a place in California's medical marijuana clinics? California voters will decide for themselves this November.

Congratulations to the Chapman Law Review and Dean Canova on assembling a stellar line-up of engaging and knowledgeable speakers for the annual symposium. For those who are interested, a webcast of the entire symposium is available at <http://chapman.edu/law/> under the Webcast section of the page.

Chapman Law community aids in Haiti relief efforts

By Jessica Yim
Courier Staff

On January 12, 2010, a magnitude 7.0 earthquake struck southern Haiti inflicting devastation over the area southwest of Port-au-Prince. In the aftermath of this catastrophe, over one-hundred-thousand people are feared to be dead and thousands more are injured and still desperately waiting for aid to arrive. As a result of the quake, many people are lacking basic necessities, such as food, clean drinking water, shelter, and clothing.

In the weeks following the disaster, Chapman Law students have been doing their part in contributing to the relief efforts aimed at helping the people of Haiti. Chapman's Student Bar Association has teamed up with the Los Angeles County Fire Department in order to raise funds in to provide necessary aid to quake victims. The school has raised nearly \$300 to date. Chapman Law has also collaborated with Sports Chalet in a shoe-drive, called "Soles4Souls," collecting and donating 197 pairs of new and gently-worn adult and children-sized shoes. In addition, Chapman students showed their support for those in need by promoting and participating in a Haiti relief fundraiser,



United Nations Development Program Flickr, Creative Commons Licensed Work
Haitians set up impromptu tent cities throughout the capital after a 7.0 earthquake rocked Port au Prince Haiti just before 5 p.m. Jan. 12.

called "Haven for Haiti," held at the Haven Gastropub in Old Town Orange on January 25. All of the proceeds and staff wages for that day were generously donated to the Haiti earthquake relief.

If you would like to do your part, there are many easy ways that you can contribute. A few suggestions in-

clude making a donation on the Oxfam International website (www.oxfam.org) and Hope for Haiti website (www.hopeforhaiti.com), or simply by texting the word "HAITI" to 90999 to make a \$10 donation to the American Red Cross.

Former University of Washington Law dean joins Chapman Law

By Jared Kelly
Courier Staff

Joining the School of Law this spring is Professor W.H. "Joe" Knight, the Bette and Wylie Aitken Distinguished Visiting Professor for 2009-2010. The visiting professorship is a distinction meant "to enrich and strengthen the academic experience of our students by offering new perspectives and exceptional expertise from nationally-acclaimed scholars." Professor Knight has earned that distinction with remarkable ease. A former Dean of the University of Washington School of Law, Professor Knight is teaching two courses at Chapman this semester - Financial Institutions and Critical Race Theory. What is even more impressive is that, in addition to his courses at Chapman, he will simultaneously maintain

a presence at Seattle University School of Law, working with their Community Development Entrepreneurship Clinic. He will achieve this balance by making weekly trips between Seattle and Orange.

As noted by Professor Knight, these trips have become rather routine, so any stress results from his additional travels around the country. The week leading up to January 25th, he taught in Seattle on Wednesday, traveled Thursday, and gave a lecture Friday at the University of Iowa Law College addressing human rights issues. His lecture in Iowa marked the end of a decade-long absence for Knight, where he had formerly served as a professor and vice-provost. After taking a well-deserved day off, Knight was back in Orange on Sunday, and was gracious enough to grant an interview Monday

at Chapman. This was not an isolated "busy" week, as Professor Knight completed or intends to add sojourns to New Orleans, New York, San Diego, Florida and Delaware before the end of March.

With a J.D. from Columbia, Professor Knight is the author of three books on Commercial Law and has worked as a labor lawyer in New York City. Until 2007, he was the Dean of the University of Washington School of Law and was instrumental in building a new home for the law school, the William H. Gates Hall (named for the father of the Microsoft founder, a 1950 graduate). In addition, Knight led a large expansion of the school's faculty by hiring 20 new professors during his six years as Dean. While these accomplishments alone are sub-

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VIRTUAL: Prosecutorial Science class held in Cyberspace

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of Graduate, Summer & Joint Degree Programs. “I think we could get, and I think we will need to get, more ambitious about delivering content in alternative ways,” he said.

According to Dr. Steiner, the old synchronous teaching environment, which requires students to meet in person, is a costly investment and is out of sync with the modern world. Modern technology allows a combination of synchronous and asynchronous teaching, where students can take classes being administered hundreds of miles away through video conferencing, yet can interact with other students at various locations through message boards. With this added convenience, virtual learning enhances both learning and teaching in a way that is more cost effective and is available to more people, Dr. Steiner said.

