

THE OPINION

William Mitchell College of Law Student Newspaper

Senator Mee Moua: Working in the System

By Sara Dady



Senator Mee Moua

Senator Moua cuts a bustling figure as she juggles bags, papers and a jangling key ring. When asked how the re-election campaign is going, she smiles, sighs, and says, "I'm still tired from the last election!" Not a surprising answer from this energetic woman, considering that her last campaign ended less than nine months ago.

Moua was elected to the District 67 Senate seat, covering east St. Paul, in a special election. A special election was called when former State Senator Randy Kelly vacated in order to assume his new office as mayor of the City of Saint Paul. Moua made headlines last winter, not just for winning the special election, but also making history as the first Hmong woman to hold an elected office.

Moua's family came to the United States in the 1970s as refugees from Laos. It is readily apparent that Moua derives a great deal of her political energy from her cultural heritage. She describes a people who have always sought political identity. "My grandfather and people were driven out of China because they refused to submit to the Chinese government. We've always been marginalized as primitive mountain people." She states that the Hmong were promised a seat at the American table if they

helped fight against communism. "That promise really resonated with the Hmong people," says Moua, "We've always been pretty political...always had to agitate for political recognition." The United States was seen as a country where the Hmong would finally be a part of the process. In this sense, Moua's victory was not just a personal one, but also a victory for the entire Hmong community.

Moua's road to the State Senate, in her own words, was a meandering one. When her family settled in Appleton, Wisconsin, racial tension surfaced. She is quick to point out there were many kind people in Appleton who lent her positive support. However, "We were also spit on, flipped off, and our house was egged." These experiences contributed to her desire to help her community. When she was accepted to Brown University, she planned to major in biology and then go to medical school. She switched to a major in public policy when she real-

ized that she was spending more time protesting and less time studying chemistry. As a member of Students On Financial Aid (SOFA) and the Asian American Students, she became involved with campus issues such as the contract negotiations between the university and the food service union. She joined the picket line, with the union, when talks broke down. She also participated in protests against the Gulf War. "I was the usual college student activist...I sponged up multiculturalism and acquired a whole new vocabulary. I was being challenged to identify myself as an Asian American."

"Because of these experiences, I realized that I would be useless as a doctor. I was looking to be an advocate." She quickly decided on law school and felt that a dual degree program at the University of Texas was the best way to go. She began working on a Master's degree in Public Policy and planned on obtaining her juris doctorate in Texas. However, "the first year into Public Policy school I got homesick, so I applied to the University of Minnesota [School of Law] instead of the dual degree in Texas." She finished her Master's in Public Policy. She studied Hmong youth gangs in St. Paul. While doing so, she met several women working for Minnesota Lawyers for Human Rights (now Minnesota Advocates for Human Rights). They further inspired her to pursue a law degree. "People listened to them!"

While attending the U's School of Law, she found that being "older when going to law school...being a little more mature helped to divert the stress." Although she initially intended to work in the public sector, she found that she disliked litigation,

something that accompanied most public sector positions. Moua found a good fit with the firm of Leonard, Street and Deinard working with minority owned businesses and as a lobbyist.

Now as a state legislator, she finds herself sitting on the other side of the table. "As a lobbyist, I always made it my aim to give good information." She looks for lobbyists who have integrity and who are realistic. "I always ask them what the political consequences of voting a certain way will be. If they are honest and say, 'this vote wouldn't be popular with your constituents'" she is more inclined to take the information as trustworthy. "I always take information under consideration. It doesn't mean that I will vote the way they want me to, though."

Moua jumped right into the political process within days of her election. She authored the Marriage Solemnization bill, which would legally recognize traditional Hmong marriages. Minnesota law specifies who may solemnize a marriage so that it is legally recognized by the state. Typically, only ministers of churches recognized by the state and judges may legally solemnize Minnesota marriages. Moua's bill would allow traditional Hmong wedding ceremonies performed by Mej Koob (pronounced 'May Kong'), traditional Hmong officiates, to be legally recognized.

The current statute provides exceptions for Quakers, Baha'i and American Indian marriages conducted by their traditional officiate. "The Department of Revenue was concerned because Hmong couples that had been married by Mej Koob were not legally

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Law School:

The Place to Be?

- The dramatic increase in law school applications this year looked at from the Twin Cities' perspective.

By Mary Kilgus

I don't know about you all, but my law school application process was no picnic. "Studying" for the LSAT, agonizing over my personal statement, divulging practically every shred of personal information and thought process to complete strangers, only to wait for a seeming eternity for the answer to what I would do with my life for the next three or four years. I'm not even going to talk about the experience of first year, which I like to analogize as something like a mental Navy SEAL boot camp (I saw those guys one time; suspended over the ocean from a helicopter by one foot with their

hands tied behind their back, and then dropped in the water, the point being to somehow make it to shore).

I mean, law school is challenging and even fun, but I raised an eyebrow when I began reading reports in the national media that law school applications were up and the reasons were the economy, which I can believe, and the fact that law school is "easier to get into" than other graduate schools. Specifically medical school, which requires prior thought as to one's future school plans—you have to have a science or pre-med undergraduate degree. This implied that people who apply to law school do not plan to do so until they are already graduated from college.

I saw this idea repeated three or four times in various articles. Supposedly, because law school doesn't require a particular undergraduate degree, people can decide on a whim — say, the day they realize their dreams of instant riches upon their college graduation weren't going to

materialize any time soon — to apply to law school.

Sort of makes us all out to be capricious and money-grubbing, if you ask me. So I started to ask questions. Fortunately, the admission directors of the area law schools were kind enough to give me their opinions on the subject of increased law school applications.

Cari Haaland, Assistant Director of Admissions at St Thomas Law School, says the economy has something to do with the 20% increase in law school applications this year. However, the reason there's an increase at St Thomas has more to do with St. Thomas' mission/ethics/faith based program than with messy things like the inability to find a job above minimum wage upon graduation from college.

