



# THE COMMENTATOR

Vol. XLI, No. 13

The Student Newspaper of the New York University School of Law

April 5, 2007

## Adler Takes Away Journal Credits, Goes After More

By BOBBIE ANDELSON '08

The administration is considering changing its policies so that student leaders in Moot Court (including the Marden Competition) as well as on NYU's eight law journals are no longer eligible for course credits. Many student leaders are worried about the effect that this will have on the law journals and Moot Court.

Beginning with the next academic year, students will no longer be eligible for the two credits previously awarded for a publishable journal note or moot court problem. Student leaders are fighting to retain the two credits they still receive for journal and Moot Court Board membership as well as the one credit per semester for participation in the Marden competition.

According to the Editor-in-Chief of the Journal of International Law and Politics (JILP), Christopher Bradley (Class of 2007): "NYU is a great law school, and one thing that makes it great is the number of academic opportunities outside of the classroom that it supports. Most importantly, this includes clinics, moot court, and journals. While I don't think this proposed credit policy would kill off all of the journals, there is no doubt that it would lower the quality of the work produced, and thus would also lower NYU's reputation as a law school. It would also change the atmosphere on the journals, since people will be less invested in the journals as institutions. It thus strikes at the heart of NYU's supposed commitment to unique, vibrant student interactions."

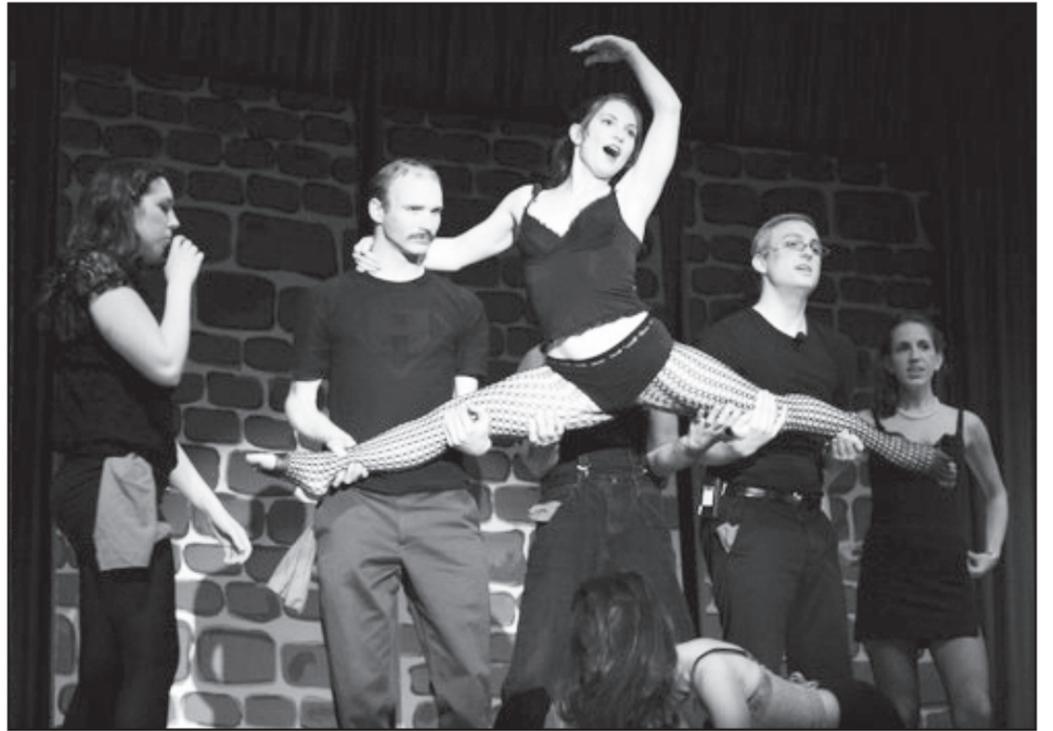
Jaime Lubbock '07, the Chairperson of the Moot Court Board, seconds this sentiment: "It is really hard to imagine how Moot Court will go forward doing all of the work that we do, supporting each other as we do, without credit. I think that all of these programs are incredibly valuable to the school and losing them will negatively impact the atmosphere of the law school."

"Moot Court, journals, and the Marden Competition are all great learning experiences, and they are worth the time that people put into them even without credit," Lubbock continued. "That being said, it takes a lot of time to participate in and run all of these activities. Our concern is that without credit, students will not have the time to pursue their interests in these activities. We will lose leadership and overall participation. In particular for Moot Court, we do significant amounts of work, so it is very likely that without

credit, we will have to cut back on some of our programs."