Some argue that a digital classroom cuts out the interactivity of the in-person classroom experience. However, Dr. Steiner counters that learning from a distance has the opposite effect. “I think distance learning generally has the possibility of increasing interactivity in a way a lot of people find surprising. ... It makes possible something that was previously impossible,” Dr. Steiner said.

For example, distance learning



Chapman Professor Ronald Steiner and a student in Chapman Law's virtual classroom for the LL.M. in Prosecutorial Science program.

creates the opportunity for students to interact with those from other states and around the globe. “Prosecutors are scattered everywhere,” Dr. Steiner said. The prosecutorial program’s distance learning component allows prosecutors from North Carolina, Texas, Washington, DC, and Virginia, along with California-based prosecutors, to interact with each other and take

classes at Chapman Law. This creates the chance for national collaboration which had not been previously possible.

One student found this diversity particularly helpful. There are “no easy issues we deal with in our daily jobs. There are gray areas that every prosecutor has to struggle with and so in this program it has been quite interesting to discuss with other prosecutors from ... (the) district attorney’s office or the Attorney General’s office and find out how they would deal with that particular issue,” said Rebecca Olivieri, a student from Chapman’s LL.M. class of 2010.

Dr. Steiner said the virtual classroom is only one of many things the law school can do to meet with the demands of modern students, and sees the law school possibly incorporating other types of technology, such as Skype or programs that could help teachers conduct virtual office hours. According to Dr. Steiner, the new reality does not just apply to law school. The old university model that started with Plato and Socrates, and that was built around the traditional university classroom, was a model based on scarcity and cost. “That’s not true any more,” said Dr. Steiner.

Chapman Law LL.M. in Prosecutorial Science

What is it? The program, designed especially for criminal prosecutors with five or more years of experience, allows prosecutors to get an advanced degree in prosecutorial science.

Who participates in the program? The program is offered to prosecutors from district attorney offices, city attorney offices, the Department of Justice, the Office of the Inspector General, and the U.S. Department of Justice, as well as a variety of national offices.

What does the program consist of? The program consists primarily of evening, weekend and summer classes supplemented by classes using distance learning technology.

For more information visit http://www.chapman.edu/law/programs/LLM_Pro_Sci/

TAX: LL.M. program viewed positively by employers

From Page 5

student, compared tax law with a more familiar first-year course. It's "like Civ Pro – they have a rule book," Jin said. Moreover, she added that only "basic math is required because nowadays computer programs do most of the calculations." Professor Michael Lang, who has taught a number of tax courses at Chapman, seconded this idea, saying that while tax law is math-oriented at times, tax people are a wonderfully diverse group. Chapman Law has "all kinds of people in the program," Professor Lang said.

On a practical level, the investment of time and money into a Chapman

Law tax education is clearly worth it, as the specialty pays great dividends no matter which area of law you plan to pursue. For example, Professor Lang said "even if you want to do family law, a tax background can actually prove extremely helpful because many divorces involve complications from business and investment property. So with tax knowledge a lawyer can avoid hiring outside accounting help."

Employers also perceive the program positively, according to Professor Frank Doti, the founding faculty member and Director of the Tax Law Emphasis Program. In addition to fre-

quently getting hired by the Internal Revenue Service and numerous prestigious private firms, Professor Doti said that when firms are looking to hire tax associates, "some firms say they only hire our Chapman Law tax emphasis grads." If that isn't enough of an incentive to jump on the tax law bandwagon, students can also earn up to 12 credits toward a Chapman LL.M. in Tax while still in the J.D. program.

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GPA: Creating a competitive disadvantage?

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would likely have no effect on currently enrolled students.

Dean Canova has not seen a proposal to raise the median grade since the original request. Two independent sources familiar with the SBA Academic Affairs committee claim that the committee has not yet met during the 2009-2010 school year to discuss the matter. However, the committee was scheduled to meet and discuss this issue shortly after this story's filing deadline, and Sakowski had an appointment with Dean Canova to plan the next steps in this process.

Does the median put Chapman law students and alumni at a competitive disadvantage?

At a time when record numbers of Southern California lawyers struggle to find employment, students and alumni have expressed concerns that Chapman's relatively low 2.8 median grade policy may create a disadvantage in the job-search process. While Chapman uses a strict 2.8 median grade policy, the median grade policies of other law schools, including UCLA, USC, Pepperdine, and UC-Irvine, impose a median grade of 3.0 or above on a 4.3 scale.