Collins Byrd, Director of Admissions at the U Law School, said the inability of recent college graduates to find a job certainly has something to do

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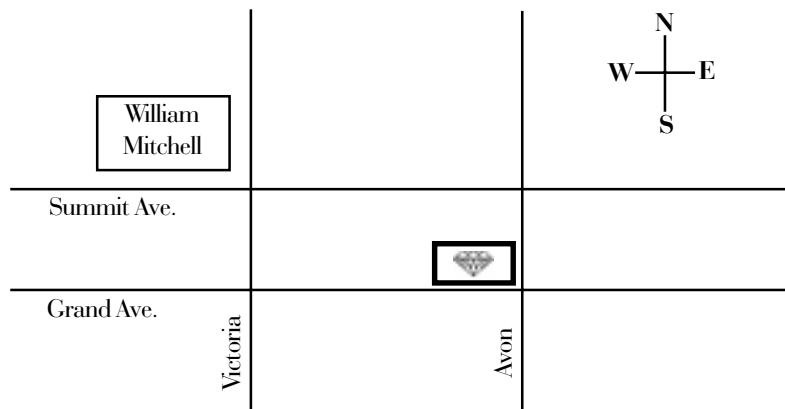
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The OPINION

William Mitchell College of Law Student Newspaper

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Editor's Corner

So. Here we are. 1st years are either shell-shocked or trying to out-do one another—another kind of shell-shockedness. Generally, second years are psyching themselves up for a “better” year. Third years are feeling like these are old home days; greeting teachers and buddies in the halls and dreaming of the end. And, well, fourth years are sighing and dragging their books to yet another class, still hoping to see the end.

Ah, law school. This is a place we'll never forget, that's for sure. Like the rest of life, we can either make the best of it or wallow in self-pity and think of law school as a necessary but uneventful blip on our radar.

I'd just like to remind you that you have to spend at LEAST 3 years having an uneventful time, though. It seems to me that eventful is far better than uneventful. But how can you make it more eventful, you ask?

Events are formed when you're with people and you're doing some collective thing. After all, think of WRAP. It's when you and your WRAP class are all together, preparing for the oral arguments at the end of the year that you sort of bond in your collective misery. Doesn't it sound like more fun to bond doing something you LIKE doing?

That's why student groups are so

important in law school. You can spend time doing things together with others who think like you do. That forms relationships and relationships are events. The more events you have, the more fun you have.

Fun is good—don't forget that. You remember fun. You don't remember uneventful.

So, get involved in something. Join a group. Hey, write for *The Opinion* – we're always hoping for quality content. But the thing is, experience law school, just don't exist here. Books and studying can only take you so far.

Have a fulfilling, eventful year, everybody.



Opinion Submission Dates 2002-2003

Interested parties may submit articles for publication in *The Opinion* on the following dates:

November issue	10/8
December issue	11/5
January issue	12/3

The Middle East Conflict:

A View From The Left

By Alexander Dgebuadze

In a recent interview with CNN's Paula Zahn, former Israeli Prime Minister Ehud Barak offered the following observation:

I believe that it should be made clear...that it's not enough [for Arab countries] to recognize Israel. The need is to recognize Israel as a Jewish State. We are not supposed to be just a...democracy, the only one in the Middle East that will turn gradually into...another country of state with Muslim majority and Jewish minority. We established a Zionist project in order to establish a Jewish state. It's our homeland, and we expect the Arab world to recognize it.

This vision appears to resonate with the majority of Israelis and their sympathizers in the U.S. I am deeply troubled by it. If carried to its logical end, there may not be non-Jewish individuals left in Israel. It would become a first post-modern racist state.

Mr. Sharon is a steadfast proponent and crusader for this vision. The “butcher of Beirut”, as many Arabs know him, has done all within his power to derail the peace process. If anything, Israel is now less secure than when Mr. Sharon visited Temple Mount, provoking a violent Palestinian uprising that has already consumed thousands of lives.

The fact that Israel's concept of “homeland” has never been fully defined (to this day, Israel does not have internationally recognized

borders) spells disaster for the very survival of the other legitimate claimant to the land—Palestine. Combine that with the Israeli public's emerging consensus that there is no peace partner among the Palestinians, and you have a recipe for an endless grinding conflict that poses mortal danger to those without F-16s and the backing of the world's most powerful nation.

Israel expects the Arab world to recognize its existence. Except for the United States, however, it is facing a near universal isolation,

including in Europe, at the United Nations, and among Arab states. True, all Arab countries will eventually come to accept the sovereignty of Israel over the 78% of the former British Mandate of Palestine. The question is, will Israel recognize Palestine's right to exist on the remaining 22%? Without it, I cannot see how Israel may ever gain its own recognition among its Arab neighbors.

Paradoxically, Israelis have conceded the Palestinians' cause by placing blame for suicide bombings

on the whole people of Palestine. This shift in Israeli attitudes has allowed the Israeli prime minister to pursue Palestinian “terrorists” in a particularly brutish manner. Mr. Sharon's “incursions” have subjected Palestinian controlled territories to collective punishment and humiliation, which in its cruelty and breadth rivals only South Africa's apartheid of the not-so-distant past. Some 600,000 people are under round-the-clock military curfew. Palestine's entire civil infrastructure has been

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Law School Stories....

By Chris Krankemann
 Regent University Law School
 Date of Event: Fall 1998

Every law school, I bet, has its zealots for Constitutional Law. You know, the ones who live to talk about it and never shut up in class. The ones who think they are smarter than the nine justices on the Supreme Court.

Well, I was not one of those people, nor were my close friends in law school. So, for my small group of friends to escape the misery of Con Law, we decided to create a new form of entertainment called Con Law Bingo. Perhaps someone else thought of this first, but we had never heard of it.

