

THE KING HALL

ADVOCATE

APRIL 11, 2001

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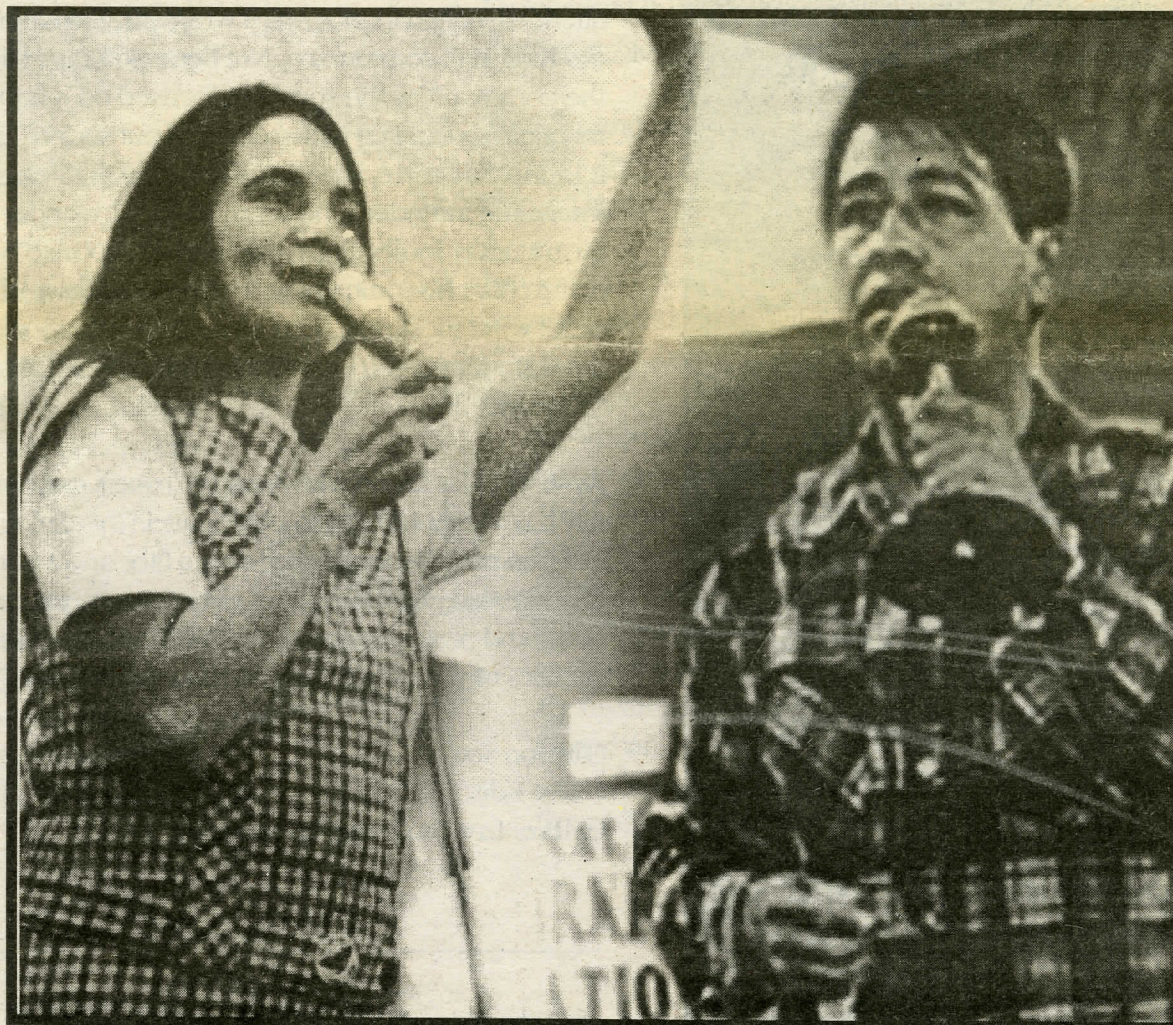
With new fiction.

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LA RAZA LAW STUDENTS ASSOCIATION SPECIAL ISSUE

A collection of articles, photos, and creative works by King Hall's own Raza leaders



THE KING HALL

ADVOCATE

The monthly newsmagazine of the
University of California, Davis
School of Law

STAFF

Editors-in-Chief

Claudia Aguayo
Megan Smith

Managing Editor

Laura Sanchez

Design Editors

Johanna Berta

Photography

Karen Yiu, Editor

D. Derelian

Copy Editor

Johanna Berta

Advertising Manager

Michael Malk

Staff Writers

Ms. Reasonable

Sunny Paley

Ms. Prudent

Laura Sanchez

Tiffany St. Patrick

Wells

Contributing Writers

Fernando T. Aceves

Luis Angel Alejo

Tomas Alejo

Chris Burnham

Phil Goldvarg

Sarah Kate Heilbrun

Kevin R. Johnson

Library Staff

Caitlin McCune

Amagda Perez

Nelson Rivera

Cancion Soto

Dan Torres

Rogelio Villagrana

Felix

Treb Wlnegar

To contribute:

Send contributions to

The King Hall Advocate

UC Davis School of Law

400 Mrak Hall Dr.

Davis, CA 95616

or to

theadvocate@ucdavis.edu

Reach us by phone at

(530) 752-6013.

LETTER FROM THE EDITOR

Welcome to the third annual La Raza Law Students edition of the Advocate. Inside these pages, you will find history, political commentary, current events, and creative expression both in writing and image. In short, you will find a little piece of each of us, the Latino/as and our allies who make up La Raza at King Hall.

Latino students at King Hall are small in number, but we represent a range of experiences. Some of us are from rural towns, others were raised on smog and traffic jams. Some of us identify as Chicano/a, others as puro Mexicano/a. Whatever our differences, we do share one thing – as soon-to-be, Latino/a lawyers, we share a responsibility to advocate on behalf of the needs, rights, and dreams of our community.

Advocacy takes on many forms, and the form I'm referring to is not strictly legal, but rather, educational, or more specifically, conversational. It's the kind of advocacy that should occur not only in legal clinics or in the courtroom, but in our class discussions, at lectures, and through mediums such as this special edition of the Advocate. Particularly in light of the lack of racial and ethnic diversity at King Hall and most other California law schools, Latino/a students, now, more than ever, need to speak up and make our presence known – to our professors, classmates, and administrators.

Last month, we celebrated **César Chávez** and his legacy as a civil rights leader. Through a series of moving and inspiring presentations, Latino/a law students "spoke up" about some of the injustices still suffered by Latino communities. However, despite the fact that all the events were very well attended, I often found myself wondering what kind of an impact, if any, the speakers would have on the King Hall community. Not because King Hall students are insensitive or apathetic, but because the communities the speakers focused on – farmworker, indigenous, and immigrant – are highly marginalized and invisible sectors of our society. During a presentation on the United Farm Workers, a Latino classmate, who has worked in the fields, echoed my concern. Taking in the full house of interested attendees, he whispered, "I wonder how many of these students even know what a farmworker looks like?" My initial response was, "Not many." But as I gave it more thought, I realized that his comment was more complicated than I first understood – *he* was a farmworker and *he* is not what most people think a farmworker looks like. I then asked him, "I wonder how many of these students even know that some of their Latino classmates were farmworkers?" He responded, "Not any."

As soon-to-be Latino/a lawyers, we have a responsibility to tell our stories, and the King Hall community has a responsibility to participate in this dialogue. If we have the opportunity, whether in class or in a personal discussion, to bring a face and a name to an issue or injustice that might otherwise go unaddressed, we should do it, every chance we get. By acting as advocates and educators among our peers and professors now, we will better the climate of our future legal community, and better our chances of winning the legal battles we will fight – on behalf of our communities and ourselves.

Cancion Soto

Guest Editor

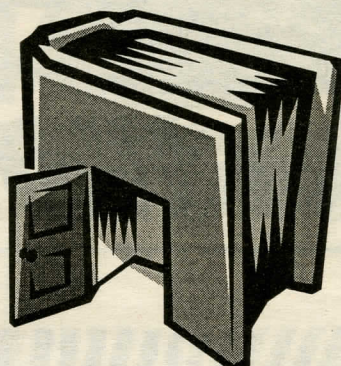
La Raza Law Students Association

On the cover:

Dolores Huerta, Chicana activist (left), and César Chávez, civil rights leader (right).

LIBRARY UPDATE

As a regular feature of the Advocate, the staff of the Library will be sharing interesting library news including helpful web sites and schedules of training sessions. For more information about anything mentioned in this column, please stop by the Reserve Desk.



CHICANO/LATINO STUDIES RESOURCES

The following is a sampling of the materials that are available to students through the California Digital Library (CDL) and the U.C. Davis Shields Library.

- I. "SearchLight" Service (<http://searchlight.cdlib.org>) – With SearchLight, you can search many of the databases and other resources available to UCD users—all at the same time. It can find books, journal and encyclopedia articles, and quality Internet sites. With SearchLight, you don't have to worry about finding the best databases first—it does it for you. Click on the subject category *Chicano/Latino Studies*, SearchLight will take the terms you specify and automatically perform a keyword search in many different databases.

Three of the major databases available through CDL using SearchLight are:

1. **Chicano** – contains records for all types of materials in the areas of Mexican-American topics since 1967, and since 1992, materials on other Latino cultures—e.g., Puerto Ricans, Cuban Americans, and Central American immigrants. Subject coverage includes art, language, sociology, public policy, economics, history, literature, politics, and law. (<http://www.dbs.cdlib.org>)
2. **HAPI Online** - this database is the online version of the Hispanic American Periodicals Index. It indexes articles that appear in 400 social science and humanities journals. The index includes citations about South and Central America, Mexico, the Caribbean basin, the U.S.-Mexico border region, and Hispanics in the U.S. Coverage begins in 1970. (<http://hapi.gseis.ucla.edu>)

3. **CLNet-Chicano/Latino Net** – contains information on Chicano/Latino-related courses being taught at various institutions; library catalogs; research guides, bibliographies, brochures, and archival inventories; information on conferences, scholarships, funding agencies, and jobs; research information and resources; statistics; and information of general interest to students. (<http://cnet.ucr.edu>)

II. Resources in Ethnic Studies

The Humanities/Social Science Department of Shields Library maintains an Ethnic Studies web page listing resources in specialty areas: Chicana/Chicano Studies & Latino Studies. (<http://www.lib.ucdavis.edu/hss/ethnic/ethnic.html>). Links include:

1. "Beginning Library Research on Chicana/o Studies" – this is a very useful bibliography published by the Stanford University Library. (<http://www-library.stanford.edu/depts/ssrg/adams/shortcu/chic.html>).
2. The Chicano Library Resource Center, San Jose State University. (<http://www.library.sjsu.edu/dept/chicano/chicano.htm>).
3. Latino Beat – America's leading online daily Latino News & Information source.