According to Bradley, "especially thanks to Jaime Lubbock and other student leaders, the issue seems to be getting a lot of attention. But until that press began, the administration was extremely reluctant with information. For reasons I do not understand, some members of the administration seem to think that taking an adversarial stance is the best way to proceed. Other people—I know that Professor Joseph Weiler, for instance, has discussed the issue with JILP—take a more collegial stance toward the journal leaders, and I believe this is a much more successful and positive strategy.

See CREDITS page 2



JAIMEE LEDERMAN '07

The Commentator was shocked to learn that we were mocked during this year's Law Revue musical. We considered leaving in a huff, but instead merely huffed and watched the remainder of the play.

## NYU Sweeps Individual Oral Argument Prizes at Jessup International Law Moot Court Competition



William Newman '07, James Medek '07, Rachael McCracken '07, and Vilas Dhar '07 all won individual honors at the Jessup moot.

By JULIA FUMA '07

NYU Law students Vilas Dhar, Rachael McCracken, James Medek and William Newman competed at the Philip C. Jessup International Law Moot Court Competition Atlantic Regional March 19—and earned the highest oratory honors at the competition.

The students competed against 15 teams from around the country in what organizers termed "the most competitive regional in the competition" through four rounds of argument to advance to the Semifinal Round with a number two seed, where they faced the reigning international champions in the competition. Each member was also individually recognized for their performance, with Medek receiving Eighth

Place Oralist, Newman winning Third Place Oralist, McCracken receiving Second Place Oralist, and Dhar winning Best Oralist for the competition.

The Jessup Competition chooses current controversial issues in international law for topics. Each team researched and wrote briefs to be argued in front of the International Court of Justice on topics including rules of accession into international organizations, diplomatic immunities and privileges, expropriation of foreign investor assets, and current issues of standing before the International Court of Justice. This year's problem was based on Turkish accession to the European Union. It involved a hypothetical developing country that underwent substantial economic and social changes through an accession agreement. The country was

then denied accession and brought suit to enforce the accession agreement and passed legislation prohibiting the repatriation of profits made in their country into member states of the union. The hypothetical union then brought a countersuit on the economic issues.

"These topics are extremely important in the developing world of international law, and the competition gave us a framework for bringing together many disparate sources and creating a highly persuasive argument," said Dhar. The team worked with both professors and scholars from the International Institute for Law and Justice to further understand their topics and prepare their arguments. "Their knowledge and experience on both the issues and technicalities of arguing in front of the ICJ was invaluable," said Medek.

The competition itself was not without excitement – Dhar sprained his ankle just before his second round and delivered his later arguments on one foot, which became a source for many jokes throughout the weekend. After receiving the speaker award for him because of the injury, Medek remarked, "Vilas may claim he won first place speaker. He might have the first place speaker trophy. He might even have a bunch of witnesses at the awards ceremony who will claim to have heard his name. But look at the picture...it's definitely me and not him picking up the award." Indeed, the most heated argument of the competition took place when the coach of another team accused Dhar of feign-

ing an injury to garner sympathy from the judges.

Medek and Newman are experienced at moot arguments, both having received accolades at earlier competitions. However, this was the first inter-school competition for McCracken, making her award all the more impressive. "Having seen her argue in practice moots, none of us were surprised at her success," said Dhar. "She's a born litigator."

Along with many shared dinners and work sessions, the team also established a tradition of Friday adventures to destinations such as the Central Park Zoo and a field trip to see Staten Island Chuck on Groundhog Day. The team was recognized by judges, competitors and fellow students for their high team unity and spirit.

"Jim was incredibly upbeat throughout the entire competition. He kept us all focused and motivated through months of practice," said McCracken. Dhar echoed this statement, noting Medek's continuous enthusiasm and thorough grasp of the issues involved. Medek praised Will Newman's work on an incredibly difficult issue, stating "I don't think anyone had any idea what was going on with Will's issue, particularly when we were writing the briefs. And, in addition to crafting his own argument, he had to help Vilas (a late addition to the team) get up to speed on the issue."

When asked about whether their experiences would lead them to future practice in international law, all four uniformly agreed with a resounding "No."