Every day before class, we held a draft in order to pick students (zealots) who surely were likely to open their mouths during class. Every

player drafted nine people, to create a 3 x 3 card of zealots, but no zealot could be on more than one card. Strategy was everything!

Then it was just the basic rules of BINGO. Once three zealots in a row spoke out in class, the player had to raise his/her hand in class and make some sort of comment regarding the class. But to win, the player has to incorporate the word "Bingo" in his comment to the class.

By the end of the semester, almost the entire class was entering into their own bingo groups and playing CON LAW BINGO.

However, eventually, the professor became suspicious since the word "BINGO" was mysteriously being worked into the discussion two or three times in every class. He eventually discovered our little game and scolded us for not taking Constitutional Law seriously enough.

- lawhaha.com encourages any readers with their own funny law school stories to send them in to lawhaha.com. The person who submits the best story each month wins a groovy, psychedelic lawhaha.com teeshirt.



Check Your Pocket Protector At The Door

By Erik Drange, SIPLA President-Elect

When I meet students for the first time, they often ask me what I do for a living. Before I can finish the word 'engineer', they quickly respond, "Ah, patent law, huh?" I say yes, feeling somewhat transparent. To be honest, yes, I will likely go into patent law. However, largely because I was involved in the William Mitchell Student Intellectual Property Law Association (SIPLA) during my first year at William Mitchell, I have become extremely interested in the many other areas of intellectual property (IP) law.

Like many other students here, I have the "luxury" of working during the day and attending class at night. While working as an engineer, I have

had a lot of exposure to patent law while performing patent searches and writing records of inventions. On the other hand, before law school, the only exposure I had to other areas of IP law was reading newspaper accounts of Lars Ulrich of Metallica suing Napster for copyright infringement.

SIPLA gave me a much better understanding of the technology and opportunities available in IP law, including copyrights, trademarks, computer and entertainment law. I also discovered that the world of IP law was not only engineers and scientists running around with pocket protectors but was also populated with great diversity. With backgrounds as different as history and biochemistry, SIPLA members always bring unique and valuable perspectives to our meetings and discussions.

For anyone interested in any aspect of IP law, I recommend attending some SIPLA meetings. We usually meet about once a month and hold

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"Intellectual Property" and the Information Economy

By Prof. Niels Schaumann

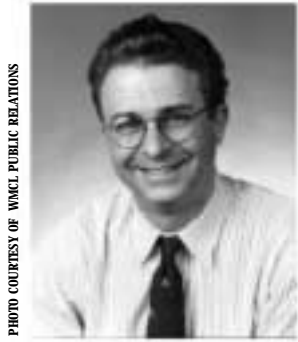


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management and strategic deployment of information drive our economy. Certainly, raw material resources are still important, as are heavy industry and other "old economy" mainstays. But few would dispute that information is fast becoming the most important asset in our economy. Consider, for example, General Motors and Microsoft. The former epitomizes American manufacturing, and is a colossus worth about \$24 billion dollars (market capitalization). The latter, a relative newcomer, epitomizes American information technology, and has a market capitalization of about \$268 billion.

That is not a misprint; in today's market, Microsoft is worth more than 10 times what GM is worth.

As information becomes the critical asset of American business, it becomes increasingly important to

maintain a consistent and reliable body of law to allocate legal claims in information. As Professor Moy has pointed out, legal recognition and protection of rights in information assets depends upon processing those assets through the IP system. Thus, as information expands and becomes more valuable, the IP system must expand. As a result, there are many more attorneys employed in IP today than there were twenty, ten, or even five years ago. In addition, IP disputes, formerly considered arcane and rather marginal, are now front-page news. This is unlikely to change until the next major shift in the economy. It is no coincidence that in the last term, the Supreme Court decided patent cases and granted cert on crucial copyright and trademark cases, when in past years, even one patent, trademark or copyright decision from the court was a rarity.

In light of these developments, it may be surprising that "IP" was not a term in common use until quite recently (about 20 years ago). Before that, we had patents, trademarks, and copyrights, none of which were really considered "property" in the sense that lawyers use that word. (Whether one ought to view IP as property is an issue on which there is considerable disagreement.) Regardless, as information became a critical asset, "property talk" became more common, and it was not long before patents, trademarks and copyrights were brought together under the umbrella of IP.

While we are probably stuck with the term "IP", we should be careful not to confuse the branches of the IP tree. Indeed, patents, trademarks and copyrights have relatively little in common. Patents and copyrights

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It is difficult, these days, to open a law journal without immediately encountering the topic of intellectual property ("IP"). Even the mass media seem fascinated by the topic, running endless stories about lawsuits existing and threatened, all over IP. In its heyday, Napster was a cover story in both Newsweek and Time magazines.

Why the sudden interest in IP? As with most overnight sensations, this one really began years ago, just after World War II, when information began to develop into one of the most important assets of American business and the American economy. The shift accelerated during the 1960s and 1970s and today the



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BOTH BUSINESSES SAME OWNER

Senator Mee Moua: Working in the system

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married but were filing their taxes jointly." Moua was surprised to find that the bill was highly controversial within the Hmong community. "It was like walking into a landmine!" Constituents who are against the bill have accused Moua of attempting to mandate Hmong culture. "I just want those who decide to have a traditional Hmong ceremony to have it be legal without having to go through another ceremony as well." When Moua and her husband were married, they had a traditional Hmong ceremony and then a second legal ceremony performed by a judge.

Now that Moua has moved from interpreting the law to writing the law, she has a two-word mantra to guide her. "Unintended consequences. I rely on our wonderful Senate Counsel staff who know the [statute] sections inside and out...where does this [legislation] fit in the universe of policy?" Moua noted that legislators are constantly "tweaking" existing laws and rarely get to write landmark legislation.