This problem becomes more acute when, for example, a recruiter at a real estate law firm gets an application from a Chapman student with a 2.8 in property law and another from a UCI student with a 3.3 property law. While these are the mandatory median grades for their respective schools, students question whether employers really understand that our median grades are lower than other schools. After all, wouldn't it be wise for the school to have a grading median that is comparable to other schools in the area so that more of our graduates look favorable to employers? Wouldn't that help our grads get more of the top jobs?

In 2006, after the faculty and administration at UCLA School of Law raised their median grade to 3.3 and implemented a 4.3 system, UCLA law professor Eugene

Volokh wrote: "As best as I can tell, the increases in our grades have been driven by one main factor: the increases in grades at other schools." Volokh pointed out that other top schools had raised their median GPA, and that UCLA's "B- students were roughly comparable in class rank to B students at peer schools, but they looked worse to employers who weren't that familiar with the UCLA system."

When Dean Robert Rasmussen proposed raising the mandatory median at USC Gould School of Law from 3.2 to 3.3, he argued that, among other reasons, the relatively low first-year GPAs of USC students "likely harms some of our students' job prospects." Following the Dean's proposal, USC adopted the new median grade and raised students' grades 0.1 to reflect the change.

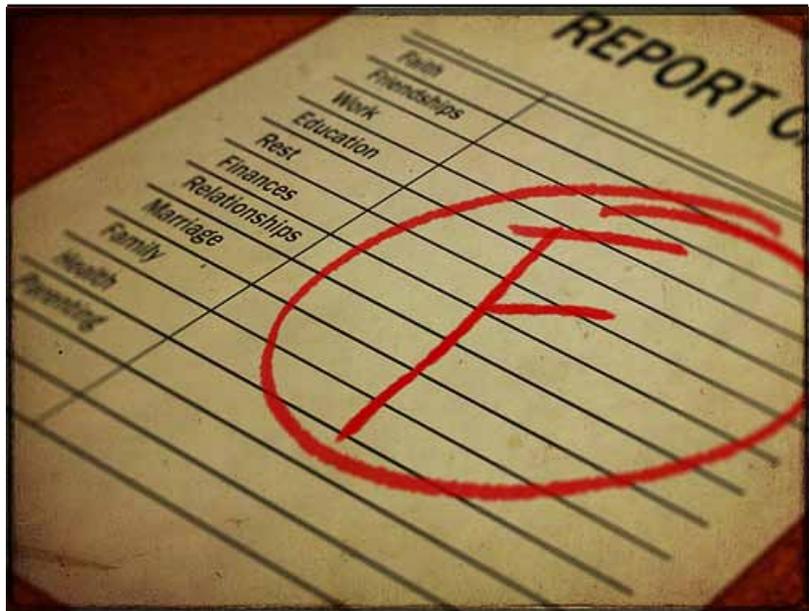
Dean Canova agrees with these sentiments. "I previously felt strongly that we should keep the mandatory median low to show what a challenging school we are, but over time I began to see the other side of how difficult it may be for our students to have lower GPAs on their resumes."

Suzanna Adelizi, Chapman Law's Director of Career Services, has never had a prospective employer comment on the

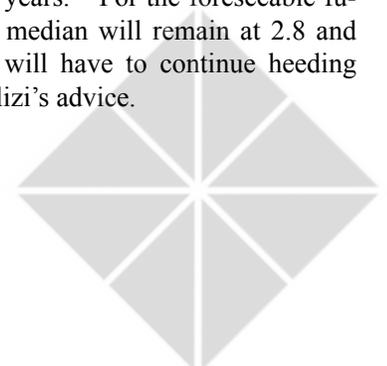
school's low median grades. She said students need to remember that "they are more than a GPA." She said that students "need to see the big picture," and that employers look for several other things, such as writing skills and other resume items.

When asked what Chapman students can do to show that Chapman uses a lower curve than other area schools, Adelizi said that students can add a brief parenthetical on their resume stating "on a 2.8 median curve" or mention in their cover letter that their GPA is based "on a tougher grade scale than other area schools."

Dean Canova added that "while one could argue that the faculty and administration should be the ones working on raising the median, that has not been possible with everything else going on the past few years." For the foreseeable future, the median will remain at 2.8 and students will have to continue heeding Ms. Adelizi's advice.



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Cancel *Jersey Shore*? Fuhgeddaboutit.

By Mike Grassi

Sr. News & Features Editor

I'm Italian-American. Both of my grandfathers were from the Old Country. Growing up my family had pasta and meatballs for dinner every Sunday. But, unlike many young men and women who share my ethnicity, I've never felt much attachment to Italy or the culture that derives from it. To be honest, I don't even have much pride being American, let alone Italian. Sure, I'm fortunate to have grown up in a developed nation with plenty of resources not available to the majority of the human population. However, I've watched too many reality shows that depict lazy, arrogant, over-privileged Americans oblivious to real problems facing the rest of the world. *The Biggest Loser*. *The Hills*. *Survivor*. *My Super Sweet 16*.