III. Additional Sites

1. Smithsonian: U.S. Latino History and Culture. (<http://www.si.edu/resources/faq/nmah/latino.htm>)
2. The Library of Congress HLAS Online – the Handbook of Latin American Studies is a bibliography consisting of works selected and annotated by scholars. Edited by the Hispanic Division of the Library of Congress, the multidisciplinary *Handbook* alternates annually between the social sciences & humanities. Each year, more than 130 scholars from around the world choose over 5,000 works for inclusion in the *Handbook*. (<http://lcweb2.loc.gov/hlas/>).

ZAPPA

The Struggle for INDIGENOUS

By Luis Angel Alejo

Shots were heard around the world on January 1, 1994, when thousands of Mayan Indians calling themselves the Zapatista National Liberation Army (EZLN) or Zapatistas took up arms against the Mexican government. They protested the enactment of NAFTA and called for worldwide attention to the ongoing human rights violations of over 10 million indigenous peoples in Mexico. Since then, they have continued their struggle to bring justice, liberty, and peace to Mexico's southernmost and poorest state of Chiapas and to create major reforms regarding indigenous peoples' rights.

Last month marked another historical milestone for the Zapatistas when they conducted their historic caravan into Mexico City to support the Indian Rights and Culture Bill that is being backed by newly elected President Vicente Fox. Such an incident had not occurred since Zapotec Indian and revolutionary hero Emiliano Zapata did so in 1914. In fifteen days, they traveled over 2,000 miles and through twelve states on the way to the Mexican capitol which ended on March 11th. Twenty four Zapatista rebels, including one of their leaders, Subcomandante Marcos, were greeted in Mexico's main plaza, El Zocalo, by over 100,000 people who supported their demands for self-determination, autonomy, and sovereignty.

The Indian Rights Bill seeks to implement the promises made but never kept by former Mexican President Ernesto Zedillo in the San Andres Accords of 1996. The Bill now proposes seven constitutional amendments to expand Indian Rights. Among those rights proposed are laws that would allow indigenous communities to make laws and elect officials using traditional practices such as village meetings rather than balloting. The Bill also addresses the creation of radio stations in native languages, bilingual schools, and proportional representation for indigenous peoples in legislatures. Indigenous judicial practices consistent with the Mexican Constitution would also be respected. In addition, the Bill seeks to guarantee "equitable access to the distribution of national wealth" and collective access to resources on their lands.

The Zapatistas asked to address the Mexican Congress when they arrived to Mexico City. After much debate, strong public support and the urging by President Fox, the Congress reluctantly gave the Zapatistas the approval. Comandante Esther took the key role in addressing Mexico's Chamber of Deputies on behalf of the



Subcomandante Marcos (center), accompanied by two Zapatistas, speak in support of the Indian Rights Bill.

Zapatistas and it was aired live by two major television stations.

She stated, "Many of you thought that Subcomandante Marcos would be the one to speak. You see that you are wrong. Our warriors have done their job. Now it is our time for respect... The person speaking to you is not the military leader of a rebel army, but the political leadership of a legitimate movement. It is symbolic that I, a poor Indian woman and a Zapatista, am here today." She described the plight of Mexico's indigenous peoples over the last 500 years and argued for the passage of the controversial bill.

The approval of the Mexican Indian Rights and Culture Bill requires a two-thirds majority vote. Its passage would certainly be a grand stride towards achieving peace, dignity, and respect not only for the Mayan Indians of Chiapas, but for all of Mexico's indigenous peoples. But the Zapatistas realize that much work still lies ahead. As Comandante David stated after the session, "The road of dialogue and peace was opened today, although much remains before we really achieve the peace we want." **A**

TLISTA

PEOPLES' RIGHTS in Mexico



Zapatista rebels called for worldwide attention to civil rights violations in Chiapas.

Zapatista Caravan Poster



Nothing To Lose

"We have nothing to lose, absolutely nothing..."
— Zapatista National Liberation Army (EZLN)—
— Declaration of the Lacandon Jungle, 1993—

There is nothing to lose,
... absolutely nothing,
... everything is gone,
disappeared to some northern vault
... guarded by greedy eyes
... that see no justice,
oppression
... or the violence of deprivation,
there are no schools,
... only classrooms of death
... where children learn how to die
from hunger
... or some weak kneed germ,
there is no land,
... only twisted rock
... squeezed beyond giving
and paper landscapes
... of sterile promises,

there is no home,
... only wood-slat masks
... to fool the wind,
who knows we've been raped
... and lay vulnerable,
... legs open to the cold,
there is no work,
... only free trade among the rich,
while our noses press against
... corn stained windows
stuck tight
... with dried blood of our Pueblo,
... our ancestors,
there is no justice,
... court is closed,
the gavel smashes our heads,
... our bones scream,
Basta - Basta - Basta,
... they scream,
... we have nothing to lose.

By Phil Goldvarg 1995
Hgold42734@aol.com
Zapatista Solidarity Coalition

Hablan

En El Mozote
... hablan los huesos,
... the bones speak,
en Chiapas
... los Zapatistas speak,
before flesh has left bone,
... land is turned to hard death,
before ancestors
... and their children are
ripped
... from the circle of

continuation,
before dreams die on the bare
floor
... of a raped earth,
los Zapatistas speak,
... winged voices that fill
the sky
and whisper los gritos
... de la lucha.

By Phil Goldvarg 2/94
Hgold42734@aol.com
Zapatista Solidarity Coalition

THE CROWN JEWEL OF THE NAVY

BY: Concerned Borikèns

Vieques was once a lush paradise in the Caribbean, but the U.S. Navy has now turned three-fourths of the island into a denuded and contaminated dump. Many may wonder where Vieques is located, and want to know how the island became a denuded and contaminated dump, as well as a live bombing range for the Navy. The island of Vieques is located approximately six miles east of Puerto Rico, and is 20 miles long and 4 miles wide. See Figure 1.

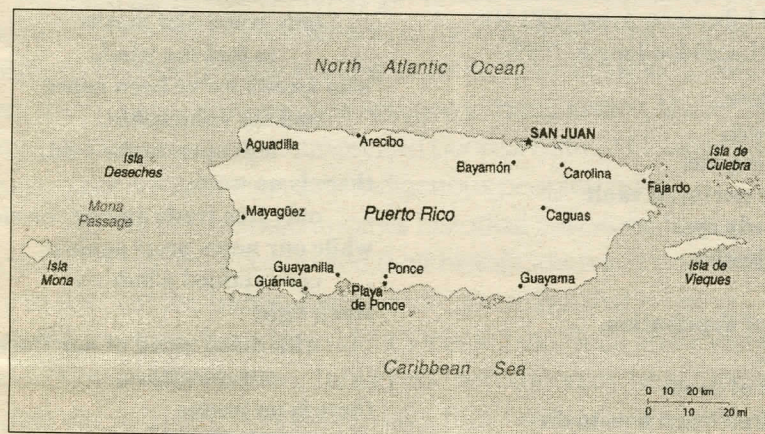


Figure 1: Map of Puerto Rico with the surrounding island municipalities. Vieques is located to the right of Puerto Rico.

In 1898, after the Spanish-American War, Spain ceded Puerto Rico and its municipalities to the United States. The Navy immediately lobbied Congress to establish a base on one of the smaller islands neighboring Puerto Rico. The Navy did not get its wish until 1941, when Congress gave three-fourths of the total land area on Vieques, including most of the land used for farming, to the Navy. Since then, the Navy has used military exercises at Vieques as the final graduation ceremony for its officers, as they head for the real world of combat. See Figure 2.

In 1947, during the interim of turning Vieques into a live bombing range for the Navy, the U.S. Interior Department drew up plans to forcibly relocate Vieques' entire population to St. Croix. This plan included digging up the dead from cemeteries and relocating their bodies so that the people of Vieques would not have any reason to return to the island. The plan was never implemented however, due in part to the objections and pleas of then Puerto Rican Governor, Luis Muñoz Marín.

The Navy's expropriation of Vieques is appalling, but it is the type of treatment that the people of Vieques have been experiencing for

the past sixty years. On April 19, 1999, one of the first casualties of the air war in Yugoslavia died a thousand miles away on the island of Vieques. On that day, two F-18 fighter jets that were about to be shipped out to the Balkans were practicing bombing runs at the Navy's Atlantic Fleet Weapons Training Facility on the eastern end of Vieques. The pilots released two 500-pound bombs that mistakenly struck an observation post. The explosion killed David Sanes Rodriguez, a 35 year-old civilian worker and Vieques resident, and wounded four others, including a military observer. Rodriguez's death sparked immediate outrage throughout Puerto Rico and brought significant attention to the tiny island of Vieques. Of course, this was not the type of attention the United States wanted Vieques to receive. The bombing occurred while the U.S. was preparing to protect human rights in the Baltic - ironically, they only succeeded in violating human rights at home.

By preaching the virtues of democracy while practicing old-style imperialism in Puerto Rico, the United States appeared hypocritical to the rest of the world. Although the Vieques condition may seem like a minor event to most Americans, this is not the case for many Puerto Ricans living on the island, whose human rights have been continuously violated by the Navy since 1941. Moreover, a vast majority of the people living on Vieques have opposed the Navy's presence, but their pleas to the United States Congress and even their legal arguments have gone virtually unnoticed.

If the legal system does not work for Puerto Ricans, then what other alternatives do they have? In 1979, Vieques attracted the world's attention when fishermen, who occupied part of the navy's bombing range on the eastern end of the island, protested the Navy's occupation. Ultimately, twenty-one protesters were arrested, and thirteen were jailed for several months in U.S. federal prisons. Although the protesters attracted attention in the late seventies, their story did not remain in the public eye for very long. While the protestors were incarcerated, the movement began to dissolve.