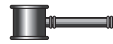
Mee Moua sits on six Senate committees, including both Crime Prevention and Education. She sees some issues intersecting between these two committees, particularly when youthful criminal offenders are involved. "The harder we come down on them [juvenile offenders], the more it will solidify that we are the enemy. I am a proponent of diver-

sion programs." She spoke specifically about Hmong youth gangs when asked about reports that gang activity is on the rise this year. "There are fewer [Hmong] gang members now...less than 100 who are actively criminal. Most members are on the fringe, just wanting to belong to a group." Moua sees the root of Hmong youth gangs as a cultural conflict between traditional parents and their children.

In the Hmong lifecycle, there is no such thing as adolescence or single hood. Children are children, marry young and become adults. Hmong parents have no frame of reference for adolescence. It becomes an explosive situation when children go through typical adolescent moodiness while being treated like an adult." Moua said. "[Hmong] parents want me to talk to their kids about being good and obedient so that they can be elected senator someday. I talk to kids about making a commitment to their hopes and dreams and that commitment will give them direction.

Moua hopes to be re-elected this fall so that she can spend more time working on her priorities: education, housing, safety and economic development.

To contact Senator Mee Moua:
323 Capitol
75 Constitution Ave
St Paul MN 55155-1606
(651) 296-5285



The Power Of Breakfast

(NAPSA)-Here's food for thought: Studies show eating breakfast not only gives you energy to get through the day, it helps you maintain the right body weight, improve performance and can even fight off illness.

Pick The Right Breakfast For You

Breakfast foods that contain protein and a little fat, in addition to complex carbohydrates and sugars, stay with you longer and give you the energy you need. An egg on toast, whole-grain cereal with low-fat milk, even a fruity breakfast shake made with low-fat milk is good choices. No time for breakfast? Many on-the-go people turn to new Uncle Ben's Breakfast Bowls. They're hot, nourishing meals ready in just four minutes in the microwave. This new breakfast fare comes in eight tasty varieties.

Breakfast To Shed The Pounds

Eating a healthy breakfast could be key to shedding the pounds, a new study shows. The U.S. National Weight Control Registry-an ongoing study of 3,000 individuals-showed that of those who have successfully maintained weight loss, nearly 80 percent eat breakfast every day as part of their routine to stay slim.

Kids Need A Breakfast Boost

Children especially need a nutritional boost every morning to get the learning process going. A study conducted by the Minnesota Department of Children, Families and Learning found that children who ate breakfast scored higher on tests than

students who rarely ate in the morning. This study, and others, suggests that eating breakfast improves memory, attention span and physical performance.

Eating Breakfast Keeps The Doctor Away

Breakfast also strengthens your immune system. People who eat breakfast may be better equipped to fight off colds and flu, according to research at the School of Psychology at Cardiff University in England.

Breakfast And Beyond

After eating a healthy breakfast, it's wise to eat a well-balanced lunch and dinner, plus two or three snacks. Most people need to eat every three to four hours to avoid overeating due to hunger.

Keeping these tips in mind can help keep you well fueled for the day and ready to tackle whatever comes your way.

Eating a good breakfast can help you have a better day and perhaps a longer life.



What Have We Done For You Lately?

By Alfredo Lorente, for the
Multicultural Affairs Office

Last month, we asked you if you needed us. This month we'll tell you some of the things we have done for you lately.

In February of this year, we helped the Black Law Student Association (BLSA) organize a wildly successful event. Their seminar, "Perspectives on Race Bias in the Judicial System and Race Date Collection", was held during Black History Month and brought together attorneys, judges, police officers, and the media to discuss a current and important topic in criminal law. The colloquium drew more than 150 people and provided Continuing Legal Education (CLE), Continuing Judicial Education, Elimination of Bias Education, Ethics, and Perspectives on the Legal Profession (PLP) credit.

In March, we helped the Chicano Latino Law Student Association (CLLSA) arrange their own successful program. CLLSA brought Karen Ellingson, from the Immigration Law Center of Minnesota, and showed *No Second Chance*, a brief but powerful video about three young men facing deportation. Each of these individuals has resided in the U.S. from as early as age 5, and each one faces an uncertain future in a land that is as foreign to them as it is to us. Like the BLSA event, this program also provided CLE and PLP credits.

Soon after the CLLSA event, the American Indian Law Student Association (AILSAs) sponsored a chat entitled *Sovereignty and Law in Indian Country*. The program started with traditional flute music and a prayer by a Lakota nation elder. Community members discussed the interaction between federal, state and tribal courts. As before, this program also provided CLE and PLP credits.

The William Mitchell College of Law Republicans sponsored our last major event. On April 17, former Minnesota Governor Arne Carlson visited the school. Mr. Carlson spoke about the effects of September 11 on citizenship to a small audience of interested students.

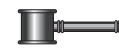
This is a very brief overview of programs we helped students organize just this past semester. There are many other activities we coordinate, from Diversity Week to middle school visits, exam workshops to summer programs, and minority bar summits to community leader meetings, among others. But ultimately, what makes our events successful is your involvement. If you are interested in bringing a speaker to campus, discussing a current legal topic, or even helping one of the many student organizations on campus, you are guaranteeing the success of our events.

Your involvement is key. This point is simply impossible to ignore. All of our student-sponsored events are driven by (surprise!) students. We assist, guide, collaborate, coordinate, make recommendations, and implement solutions, but at the end of the day, these events are your events.

Shouldn't you be involved in them?

We have already started planning events for this school year. We have plans to celebrate National Hispanic Heritage month (September 15-October 15), to host the Lower Sioux Court of Appeals, and to celebrate many other diversity events. Ultimately, however, we need your input.

Last month we closed the column by asking you to drop by. This month is no different. Come and visit us, tell us what is on your mind, and let us see if we can help you. After all, that's what we're here for.



Fun Things to Ponder....

If you purchased \$1,000.00 worth of *Nortel*™ stock one year ago, You'd have \$49.00 today.

If you purchased the same amount worth of *Enron*™ stock one year ago, You'd have \$16.50 today.

If you purchased the same amount worth of *WorldCom*™ stock, You'd have \$5.00 today.