So it fascinates me when people have such great pride in their country, and, even more so, pride in the countries of their ancestors. That's why it would be a shame if lawmakers get their wish and force MTV to cancel the hit reality show *Jersey Shore*. The show follows eight young Italian-Americans, or "Guidos," as they spend the summer in a New Jersey shore-house, working out, taking shots, and fist-pumping like champs.

Many Italian-Americans find the program offensive, claiming it depicts Guidos as self-absorbed buffoons who are only good at spray tanning and getting in fights. Groups such as the National Italian American Foundation have advocated for the cancellation of the program, while New Jersey lawmakers have urged advertisers to pull out. *The View*'s Joy Behar, a noted advocate of Italian culture, recently stated that she feels the show makes Italian-Americans look bad. When I heard this, I compiled a list of things that make Italian-Americans look worse than the cast members of *Jersey Shore*:

1. Horn necklaces
2. Rocky V
3. Roman-Catholic priests
4. Jay Leno stealing the Tonight Show from Conan
5. Justice Alito



MTV Networks

The cast of MTV's reality show, *Jersey Shore*, which follows eight young Italian-Americans as they spend the summer in a New Jersey shore-house.

6. Hair...everywhere

Another B-list celebrity, Alyssa Milano, took the P.R. opportunity to blast *Jersey Shore* for its "offensive" subject matter. This is significant mainly because I got to look at pictures of Alyssa Milano on the internet while doing research for this article. However, it also begs the question: why is *Jersey Shore* more offensive to Italian-Americans than *The Godfather* or HBO's critically-acclaimed *The Sopranos*?

At least *Jersey Shore* is about a real subculture of people, as opposed to the often fictionalized version of Italians as

slick Mafia members with a noticeable lack of morals and intelligence. Sadly, it is this glamorized Hollywood version of Italians that many young Guidos attempt to emulate today. With *Shore*, MTV has again shed light on a subculture long misunderstood by society. The fact that this program has incited so much anger amongst many Italian-Americans is proof that it needs to stay on the air well into the future. Each time another Alyssa Milano speaks out against its offensive portrayal of Italian-American

See SHORE Page 15

Explosive Underwear: Bombing attempt has far-reaching effects

By Ryan O'Dea
Courier Staff

Before December 25, 2009, the phrase “explosive underwear” may have been a great name for a new undergarment line from Victoria’s Secret. Unfortunately, Christmas did not bless Americans with a new counterpart to the push-up bra. As a matter of fact, we were given a gift that, although unwanted, just keeps on giving: longer waits at airports, heightened security, a new reason to be afraid, and new protocol to which travelers must adapt. Just when it became normal for processing at airports to take at least two hours, to take our shoes off multiple times, and to travel without essential toiletries in a carry-on bag, Umar Farouk Abdul Mutallab had to attempt to blow up a plane with his underwear.

Last fall I wrote an article for the *Courier* that stressed the fact that time at security checkpoints should be better spent searching in places other than our shoes. About a month later that concept became startlingly true. Luckily, the bright side to the explosive underwear scare was that no one other than the terrorist was hurt. Think charred barbeque hot dog.

All jokes aside however, this recent terrorist attempt will have far-reaching implications on how Americans travel from this point forward. Just like the measures taken after the 2001 shoe bombing attempt, new security measures will be implemented in response to this recent scare. The similarities between the shoe bombing attempt and this most recent one are numerous. Both happened on or close to Christmas day by an alleged Al-Qaeda terrorist, and both used a PETN explosive hidden in an article of clothing that failed to go off due to its own ignition system. The response to the shoe bombing attempt was the removal of our shoes at security checkpoints, so what will be the response to the underwear bombing attempt?

Out of fear of the thoroughness of any new security protocol, you can bet I wore my best pair of underwear the first time I went through a checkpoint after December 25, 2009. It felt great to be over-prepared. Fortunately, mandatory underwear removal in front of a line of unhappy travelers does not appear likely. However, one solution that is being