Vieques would not attract this type of attention again, until April 19, 1999, the day David Sanes Rodriguez was tragically killed. Within two days of Rodriguez's death, civil disobedience campaigns against

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Figure 2: Vieques is about 21 miles long and 4 miles wide covering about 33,000 acres. The left third of the island is used by both the Navy and Marines as a munitions storage area and as a radar facility. The right third of the island is occupied by the Navy and is used for live-ammunition target practice. The population is therefore squeezed in between a storage dump and a live bombing range.

THE NEW BRACERO PROGRAM OPPORTUNITY OR EXPLOITATION?

By Caitlin McCune

The recent celebration of **César Chávez**'s birthday gave many of us an opportunity to reflect not only on his inspirational life but also on the lives of immigrant farmworkers. Because of the hard work and dedication of Chávez and his allies, the conditions of farmworkers have improved in many important ways. The elimination of the short-handled hoe, the expansion of health and safety standards, and the extension of minimum wage laws to farm laborers all represent tremendous victories. Perhaps the greatest legacy of César Chávez is that farmworkers now have the right to organize unions, which has resulted in improved pay and benefits, increased enforcement of labor law violations, and a greater sense of dignity for workers.

In spite of these gains, much work must be done before Chávez' vision of justice for farmworkers is realized. While farm work is still the second most dangerous occupation in the United States, these workers remain far below the Federal poverty level and most lack access to basic healthcare. Farmworkers suffer from high incidences of pesticide related illness and have the highest rate of infant mortality in the nation. Substandard farmworker housing has led to an increased prevalence of lead poisoning and lack of housing has forced some seasonal workers to live in makeshift encampments.

Unfortunately, rather than address these pressing problems, new legislation will likely undermine existing rights and worsen present conditions for immigrant farmworkers. The plan, endorsed by both President Bush and Mexican President Vicente Fox, is to develop a new, permanent *Bracero* program. Modeled on the original program that was launched in 1942 during a wartime labor shortage, the new program will recruit Mexican laborers to enter the United States on a temporary basis to perform agricultural work. Proponents claim the measure is necessary because the agri-

culture industry is suffering from a labor shortage and the regulations of the existing H-2A temporary worker program make it too complicated to be effective.

To many immigrant advocates, it is almost unthinkable that another *Bracero* Program will soon be proposed. In the original program, which operated from 1942 to 1964, over five million Mexicans participated and were granted temporary visas to perform seasonal work throughout the Western United States. Participants in the program were underpaid, lacked protection from dangerous working conditions, and had no recourse for unfair treatment. Those who tried to speak out were terminated and de-

power they might have had with their employers because of the large pool of workers willing to work for lower pay and under worse conditions. Employers used *braceros* as "scabs" to cross picket lines and break strikes. In this environment, organizing was virtually impossible. In fact, it is telling that the United Farm Workers Union only began to make gains in the 1960s, after the abolition of the program.

Although the original *Bracero* program undoubtedly provided much needed employment, the jobs were conditioned on a worker's passive acceptance of the poverty, isolation, and exploitation. As a result, the economic status and living conditions of all farmworkers deteriorated. Congress only terminated the program when CBS aired a documentary depicting the terrible and frequent abuses taking place in the fields.

Today, the original *Bracero* Program is routinely denounced by civil rights and labor advocates as a form of indentured servitude for impoverished immigrants and as a means to undermine workers and force down wages. Unfortunately, the new version fails to offer any more meaningful protection of worker's rights than the first one. As set forth by the bills currently in the House and Senate, each worker's temporary visa is contingent on maintaining and fulfilling his/her employment contract. The contract requires that, each year, the individual work at least 180 days, then leave the country for at least 65 days. If he/she can do so for five years, he/she is eligible to apply for permanent resident alien status.

This provision alone is cause for concern. Agricultural employment is seasonal and there is no guarantee that farmworkers will be offered enough work to meet the minimum requirements.

Furthermore, the low wages earned by

**The new Bracero
program contains
no protection for
wages, working
conditions or housing**

ported. These *braceros* could not bring their families over, nor could they elect to remain in this country after their work terms expired.

A lesser-known effect of the *Bracero* Program was its severe impact on Mexican-Americans, who had long been the majority in the fields. These workers lost any bargaining

BRACERO, PAGE 16

THE 18TH ANNUAL ~ PATIÑO BANQUET

SARAH KATE HEILBRUN

On April 13th at 6:00pm the La Raza Law Students Association will be hosting the 18th Annual Lorenzo Patiño Banquet at the Veterans Memorial Center in Davis.

This annual event is named in memoriam of Judge Lorenzo Patiño, who graduated from King Hall in 1973. Judge Patiño came to California from Juarez, Mexico when he was 7 years old. His father, a policeman in Mexico, wanted his children to have better educational opportunities.

Judge Patiño graduated from Sacramento City College and California State University in Sacramento before attending King Hall. During law school, he was an active member of La Raza Law Students Association. He also worked part-time as a legislative assistant to then Lt. Governor Dymally and to Assembly Member Richard Alatorre.

After graduating from King Hall, Judge Patiño opened his own law practice. On the weekends he ran a clinic for people in need of legal assistance who could not afford to hire an attorney. A tireless community advocate, he was elected President of Sacramento Concilio and was the first Mexican-American on the Board of Governors. He also worked with First Lady Rosalynn Carter on the National Mental Health Association. In 1980, Governor Jerry Brown appointed Judge Patiño to the Municipal Court of Sacramento. He was the first Mexican-American to hold this position.

In 1983, he began a project to open what became the Lorenzo Patiño School of Law. This law school was created to serve as an affordable alternative for working persons pursuing a legal career.

Judge Patiño died in 1983 after a valiant fight against leukemia. However, while in the hospital, he continued to conduct court business from his bedside telephone. For all these reasons and more, the outspoken Judge Patiño was a highly respected leader in the Sacramento legal and Latino communities. At the Lorenzo Patiño banquet, the La Raza Law Students Association honors his memory and legacy of service to the Latino community.

This year we are proud to present the Honorable Cruz Reynoso as our keynote speaker. Recently appointed to the Boochever and Bird Chair for the Study and Teaching of Freedom and Equality at King Hall (see page 19), the Honorable Cruz Reynoso is a nationally recognized advocate for civil and human rights. In addition, he

has been a powerful voice for the Latino community throughout his career. Last year, President Clinton awarded him the Presidential Medal of Freedom, the country's highest civilian honor.

The Honorable Cruz Reynoso's long and varied career includes an appointment as Associate Justice on the California Court of Appeal in 1976, followed by elevation to the California Supreme Court, where he served from 1982 to 1987. He was the first Latino to hold either of these positions. The Honorable Cruz Reynoso has tirelessly served the federal and state government while advocating for diversification of the legal profession and the rights of the disenfranchised. He has taught at the University of New Mexico School of Law and, since 1991, at UCLA School of Law. He has been a delegate to the California Post Secondary Education Committee. Under President Carter, the Honorable Cruz Reynoso served on the Select Commission on Immigration and Refugee Policy. He was deputy director and then director of California Rural Legal Assistance from 1968 to 1972. Currently, he is on the board of several civil rights, environmental and educational organizations.

Judge Lorenzo Patiño and the Honorable Cruz Reynoso have helped to pave the path of service for Latino lawyers, providing inspiration and guidance for future King Hall graduates. To honor a graduating student who has demonstrated outstanding leadership while working with the Latino community, La Raza Law Students Association will present the Lorenzo Patiño Service Award at this year's Patiño banquet. The Patiño Banquet is a celebration of the past, present and future Latino leaders of the legal profession.

And, don't forget the fun! The evening will include a performance by Ballet Folklorico Beamer/Juvenil de Woodland. We will be offering a Salsa lesson, followed by Salsa music and dancing. In addition, there will be a delicious Mexican dinner and a hosted bar. This event is an annual King Hall tradition, and La Raza Law Students Association hopes that you will join us for this year's celebration. Tickets are on sale now!! **A**



Second year student Dawn Belcher enjoys the Mexican food buffet at last year's Patiño Banquet.

MR. T *TO ATTEND* PATIÑO

By CHRIS BURNHAM

If you read the article about the history of the event, namely the Lorenzo Patiño story, and it convinced you to go, great, you are now officially a good person. The force is strong in you young Jedi, aligned yourself with the rebels you have and against the Empire. If you are only going to this event because it has an open bar, that's fine too. You might want to check out that AA meeting in the basement stacks on Mondays though. So, those of you who have already decided to go to Patiño, or thought Chris Burnhamas stupid can stop reading now. Go read one of those million assignments you've skipped so far this semester, or better yet, get out your Emanuel's and actually learn something.

OK, those still reading should only be those of you who are still sitting on the fence and haven't decided whether to go to Patiño yet. In order to save us all a little time, I have anticipated the most common of your excuses and will try to show you why not only do your excuses suck, but why you should actually attend Patiño. In case nobody's told you, Mr. T (as Clubber Lang in Rocky II) is working the door at Patiño and he wants to try and convince you to go too.¹

Excuse: "It's a Latino thing." (In other words, "I'm white, I'll feel uncomfortable, you have to be Latino to go, etc....")

Me: Hey if you haven't noticed I'm whiter than George Bush. This is an inclusive event and all of you are invited. We're in a school that is like 80% whitey. I'm fairly sure Latinos sometimes feel uncomfortable too, probably daily. Get over it. Most of our faculty (also 80% white) attends the event and, judging by the way they get down on the dance floor, they seem pretty comfortable.

Mr. T's response: I'll crucify that chump!

Excuse: But I have to study, it's too close to finals!

Me: You need to relax in order to concentrate. If you have to study every night then you are either stupid or have skipped all of your classes this semester. Feeney, Johns, and Hillman have told you everything you need to know for the final. No amount of studying will help you with the con law exam by that unnamed incomprehensible con law prof. You can also schmooze with the faculty member of your choice brown nosers.

Mr. T: Get out my way paper champion!

Excuse: I don't have \$15 dollars to spend on a dumb ass law school event.

Me: You are an alcoholic. There is an open bar. You are hungry. There will be a Mexican food buffet. There will also be a dance group, salsa lessons, a DJ, and for a change, you can hear something inspiring about the law from our newest professor Cruz Reynoso. That is, before you have to sit through one of his classes, where you will inevitably tune out and play free cell dreaming not of benefiting society, but of benefiting yourself at \$125K per year.

