



CHAPMAN LAW COURIER

Summer 2015

Dale E. Fowler School of Law

Volume 6, Issue 4



Law School Celebrates 20th Anniversary!

ALSO

Why We Don't Care About US News Rankings
See Page 9

Landing Your Dream Job
See pages 14-15

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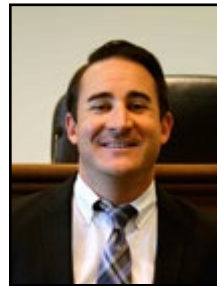
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Editor's Note

Just in case you haven't noticed yet, our Spring 2015 semester is pretty much over. In a couple of weeks we will leave the hallowed Fowler Law halls in search of internships, jobs, or, God willing, vacation.

Unless you are a 3L like myself. I am headed to the dim and dreary world of Bar Prep and the inevitable social black hole that follows.

But enough about me.

I am honestly astonished at how quickly law school has flown by. Everyone said it would. And then it did.

Thus, I would like to take a moment and show my gratitude to the most important group on campus:

The Faculty

Hands down, every good experience (and some awkward ones too) I have had at Fowler Law has been the result of an interaction with a professor, secretary, or faculty assistant.

We have an All-Star list of professors and adjuncts who love what they do, and they do it well. So thank you for making the last three years of hell a learning and growing experience to me. And for the sake of the next generation, please keep it up!

And my final piece of advice: Be Yourself! Don't let law school steal your spirit and creativity, don't change your personality based on the crowd you run with, and don't give up on yourself. If you do, everything else will fall into place.

Cover: The Dale E. Fowler School of Law at Chapman University celebrated its 20th Anniversary March 28 with a beautiful gala in the Atallah Piazza. The evening was capped with a firework show to rival that of Disneyland.

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Law School Celebrates its 20th Anniversary with Live Music and Spectacular Fireworks Show

On Saturday, March 28, 2015, nearly 350 friends of the Fowler School of Law gathered in Chapman University's lovely Attallah Piazza to celebrate the law school's 20th anniversary. The law school's namesake and University Trustee Dale E. Fowler and his wife Ann and Dean Emeritus Parham Williams and his wife Polly were among the many special guests that also included alumni, faculty, students, judges, attorneys, city officials, and benefactors.

The evening kicked off with welcome remarks from Dean Tom Campbell who introduced three special guest presenters, Chapman University President Jim Doti, Dean Emeritus Parham Williams, and University Trustee and Chairman of the Fowler School of Law Board of Advisors Wylie Aitken. President Doti built on a nautical theme, extolling the law school's considerable progress, while looking to the future: "With Captain (Tom) Campbell at the helm, and with the help of his great

crew, a successful journey is assured." Williams, who spent a decade as dean during the school's greatest period of expansion that included ABA accreditation and the opening of Donald P. Kennedy Hall, proclaimed, "As it enters its third decade, the Fowler School of Law is strong, confident and poised for continued growth in prestige and national influence. This is a time of new beginnings and dreams without boundaries." Aitken congratulated the Fowler School of Law for its many successes and challenged the school to aim even higher in the years to come.

16 area law firms and individuals sponsored the event, showcasing the law school's strong ties with the Orange County legal and business community: Aitken • Cohn; Arent Fox LLP; Bergener & Associates APC; Zeinab Dabbah MD, JD ('12) & Daniel Tamianka MD; Fish & Tsang LLP; Gibson, Dunn & Crutcher LLP; Greenberg Gross LLP; Hueston & Hennigan LLP; Keller Rackauckas LLP;

Latham & Watkins LLP; Law Lewis & Stein LLP; Manatt, Phelps & Phillips LLP; Rutan & Tucker; Sheppard, Mullin, Richter & Hampton LLP; and, Snell & Wilmer LLP. AC Martin, the architectural firm that designed the Kennedy Hall building, hosted the complimentary beer and wine for the evening.

After a sumptuous steak dinner and an awards ceremony acknowledging the evening's Gold Sponsors, the guests were treated to a fantastic fireworks show over the university's Hutton Sports Center, immediately followed by a rousing live musical performance by the Fowler School of Law's Alumni-Student-Faculty All Star Band.

All net proceeds from this celebratory event will be used to support the Fowler School of Law's clinical programs.

- Dave Finley



DENIAL OF THE ARMENIAN GENOCIDE FOR 100 YEARS

A genocide is the organized killing of a people for the purpose of putting an end to their existence. This is exactly what was planned by the Turkish government against the entire Armenian population. These organized killings were carried out from the years of 1915 to 1918.