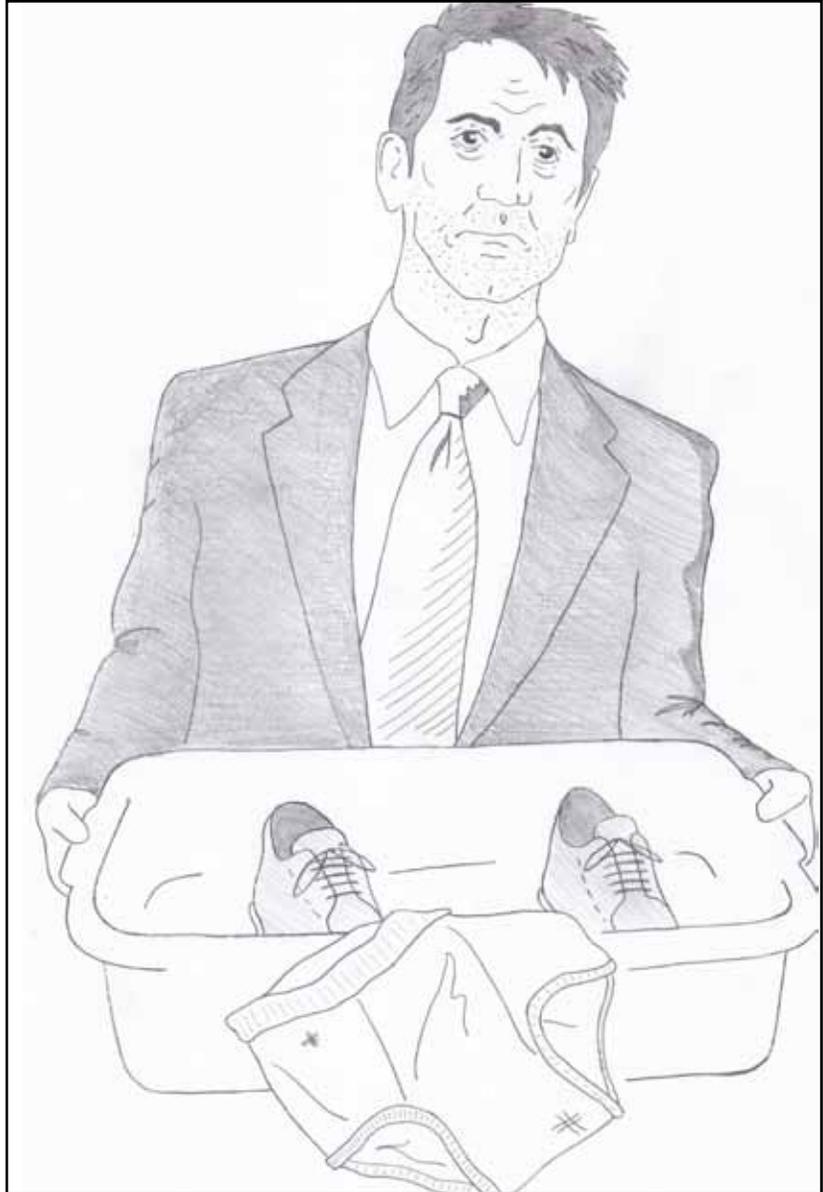


Illustration by Tyler Schoenberg

considered is a full body scan. Scanners using either millimeter-wave sensors or backscatter x-ray could be employed to see through an individual’s clothing, creating a full body image akin to a film negative. Despite the privacy concerns voiced by many Americans, the image will supposedly be G-rated, revealing nothing you would not feel comfortable showing to a preschooler. In terms of body scanners, however, I feel the issue is not one of privacy, but rather, one of necessity and efficiency.

The response to the shoe bombing attempt may have stopped other potential shoe bombers, but it did little to prevent a terrorist from using a different approach.

What we need is to implement a security system that is more than merely a reaction to the latest terrorist act. It should be obvious that terrorists will continue to think up new ways to carry out their horrible acts, thus thwarting existing security procedures. So the question is: will the body scanner solve the problem of terrorist attacks on airplanes, or will it just be the answer to explosive underwear? The point is that the body scanner should not be solely relied upon as our solution. If we assume a body scanner is the only additional measure needed, we may soon discover that it is as effective as taking the shoes off of an underwear bomber.

Barrister's Ball 2010 a smash hit



Dean Howe made a special appearance with Communications Director David Finley and his band, The Slumpbusters, at the Barrister's Ball in Laguna Beach on February 19, 2010.

By Blythe Harris
Sr. Opinion Editor

On February 19th, Chapman Law students donned their hot cocktail dresses and sexy suits at the annual Barrister's Ball, this year held at the swanky Seven-Degrees in Laguna Beach. "Barrister's Ball is the single most anticipated law school social event," stated Dhruv Sharma, the head of the Barrister's Ball planning committee. Along with Dhruv Sharma 1Ls Morgan Windbiel, Jenna Warden, and Kimberly Gomez-Ortega worked hard to plan this highly anticipated event.