## My Year with the SBA

By JOHNATHAN SMITH '07

By the time the next edition of the Commentator hits the newsstands, my term as Student Bar Association president will have come to an end. There are few words that can describe how happy that makes me (literally, the highlight of my year—even bigger than graduation). I figured I would devote my last Commentator column in my official capacity as SBA President, to discuss with you all my thoughts and perspectives about my time with the SBA. And why after it all, I believe the SBA is a vital organization on campus, and sincerely hope that it grows stronger next year. Is any of this “news” or even relevant to your life? Not really, but hopefully it will be at least a slight bit interesting.

I had never served on the SBA when I decided to run for SBA President last spring. And like any “political outsider,” I had big goals about what I thought the SBA could accomplish. I thought the SBA could further campus discussions about the need for greater diversity, that it could lead the charge for greater transparency, that we could close the divide between faculty and students—at the very least, as a non-drinker, I hoped we could offer non-alcoholic alternatives during our weekly social events. I am ashamed to say that during my tenure we accomplished very few of those goals (we did have a few Thursday night events where there were some non-drinking activities, but that was the result of the two Social Chairs, Rose and Mana). I had such lofty intentions, but so little follow through.

Would I do it again if I had

the opportunity to go back? Definitely not. Am I glad that I served as SBA President? I don't know. Over the course of the last twelve months I have received a number of annoying and obnoxious emails and complaints from self-righteous, overly-self-important students, and having to spend my time responding to those issues has been frustrating and tedious. I have also received complaints about issues I fundamentally don't care about. On the other hand, I have thoroughly enjoyed getting to know many of the students on this campus, and I have been grateful for the (few) times when the SBA has been able to provide meaningful assistance and support. I fully believe that the SBA should be an organization that students and student groups should be able to turn to for support, and I am proud to say there have been times when we have been able to provide that support.

And I fully believe there is a lot more good work the SBA can do on this campus. At the end of the day, the SBA should be and is about more than just throwing parties and providing free alcohol. The SBA provides a source of representation and advocacy for students on this campus, and when it is functioning correctly, can do a tremendous amount to improve things here at NYU. It is easy to ridicule and criticize the work the SBA does, but the SBA is made up of many hard-working and dedicated students (and I had the privilege of serving with them this past year), who are committed to this campus. Through my year with the SBA I learned that the SBA does play an important role on campus, and as students we should all hold the SBA accountable.

## CREDITS: Writing Credits Gone, Board Membership Credits in Limbo

Continued from page 1

I hope that the administration will seek a solution that actually serves everyone's interests, and I think such a solution is possible.”

At a recent meeting with student leaders, Vice Dean Barry Adler told students: “Given the ABA rule that requires faculty evaluation for any credit awarded, the Curriculum Committee is going to consider whether or under what circumstances we can or should continue to give credit for service on boards. Any recommendation of that committee would go to the faculty. Many of

our peer schools do not award such credit and some on the faculty, or perhaps the faculty itself, may reach the conclusion that we should not either. Nothing will happen until students have an opportunity to be heard and no credit will be withdrawn from current boards or the boards being elected this semester.”

In describing the changes that are being made to the law school curriculum, Adler said, “After much consideration that spanned three committees over three years, the faculty decided that credit for writing should be awarded under the exclusive supervision of fac-

ulty members. Thus, while we hope that many journal notes or moot court briefs will be the product of directed research and thus receive credit in that way, starting with work begun next year, no note or brief will earn credit except as a directed research project, and no additional credit will be awarded when a directed research paper becomes a journal note or moot court brief...The committee that will consider the question of board credit has not even begun its deliberations. So there is nothing to report there. No change, if any, will take effect before the 2008-09 academic year.”

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## THE COMMENTATOR

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THE COMMENTATOR  
135 MacDougal Street #4G  
New York, NY 10012  
212.998.6518 (phone) | 212.995.4032 (fax)  
e-mail: fuma@nyu.edu

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## Meet Next Year's Editors-in-Chief of the Journals (And the Guy in Charge of Moot Court)

### Law Review

Ben Kingsley

#### Why did you take this job?

Mainly because I don't know when I'll have another opportunity again to be so involved with as diverse and talented a group of people as are on the journal.

#### What are your plans/goals for your journal in the next year?

Other than publishing the best articles and notes we can, we are expanding our online presence dramatically, hopefully launching a new website (with the help of the school), as well as a collaborative online content project with several other top schools. We're also launching an alumni association for the journal.