Mr. T: I predict pain!

Excuse: I have better things to do with my time than hang out with lame law students. I already see them all day long anyway.

Me: Face it, you are tired of striking out with undergrads at "The Grad" and "Soga's." The event is hot (see above) and up till now you were too afraid to ask out one of the many hot girls or guys at the law school (since there are so many). Last year all of the cute 1Ls were there, so 1Ls, this is your last chance. Maybe once s/he is liquored up, you can get on the dance floor and freak each other. Seriously, the student body here is so overflowing with sexual tension it's about to explode.

Mr. T: I train alone, I live alone, I win the title alone. (as Clubber Lang in Rocky II)

Excuse: I hate those left wing La Raza people!

Me: Seen the new census data sucka? Remember, George Dub is a compassionate conservative and Latinos are trendy. He danced with Ricky Martin at the inauguration. (Makes you wonder, huh?) He has a Latino nephew, also Republican. Elian Gonzales's U.S. family is Republican. You are supposed to be busy targeting Chinese people for persecution. We also don't really make any money on this event. This event is just for you and your enjoyment.

Mr. T: I pity the foo!

Me: The foo who doesn't go to Patiño, Mr. T?

Mr. T: What I say sucka?

See, even Mr. T is going to Patiño. That's because he knows it's the last chance before finals to meet your professors, listen to somebody talk about why you really wanted to become a lawyer, and get lucky with the significant someone of your choice. All the good things in life wrapped up into one night. So, If you don't get the point yet, I'll send Mr. T to your house to knock you unconscious and drag you to Patiño.

¹ Note: Mr. T's responses must be read in a suitable Mr. T voice.



NO HARM DONE?

FICTION BY
FERNANDO T. ACEVES

David pulled his car over to the side of the road. He could see in the rearview mirror that the officer was getting out of his patrol car, hand on his side weapon. The flashing lights on the roof of the patrol car were making him light-headed. His heart was pounding a million times a minute. He always got nervous when something like this happened because he did not know what to expect. As the officer approached, David rolled down the window and asked, "Is there a problem officer? I don't recall making an illegal turn, running a stop light or speeding." The officer was clearly annoyed by this comment, and after making sure no one else was in the car with David, he responded, "I don't need any smart remarks from you, boy, just give me your license, registration and proof of insurance and we'll get this over with." David, not sure what exactly was going on, presented the officer with the requested documentation. The officer went back to his patrol car.

David, after studying late at the high school library, was headed home to try and get a few hours of sleep. He had to get up early the next morning to attend a college presentation set up by his high school counselor. Although David had been accepted to several universities, he was still waiting to hear from his 1st and 2nd choice schools. David was excited about the prospect of going to college.

After what seemed like an eternity, the officer returned to David's car. "I see here that you have never been caught... that you have a clean record..." *Never been caught?* "Yes sir, I always obey the laws when I drive," David

responded. "Where are you headed?" the officer asked. "I'm going home, officer. I was studying late at the library. I'm an honor student at the CV High School." Unmoved by David's response, the officer asked David to step out of the car. *Step out? What for?* "What seems to be the problem, officer?" David was getting nervous again. The officer raised his voice, "Step out of the car NOW, I'm not going to

the car was last seen selling dope to some kids in the town you just passed. You're free to go." The officer got into his squad car and made a u-turn back onto the highway.

David did not know what to think. *What just happened? A car that fits my car's description? Impossible, no other car looks like mine.* Then the questions started coming. *He actually thought*

I was a drug dealer? Whatever gave him that idea? I didn't do anything wrong. Just then, David remembered something he had heard in the news. Some story about certain law enforcement officers using unorthodox ways to "spot" a potential criminal on the road. David did not know what to make of this story; he was not able to put it in context, until now.

David was right; no other car looked like his. His car had custom paint, custom wheels, and a one-off interior, designed by his father and himself. The officer could not have confused his car with another; David's car was unique. David then realized why he had been pulled over. He was driving a customized car, a lowrider, and he had just been the victim of

racial profiling. *Why was I racially profiled? Simply because of the car that I drive and the way that I look?* David was still standing next to his car, aghast at the idea of having been judged. He then realized that 15 minutes had passed since the incident. He got in his car and drove home. The more he thought about it, the angrier he became that he was pulled over for no other reason than looks and stereotypes. *So what if I drive a customized car? I DID NOT BREAK THE LAW! He even frisked me, as if to assume that I carry a weapon! Can't a person, a good student, have*



BARRIO ARTE by Tomas Alejo

ask you again!" David did as he was told, frightened at the tone he had just heard. The officer frisked him thoroughly, then searched the car's interior: under the seats, in the glove compartment, and underneath the dash. He even searched the trunk, including under the spare tire. *Why did he frisk me? And why is he searching my car? I have nothing to hide.* After deciding that David did not have what he was looking for, and with a look of frustration and disappointment, the officer gave David back his keys, license and registration, and said, "There is an APB out on a vehicle that fits your car's description. The driver of

a nice car and still be a responsible citizen of society? Why is there such a bad stereotype given to lowriders anyways? Many of these cars are family projects, just like my car was when my dad helped me customize it. Will I still be racially profiled once I go to college and take my car with me?

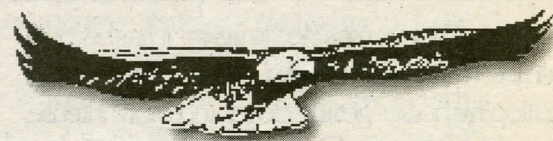
David could not understand how racial profiling benefited the community. He remembered from the news report that law enforcement claimed that this helped crack down on "potential" criminals about to commit an unlawful act. *But what about all the innocent drivers being affected? The officer did not even run my plates before pulling me over! Had he done his job and run my plates on the computer, he most definitely would have realized that he had the wrong "boy."*

When David got home, he found his parents waiting up for him, as they always did when he studied late at the library. He told his parents what happened. They were not surprised. His parents asked him whether this had happened before. David said no, that he had been pulled over before but not in this way. The other officers had only warned him to "drive carefully." *Drive carefully? What does that mean? And why did I have to have a warning for that?* David opened his eyes in amazement. He realized he had been profiled three other times as well — twice in one week. At the time, he did not think much about it because he was just given warnings. But now, David realized he had not done anything wrong on those occasions either. He became furious. "Just because of the car that I drive? Why can't I drive a car like that and not be picked on by the police?" he irately asked his parents. They knew what to say, but they also knew that David was aware of the answer. They remained quiet. His parents were proud of his commitment to school. They did not see anything wrong with their son working on his car and personalizing it to fit his style. His parents grew angry at the fact that the officer acted in such a belligerent fashion towards a teenager going home after studying hard at school. They could not understand why their son had been victimized by the same agency that was supposed to "serve and protect the community." This was unacceptable. Unwarranted racial profiling needed to stop.

David talked to his high school counselor the next day after the college presenta-

tion. He told him every detail of his interaction with the officer, and described every thought that had passed through his head. He and his counselor called the chief of police, who just said, "Oh well, these things happen." They also called the local newspaper and local TV station, but neither wanted to pursue the story because it was not "big enough." The media was not going to follow up on one, "isolated" incident that produced no harm to David. "No harm? NO HARM?? He frisked me as if I was a criminal!! What about my feelings? What about my identity? What about my rights? They were all harmed in one way or another!" David screamed these things to the reporters, but they would not listen. They ignored him completely. David felt helpless. Nothing was going to be done about this episode. It seemed that racial profiling was an acceptable form of law enforcement to his community.

David graduated with high honors. He went to the university of his 2nd choice. He loved being a student. He was in college to make a change, to become a better person, and to make his parents proud. David also took his car with him. He was not about to give up his ride just because society would not accept his "look." Would he be the victim of racial profiling again? Perhaps. But this time, he was ready to fight for what he believed in. If he got pulled over again for no reason, and the officer gave him a hard time, David was prepared. He would say: "Officer, you have just proven a point that is going to help me on my senior thesis. I'm a student at the university and I'm writing my thesis on racial profiling. You, officer, have just given me something to write about concerning unwarranted profiling. As you can see, I have not broken the law, and I do not have any illegal drugs or objects on my person or in my vehicle. So by every sense of the word, I'm innocent. May I take your name and badge number for my paper? Care to comment on what just happened? No? Thank you very much, officer, have a great day..." See how he likes it. *Will racial profiling continue in this country? Yes. Will law enforcement get the notion that using these tactics sometimes harms innocent, respectable citizens who are out for a drive just like everyone else?* David still wonders... **A**



The Eagle Is Not Down

The eagle is not down,
he's in a different sky,
wings still moving
against the currents of injustice,
there is no death for this peaceful warrior,
he looks down on us,
his quiet fire eyes say,
tu eres mi otro yo,
you are me,
I am you,
somos juntos
en la tristeza de la noche,
en la felicidad
del dia,
the eagle is not down,
he's in a different sky
y los chuecos,
the greedy growers,
the legislators
who legislate los farmworkers
and their ninos to death
are shaking in fear,
they know there's going to be
some serious huelgas
in heaven and hell,
sabes que, hermano,
the eagle is not down,
he's in a different sky,
there is no death
for this peaceful warrior.

Para Cesar 4/26/93

Phil Goldvarg: Hgold42734@aol.com

The PRICE of those BLUE EYES

FICTION BY LAURA SANCHEZ

They've marched in again. It has become almost routine for us—first we hear the sound of galloping horses getting closer and more intense, then with a look that we now recognize, she motions us to run.

It is dark and wet down here. I wonder if the scent of human waste has ever been associated with a sanctuary. But we know they will not think to look for us down here, they are more interested in other matters. The stench isn't so bad anymore; better we hide in human refuse than face the same horror that is going on inside the house.

It is quiet and still, but we know it is not over. At first her screams are loud, horrible shrieks muffled by the language that is foreign to us. We can only associate it with the horror that mamá faces when these men come around. Then comes the silence, the silence of a brave woman who has

suffered this before, and survives every time. We pray for mamá, and if Diosito is listening, this will all end soon. I lead my brothers and sisters into a rosary chant. If it is quick this time, we will only recite one or two. My brothers and sisters are obedient and bow their heads as we pray.