The Armenian people were subjected to deportation,



expropriation, abduction, torture, massacre, and starvation. The vast majority of the Armenian population was sent into the desert to die of thirst and hunger. Approximately one and a half million Armenians passed away as a result of the genocide.

The Armenian Genocide is commemorated on April 24 because on the night of April 24, 1915, the government arrested over 200 Armenian community leaders in Constantinople. All of these leaders were sent to prison in the interior of Anatolia, where most were executed. (Source: Armenian National Institute)

Countries including France, Argentina, Greece, and Russia, where survivors of the Armenian Genocide and their descendants live, have officially recognized the Armenian Genocide. However, as a matter

of policy, the present-day Republic of Turkey continues to deny that a genocide was committed against the Armenians. In addition, Turkey dismisses the evidence about the cruelties as mere allegations and

regularly blocks efforts for acknowledgment.

For countless years, Armenian and Arme-

nian-American advocacy groups have encouraged the U.S. government to recognize the killings as genocide, while the Turks fought tooth and nail against the proposals in the U.S. as well as other countries. This issue has always remained

unresolved despite all of the debate in Congress.

U.S. Congressman Curt Clawson plans to introduce a new proposal to President Barack Obama to “work toward equitable, constructive, stable, and durable Armenian-Turkish relations by establish-

ing a new presidential task force aimed at rapprochement.”

This has outraged Armenian-American groups because Congressman Clawson’s proposal does not involve actual recognition of the Armenian Genocide. It’s analogous to trying to make a credible case that the Holocaust of six million Jews didn’t happen. With all of the historical evidence backing up the occurrence of the Armenian Genocide, 100 years of denial is absurd. President Obama had “promised to use the word ‘genocide’ to describe the mass killings and said that the evidence was ‘undeniable.’ Since taking office, he’s avoided the term, calling the events ‘atrocities.’” (Source: *Wall Street Journal* Article, Author: Tau)

In January of this year, Amal Clooney joined the legal team representing Armenia in a case involving denial of the genocide by a Turkish politician. Just



Top: A group of Armenian orphans in line for food as a result of brutality from the Turkish Government. Above: President Obama with Turkish President Erdogan, who, once again, managed to adversely affect US policy.



Above: The Armenian Genocide Memorial, known as Tsitsernakaberd (located in Yerevan, Armenia), is Armenia’s official memorial to the victims of the genocide.

recently, Kim Kardashian visited Armenia with her family. Kardashian did receive a lot of negative remarks from the Armenian community for choosing to visit at a time so close to the 100 year mark, however, she did cause a lot of people to learn about the Armenian Genocide as a result of the publicity of her visit.

Furthermore, despite all of the efforts

by Armenian Americans in the United States, President Obama once again decided to not use the word “genocide” when referring to the killings of one and a half million Armenians by the Ottoman Turks

on April 24th this year, which will mark 100 years of denial.

The Armenian National Committee of America called this a “national disgrace . . . a betrayal of the truth [and] a betrayal of trust.” *Los Angeles Times* article; Author: Noah Bierman) This decision is the result of the White House’s goal to remain on

good terms with Turkey, a NATO ally,

when it comes to Middle Eastern conflicts. Armenian American activists were hoping that Obama would finally break past this, especially after Pope Francis acknowledged the atrocities as “genocide” on April 12th this year when he celebrated Mass to remember the victims of the tragedy.

Despite all of the disheartening news on the denial of recognition, I can say with absolute confidence that the Armenian culture will always remain strong. Genocide recognition isn’t all about the Armenian nationality or culture – it is about our universal fight for human rights. As Pope Francis said: “Human rights are not only violated by terrorism, repression, or assassination, but also by unfair economic structures that create huge inequalities.”

- Susie Grigoryan

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Upcoming Distractions from Studying

When you're sick of reading cases, stressed out from school, and just downright tired, there's one thing that will always be there for you – television. This spring, there have been many premieres that will be sure to entertain and provide that much needed break from everything law related. Start them now, or once summer begins.

House of Cards (Netflix): The series, which debuted its third season in its entirety in February, continues the story of Frank Underwood, a devious politician who will do anything it takes to reach the pinnacle of power. The story employs Machiavellian tactics and is based on a British miniseries of the same name from



the 1990s. **Mad Men (AMC):** The last season of the series debuted April 5th and follows the lives of the mysterious Don Draper, his family, and other members of Sterling



Cooper & Partners Advertising Agency. Set in the 1960s, the show exhibits various themes, including the prevalence of smoking, alcoholism, sexism, racism, and the counter-culture of the era.