Every year Barrister's Ball gives students and faculty an opportunity to relax, drink, dine, dance, and mingle. The evening included an innovative dinner and, of course, a cash bar serving up fluorescent drinks of all sorts. The attendees were treated to a double dose of entertainment beginning with a performance by The Slumpbusters, a feel-good party band that features law school Communications Director, David Finley. After a rousing live set that included a surprise appearance by Interim Dean Scott Howe -- who showed some impressive blues chops on his 1952 Gibson guitar-- the party shifted into high gear with a house DJ who presented an energized set that included tracks taken from student favorites. To make the evening even more enjoyable, the SBA negotiated group rates at nearby hotels, as well as arranged for shuttles to and from the venue.

As is customary at the Barrister's Ball, the Professor of the Year Award was announced. This year's award, which is determined by law school student vote, went to Professor Celestine McConville,

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SHORE: MTV reality show is educational

From Page 12

culture, it brings Italian stereotypes to the forefront of pop culture discussions. In short, *Jersey Shore* breaks down societal norms faster than Pauly D can blowout his hair before hitting the clubs (estimated time: 25 minutes).

Shore also provides an educational aspect not found in many of today's most watched television programs. For instance, in Episode Three, I got to watch Snooki get punched in the face in slow-mo at least half a dozen times, demonstrating aspects of both tort and criminal law in a real world setting. Practical application of legal principles is something not taught in the modern law school curriculum. So if nothing else, MTV's newest hit will make its viewers better lawyers.

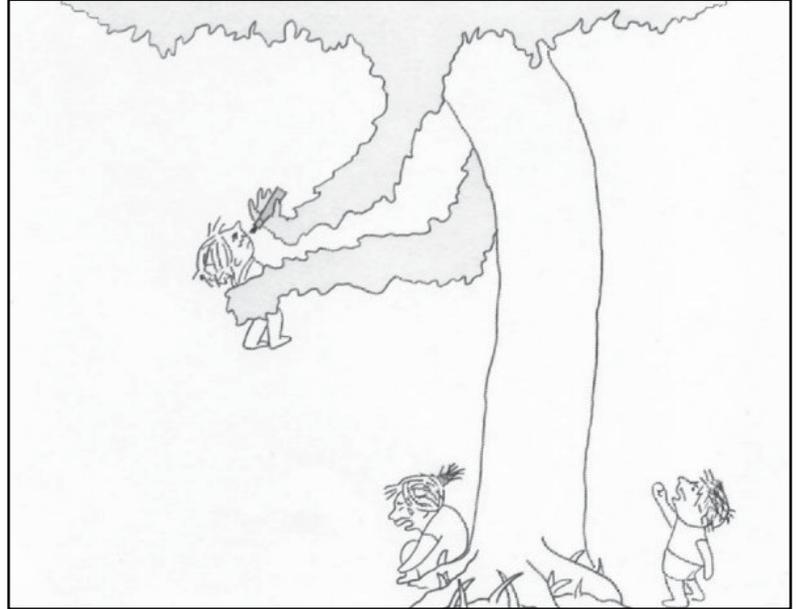
At its core, Jersey Shore prompts an open discussion of the current, misguided depiction of Italian-Americans in the entertainment industry while providing an avenue for aspiring lawyers to apply their knowledge to real-world situations. Thus, cancelling Jersey Shore would be equivalent to accepting derogatory stereotypes while at the same time stifling education. The answer is obvious. Cancel Jersey Shore?! Fuhgeddaboutit.

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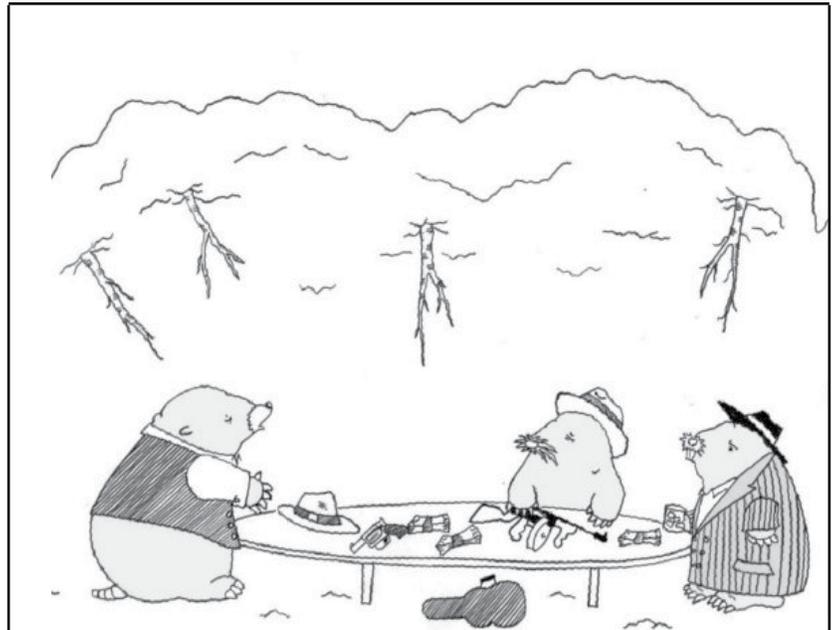
CARTOONS