If you purchased \$1,000.00 of *Budweiser* (the beer, not the stock) in cans one year ago, drank it all, and turned in the cans for the going rate for aluminum recycling per pound, You'd have \$214.00.

It seems current investment advice should be:

Drink Heavily and Recycle

Check Your Pocket Protector At The Door

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various other events. SIPLA plans a few roundtable events each year focusing on "hot" topics in the IP arena. Last year we had lectures on Licensing and Technology Transfer, Trademark Law and Domain Name Disputes. Students can get directly involved with the roundtables by volunteering to be committee chairs. We will also be doing three or four tours of local IP boutique firms and general practice firms with IP departments. This is a great way to learn what life as an IP attorney in the Twin Cities is all about. Finally, SIPLA is offering two moot court competition opportunities this year. The Giles Rich and Saul Lefkowitz competitions are open for students interested in IP law.

Upcoming SIPLA meetings are on October 9 and November 6 in Room 223. If you are interesting in joining SIPLA or have any other questions, please do not hesitate to contact any of the 2002-2003 SIPLA officers:

Gretchen Randall, President,
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csulliv2@wmitchell.edu



Is the Glass Ceiling Shattering?

- a new Law and Politics survey shows the strides of female lawyers are making in Minnesota.

Two years into the new millennium, women are finally beginning to make inroads into the hallowed halls of the Minnesota legal world.

Survey results that will appear in the August-September issue of Minnesota Law & Politics reveal that on average about one-fourth (25.73 percent) of the attorneys in this state's top 50 law firms are women. Of firms surveyed, Halleland, Lewis, Nilan, Sipkins & Johnson has the largest percentage of women attorneys in its firm, more than half (53.33 percent).

The survey is part of a special section in the August/September issue of Law & Politics relating to women in law. The section charts firsts for women in the national and local legal scene, and records the historical memory of some Minnesota pioneers. It also includes profiles of the two female county attorneys of the Twin Cities, publishes Super Lawyer Linda Holstein's essay on why women make better lawyers than men, looks in on the first all woman, all African American law firm in Minnesota, and several other pieces.

The top five law firms in terms of the highest percentage of women attorneys are:

Firm Name	% of Women Attys	L&P list of top 50 firms (by number of attorneys)
1. Halleland, Lewis, Nilan, Sipkins & Johnson	53.33 %	20
2. Flynn & Gaskins	43.48 %	29 (tie)
3. Dorsey & Whitney	39.13 %	1
4. Cousineau, McGuire & Anderson	37.93 %	38
5. Kinney & Lange	37.03 %	29 (tie)

The five law firms with the lowest percentage of women attorneys are:

Firm Name	% of Women Attys	L&P list of top 50 firms (by number of attorneys)
1. Arthur, Chapman, Kettering, Smetak & Pikala	12.12 %	25
2. Fabyanske, Westra & Hart	12.90 %	22
3. Gislason & Hunter	13.16 %	21
4. Leonard, O'Brien, Wilford, Spencer & Gale	13.64 %	47
5. Mackall, Crouse & Moore	14.29 %	48

Women in Minnesota Law, By the Numbers

Below we rank the top 50 law firms in Minnesota (some did not respond to our survey) according to the percentage of women lawyers working for the firm. Because firm numbers are ever-changing, this is a snapshot of Minnesota women in the law as seen at the beginning of the year 2002. About one-fourth (25.73 percent) of the average Minnesota law firm's work force is female.

We have printed in our Web magazine a list for each firm of all women in positions of leadership: go to www.lawandpolitics.com.

Firm Rank 2002	Firm Name	% of Women Attys	L&P list of top 50 firms (by number of attorneys)
1	Halleland Lewis	53.33%	20
2	Flynn Gaskins	43.48%	29
3	Dorsey Whitney	39.13%	1
4	Cousineau McGuire	37.93%	38
5	Kinney & Lange	37.03%	29
6	Rider Bennett	34.64%	6
7	Faegre Benson	33.54%	2
8	Meagher & Gear	32.43%	16
9	Fredrikson & Byron	32.30%	5
10	Jardine Logan	30.77%	41
11	Henson & Efron	30.43%	45
12	Leonard, Street	30.23%	3
13	Maslon, Edelman	29.58%	13
14	Murnane Conlin	29.17%	42
15	Lockridge, Grindal	29.03%	25
16	Best & Flanagan	28.57%	19
17	Oppenheimer Wolff	28.24%	10
18	Kennedy & Graven	28.00%	35
19	Robins Kaplan	27.94%	9
20	Briggs & Morgan	27.61%	4
21	Parsinen Kaplan	27.59%	33
23	Hinshaw Culbertson	26.21%	48
24	Bassford Lockhart	25.81%	22
25	Johnson & Condon	25.00%	35
26	Barna, Guzy	25.00%	29
27	Fish & Richardson	24.13%	29
28	Quinlivan & Hughes	24.00%	38
29	Gray Plant Mooty	23.31%	8
30	Felhaber Larson	22.64%	18
31	Dunlap & Seeger	21.74%	42
32	Winthrop Weinstine	21.62%	12
33	Schwegman	20.63%	17
34	Lindquist & Vennum	19.48%	7
35	Messerli & Kramer	19.44%	22
36	Lommen Nelson	18.92%	25
37	Merchant & Gould	18.10%	11
38	Larkin Hoffman	18.06%	14
39	Fryberger Buchanan	17.39%	42
40	Bowman & Brooke	16.67%	33
41	Foley & Mansfield	16.13%	50
42	Schwebel Goetz	15.79%	50
43	Zelle Hofmann	15.38%	35
44	Krass Monroe	15.00%	48
45	Mackall Crouse	14.29%	38
46	Leonard O'Brien	13.64%	47
47	Gislason & Hunter	13.16%	21
48	Fabyanske Westra	12.90%	22
49	Arthur Chapman	12.12%	25

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The Opinion's Opinion Page

A Frivolous Trend...