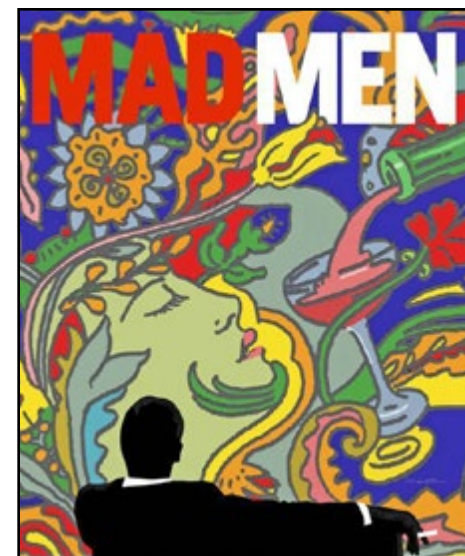
Game of Thrones (HBO): Season 5 premiered April 12th, and continues the seemingly hundreds of subplots within the series. Adapted from George R.R. Martin's fantasy novels, the series centers on wars, dragons, dynasties, and other political storylines. Filled with great dialogue, action, and overridden with sex and violence, Game of Thrones is a great and extremely addictive distraction.

Unbreakable Kimmy Schmidt (Netflix): Fans of 30 Rock will enjoy this new show created by Tina Fey. The series premiered in early March and details the adventures of Kimmy. Kimmy is portrayed by Ellie Kemper (The Office, Bridesmaids) as a young and very naïve woman newly rescued from a doomsday cult, starting

her new life in New York City.

Keeping Up with the Kardashians (E!): This past March saw the premiere of the 10th season of the reality show. Focusing on the adventures of the extremely talented Kardashian family, the show is filled with riveting intellectual and philosophical discussions about their lives while they deal with fame and fortune.

Daredevil (Netflix): This April, Netflix is giving the Marvel character Daredevil his own miniseries. The series premise involves Matt Murdock, a lawyer



whose blindness leads him to develop other heightened senses and fights crime. In other words, this is the tale of a classic Marvel superhero in a new adaptation.

Whether these shows catch your interest or not, be sure to enjoy your summer. Find some time to relax because another year of law school is over and we deserve it!

- Ryan Yabko

All images courtesy of imdb.com

Rankings Are Out! Here Is Why You Shouldn't Pay Attention to Them

Every March, *U.S. News* ranks the “Best Law Schools” in the nation, and for the past few years, Chapman's rank is met with demands for better results. This year, Chapman University, Dale E. Fowler School of Law clawed its way up 13 positions in the rankings to anchor an 8-way tie for 127th on the annual list. Naturally, this is a disappointing fall from the school's former glory within the top 100 just three years ago. The question is, should we care?

Granted, this is an easy position to take coming from a law school so far down the list, but a closer look at the methodology behind the madness reveals the rather uselessness of the rankings system to the average student “consumer.” The unfortunate irony is that prospective students across the country depend on these rankings when deciding which law schools to apply to.

Ranking the exaggerated reactions of schools and students would probably prove a more useful list, and more entertaining at that.

First, and definitely foremost, the rankings pay too little attention to what students care about most – jobs. Surprisingly,

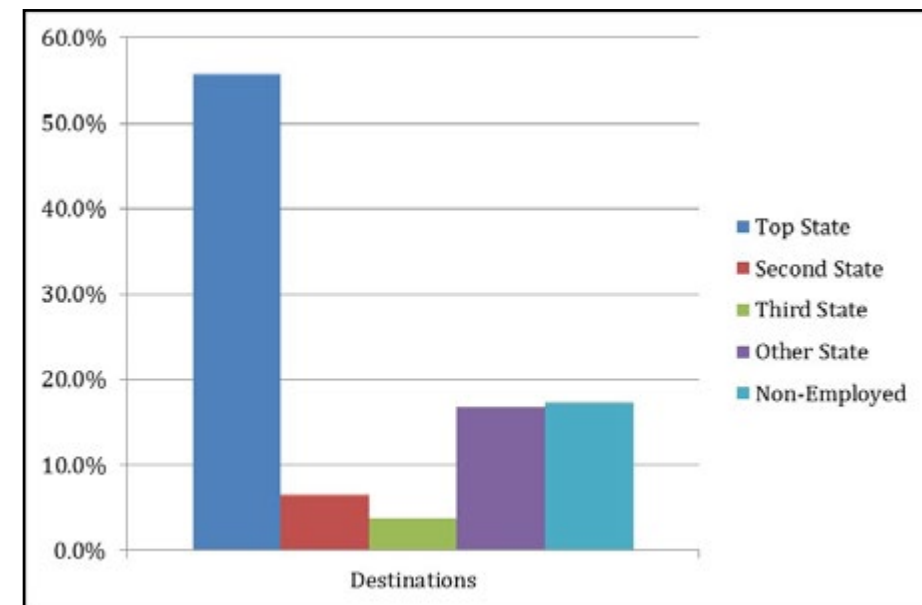
job outcomes accounts for only 18% of the rank. The rankings formula lends more weight to a school's academic reputation than seemingly more important factors such as employment nine months after graduation and the school's bar passage rate. A majority of law school curriculums, understandably so, are molded to fit the ranking formula and aim to secure rankings success.