In our outhouse sanctuary we remain, and no one asks questions. Soon the door will open, and like the Virgen de Guadalupe herself, mamá will appear through streaks of light. Her appearance and mannerisms neat as usual, except for swells and bruises on her face which she has tried to cover up. No one asks questions, no one dares speak until her soft voice breaks the silence.

How much longer will this happen, I wonder. How many women will live through this terror? I know our ancestors faced the same horror and I fear it will strike me one day, too.

The war. We did not ask of any involvement in it. We know this as our land and all we ask is that we be left

alone to make use of it. But these men, our fathers, brothers, and husbands, have chosen a violent way to solve their discrepancies, and throughout the bloodshed, women suffer in a different battle that comes with war.

The war is over. The other side won and we are now standing in the land that belongs to the men who I only know by their galloping horses, and mamá's swollen and bruised face. We've learned that papá will not be back with us, he has been killed in the fighting. Maybe it is better that way since mamá is with child.

Yes, the war has ended, but how long will this peace last? Many are dead and there are casualties even among the living. The purity of our mother's body and the innocence of my brothers and sisters has been taken. Our hermanito is born with big, beautiful, blue eyes and an innocence that I envy. His birth is a mixed blessing. From wretched evil comes this little angel, whom Diosito has delivered to us. Those beautiful blue eyes come at a price—a painful reminder of the evil our women face at the hands of war. **A**

El Tratado de Guadalupe Hidalgo

Rogelio Villagrana Felix, 1/8/94

Here I find myself *aprendiendo* what I'm supposed to *aprender*. According to *el gobierno* what they say, is what's correct. They tell us we have this and that *libertad* when in reality we are slaves.

With the treaty of *Guadalupe Hidalgo* my ancestors were supposed to have the same rights as any common Joe. When in reality "it" was just another treaty that was to be *quebrada* by "them".

The land of my *gente* was stolen in the so called courts of peace. When the courts failed to take the land my *gente* was killed left to rot in a river or left to decompose hanging on a tree.

My *gente* was and is the one that works the earth I say *la tierra* belongs to those *quien la trabajan*. We are one with the earth. We pick the corn, grapes, *chiles*, *papas*, *tomates*, Y everything that grows.

Give the land to those who work it Not to those who abuse it.

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WHY am I in LAW SCHOOL?

By Rogelio Villagrana Felix

This is a good question considering that when I was in elementary school I had no concept of what a university was. I did not know that they even existed. Ever since elementary school, I knew that I wanted to be an attorney. It is just that I did not know how I was going to do it. All I knew was that I had to become one. This I learned from observing the injustices in the fields in Fresno, California. I would tell the farmworkers that I was going to become a lawyer to stop the contractors and the owners of the farms from abusing them. Some would laugh at me, but others would say "may God hear you and help you in your journey." This was the start of my path to my legal career. It was a desire to change the working conditions of the many people that feed this state, this country, and a great part of the world. I once read a book that said the land belongs to those who work it. Our society does not believe this is true, but I feel that the ones who work it should at least be able to have a decent life.

It was not until I was in Middle School that I started to learn about college. High school was when I began to think of the classes I needed to take. An accident led me to UC Davis. I was not part of the core group of students that the counselors felt were college bound. I did not receive the relevant information about university activities. One day I was at the counselor's office and I asked a lady what she was doing. She said she was the Early Academic Outreach Representative and was putting together a campus visit to UC Santa Barbara, UC Berkeley and UC Davis. She asked if I wanted to go. I asked her how much it would cost. She told me \$40. That was when I learned what a fee waiver was and ended up paying only \$10 for a three-day trip. It was from this journey

that I decided not just to apply to Fresno State, but also to UC Davis. I learned that they had a great pre-law program (Which turned out not to be true). You need to realize that I had a counselor who figured that I only had the potential to go to Fresno City College. I proved her wrong when both UC Berkeley and UC Davis sent me admission letters.

It was during my stay here at UC Davis that my focus shifted, somewhat, from labor to education issues. I did not put the reason why I originally wanted to become a lawyer aside; I just knew that education was the key to many problems in my community. I started to put names to many of the things done to me while I advanced from first grade through twelfth grade. I read a book in one of my Chicano/a Studies courses titled Chicano Education in an Era of Segregation, and it propelled my interest into education. I knew that education was the key. Educated people are better able to defend themselves and are better able to advance in the direction they want.

Back to *why I am in law school*. I am here to learn some of the skills necessary to make a difference in my community. I am here to get that piece of paper called a law degree to show that I am qualified to negotiate and be seen as an equal. Not that this is what the paper means, it is just that that is what society thinks it is. My law degree will give people a voice before a court that usually chooses not to listen. That piece of paper will force the judge to pay attention. A law degree will allow me to deal with a school district and make them think twice before not doing what they are supposed to be doing according to the law. My focus within education is English Language Learners. English is my second language and that gives me the perspective to deal with some of the issues confronting

these students. There are many resources school districts are supposed to provide to second language learners, for which they receive additional federal funds, but which they do not in fact provide. Parents are uninformed of what their rights are or of what power they have. The schools do not want parents to have this knowledge. They do not want them to interfere (at least the bad schools—there are exceptions).

This is the reason I am in law school. I want to be a conduit for parents to voice their concerns. I want to be a resource that parents can use to become educated and fight for their rights. I plan to work for a public interest organization when I graduate, but this is not the only way to make a difference. My hope is that those of you who have read this article will keep in mind that this is a public institution and that taxes subsidize our legal education — that it is our duty to give something back when we graduate. It does not matter if you do not go into public interest law. In fact, at times, the big law firms have better resources to assist the people that do not have the wherewithal to acquire legal assistance. When you are out in the real world, keep in mind what 50 hours a year can do for a family who is about to be evicted, for a student who is about to be suspended, or for a person who is about to lose his/her benefits.

My background has taught me to make a difference and to give back. I do not want the future generations of second language learners to have to deal with what I have had to deal with. I ask that you also look into your background and that you decide to make a difference and give something back. It does not matter what you decide. There is much need in this country and this world. The thing is that if we all try to make a small difference, with time, change happens and hopefully things will become better for a few more people. SOME PEOPLE LET THINGS HAPPEN AND SOME PEOPLE MAKE THINGS HAPPEN. Which one are you?

Suerte with your journey,

Rogelio Villagrana Felix

HELPING HAND

Clinical Legal Education & the U.C. Davis Immigration Law Clinic

BY ASSOCIATE DEAN AND PROFESSOR KEVIN R. JOHNSON &
IMMIGRATION LAW CLINIC STAFF ATTORNEY AMAGDA PEREZ '91

The Immigration Law Clinic is one of the gems of King Hall. This article explains how the Clinic came to be and highlights its successes for clients, students, faculty, and the community.

The Clinic and Its Mission

When the UC Davis Immigration Law Clinic opened its doors in 1981, California was in the midst of a dramatic increase in its immigrant population. In the state's agricultural heartland, UC Davis was well located to serve the emerging community. With faculty approval, Professor James F. Smith, the director of the clinic for its entire existence, established the Immigration Law Clinic to teach students practical lawyering skills and to provide students the opportunity to work on compelling human rights issues. Since 1994, Amagda Pérez, an alumna of King Hall and the Clinic, has been the supervising attorney.

By representing clients in the Immigration Law Clinic, students develop essential lawyering skills in client interviewing and counseling, legal research and writing, witness preparation, and trial advocacy. The supervising attorneys teach these skills through reading assignments, role playing, and seminar discussions about specific cases. Clinic students, however, must assume responsibility for formulating case strategy, researching and developing legal arguments, collecting facts, and preparing clients for removal hearings. Students interview clients and witnesses, conduct factual investigations, draft pleadings and motions, prepare legal briefs, and make appearances in the immigration court. For their work in the Clinic, Students receive academic credit.

Over the last twenty years, students in the Immigration Law Clinic have represented hundreds of immigrants. The Clinic provides removal defense to noncitizens seeking political asylum and other forms of relief from deportation from the country. Recurring legal issues, the ready availability of clients from countries around the world, and the quasi-judicial proceedings make these cases ideal for a law school clinical program.

Clinical students represent clients in the immigration court located in San Francisco, California, less than a two hour drive from Davis. As of the spring of 1998, the Clinic had won every case in which it sought a waiver from deportation based on a criminal conviction. This extraordinary record of success has come despite the immigration laws having become increasingly onerous over time. Over the same period, the Clinic prevailed in all but four of literally hundreds of asylum cases in the immigration court. The

Clinic won before the Board of Immigration Appeals in each of the four other cases.

The Immigration Law Clinic has earned a national reputation and established a solid working relationship with the immigration judges and immigration attorneys, including trial attorneys who represent the Immigration & Naturalization Service (INS) in removal proceedings. Immigration judges frequently compliment the quality of the Clinic's work. Newspaper articles have favorably reported on the Clinic's achievements. The California State Bar awarded Professor James F. Smith, in large part for his dedication to the Immigration Law Clinic, the State Bar of California President's Pro Bono Service Award in 1989.

Besides teaching skills to law students, the Immigration Law Clinic serves other important functions. The Clinic stimulates the interest of many students in law school. It raises consciousness about the influence of race and class on society and reinforces this consciousness of students with this awareness. The Clinic provides students with the opportunity to learn about the relationships between race, immigration status, and poverty. It exposes students to the hardships of immigrants in the United States and the great need for representation by legal service attorneys sensitive to the needs of immigrant communities. The Clinic has proven helpful to attracting a diverse student body to King Hall. Many Clinic students are interested in representing clients from their own background or other immigrant communities.

The Clinic's Work

Here is a sample of the kind of matters handled by King Hall students in the Immigration Law Clinic.

Francisco

In 1976, Francisco, a 21-year-old from Mexico, entered the United States without inspection. He worked as a farm laborer in the California orchards. Paralyzed in an automobile accident, Francisco found himself confined to a nursing home. After an officer visited Francisco in a nursing home, the INS initiated deportation proceedings.

In Mexico, Francisco had neither a home to return to nor family members to care for him. Medical care, therapy, and facilities comparable to those in the United States were not available in Mexico. Deportation to Mexico would likely have significantly shortened Francisco's life.

Immigration Law Clinic students compiled an impressive array of documentation on Francisco's medical condition, the limited medical care available in Mexico, and Francisco's ties to the United States. The immigration judge granted Francisco's request for relief. The Immigration Law Clinic prevented Francisco's deportation to Mexico.