By Chad Collins

"They said 100 percent beef. I thought that meant it was good for you...I thought the food was O.K." This was the statement made by 56-year-old Caesar Barber as justification for a lawsuit against McDonalds in the Bronx Supreme Court. The suit also names Burger King, Wendy's and Kentucky Fried Chicken.

If ever there was a frivolous lawsuit, this fits the bill!

Apparently, Barber, with the help of precedent from the ever-disturbing tobacco lawsuits, is trying to hold others responsible for the poor choices he made to continually eat fast food. These choices have left Barber overweight and unhealthy.

In spite of the absurdity of the suit, Barber finds support in the form of George Washington University Law School professor John Banzhaf. You might recognize this name from the tobacco lawsuits, as he was one of the 'masterminds' behind that litigation. Banzhaf will serve as an advisor in this case in an effort to again shift the blame and provide society another way to avoid taking responsibility for their actions. Is it not time that we all decide to accept responsibility for our own decisions?

The tobacco lawsuits accomplished the same thing as it allowed people to blame others for their refusal to heed warnings from doctors and other health officials. For years, we have been told that smoking is bad for you, so why should you be allowed to sue after you ignore this advice and smoke anyhow?

Fast food now faces the same dilemma. Everyone understands that

eating too much can be bad for you. We all also should understand that burgers and fries are not staples of a healthy diet. Allowing redress to individuals who do not understand these points, nor heed the advice of numerous health authorities, will not solve anything.

We need to be responsible for our own choices. Having said that, I am not against corporate responsibility. Corporations should have a duty to their consumers as well as to their stockholders to make their product safe. Serving burgers and fries with high fat content is not dangerous unless that is all you ever eat, however. Too much of almost anything is bad for your health. Moderation is the key to a healthy diet combined with reasonable nutritious selections.

In spite of the precedent set by the tobacco lawsuits, this case suffers from a serious lack of causation. Many distinguishing factors set fast

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Corporations Owe People the Truth About Their Products

By Sara Dady

Once upon a time, a scorpion approached a turtle and asked for a ride across the river. The turtle said, "Why would I give you a ride? You are a scorpion and would sting me." The scorpion replied, "Why would I sting you? If I do, we both would drown in the river. It isn't logical." So, the turtle allowed the scorpion to climb aboard his back. Halfway across the river, the scorpion stung the turtle. "Why did you do that? Now we will both die!" screamed the turtle. "You knew what I was when you picked me up. It is my nature," replied the scorpion.

Corporate America would have us believe that it is what it is. Consumers are responsible for being wary of its products. Why do Americans readily forgive corporations for trying to make a profit? Every time a consumer uses a product

that results in harm to him/herself, people shrug and say, "Well, that was stupid! Don't people know by know that corporations do not have the best interests of consumers in mind? They are just out to make a buck. People need to be responsible for themselves." This cynical attitude is a byproduct of American Capitalism, as we know it. That does not make it right or even acceptable. In the wake of corporate financial scandals, it is time to start holding corporations accountable not just for their book-keeping, but also for their products.

Mr. Caesar Barber is suing McDonalds and several other well-known fast food chains. He claims that he didn't know that eating their food on a daily basis since the 1950s would cause him to become obese and suffer related health problems. Mr. Barber had two heart attacks in the last decade, has diabetes, high cholesterol and high blood pressure—all conditions that do not run in his family history. This lawsuit surfaces in the wake of national reports that obesity is a growing problem in the United States. Over 61% of American adults and 13% of American children are overweight or obese. The Centers for Disease Control and Prevention (CDC) reports that obesity is second only to tobacco in contributing to health risk factors and causes over 300,000 deaths per year.

Big Tobacco has already been held accountable for manufacturing an unhealthy product and their questionable means of marketing it. In a concept fully alien to American

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Corporations Owe People...

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Capitalism, tobacco companies actually have to pay for advertising that tells consumers not to use their products. Likewise, fast food restaurants should tell their consumers what will happen if they fail to exercise while eating the restaurants' high caloric and high fat food on a regular basis.

Fortunately, our judicial system is not founded on Social Darwinism. If it were, then maybe a defense of "if a customer believed our advertising that our food is good and should be eaten often, then he is stupid and should have known because everyone knows our nature" might fly. If someone lacks knowledge that a certain product may be harmful, has not been adequately warned by the manufacturer and suffers harm, why shouldn't the manufacturer have to pay? Isn't the manufacturer in a better position to know the harmful nature of their product? Shouldn't the cost of medical bills and/or death fall squarely on the manufacturer?

In this case, McDonalds specifically invites the public to visit its restaurants every day. It spends hundreds of millions of dollars in advertising campaigns to reach children any way it can. McDonalds asked commuters to stop by its restaurants every morning for a cup of steaming hot coffee and a saturated fat-filled Egg McMuffin before heading to work. Mr. Barber took them up on their offer. He ate fast food nearly every day for fifty years. He has been left with a stack of medical bills and destroyed health to show for it. Would he have made different choices had these restaurants disclosed the nutritionally suspect content of their food? It is impossible to know. However, Mr. Barber does deserve the benefit of the doubt here.

How many people know the exact amount of calories and grams of fat in a Big Mac? 570 calories. In order to work off the calories of one Big Mac, a person would have to walk 10 kilometers. Using simple arithmetic, if Mr. Barber ate, on average, one Big Mac a day for 50 years, he would have to walk about 182,500 kilometers in order to burn them off. To put that in perspective, it is the equivalent of walking the circumference of the earth four and a half times. The average person walks the equivalent of the circumference of the earth only twice in a lifetime.

While these restaurants would be ecstatic if every family ate their food every day--- oh the profits! ---they have a duty to inform customers exactly what the negative effects of doing so will be. Corporations should no longer say, "Buy our products! We wouldn't sell harmful products--- it wouldn't be logical." Then when harm occurs, cry, "You should have known better than to believe us. You knew what we were. It is our nature."