There is a lot of pressure from students, alumni, and donors to climb the ladder that is *U.S. News Rankings*. However, when too little weight is given to such an important aspect of a very expensive and tenuous academic career, students and their future lawyer-selves are the ones who suffer most.

Further, the rankings incorrectly assume all schools operate on the same national playing field. Most schools, including Chapman, have a regional or a more localized reach in terms of job placement.

In other words, comparing the rankings of Chapman and the University of Maryland Law School is not a useful indicator since graduates from these schools will likely not compete against one another. According to *Above the Law*, 158 schools placed at least

Below: This graph from *Above the Law*, shows that 158 schools placed at least 50% law schools placed at least half there employed graduates from the class of 2013 in one state.



half of their employed class of 2013 graduates in one state. Simply put, the top state destination for each school accounts for more than 65% of employed graduates. Less than 10% of employed graduates go to a school's second most popular destination, with just 4.5% of employed graduates working in the third most popular destination. These statistics make it invariably clear that comparing schools across the country just doesn't make sense and provides no useful information to its reader.

Now, the *U.S. News Rankings* are not innately wicked. Theoretically, the rankings are supposed to provide a prospective student an opportunity

Continued on Page 11

RELIGION AND THE LAW: DEFENDING RELIGIOUS LIBERTIES

The Eleventh Annual Orange County Religion & the Law Symposium was held on March 26 at the Fowler School of Law. Since its inception, this event has focused on hot legal issues concerning religious liberty and is sponsored by the J. Reuben Clark Law Society. Every year, it is co-sponsored by several other law schools, student groups, and legal societies.

The symposiums provide a forum for people of faith to find common ground and dialogue about important legal and religious principles.

This year's symposium, "More Than A Hobby: Defending Religious Liberty at the U.S. Supreme Court in Burwell v Hobby Lobby," featured Hannah Smith, Senior Counsel at the Becket Fund for Religious Liberty in Washington, D.C.

Below: Fowler Law hosts the Jay Reuben Clark Law Society's 11th Annual Religion and the Law Symposium on March 26, 2015.



Image courtesy of Fowler Law School

Ms. Smith graduated from BYU Law and clerked for Justices Samuel Alito and Clarence Thomas. More specifically, she was a member of the Becket Fund legal team that secured a victory in *Burwell v. Hobby Lobby*, where the Court held in a 5-4 opinion authored by Justice Alito that family-owned businesses enjoy religious liberty rights under the Religious Freedom Restoration Act and that the HHS mandate violated the Act.

The approximate 120 attendees of the symposium included judges, attorneys, professors, religious leaders and students.

Ms. Smith recounted the development of the Hobby Lobby case, the Green family's story, and her experiences on national television. She also explained how the contraceptive mandate of the Affordable Care Act impinges upon the free exercise of religion and how that Constitutional right logically extends to family-owned businesses.

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"It would be one thing if the mandate required religious organizations to choose between their convictions and federal funding," Smith said, "but this mandate is much worse: It applies with full force to every religious school, hospital, and soup kitchen, even if every single dollar of funding comes from private donations."

Attending the symposium for the first time, Bo Ram Park, a 2L, commented, "I was especially impressed with how fami-

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ly-owned businesses live out their faith. People think religion is just something personal, something separate from work and business, but I believe true religious liberty means that our beliefs our integrated without the way we live our lives, and ultimately make changes in the world."

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- Boyd Johnson

its wake.