This is not the end of the story. After learning English, Francisco earned a bachelor's degree from California State University at Sacramento in 1996. He later naturalized and became a U.S. citizen.

Manuel

Manuel, a Mexican citizen from the state of Chiapas, suffered persecution at the hands of the Institutional Revolutionary Party (PRI), the political party then in power in Mexico. Manuel's parents were political activists who protested the government's oppressive treatment of indigenous peoples. The authorities repeatedly jailed his father because of his political activities.

In 1987, Manuel met Professor Hernandez, a leading figure in an opposition political party in the 1988 presidential elections, and became his right-hand man. Through this association, Manuel gained prominence in the opposition movement and personally exposed PRI election fraud.

The Mexican government arrested, tortured, and detained Manuel, Professor Hernandez, and other political activists. Hernandez was later killed; other political activists were killed or mysteriously disappeared. An attempt also was made on Manuel's life. When the Zapatista uprising occurred in January 1994, Manuel feared that the government security forces would target members of the opposition. He fled Mexico the day after the uprising.

Two Clinic students helped Manuel to apply for asylum in the United States and accompanied Manuel to his interview with the INS. When Manuel was granted asylum, he became one of the very first Mexican citizens to affirmatively obtain asylum. By allowing students to work directly with immigrant communities, students gain a better

10 REASONS to JOIN THIS CLINIC

BY DAN TORRES

As part of my second year of law school, I enrolled in the Immigration Law Clinic. Looking back on the year, I am very grateful that I joined. My experience has been a journey to remember. I have had the chance to work with extremely appreciative clients, co-write a habeas petition in state court and a Ninth Circuit appellate brief. I also had the opportunity to attend an eye-opening conference in Washington D.C. on INS detention conditions. All of these experiences added a new dimension to my law school education and added meaning to the law.

The plight of immigrants is one that we all hear about in the media, but one that in reality is difficult to grasp. Working directly with our clients, however, has shed light on their struggle and has made me realize how important it is for law students to get involved. The law, especially immigration law, can be intimidating to law students. Try to imagine, however, what it might be like for a person who gave up everything he or she had to come to the United States, does not speak English, has no knowledge of our laws, and is entangled in the labyrinth that is our immigration system. Or imagine yourself as someone who came to the United States as a child, but never became a citizen, thirty-five years later got in trouble with the law, and now you are in deportation proceedings. Then you might realize how much better off you are as a law student in the United States. In addition, you might also realize what an asset you can be to someone caught in this web. As law students at King Hall, we have a unique opportunity to be part of a person's plight to stay in the United States and to share in a client's happiness when we win his or her right to stay. There is no other sense of accomplishment that compares to sharing your client's sense of relief and hope for making a new life for him or herself. I encourage all of you to take advantage of this opportunity and join the Immigration Law Clinic. **A**

1. **Make a difference in a real person's life.**
2. **Get over yourself and help someone else.**
3. **Argue before the Ninth Circuit or be lead counsel at an immigration hearing.**
4. **Fight da' man!**
5. **Write winning briefs.**
6. **Learn about other cultures and country conditions.**
7. **Fight for human rights and fight da' man again!**
8. **Learn what "making a silk purse out a sow's ear" means (actually I haven't figured that one out yet).**
9. **Develop client counseling and trial advocacy skills.**
10. **Help replace the gaping hole left by graduating and talented 3L's: Luis Alejo, Michelle Betancourt, Tim Watson, Supriya Sundarajan, Bryce Kunitomo, Allan Payumo, Liam Connell, Chris Wu, Jenny Horst, Dan Abbott, Ash Lashgari, Brent Johanson, and Neil Swartzberg.**

the Navy's presence were organized and these campaigns lasted over a year – from April 21, 1999 until May of 2000. Unlike other civil disobedience campaigns in Vieques, this one had the potential to be recognized around the world – just like the campaigns of 1979. On May 4, 2000, FBI agents and U.S. marshals arrested 216 people in an attempt to regain control of Camp Garcia, the Navy's bombing range on the eastern part of Vieques. Although these civil disobedience campaigns attracted some international media attention, they were somewhat overshadowed by the Elian Gonzalez incident in Miami, and were soon forgotten.

Among those arrested on May 4th were two members of Congress, Nydia Velazquez of New York and Luis Gutierrez of Chicago. The Roman Catholic Bishop of Caguas, Puerto Rico and the mayor of Carolina, one of Puerto Rico's largest cities, were also detained. The arrests of two members of Congress should have captivated more media attention in the United States. However, the Navy's inhumane treatment of the people of Vieques is tolerated because the island is located in an undeveloped area of the world, far away from the eyes of the American public.

The tragic death of David Sanes Rodriguez and the civil disobedience campaigns that followed have brought Vieques some valuable attention from the White House. Before leaving office, President Clinton addressed the Vieques condition by convincing former Governor Pedro Rosello to accept his proposed referendum. However, President Clinton's motive for addressing the Vieques condition may have been related to Hillary Rodham-Clinton's campaign for a senate seat in New York. Over two million Puerto Ricans live in New York City alone and winning her their vote might have been an added incentive.

The agreement was signed on January 31, 2000 by President Clinton and former Puerto Rican Governor Pedro Rosello. It calls for a referendum that would give the people of Vieques two choices. They could allow the Navy to resume use of the range on its own terms, which would include the use of live bombs, or require the Navy to cease all training by May 1, 2003.

If the people of Vieques vote to allow the Navy to resume full-scale training, Congress will be asked to provide \$50,000,000 in aid to Vieques for housing and infrastructure development. In addi-

tion, President Clinton said he would ask Congress to provide \$40,000,000 in economic assistance once the Navy is allowed to resume limited training on Vieques. The referendum may take effect as early as May 1, 2001. However, it is not yet known whether the agreement will receive the approval of newly elected, President George Bush and Puerto Rican Governor, Sila Calderon.

It is unlikely that Puerto Ricans will vote to let the Navy resume use of Vieques as a live bombing range, despite the promise by the United States to provide millions of dollars in aid for housing and infrastructure. Live bombing exercises often last for as long as 200 days, and maneuvers often include practice with depleted uranium shells, napalm, and cluster bombs. Sixty years of bombing exercises have harmed the health and lives of 10,000 Vieques residents. Studies show that the cancer rate for residents of Vieques is 27% higher than that of Puerto Ricans living on the main island.

The Navy has further exploited the people of Vieques by renting the island to the armed forces of Latin America and Europe, and earning millions of dollars. In fact, the day David Sanes Rodriguez was killed, Canadian and German troops were also participating in live bombing exercises on the island. A few days later, pro-statehood senators in Puerto Rico discovered that the Navy also had a web site advertising for clients. The ad read: "Mission: Constantly provide professional customer services, conduct real world anti-submarine warfare training for aircraft, ships, and submarines of the U.S. and foreign navies...live-fire capability for most non-conventional weapons inventory...tropical climate permits year-round ops with practically no cancellation." Only after the pro-statehood senators from Puerto Rico applied pressure, did the Navy discontinue the web site.

Though sacrifices are sometimes necessary in order to maintain freedom and prosperity, they should not come at the expense of U.S. citizens or any other human beings. The people of Vieques have paid for national security for over sixty years with their rights. In closing, when President Clinton was handing out pardons before leaving office, he should have given the people of Vieques a pardon because they have been treated as second class citizens by the Navy for far too long. **A**

farmworkers make it nearly impossible to travel back and forth across the border with the requisite frequency. The basic structure of the program makes it unlikely that these workers will ever be able to make a permanent home in the United States.

Even more troubling is the proposed elimination of all existing safeguards for the rights of foreign workers. Unlike the current H-2A program, or even the original *Bracero* program, the new program contains no protections for wages, working conditions, or housing. In place of a set hourly wage, employers would be authorized to pay workers by a piece-rate and there is nothing in the plan to prevent unfair productivity standards.

As with the original program, those most negatively impacted by this plan would be the farmworkers already here. These workers who already face so much hardship would be forced to accept lower pay and less protection in order to compete with the *braceros*. Their ability to organize would be severely restricted by the presence of so many workers willing to replace them. The rights won by farmworkers through decades of struggle would be seriously undermined and, in some cases, would disappear altogether.

This issue has united the immigrant, labor, and civil rights communities, who are uniform in their opposition. This program is both harmful and unnecessary. A better plan would be to grant amnesty to undocumented workers who are already working in the fields and allow them to work legally. If a labor shortage really exists within the agriculture industry, there is an easy way to attract and retain new workers: raise the wages and improve the working conditions. The *Bracero* Program was a mistake the first time around and it is certainly not the solution today. **A**

Xuncax v. Gramajo

The Immigration Law Clinic served as co-counsel in *Xuncax v. Gramajo* (1995), in which the victims of persecution by the Guatemalan military, under the command of former Defense Minister, General Hector Gramajo, sued him for human rights violations. A number of the Clinic's Guatemalan clients served as plaintiffs. Clinic students successfully prepared declarations and the necessary documentation for the plaintiffs. The district court entered a \$47.5 million default judgment against Gramajo. This lawsuit increased public awareness of the Guatemalan government's miserable human rights record.

Supreme Court Brief

In *INS v. Aguirre-Aguirre* (1999), the Immigration Law Clinic filed an amicus curiae brief in support of a Guatemalan asylum applicant who had been involved in political activities. The Supreme Court decision cited the Clinic brief.

Community Outreach and Education

Beginning in the 1990s, the Immigration Law Clinic has been working in partnership with California Rural Legal Assistance, Inc., California Rural Legal Assistance Foundation, and other organizations in the Central Valley Partnership for Citizenship, a comprehensive citizenship and civic participation campaign. Attorneys, community outreach workers, Clinic staff, and students conduct outreach and community education on the impact of the 1996 immigration "reform" laws on immigrants and related topics, such as family-based immigration, the Violence Against Women Act, and naturalization.

sense of the social, economic, and political needs of the communities that they serve. This knowledge is critical for those that hope to represent the diverse populations of California. Moreover, the Immigration Law Clinic empowers students by allowing them to assist their communities. Students gain valuable legal expertise and provide high quality, and much-needed, legal services. Communities, in turn, gain a positive image of King Hall and the advocates that it trains.