#### What will you do to ensure high morale among next year's 2Ls?

Including 2Ls in a lot of substantive journal work is important (articles selection and the notes process, for example), as is making sure the office is a friendly, laid-back, and supportive environment. Our journal is a very tight community, so this should not be a problem. The 2Ls this year were extremely involved in the journal—organizing social events, working on committees, and taking ownership of the institution early on—with a record number running for senior board. If we just continue that, morale among our new 2Ls will be very high.

#### What is your A paper topic?

I am writing my A paper/note on using land use impact fees to encourage green (and particularly energy-efficient) development. It's mostly policy, with a little bit of law sprinkled in to keep real law people happy.

#### What has been your favorite law school class?

Environmental Law.

#### Who is your personal legal hero?

This is a tough one. Beyond the obvious choices, I'm a big fan of the hilarious opinions of Samuel B. Kent, the only judge in the Galveston Division of the Southern District of Texas.

#### Why should the 1Ls choose your journal next year?

Because it's a lot more fun than people think, and not as much work as people tell you.

#### Any advice for 1Ls in the journal applying and choosing process?

Don't stress about it too much. And pay attention to your Bluebooking! It's an easy thing to do well, and also easy to notice when it's not done well...

### Journal of International Law and Politics

Jen Insley-Pruitt

#### Why did you take this job?

How could I turn it down?

#### Plans/goals for next year?

Our plans for next year include changing the notes system in order to both encourage journal members to submit their notes at an earlier point in their law school careers and to foster a working community among 2Ls working on notes. We are also making changes to



our assignment system in order to ensure a greater variety of experience for all staff editors.

#### Ensuring high morale for 2Ls?

We are planning multiple happy hours and parties to introduce incoming 2Ls to one another and integrate them more fully into the journal. We are particularly interested in having 2Ls work more closely with the articles process so that they may gain a greater understanding of the substantive (as opposed to citation-oriented) editing work of the journal.

#### What is your A paper topic?

I am writing my A-paper on the conflict between indigenous land claims and state environmental goals in national parks in Chile, French Guiana, and Botswana.

#### Favorite law school class?

Either Constitutional Law (Feldman) or Criminal Law (Jacobs).

#### Who is your personal legal hero?

Justice John Paul Stevens, who went to my alma mater (U. Chicago, '41) and who has long had the courage to speak his mind.

#### Why choose your journal?

I would recommend JILP to 1Ls because working on the journal is a great opportunity to experience the cutting edge of international law and really have a hand in the development of the field.

#### Advice for 1Ls?

Also, in response to some of the questions I've heard, I would add that there is no best way to deal with the writing competition. Some of my friends did the whole thing in four days and then left for India/Uganda/parts unknown. Others took the entire two week period writing and rewriting, and then rushed to submit at the last minute. In the end, there is no ideal method—take whatever amount of time you have available, and try not to worry too much about the whole thing.

### Environmental Law Journal

Lauren Giles

#### Why did you take this job?

I really felt like I wasn't busy enough.

#### Plans/goals for next year?

We're working on a great colloquium on environmental governance and we plan to trap a wild muskrat and teach it to steal office supplies from the Law Review.

#### Ensuring high morale for 2Ls?

We're hoping to build a strong community via a high level of transparency, receptiveness to 2L input, and increasing the frequency with which free food is available in the office.

#### What is your A paper topic?

Evaluation of carbon impacts under the National Environmental Policy Act.

#### Favorite law school class?

Con Law with Yoshino

**Who is your personal legal hero?** I grew up in Georgia and did a lot of death penalty abolition work when I was younger. I think that people who don't know much about the death penalty often assume that death row inmates are all saintly, innocent guys. The truth, and part of what makes DP work so hard, I think, is that most of them are guilty, and they're guilty of really horrible crimes, so it's absolutely



an uphill battle to try to give them access to justice. I'm not one for hero worship, but there were some fantastic people in the Georgia Multi-County Public Defender whose commitment to the idea that even murderers deserved fairness was inspirational.

#### Why choose your journal?

ELJ is unique in taking a very democratic approach to running the journal. Transparency and participation are key for our board, which basically means that we are committed to minimizing the degree to which 2Ls feel like anonymous cogs in the Journal Machine. We also have the most comfortable couch in the D'Agostino basement. I have laid on several journals' couches, and I can testify to the superior quality of ours.