By Tyler Schoenberg



Mustache Giving Tree

By Tyler Schoenberg



"Yes, yes we're moles, and yes we were part of an organized crime syndicate, but Jesus Christ, does the Don have to make that terrible 'whack-a-mole' pun everytime we have some one killed?"

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KNIGHT: Professor advocates innovation for future growth

From Page 7

stantial, Professor Knight has also been elected to the American Law Institute, the Executive Board of the Law School Admissions Council and the Executive Committee of the American Association of Law Schools. He also serves on the board of directors of a Fortune 50 company and several non-profit organizations. "Of those of us who have been given much, much is and should be expected".

Last semester, Professor Knight began his contributions to Chapman in earnest, serving as a moderator at October's Nexus Symposium. During one event, one panelist contended that governments tend to use crises as a means to gain more power and that this power is difficult to regain once the crisis subsides. Professor Knight respectfully disagreed, arguing that whenever bad things happen, regardless of whether the government makes bad decisions, people largely *expect* the government to intervene. Knight further intimated that part of the problem with the current recession is that we have "tendered away our notions of personal accountability." He continued, "By giving money to managers, who may not consider themselves fiduciaries, we try to absolve ourselves of what happens with that money." Individual and community responsibility is essential, including oversight by local and national governments.

A self-styled "radical intellectual," Knight indicated that we constantly need to assess, reassess and re-examine how we look at things. As a professor he would say that his job is to provoke students into considering multiple possibilities in how one might consider or address an issue. "My goal is to ask enough challenging



Professor Joe Knight

questions so as to make your head hurt."

Knight has a profound perspective on life in this country having grown to adulthood as one of the first beneficiaries of the Civil Rights movement. He said that he tries to impart the wisdom of his experiences in his teaching. His course on Critical Race Theory addresses the phenomenon of people trying to simplify complex things. We put convenient labels on people, things and behaviors, trying to categorize people or their actions in narrow and unconnected categories. However, Professor Knight has found that with complexity most things become 'substantially gray'. There are broad middle categories where most of us tend to wander. Knight strives to highlight the complexity surrounding everyday matters and to convey that diluting issues down to their lowest common denominator means losing their essence.

Utilizing his studies in Commercial Law and Critical Race Theory, Professor Knight underlines the importance of innovation, whether in business or society. It is crucial to re-invent and to

continue working to perfect even that which is already successful. In business, this is known as "continuous quality improvement," exemplified in products such as the Blackberry or the Kindle. The same can be said for society, asserts Knight, 'we all have a responsibility to strive to improve ourselves and our society in all facets of life. Radical or innovative, this is the type of thinking that Knight wants to encourage.

Professor Knight believes that we study law to challenge our basic assumptions. While it serves as a good model for social regulation, it cannot sufficiently fix everything. Law can be an effective tool, but it must be coupled with a desire to collaborate. Only when people work together do we have the greatest opportunity for advancement. Above all, Professor Knight is confident and optimistic; he advocates innovation because of its potential for future growth.

Despite his high profile status, Professor Knight's modesty is most striking. He stresses the importance of not taking your self too seriously. To Knight, it doesn't matter so much that you think like he does, but that you examine the way you think and find truth for yourself. Knight noted that he wants the opportunity to meet with more students. Although he divides his time between several locations in a given week, he is very approachable and willing to accommodate anyone interested. You will likely come away with a newfound inspiration or, at the very least, a new perspective on your own thought process. Professor Knight can be contacted at whknight@chapman.edu or during his office hours on Mondays and Tuesdays.

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BALL: Served up live band, fluorescent drinks

From Page 14

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February 19th promised to be an awesome night, and SBA delivered on that promise. Please join me in thanking them for their great efforts.



Chapman Law students dancing at Barrister's Ball on Feb. 19th, 2010.



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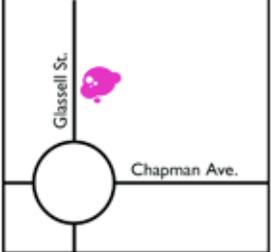
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SCOTUS: Election spending limits lifted

From Page 6

that distinguishing speakers based on their advantages or disadvantages is not sufficient to violate the Constitution. their advantages or disadvantages is not sufficient to violate the Constitution.