The Clinic's Impact on Students

Over the years, the Immigration Law Clinic has served as a center for law students dedicated to immigrant rights. Clinic students participate in the Davis Refugee Aid Project, which sponsors educational programs about immigrants and refugees and raises funds to assist them. Others are involved with the King Hall Legal Foundation, which raises funds and grants fellowships to subsidize students working in public interest jobs during the summer.

Many students in the La Raza Law Students Association are active in the Immigration Law Clinic. In addition, the Martin Luther King, Jr. Service Award honors law students dedicated to community service in the tradition of Martin Luther King, Jr. Many Immigration Law Clinic students have received this award, including Amagda Pérez '91, Michael Meuter '92, Sonia Montero '96, and Joyce Noche '99.

Clinic Alumni

The Immigration Law Clinic plays a fundamental role in preparing law students for a successful public interest career. Many recent hires of California Rural Legal Assistance, the largest provider of legal services in rural California, have been graduates of the Clinic; four clinic graduates direct the CRLA offices (Mike Meuter in Salinas, Jeff

Ponting in Fresno, Saul Garcia in Modesto, and Santos Gomez in Oxnard); two currently direct CRLA field offices. Legal Services of Northern California, Inc., one

of the largest urban providers of legal services to the poor in California, has hired a number of Clinic graduates. Other students, for example, have worked for organizations serving immigrant women in the United States and a women's human rights organization in Bangladesh.

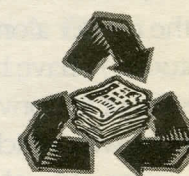
One clinic alumnus, Dan Saxon, the 1998 recipient of the King Hall Distinguished Alumnus Award, helped establish human rights offices in Guatemala providing legal assistance to victims of the civil war. He later served as a law clerk to the International Criminal Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Former Yugoslavia and was part of a trial team prosecuting four Bosnian soldiers who operated a concentration camp. After a stint as a consultant to the Inter-American Human Rights Commission of the Organization of American States, Saxon served as a fellow of the Open Society Institute, a foundation promoting democracy worldwide, and is completing a book on human rights in Guatemala.

Many Immigration Law Clinic graduates continue to represent immigrants in private practice. As members of the American Immigration Lawyers Association, many provide pro bono representation to clients referred by the Clinic.

The Immigration Law Clinic is a central institution at King Hall. By serving clients, students, and community, the Clinic deserves its place in a building named after Dr. Martin Luther King Jr. **A**

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LATCRIT: Not Just For Professors Anymore

By TREB WINEGAR

Much lip-service is paid to maintaining a proper balance in law school. For people in my graduating class (I belong to the crop currently known as 2Ls), this notoriously means making sure that you don't let the rigors of law school screw up what is really important, namely your social life. In an academic sense, what it means is breaking free of being a 1L and having all of your courses assigned to you, and getting to think for yourself instead of being forced to "think like a lawyer."

For those who can still vaguely remember all of those wonderful things you wrote about in your application to law school, like wanting to fight for social justice, there are classes for you. In King Hall's first venture into cutting edge Critical Race Theory by a full-time faculty member, Dean Kevin Johnson has brought us Latino/as and the Law.

As the name and the class's reader suggest, topics for class discussion focus mainly on the special problems that Latino/as face in this country and how the law has shaped, changed, and often exacerbated those conditions. In many class discussions, we have considered topics as broad and abstract as identity politics, assimilation, the portrayal of Latino/as in the media, and the use of narrative in legal scholarship. In others we have addressed specific problems such as the special weight of immigration laws on Latino/a life, bilingual education, English-only laws, human rights violations in border patrol enforcement, affirmative action, and discrimination in the workplace.

Dean Johnson had originally planned the class as a typical seminar of 12 people, but, upon receiving an enthusiastic response, he opened the class enrollment. The class has been, in my view, experimental but well-rounded and eye-opening. It is one of the few classes I have been in that looks and feels diverse. Class members hail from a broad range of backgrounds and class discussion has often been emotionally charged. It has not, however, been simply a forum for airing and venting real frustrations. There has been earnest search for solutions to problems as potential attorneys, organizers, activists or volunteers both within the legal context and without. We have addressed tensions between minority groups and agendas and how we can seek to overcome them and build coalitions in their place.

For me, the class has been one of the high points of my education (and not just my law school education.) I have learned so much more from a combination of lecture and dialogue with my peers than I ever do from the former alone. As a white male (not exactly the hero of critical race studies) I have become acutely aware for the first time in my life of the reality of the privilege I enjoy. While, by definition, there are many conditions with which I will only be able to sympathize, I understand to a much greater extent how much different it is to go through life as a person

of color, no matter what your social rank and status. I spent much of spring break looking for a place to live for the summer, and amidst all the frustration that process entailed, I found myself asking how much more frustrating the process would be if I were a person of color. These were not idle thoughts. Offhand remarks and subtle suggestions dropped by people I encountered in the process provoked them. They were remarks that I probably would have formerly overlooked, dismissed, or even accepted as representative of the way things are.

"Latinos/as and the Law" has often been unsettling and at times even uncomfortable. Oddly enough, for that I am grateful. I thank Dean Johnson for introducing the class to the King Hall curriculum and my classmates who have made it a success. As for those who think that anything outside of a bar class is so much fluff and tilting at windmills, I must say that I have not yet had so much in a class of issues that affect (to borrow a celebrated phrase from International Trade Law) "human societies as they actually exist in the real world where people live and work and die."

And besides that, we eat chocolate in every class. **A**

The advertisement is framed to look like a computer window. At the top is a menu bar with options: File, Edit, View, Window, Help. Below the menu bar is a toolbar with icons for various functions. The main content area features a large, stylized 'S' logo at the top. Below the logo, the text reads "the icon of good law." in a serif font. Underneath this is a smaller box containing the text "Shepard's" followed by a smaller 'S' logo. Below that, the text "exclusively on" is written in a smaller font, followed by "lexis.com" in a large, bold, sans-serif font. At the bottom of the main content area, the URL "[www.lexis.com/lawschool]" is enclosed in brackets. At the very bottom of the window frame, there is a small line of fine print: "Shepard's and Lexis.com are registered trademarks of West Group Properties Inc., used under license. Other products and services may be trademarks or registered trademarks of their respective companies. © 2000 LEXIS-NEXIS, a division of West Group Inc. All rights reserved."

Cruz Reynoso Named To New King Hall Chair

Cruz Reynoso, a former associate justice of the California Supreme Court and a leading advocate for civil and human rights, has been named the first recipient of a new endowed chair in the School of Law at the University of California, Davis.

Reynoso will hold the Boochever and Bird Chair for the Study and Teaching of Freedom and Equality beginning July 1, and will assume his teaching responsibilities in August.

"Cruz Reynoso has had a most distinguished legal career in the public interest," Dean Rex Perschbacher said, in making the announcement. "One of the leading Chicano civil rights leaders of his generation, he is nothing less than an icon in the Chicano community."

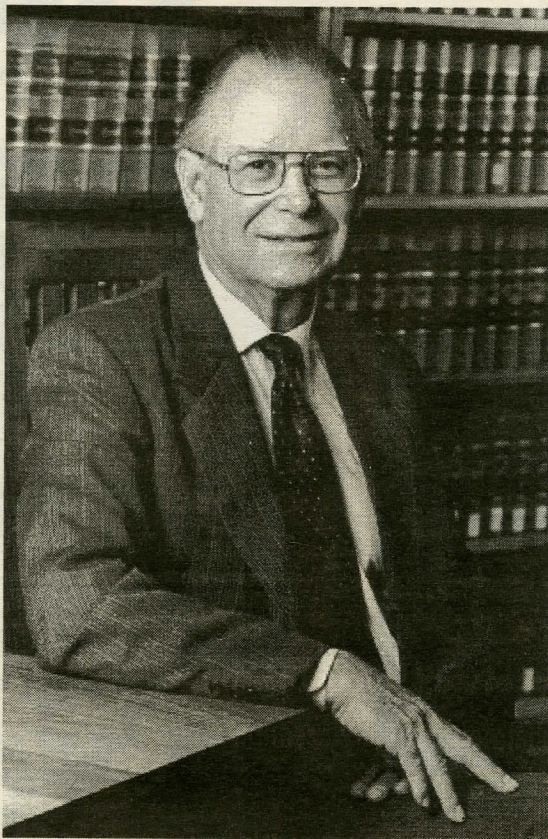
"I'm very excited to be joining the UC Davis law school faculty and the King Hall family," Reynoso said. "I'm honored to be filling a new chair that deals with the most basic of our constitutional freedoms."

The chair is awarded in recognition of outstanding scholarship and teaching and commitment to preserving and expanding the understanding of "the virtues necessary of a great republic."

The chair criteria define these virtues as: the freedom of conscience embodied in the liberties of political, religious, informational and artistic statement of the First Amendment to the Constitution; the promise of fairness made in the Fifth and Fourteenth amendments; and the principle of equality expressed in the Fourteenth Amendment.

Currently a professor of law at UCLA, Reynoso will teach courses and seminars in professional responsibility, remedies, civil rights and appellate advocacy.

The son of Mexican immigrants, Reynoso rose to become the first Latino to



Justice Cruz Reynoso will join the King Hall faculty on July 1, 2001.

serve on California's highest court. He first gained national recognition as deputy director and director of California Rural Legal Assistance where he fought for the rights of the rural poor from 1968 to 1972.

Reynoso later served as a jurist with the 3rd District Court of Appeal for California in Sacramento from 1976 to 1982 and as an associate justice of the California Supreme Court from 1982 to 1987. Since 1993, he has been an active member of the U.S. Commission on Civil Rights, serving as vice chair since 1994.

Reynoso has served on numerous other federal, state and professional boards and commissions concerned with civil rights, immigration and refugee policy, government reform, the administration of justice, legal services for the indigent and education.

Last year, he was awarded the Presidential Medal of Freedom, the country's highest civilian honor, in recognition of his lifelong devotion to public service and the Hispanic Heritage Foundation's Hispanic Heritage Award in Education.

A professor at UCLA since 1991, Reynoso also taught at the University of New Mexico's law school from 1972 to 1976. His scholarly publications have included articles on cultural diversity, educational equity, affirmative action and César Chávez. His most recent scholarship is "Hispanics in the Criminal Justice System," a chapter in "An Agenda for the Twenty-First Century: Hispanics in the United States."