#### Advice for 1Ls?

Don't sabotage yourself: just because you don't know anything about international law, or the environment, or liberty doesn't mean that you shouldn't apply to those journals. Pick a journal that covers something you think you'll be interested in reading about and that you'd like to write about. And it's best to front-load the writing competition, hard as it is after finals: you really are NOT going to be wanting to work on that thing when you're starting your summer job, and finishing early is the best gift you can give yourself. Honestly, one more day of work isn't going to make a difference, except in your misery level.

### Review of Law and Social Change

Deena Fox

#### Why did you take this job?

The outgoing board is a thoughtful and forward-looking crew and during the board transition process they proposed changes to the board structure. They inspired me to take a leadership role in implementing the changes. And, of course, I believe in social change!

#### Plans/goals for next year?

We are modifying our board structure to improve transparency and accountability. This will make it easier for staff editors to understand the work that flows through the journal.

#### What is your A paper topic?

The legal and ethical implication of "wired" plea bargaining.

#### Favorite law school class?

Constitutional Law.

#### Who is your personal legal hero?

Robin Steinberg, founder of Bronx Defenders.

#### Why choose your journal?

Our journal is community as well as a publication. The *Review of Law & Social Change* explores critical approaches to social, economic and political injustice through the articles we publish and events we sponsor. We are a community that reflects and represents people of color and sexual minorities, and strives to maintain an environment where a diverse range of people, backgrounds, and viewpoints are respected.

### Journal of Law & Business

Jonathan Salzberger

#### Why did you take this job?

To learn more about business law since I will be dealing with these issues for approximately 14 hours a day for the next 40 years of my life. Becoming EIC was one way to ensure maximum involvement. I also believe in my journal's mission to publish articles that have real life importance.

#### Plans/goals for next year?

Make the journal known to more practitioners and academics and continue our ongoing novelty by publishing innovative pieces from practitioners.

#### Ensuring high morale for 2Ls?

More social events, including a 2L/Board foosball tournament.

#### What is your A paper topic?

Right now my A paper is on forum non conveniens, international comity, and international abstention as barriers to US litigation and the effects on American firms' decisions to do business in China.

#### Favorite law school class?

Antitrust with Chris Leslie.

#### Who is your personal legal hero?

Mitch McDeere.

#### Why choose your journal?

You'll learn about a topic that will become important to you in your career and you'll have fun with good people as you learn. Our journal also provides a unique opportunity to contact and communicate with practitioners. And we have a foosball table.

### Annual Survey of American Law

Ben Geffen

#### Why did you take this job?

The Annual Survey has been publishing a high-quality journal since 1942, and it's exciting to take such an active role in it. But mainly I like the people.

#### Plans/goals for next year?

We're planning to once again publish what the journal's name suggests: an annual survey of American law.

#### Ensuring high morale for 2Ls?

We switched to an office hours system last year that has boosted productivity and camaraderie, and we will tweak that system next year to make it more flexible and efficient.

#### Who is your personal legal hero?

Both Roger Baldwins were pretty impressive.

#### Why choose your journal?

We put on two of NYU's best events every year: a dedication (this year's features Justice Breyer) and a symposium.

### Journal of Legislation of Public Policy

Ann MacCormack

#### Why did you take this job?

I really enjoyed my time on journal last year and thought the topics we covered were both interesting and important. For instance, one of this year's forthcoming issues is about



immigration reform, and another about the Voting Rights Act. I'm also a little bit of a publication junkie—I'm also the Editor-in-Chief of a blog about women and the law, Ms. JD. Perhaps the most important consideration for me was the people on *Legislation*: they are a great group who know how to work together really well.

#### Plans/goals for next year?

Having switched last year from publishing two issues per year to three, we are improving the publication process so it becomes more efficient and timely. Also, to keep having a lot of fun.

#### Ensuring high morale for 2Ls?

A high priority for our entire Board this year is to involve the 2L Staff Editors much more. We are changing the way office hours run so they are a better use of their time (and more helpful to the journal).

We're planning on doing more social events as well.

#### Why choose your journal?

Because we rock! We are a great place for people who are interested in exploring interesting and new issues of policy and legislation, everything from Green Building, to the Digital Millennium Copyright Act, to educational policy and legislation. While we are a subject journal, there is a very broad range of topics that are available to us.

There's also that having fun thing I keep talking about.