Replace the angst that is brought upon by Chapman's rank with desire to see its attention is focused on the outcomes that matter.

- Arthur Arutunyan

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Litigation Alternative: OP/ED: Mediation

What is Mediation?

Mediation is an effective form of alternative dispute resolution. Over the years, it has been increasing in popularity dramatically, causing a shift from litigation to mediation. A mediator's role is to act as a neutral third party and facilitate communication between two or more parties in hopes of helping them reach a settlement agreement and avoid costly and time-consuming litigation.

Think back to "Wedding Crashers" from 2005 (yes, that was 10 years ago) and remember the scene where they were working with the divorced couple and trying to figure out who should have the air miles. The truth is that mediation has been around in the U.S. since the 1970s, with increasing popularity and demand in the last decade.

There are



Image courtesy of StockMonkeys.com

numerous benefits to mediating a case instead of going to trial. Everything discussed is confidential in mediation.

This encourages parties to be honest with each other because the information that is disclosed cannot be used in a later trial if the mediation does not reach a settlement. If parties go to trial, it is as if the mediation never occurred. If it does settle, parties avoid months of continued discovery, trial, and extra costs.

Next, courts are becoming increasingly backed up and it can take years for a case to reach trial. In Las Angeles, there is an average wait time of about two years. This is one of the reasons why many parties hire private mediators to help solve their disputes in a timely manner. A huge benefit of mediation is that the terms of parties' agreements are flexible and not signed until they are agreed upon.

The mediator does his/her best to ensure that the agreement is mutually beneficial, whereas a judge makes a decision that sometimes favors one party much more heavily than the other.

When an agreement is mutually beneficial, it is more likely that parties will oblige by it, especially since they are often the ones that decide on the terms themselves.

These agreements work well in family law cases, small claims, civil

harassment cases, and cases like personal injury and medical malpractice. For instance, if a party is injured due to the negligence of a medical professional and he decides to sue, a jury will decide on a number that they unanimously deem fair and the plaintiff is stuck with that number.

After the attorney collects what is most likely a 30% contingency fee, and the plaintiff pays off his medical expenses, he is left with close to nothing to compensate for his pain and suffering. In a mediation, the plaintiff has the option to give his attorney a minimum amount that he is okay with, and his attorney can negotiate with opposing counsel to get an amount as close to that as possible. Because both parties often want to avoid the hassle and cost of trial, they are able to reach an agreement.

Many times, parties go to court expecting to have a trial and are then sent to mediation that is court ordered by a judge. This is done because of how effective mediation has proven to be. At Chapman, Professor Dowling is in charge of the mediation program. Students travel to Riverside and mediate civil harassment, small claims, debt collections, unlawful detainers, and more.

All of these cases are court ordered, and while parties often want to avoid the process and go straight to trial in these cases, settlements are common and parties are satisfied with the outcome and grateful



Image courtesy of huffingtonpost.com

that they had a say in what happens. When asked what the most satisfying part of being a mediator is, Arthur Arutunyants (3L) replied, "The most satisfying part of my experience with the mediation clinic is the opportunity to help people settle their problems without risking it all in a trial. We provide parties the ability to put their emotions aside and come to an agreement. I enjoy being a neutral party and watching

the experience from an outside point of view. Sometimes people are so entrenched in their own argument that you don't see the other side. It's fun to watch from the outside and try to understand the truth and help them reach a middle-ground by helping them understand the weakness in their case. ADR gives people the opportunity to take matters into their own hands and create a flexible settlement with

everyone's best interests." Arutunyants has been part of the mediation clinic for three consecutive semesters and hopes to practice mediation after graduation as well.

Whether parties seek mediators themselves or the mediation is court ordered, most find the process to be rewarding and the outcome to be mutually beneficial for parties involved.

- Hilda Akopyian

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Image courtesy of imgarcade.com

3LS POST-BAR EMPLOYMENT & TIPS ON SCORING DREAM JOBS!

For 3Ls, graduation and bar prep are just around the corner! While job prospects look bleak (although recent economic job reports suggest that the worst may be behind us), most 3L job offers come in the middle of bar prep, or even after the bar. Don't worry 3Ls, Chapman isn't on the list of top ten law schools who produce baristas with law degrees.

Still, many students are not impressed with Chapman's employment statistics, which are accessible every year, so don't focus on the statistics. Instead, 1Ls and 2Ls should take advice from the real life students who have the jobs on how to get the jobs. This article will focus on profiles of some inspiring 3Ls (and some 2Ls) that are lucky enough to be pursuing amazing careers this year.