The Government argued that the ban helped to limit the corruption of democracy. The Supreme Court, with obvious confidence in our democracy, rejected this argument by saying that “speakers may have influence over or access to elected officials [but this] does not mean that those officials are corrupt.” Further, the Court said that any effort by “the Judiciary to decide which means of communications are to be preferred would raise questions as to the Courts’ own lawful authority.”

The previous limit on spending does not prohibit corporations from creating advertisement and speaking freely about their political positions. It did, however, limit the amount of money they could spend on such advertising, and was supposed to make the political arena more of a level playing field for all voices to be heard. Do caps on corporate political advertising really harm the corporations’ rights or do they protect those of the average person?

To read the law that was overturned, see, *Austin v. Michigan Chamber of Commerce*, 494 U.S. 652 (1990). See also, *McConnell v. FEC*, 540 U.S. 93 (2003). To read the holding, see, *Citizens United v. FEC*, 2010 U.S. LEXIS 766.

EASTMAN: Prof. Scott Howe named interim dean

From Page 1

quickly and Eastman says that, ideally, Chapman Law will have a new dean by the next academic year, although such an extremely important decision will not be rushed. “If it takes a year to find a new dean, then it takes a year,” says Eastman.

Scott Howe, Frank L. Williams Professor of Criminal Law, will fill in as Interim Dean. According to Eastman, the administration launched a “very long and heartfelt search,” looking for the right person for the position. “It’s important for students to know that Scott Howe was Associate Dean [under Dean Parham Williams] for eight years, and he did a phenomenal job,” Eastman explains.

Howe has substantial experience as both a criminal defense lawyer and as a teacher in the fields of criminal law, criminal procedure and evidence. He has served as Deputy Director of the Texas Death Penalty Resource Center, representing inmates under execution warrants on Texas’ death row. During this time, Howe represented wrongfully-convicted death-row inmate Kerry Max Cook, helping to exonerate him after nearly 20 years on death row. Cook described Howe as “the first lawyer I ever trusted.” Howe also served as Associate Dean for Academic Affairs at Chapman Law from 1999 to 2007, and has been voted Professor of the Year twice by the student body.

After Eastman expressed his interest to enter the race for Attorney General, Howe was asked by Chancellor Danielle Struppa if he would be willing to serve as Interim Dean, should the need arise. “I know the place well, and want to see it become the best law school that it can be,” says Howe, adding, “We are a school on the move, and all of us want to continue our upward trajectory.”

Howe’s plan for the present is to ensure a smooth transition during the process of selecting a new dean, and to do everything possible to continue the success Eastman achieved in advancing Chapman’s reputation and the quality of its programs. During this transitional period, Howe plans to pursue development opportunities by granting funds and making donations to help further and expand academic programs.



Scott Howe, Frank L. Williams Professor of Criminal Law, will fill in as Chapman Law’s interim dean while the law school searches for a replacement for John Eastman, who resigned his position and announced his run for state Attorney General late January.

“We are going to work hard to keep all the plates spinning that Dean Eastman so successfully kept spinning during his deanship,” avers Howe.

As to the idea of Howe becoming the permanent dean, he says it is not in the plans. “I love teaching and don’t want to stop doing it for a long time. I’m also confident that we will find a really great permanent dean.” Chancellor Struppa is organizing a Dean Search Committee, which will launch a national search for a permanent dean. “The University is committed to appointing a truly outstanding person,” says Howe. But until a new dean is chosen, Howe says he wants to be as helpful as possible, and considers it a privilege to be the law school’s interim dean.

Tim Canova, Associate Dean for Academic Affairs, also says that he has no interest in being considered for Dean: “After three years as Associate Dean, I am looking forward to returning to the faculty, the classroom, and my research agenda.” Canova further explained, “I believe the best thing for Chapman Law at this stage in its development is to bring in an outside dean: someone with a national reputation in the legal academy

who will help raise our profile further.”

Howe also emphasizes the fact that Chapman is not losing Dean Eastman from the faculty – he will continue to teach regardless of whether he wins or loses the race for Attorney General. “What a great experience for students to take a class from the current AG of California!” exclaims Howe.

After being a part of Chapman’s Law School for over 10 years – three of which were spent as dean – Eastman will be missed greatly by both students and faculty alike. As Dean Canova states, “Thanks to Dean Eastman’s energy and leadership, Chapman Law has accomplished a great deal in just the past three years. If the next dean works half as hard as Dean Eastman, Chapman will continue to excel.”

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