### Journal of Law & Liberty

David Ata

#### Why did you take this job?

I like a lot of the philosophical issues surrounding classical liberalism, and think they provide an interesting framework for analyzing modern problems. I do not think we spend enough time looking at things from the classical liberal perspective, so the chance to help bring this view into focus for others was one I jumped at.

#### Plans/goals for next year?

To expand our already considerable pool of authors and to build the journal's community by doing more social events.

#### What is your A paper topic?

It is an investigation into the standard of review used in cases of voluntary racial integration, motivated by a concurrence by Judge Kozinski in a recent 9th circuit case.

#### Who is your personal legal hero?

A three way tie between Oliver Wendell Holmes, Felix Frankfurter, and Nino Scalia. I am also growing more fond of Judge Friendly's work, but I have not had occasion to read many of his opinions.

#### Why choose your journal?

Because we have more fun than other journals, because our members enjoy debate and like to see all possible sides of legal issues, and because we use the Harvard comma (the comma before the "and" in a list of three or more). If you like liberty (and who doesn't?) this is the journal for you.

#### Advice for 1Ls?

Don't be afraid to say what you think.





# THE COMMON TATER

Vol. ( . ) ( . ), No. < ^ >

The Quotidian Potato

Four Days Late, 2007

## Invasion Is Imminent, Memo Shows

### Adler Gives Green Light to Phase Four, Journals Ready Defenses

BY JUDGE SMART ASS

D'AGOSTINO SUBBASEMENT—A confidential administrative memorandum obtained by *The Common Tater* indicates that Vice Dean Barry Adler has completed his much-rumoured Third Street tunnel and is prepared to launch the final phase of his journal offensive.

The rapid progression of the offensive, codenamed Ignominious Legacy, has surprised many of the student journal editors who are now scrambling to fortify their subbasement with strategically placed boxes of unwanted journals. The vice dean initiated phase one of Ignominious Legacy in December by obliterating the writing credit in a single swiftly executed surgical strike. At a February meeting with journal editors widely seen as the start of phase two, he dramatically produced decades-old personal anecdotes providing solid evidence that journal members “don’t do very much.” He then demanded the surrender of all journal credit.

Journal sources speculate that student resistance to this demand was the impetus for Ignominious Legacy’s third phase, the existence of which was first confirmed by the leaked memo. In mid February, the vice dean “authorized construction of a top secret tunnel beginning in the law library’s microfiche room, travelling southwest towards D’Agostino Hall, and stopping just short of the journal offices.” When a student discovered the microfiche room in late February, however, the “entrance was moved to the Vanderbilt basement.”

Since the beginning of March, maintenance workers have used Vanderbilt Hall’s outdoor lift to remove tens of cubic meters of dirt and rock from the building each day. Although journal operatives first spotted the telltale dumpsters over Spring Break, they did not finish C&Sing their intelligence reports until late last week. Furthermore, these reports now appear to be faulty, as they attribute the subterranean excavation to the “apparent construction of an All-ALSA space for some cultural groups and a terrorist cell called the Outlaws. Ask *Social Change*.”

The tunnel’s real purpose, the

memo confirms, is to facilitate the vice dean’s invasion of the journal offices in a “grand campaign” to “make the journals moot and Moot Court mooter.” In Ignominious Legacy’s fourth phase, the vice dean “plan[s] to personally break through the journal wall, liberating scores of hapless 2Ls lured by a resume line and trapped by the line edit, declaring an end to the tyranny of scholarly mediocrity, and once again pissing off a lot of people just before finals.”

A nervous quiet reigns throughout the JILP office, the probable location for the vice dean’s looming breach. “We know it’s coming,” sighed one editor fatalistically as she gestured toward the cracking north wall. “But when? After he takes away our journal credit? Before he retires? Since we editors really don’t do any work anyway, all we can do

is wait.”

The mood is somewhat less despondent in the Belgium of journals, the *Journal of Legislation and Public Policy*, which some speculate may actually become the tunnel’s surprise terminus. “True, if Adler breaks through by us, we will be the first to fall,” explained a senior board member. “But at least having a tunnel will make our office larger.”

Editors at *Law and Liberty* and *Law and Business*, the two journals widely considered the most vulnerable, are planning to shut their cubicle doors and seek sanctuary in the *Law Review* bunker, which is fully stocked with firm-donated food. Meanwhile, Moot Court is planning to stand its ground far from the likely battlefield, even though its skylights leave it the most susceptible to the accompanying aerial bombardments of scorn, derision, and condescension.