Allie Andreen

Associate, Best, Best & Krieger

Allie worked last summer as an associate for Best, Best & Krieger. In her interview she demonstrated to employers that she had an interest in the practice area, and they were impressed with her resume. Allie participated in Mock Trial, Law Review and is in the top ten percent of her class. Allie's advice to rising 2Ls and

3Ls is "to research the firm, learn about the firm's practice area of the law, stay current on relevant legal news and demonstrate what you can bring to the firm". Overall, she advises potential interviewees to sell themselves as a package of potential.

Nicole Kahn,

Tax Associate, PricewaterhouseCoopers

At Chapman's Meet the Tax Firms event, recruiters were impressed with Nicole's background in bankruptcy. Nicole did not intern with the firm, and was lucky enough to get her position after the first interview. Nicole is moving to San Francisco to work for the PricewaterhouseCoopers office.

Anna Evans Putterman

Tax Associate, Ernst & Young

Anna met representatives from Ernst & Young in September during her second year at a Tax Law Society meeting. After the event, Anna asked for a business card, then she emailed and followed up several times until they gave her an interview for a summer internship. Anna interviewed three to four times throughout the following months. Then in January she received an offer for

a paid internship. Upon completion of her internship, she was offered a full-time post-bar position beginning in October.

Shane Melzer

Fellow, Orange County District Attorney

After an extensive interview process Shane was chosen for the highly coveted nine month District Attorney fellowship. Shane externed for a full year in the homicide division of the OCDA, then during his 2L summer he interned at the Riverside District Attorney's Office.

Shane explained that the interview process for the DA's fellowship has three steps. "Step one is the application. Step two, is the first interview, a one-on-one interview with a District Attorney. Step three is a panel interview with the top-level management". During the final interview, applicants give a closing argument based on the fact pattern provided to prospective fellows. Unlike previous years, the fellowship only lasts nine months instead of a full year. His advice is "to show dedication to the DA,"

because it is common for students to work at the DA as a "stepping-stone" to get experience in the field they actually want to pursue.

Shaun Sanders

Collaboration Advocate, UCI's Innovation Institute

Like some law students, Shaun is pursuing an alternative career. UCI's Innovation Institute is a 30,000 square foot facility, which is currently being built out and it's anticipated completion date is July 2015. Shaun has been working there since December.

The Innovation Institute is positioning itself as a hub for Southern California's startup/entrepreneur community. The goal is to provide the community with means to build and scale their businesses, and also help bridge the gap between investors and startups.

Shaun's duties are divided between a communication liaison and managing deals syndication for investment groups. As communication liaison, he is the outward-facing point of contact for all the various angel groups, incubators, investors, and startups. This means he travels around to all the various networking events, facilities, etc. to speak with groups and find opportunities to integrate them into The Institute. This includes a variety of activities including organizing events at The Institute (this weekend,

for example, we are having an event with a virtual reality hacker group that will be developing games for platforms like the Oculus Rift).

The second part of his job is managing deal syndication for several of the largest angel investment groups in the United States. This allows investors in different regions to collaborate their efforts and investments in order to qualify for certain deals, or even to help fill out rounds of funding.

Shaun's advice for 1Ls and 2Ls is to network. "I know everyone says that — but people don't seem to listen. I was able to get this job because I have been sneaking over to Chapman's business school since my first day at Chapman, and so when this opportunity presented itself to some people in my network, my name was brought up." Shaun credits his success to having "great relations with faculty and administration, it helped put in a good word when this opportunity came up." Shaun says "networking is more than just shaking hands... it's about building relationships for the

“Networking is more than just shaking hands... it's about building relationships for the sake of building relationships even if there's no direct benefit for you. So if you like people — put it to work for

you. And if you aren't a people-person, try to figure out how to start”.

Seth Bowen

Associate, The Law Offices of Ray B. Bowen

Seth started working at his father's small boutique firm before 1L. He has continued to participate in the family business throughout law school, and will be joining his father's practice in the fall. His advice is simple just "try to talk to everyone you know”.

2Ls:

Many 2Ls choose to pursue careers in public interest, specifically criminal defense. Jimmy Tran is working as a law clerk at the Orange County Public Defender's Office, Alex Yi is continuing in his position as a certified law clerk for the Los Angeles County District Attorney's Long Beach Office. Alternatively, some 2Ls like Michael Cefali are going the private route working as a summer associate at Higbee & Associates.

- *Micheline Perani*



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