Reynoso earned a law degree from UC Berkeley in 1958 and studied constitutional law at the National University of Mexico in 1958-59 as a recipient of a Ford Foundation Fellowship. He received an associate of arts degree from Fullerton College in 1951 and a bachelor's degree from Pomona College in Claremont in 1953.

The Boochever and Bird chair was established with a \$350,000 gift from UC Davis alumni Charles Bird, who earned a bachelor's degree in history in 1969 and a law degree in 1973, and his wife, Charlotte, who earned a bachelor's degree in anthropology in 1969.

The chair is named for Charles Bird's parents, Donald and Elizabeth, and Robert Boochever, a senior circuit judge of the 9th U.S. Circuit Court of Appeals. Charles Bird clerked for Boochever when he was a chief justice of the Alaska Supreme Court.

You can listen to words by the Honorable Cruz Reynoso at this year's Lorenzo Patiño Banquet on April 13, 2001. Reynoso was chosen by the event's hosts, La Raza Law Students Association, to serve as this year's distinguished keynote speaker. ■

Students Come Together at National Latino Law Conference

BY LAURA SANCHEZ

In college I studied Sociology, focusing on issues relevant to minorities. My passion for social causes and the plight of Latinos motivated me to apply to law school. From college to law school, there has been a 360 degree difference in my experience. The racial makeup of my law classes is significantly different than I was used to in college. I attended one of the most racially diverse universities in the country, and was used to a diverse population in the classroom. I was also used to discussion of issues facing communities of color and other marginalized groups in the United States. But the law curriculum being what it is, I find that classroom discussion lacks the thought provoking elements of race and the law. Thankfully, two things this semester changed that. One is the addition of Latinos and Latinas and the Law to the law school curriculum. The other was attending the National Latino/a Law Student Conference.



Tim Watson, Laura Sanchez, Fernando Aceves, Rosa Cabrera and Cancion Soto toast this year's conference.

Taught by Associate Dean Kevin Gallardo-Johnson, Latinos and Latinas and the Law focuses on analyzing the legal issues of consequence to the Latino community. The discussion in this class fit well with the issues addressed at the National Latino/a Law Student Conference. The conference was started in 1997 by Latino students who shared respective struggles in law school. Law students from the University of New Mexico organized the Conference to confront the huge drop in minority enrollment in law schools due to Proposition 209 in California and the *Hopwood* decision in the Fifth Circuit. This year's conference was hosted by Latino law students at Columbia and New York University.

The Fourth Annual Conference consisted of three days of panel discussions on topics relevant to the Latino community. Patricia Vasquez's presentation of MALDEF's work on affirmative action litigation was the inspiration for my paper topic for Latinos and the Law. Among the many interesting things the panelists brought up, was a comment made by Judge Castillo that stayed with me.

Judge Castillo mentioned that for children who live a few blocks from Columbia University, the University might as well be half way across the world, as many of them will never get the opportunity to enter as students through Columbia's gates. The same may be said for King Hall, as children of the farm worker communities surrounding Davis face barriers to accessing higher education.

Issues addressed at the Fourth Annual Conference included:

Keynote Speakers

- Hon. J. Ruben Castillo, United States District Court Judge, Northern District of Illinois
- Hon. Fernando Ferrer, President, Bronx Borough, New York
- Raul Yzaguirre, President, National Council of La Raza

Increasing Access to Education

- Dean Venetta Amory, Asst. Dean of Admission, Columbia University School of Law
- Patricia Mendoza, Staff Attorney, MALDEF

Redistricting and Its Effects on Latinos

- Nathaniel A. Persily, Staff Attorney, Brennan Center for Justice and NYU School of Law
- Prof. Randolph M. Scott-McLaughlin, Pace University School of Law
- Maria Valdez, Staff Attorney, MALDEF

Faculty Diversity

- Sarah Bervera & Anjana Samant, Coalition for Legal Recruiting
- Sandra Rodriguez, NYU Latino Law Students

Giving Back to the Latino Community

- Hon. Eduardo Pardo, Criminal Court Judge, Bronx County
- William Malpica, Mayer Brown & Platt

Aside from the panels, one of the best things about the conference was that I had the opportunity to meet with a variety of law students from UC Berkeley, UC Hastings, UCLA, University of Texas, University of Arizona, University of Houston, Fordham University, Harvard, University of Florida, and the University of New Mexico. It was interesting to see the range of viewpoints and attitudes among Latinos at the country's top law schools. There were liberal students as well as conservative, some wore jeans while others wore suits, some are sons and daughters of influential parents, others of working class immigrants. Did I mention that George P. Bush, a 1L at the University of Texas, attended the conference as well? Whatever their backgrounds, the students there all had one thing in common: they are the selective few who have broken ranks into the privileged status of future Latino lawyers.

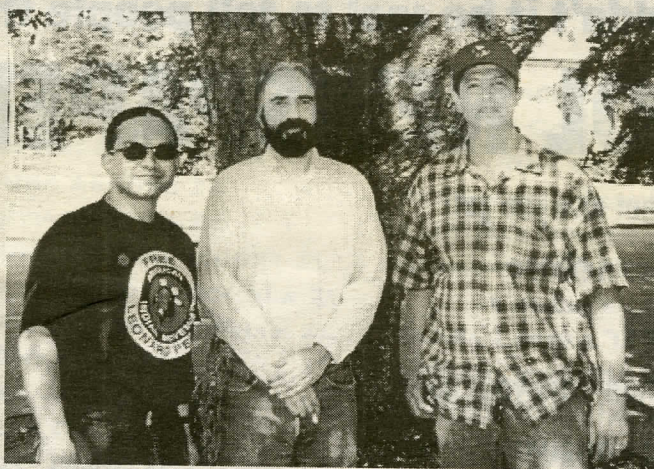
The Fifth Annual Latino/a Law Student Conference will be jointly hosted by Boalt Hall and UC Hastings, with cosponsorship from King Hall. The conference will take place in the fall of 2001, in conjunction with Boalt Hall's reception for federal judges. Through conferences such as this one, we hope to form a strong alliance to confront the issues affecting Latinos and encourage the development of a greater awareness and commitment to the needs of the Latino community. **A**

LRLSA

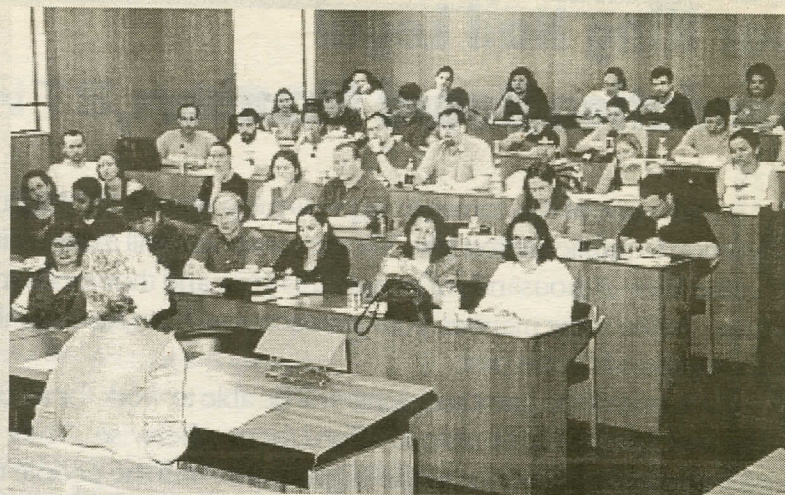
celebrates the first

CÉSAR CHÁVEZ HOLIDAY

Evelina Alarcon, statewide coordinator for the César Chávez Holiday spoke Monday about the significance of the state holiday and the efforts to make it a national holiday.



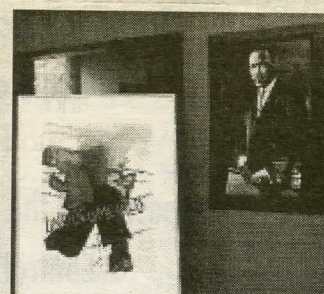
Alberto Caldemando, Attorney for the International Indian Treaty Council (center) and Samuel Heredia, Youth Coordinator (right) stand with former LRLSA chair Luis Angel Alejo (left). The IITC leaders spoke Tuesday of their efforts to advocate for indigenous peoples on an international level.



Human Rights Attorney Claudia Smith addressed a crowded house on Wednesday. She spoke on the detrimental effects of U.S. Border policies on immigrants.



Students from Kennedy and Woodland High and from Fresno City College visited King Hall on Thursday and Friday. Second-year student Moses Diaz shared some inspirational words with the students.



The week featured art displays by Sacramento artist Gus Reynoso and UC Davis professor Malaquias Montoya (his artwork alongside MLK, top). Historical United Farm Workers memorabilia was also on display in the King hall foyer (bottom).

Dear King Hall Legal Foundation Board Members,

I make use of this forum to express my gratitude for your time and devotion to public interest law. Your commitment will make a difference in the lives of thousands of people this year, and thousands more with time. In the same manner, your predecessors have made a difference for thousands in the past.

Each one of the grant recipients will be able to work for an organization that would not be able to afford them otherwise. They will make an immense difference to the organization and the people they serve. Moreover, when you multiply the number of people who benefit by the number of recipients of a grant, this is when you see the magnitude of your efforts. If it were not for your commitment and dedication, many people would go without assistance. Many families would be separated, many families would be evicted, many families would be deported and many families would be poisoned.

The recipients work in many areas of public interest law and thus have a wide impact. KHLF is under-appreciated and is taken for granted. There is a great deal of good that happens because of KHLF. I hope that this letter helps the law school as a whole understand the importance of KHLF and its members.

Respectfully yours,
Rogelio Villagrana Felix

An Invitation to Students...

**Lieutenant Governor Cruz Bustamante
will visit King Hall on April 18th.**

The entire student body will have an opportunity to meet the Lt. Governor at a "Courtyard Welcoming" from 11:45-12:20.

After the welcoming, Lt. Governor Bustamante will be giving a luncheon address entitled: **"Achieving Equity: Why We Need To Eliminate SP 1"** at the University Club. Students will have an opportunity to attend the address and enjoy a free lunch.

If you wish to attend, sign up on the day board. Space is limited and free tickets will be given on a first come first serve basis. If you want to help with this exciting event, please contact Sara Boxer at saboxer@ucdavis.edu.

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WE GREATLY APPRECIATE ALL YOU DO FOR LA RAZA!

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