Through a spokesperson, the vice dean refused comment for this story. “He is,” the spokesperson explained, “too busy preparing his proposal for a C-paper requirement.”



The vice dean’s tunnel.

## NYU: The Twenty-First Century’s First All-Female Law School

BY JUDGE SMAILS

I recently sat down with Dean Revesz to discuss NYU Law’s announcement last week that the school will stop accepting male students starting with the class of 2011. Our conversation went a little something like this (emphasis on the “little,” since I forgot to bring my tape recorder to the interview):

“So, Dean, what up, boyee?”  
“Nothin’ much, homeslice. Chillin’. Maxin’. Relaxin’.”

“Tight. But let’s get down to business. What motivated this drastic change?”

“About a year ago, I spent a lot of time wondering what I could do to truly make NYU ‘a private law school in the public service.’ As I walked through the Vanderbilt Hall courtyard one day, I overheard two male students discussing their personal philosophies. Needless to say, ‘fuck or kill’ is not included anywhere in our mission statement. It was at that moment that I realized that men are the problem.”

“Now, Dean. You can’t just change the whole law school be-

cause of a couple knuckleheads.”

“This isn’t a mere whim. I assure you that I have done extensive research. Did you know that NYU’s men are six times more likely than our women to think that the film *Wall Street*’s message is ‘only the weak get caught’? And it gets worse! At the PILC auction, I asked one hundred male students what the acronym ‘ACLU’ stands for. Eight students responded that it is ‘some shit school in California that offered me a full ride,’ five told me that the ACLU is the reason that they are never taking Donovan McNabb in a fantasy league draft again, and twelve students alerted me to the fact that they long ago vowed to never speak the name of the Beast.”

“What does NYU Law’s female population think about your plan?”

“Happily enough, the women that I have interviewed have been quite receptive to the idea. Because of the demands of law school, my research indicates that there are seventeen things that the average lady here thinks about

before men, including fried foods, creative ways to pair clashing colors, and Justin Timberlake.”

“Umm, isn’t Justin Timberlake a man?”

“No, he’s a God. You clearly need to read more *Us Weekly*.”

“Ok, well, has Sexton approved your plan?”

“No, he is still in Kazakhstan working feverishly to ensure that NYU is the first university to land a man on the moon. We cannot afford to build a fancy launch site in Florida like Columbia, but you’d be surprised by how well Soviet technology holds up. It really is an amazing project. I hear that the native population has taken to John like some kind of hirsute Colonel Kurtz.”

“Thank you for your time, Dean Revesz. One more question: now that NYU Law is going all female, do you think that you could institute a nice little dress code? Maybe some plaid skirts and tight white blouses?”

“Get out of here! Though you do make an interesting point...”

## An Open Letter to Ben Kleinman

Dear Ben,

It is currently the Jewish holiday of Passover, in which God reminds us that religion is about taking on rituals without quite being sure of why we are doing it. With this in mind, I would like to encourage you to take on the job of editor-in-chief of *The Commentator*.

You have expressed doubts about wanting to be *Commentator* EIC. I understand that you will be a newlywed. And that you really would rather dedicate yourself to the *Journal of Social Change*, or Students for Choice, or ACLU, or saving puppies from certain death, or whatever is it you do that you think is better than *The Commentator* but actually isn’t.

But I have news for you. (That was a pun. Get it? *The Commentator* is a newspaper. I’ve got news for you. Eh? Eh? I need affirmation.) You say you’re interested in public interest, but isn’t public service helping those that nobody else wants to help? Isn’t *The Commentator* a group that no one else wants to help?

Working in the public interest requires the willingness to take on thankless tasks for little or no reward. Taking on projects that students and faculty actually care about is an act of selfishness. People might recognize your work and praise you for it. In other words, it is vanity. Toiling away at a project people make fun of: that is a real sign of tzedakah.

In short, you should take over *The Commentator* because it’s pathetic. Also, you get free dinner once every two weeks.

Love,

Julia



35<sup>th</sup> Annual Orin S. Marden Comp. Final Argument  
Monday April 9, 2007 at 5:30PM in Greenberg

The Bench

Hon. David S. Tatel

Hon. Allyson K. Duncan

Hon. Kenneth Karas

Judge, United States Court of Appeals,  
District of Columbia

Judge, United States Court of Appeals,  
Fourth Circuit

Judge, United States District Court,  
Southern District of New York