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A Frivolous Trend...

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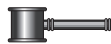
food apart from tobacco.

McDonalds market to kids as did tobacco, but hamburgers (at least for now) are legal. Smoking for kids under 18 has been illegal for some time now.

The plaintiff against tobacco had concrete research that linked numerous health problems to smoking and this was a critical factor in the judgments. The plaintiff against Ronald McDonald will find so such data. In fact, Gary Taubes wrote an article in Science Magazine that stated, "It's not at all clear that their [American's] tours through food courts and snack aisles are nearly as toxic as claimed."

The bottom line is that the lack of evidence linking fast food directly to obesity is a major hurdle for any plaintiff. It is important to consider other explanations for our expanding waistlines. The average person used to do manual labor as a trade and this provided regular exercise for people. Now the average person sits at a desk all day and the lack of activity alone could be the major reason for America's battle with obesity.

In addition to the lack of evidence, the courts should finally feel a backlash in society and start to hold each of us responsible for our own choices. Allowing the blame to be placed on someone else who only happens to be legally giving us what we want will no longer be tolerated. I think the courts will send this one packing with "Frivolous" stamped on the front page!



Watch *The Docket* for the first event of the newly formed American Constitution Society chapter at William Mitchell.

Judge Michael Davis will speak on

Federal Sentencing Guidelines

in late September or early October.

Date TBA

"Intellectual Property" ...

continued from page 5

are founded in the Constitution, the result of the Framers' belief that innovation and dissemination of technology and information required establishing a financial incentive to invent and author. Trademarks are based on a species of unfair competition that takes place when a person trades on the name of another, for example, by "passing off" goods as manufactured by someone else.

This diversity of origin and doctrine makes IP law a fascinating place to work, and one that today is an important part of the legal mainstream. Welcome to the new school year, and I hope to see you in our IP classes soon!



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Law School: The Place to Be?

continued from page 1

with the increase, as well as other job market pressures such as job loss. In 2000, the U had 1800 applications; in 2001, they had 1926 and this year 2244. Byrd attributes the increase to a few things, one being the increase in marketing efforts by law schools.

Of course, the job market is one of the chief reasons. Graduate school of any kind can look good when the barren landscape of the job market is staring back at you. In fact, all graduate school applications are up this year, except medical school. I asked Byrd if he thought that it was true that law school is "easier to get into". "Medical School does not require a medical undergraduate degree, but it does require a familiarity with the sciences. This is not 'every day' knowledge." says Byrd. Law School, on the other hand, requires knowledge of writing, reading, synthesis and thinking critically--skills taught more often in American schools.

But the real reason all graduate school applications are up and medical school applications are down, says Byrd, is managed health care. Whereas previously a medical school applicant could look forward to a career of autonomy, prestige and money, now they are looking at careers of medical decisions based on some insurance quota, little money and no prestige.

Judging from some of my colleagues' undergraduate degrees (Bio-Chemistry, Kinseology), yesterday's medical school applicant is looking over to the legal world and discovering patent law.

William Mitchell's applications have risen 14.5% this year. "It's harder for graduates from undergraduate colleges to get the jobs and the salary that they would like." says Dean Brooks. "There is still a feeling

that law school can lead you to a fulfilling career and a decent salary. So, when the economy weakens, law school applications increase. We saw this happen in 1990-91 and we are seeing it again."

Dean Brooks thinks that technology also plays a part. The ability to apply online, for example, has made it easier for people to apply. William Mitchell has also done additional marketing "with emphasis in the five-state region and with applicants of color." says Brooks, "We have seen an increase in applications from those two groups."

Michael States, Director of Admissions from Hamline, says Hamline Law School applications are up 10% this year. He agreed that marketing and other forces had something to do with it, but thinks the bottom line is the economy.

"Sure, Internet applications make it easier to apply, and we have a multimedia kit we send out instead of just a catalogue." States does not think any of this matters as much as the economy.

"The people we see (applying) are people who intended to go to law school eventually. Since they can't find a job, now is as good a time as any."

So maybe the law school application process, however arduous, looks a heck of a lot better than flipping burgers these days. I think we can all see that the issues involved in making the decision to go to law school can be complex, and not simply tossed off to "it's easier to get into law school-anyone can apply". That's a cheap shot---sort of a sound bite about a multi-leveled issue. After all, applying to law school is no picnic. You have to be a special kind of person to subject yourself to something like law school, and you have to believe at the outset that it is worth it.



The Middle East Conflict

continued from page 3

destroyed. Of nearly 2,200 people that have been killed since January 2001, three quarters are Palestinians, most of them civilians. Despite international protests, Israel has begun demolishing Palestinian homes in addition to banishing the bombers' families, making a mockery of the notion of individual culpability.

Israel's "anti-terror operations" are wholly indistinguishable from terrorism. Only now, it is state-sponsored terrorism disguised as "self-defense". Clearly, firing a missile into an apartment building (sure to cause civilian casualties) to kill a Hamas leader is an atrocity and a sheer act of terrorism. Mr. Sharon, the murder of nine innocent children, two of them infants, is not "one of the great successes" of your government!

Suicide bombing is utterly wrong and reprehensible. So is state sponsored terrorism, its moral equivalent. Israel's distrust of the Palestinian leadership and brutal suppression of Palestinian uprisings simply prove that Israel is confronting a full-fledged liberation movement comprising an entire people.

We know what the Palestinians want: a state of their own to determine their own destinies. What about the Israelis? Jimmy Carter believes Mr. Sharon's ultimate goal is "to establish Israeli settlements as widely as possible throughout occupied territories and to deny Palestinians a cohesive political exis-

tence." To Columbia University professor Edward Said, it is clear that "Sharon is bent not only on breaking Palestinians, but on trying to eliminate them as a people with national institutions." Unless you were guided by such a sinister goal, why would you order destroying an education ministry building after removing computer hard drives and other vital records? Is this really a terrorism-combating tactic?

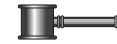
Is there a solution? Mr. Bush's June 24, 2002 speech, in which he demanded that a Jeffersonian-style democracy be built in occupied Palestine before the beneficent Americans and Israelis will grant statehood to the Palestinians is a non-starter. To me, that sounded like Mr. Sharon got a green light to finish his work of breaking the will of Palestinians, while Palestinians were given no hope for the future and no incentive to re-engage in negotiations. The upshot of this "solution" is that "Bush is backing the Sharon government, which wants an Indian reservation type governance on the West Bank, with the Palestinians all subdued and submissive." No modern freedom-loving people could be asked to make such sacrifices to guarantee another's security.

The real solution is, of course, for Israel to get out of the territories unconditionally and without delay. All settlements in the West Bank and Gaza need to be dismantled immediately. The world community, with or without U.S. assistance, must push

for the creation of the state of Palestine as soon as meaningful withdrawal has begun. The world and Palestine should not relax their pressure until the occupiers are out. The U.S. can play a constructive role by discontinuing its daily transfers of approximately \$10 million (most of it in the form of the latest military hardware) in American aid to Israel, as "Dubia's" dad once threatened to do if Israelis did not stop building settlements between Jerusalem and Bethlehem.

None of these actions towards peace will involve an encroachment on the Israeli sovereignty. To the contrary, they will all involve returning lands that belong to the Egyptians, the Lebanese and the Palestinians, as recognized by international law! Israel will merely have to retreat to its legitimate borders.

As former Israeli justice minister, Yossi Beilin, argues, "[t]he Israeli war against terrorist infrastructure will give birth to more terrorists because the terrorist infrastructure lies within the people's hearts." Grabbing the land of others and denying them justice is the root cause of the problem. Attempts to avoid these basic truths will doom any peace settlement. With no peace between Israel and Palestine in sight, a full recognition of Israel (by all of its Arab neighbors) may be on hold indefinitely.



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CAREER COLUMN SEPTEMBER 2002

By Kari Jensen Thomas

First year students: We want you to get settled into law school before we overwhelm you with career-related information. Therefore, the career services office will not have any programming for first year students until after November 1st. Keep your ears and eyes open for more information about our kick-off event, "From Here To Attorney" which is scheduled for November 9, 2002. You will also receive a tour of our office and explanation of our services during one of your WRAP classes. Before then, you are more than welcome to attend the Dean's Round Table events that will begin this fall. During these 1-hour events, distinguished alumni/ae will speak about their experience at WMCL & how they have applied their degree. Seating is limited, so sign up for each of these events in the Career Services Annex. Below is a Career Services Calendar of Events for the year.

Returning students: As you know, the fall OCI process is underway with interviews starting on Tuesday, September 17th. To prepare for OCI interviews, don't miss the opportunity to have a mock interview. Sign up for mock interviews occurs September 3rd - 6th in the Career Services office and is on a first come, first served basis. The mock interviews will be Monday, September 9th & Tuesday, September 10th from 5:30 - 7:30 pm. At the end of the month, we will have an OCI Callback Program to help you prepare for callback interviews. This event will be held on Wednesday, October 25th at 5:30 p.m. in Oppenheimer Courtroom. Below is a calendar of events for the school year which includes all of the important OCI dates. Please stop by our office if you have any questions. We are excited for a successful fall recruitment season.

As the OCI interviewing season gets underway, we thought it would be good to share some interviewing tips. Here are the 14 Biggest Mistakes Law Students Make on Interviews from Kimm Walton's "Guerrilla For Getting the Legal Job of Your Dreams".

A mistake on an interview can outweigh even the best paper credentials. Before an interview, look at this list.

- 1. Don't show up unprepared.** Research the organization you are interviewing with - check with your Career Services Office, read any brochures you can obtain, and/or hop on the Internet. Good research shows initiative and your interest in working for them.
- 2. Don't fail to show enthusiasm.** You have to let the interviewer know that you really want the job.

Showing a desire to work for this particular employer is crucial - it overcomes almost any resume flaw.

3. Don't let negative body language negate what you say. You have to not only say that you want the job, you have to look it! If you can take part in videotaped mock-interviewing at your school, by all means, do it. It will help you understand how you come across in an interview.

4. Don't hide your light under a bushel - talk about your strong points. You're the only one who can sell you. Bring out everything you can that shows why you would make a great employee.

5. Don't mistake arrogance for self-confidence. You have to be deferential to the interviewer, but you still want to exude an air that says you know yourself and what you have to offer. (If you don't believe in your abilities, how is your prospective employer going to?)

6. Don't volunteer your faults. Interviews are generally pretty short, so don't eat up precious time taking about flaws.

7. Don't assume that you can't get the job - or - don't assume that if you have gotten the interview, you have a shot at the job. Even bright people with exceptional work experience and personalities get passed over. It's a fact of life. Take it for what it is. Basically, don't put all your hopes on one interview. Go on

other interviews and keep a positive attitude - you will get a job.

8. Don't take honest to the point of foolhardiness. Balance being honest with being savvy.

9. Don't be defensive or apologetic. Always try to put a positive spin on any failings, real or perceived. Smile, respond, move on!

10. Don't be intimidated by power. The interviewer is human, just like you.

11. Don't be overwhelmed by what you perceived as your Achilles' heel. Everyone has some obstacle they need to overcome, but you cannot let it get the best of you.

12. Don't be late. If you are unfamiliar with the place you are going to are unsure of how to get there by public transportation, do a trial run so you know how much time to allot. If you are unavoidable detained, call the employer and tell them.

13. Don't let your guard down in front of young associates. They may be closer to your age, but they are still evaluating you from the employer's perspective.

14. Do be nice to the receptionist and secretaries. Treat everyone you meet with respect. You never know who has input in the hiring process.

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