

Vermont Law School FORUM

Volume XXVIII, No. 6

Monday, March 24, 2003

South Royalton, Vermont

ANTI-WALMART ACTIVIST INCRIMINATES THE LAW

Peter Jaworski, Staff Writer

Al Norman, pre-eminent anti-Walmart activist, visited VLS on March 10. A former *Newsweek* columnist and book reviewer, he came in order to discuss "How the Law Encourages Sprawl."

In his talk, Norman, who has been called the "guru of the anti-Wal-Mart movement" by "60 minutes," expounded on his efforts at fighting sprawl and, more specifically, 'big boxes' (as he calls them). He is angered by what he sees as the destruction of little communities and the "wonderful flexibility of the law; which can be used for evil, as well as good."

"Nothing in America is a done deal. Just look at George W. Bush—he wants a war but it isn't a done deal."

- Al Norman

"You may be here by design," said Norman, "but I'm here by accident—when I was young, there was no Wal-Mart." Alas, "Wal-Mart is like cheap underwear—it keeps creeping up on you."

The consequence of this growth has been, amongst other things, a growth in litigation against Wal-Mart. "At any point in time, there are 10,000 lawsuits pending against Wal-Mart," said Norman. "Wal-Mart is sued 7,400 times per year," he continued and of those, "Wal-Mart says they are successful six times out of ten."

"Wal-Mart is second only to the Federal Government for being litigated against." He explained.

According to Norman, there is a typical pattern 'big box' chain stores follow when dealing with vocal opposition. A pattern that speaks to the complicity of the law in the expansion of 'big boxes.'

"The law is frequently used to threaten and chill first amendment rights," explained Norman and added that sometimes Wal-Marts and similar stores will "threaten cash-strapped cities with litigation if they try to fight expansion."

To buttress his point, Norman quoted

from a letter addressed to him from Costco threatening legal action if Norman did not stop his online fight against Costco. "Letters like these are typical," he said, adding that, when facing threats like these, "the little guy can't afford to fight back."

Fighting expansion, however, is exactly what Norman are doing. One of the first forms of offense or defense is through the zoning board or planning committee, he explained. Sometimes efforts to block the entrance of a 'big box' store hinges on the rules and regulations in those committees. Unfortunately, Norman lamented, "zoning is used to protect monied interests."

As examples, he noted how the definition of a piece of land as 'commercial space' makes it easier for the Wal-Marts to stifle local opposition. It creates a sense of it being a "done deal."

Similarly, planning committees, since they are unelected, are unresponsive to lo-

cal citizens and their concerns. Norman explained how in one case, a town allotted 15 minutes for a public meeting about a proposed Wal-Mart where each complainant received 60 seconds of speaking time.



This, coupled with the 'big box' stores' overwhelming financial abilities, leaves "almost everyone with a sense of it being a 'done deal'."

This does not discourage Norman, and, he entreated, it shouldn't discourage any-

one else. "Nothing in America is a done deal. Just look at George W. Bush—he wants a war but it isn't a done deal."

"You need to treat every community as if it is the only community of its kind on Earth," he noted in closing.

Paraphrasing Sinclair Lewis, Norman warned against a possible future scenario where "every town looks the same, where everyone wears the same clothing and buys the same products; Where everyone quotes the same lines from the same Sports section of the newspaper."

"With your help, we can avoid such a result."

Norman is the author of "Slam-Dunking Wal-Mart" a book about battling the 'big box' chain stores in order to preserve small-town America. The event was sponsored by the Student Bar Association, Environmental Law Club, and the Environmental Law Society, and emceed by Steve Kelton '05.

SOUTH ROYALTON - A "VAGINA FRIENDLY TOWN"

Olivia Campbell, MSEL '05

Half the population has them, but who talks about them?

Until VLS's benefit production of Eve Ensler's *The Vagina Monologues*, the answer in South Royalton was, "what! No, you can't say that!" A vagina revolution occurred.

Vagina talk consumed the VLS community throughout the days preceding and following the show on February 21, 2003. Despite freezing temperatures and icy conditions, hundreds of female and male students, administrators, staff, and local community members came down from the mountains and out of hibernation to see the groundbreaking show. Declining to understand sold out declarations from the Women's Law Group volunteer ushers, the audience flocked into the Chase Center, to sit on the floor, tables, or stand along the wall just to hear the performance. Before the play even began, *The Vagina Monologues*, became VLS's highest attended or discussed event outside of graduation. VLS's sense of community was redefined that night in the Chase Center.

Evoking woman's essence from talk of an often-censored body part, the energized,



The Cast of VLS' "Vagina Monologues"

not taking shit, hot, happy vagina performers enlightened the community to the intricate complexity of being female in a vagina-weary world. Poignant, cleverly conceived and man-friendly, the homage to woman asked the question: If your vagina could speak, what would it say?

Performing "The Vagina Workshop", Molly Mimier told the story of a woman who thought she lost her clitoris because she wore it while swimming, but then she eventually learned to become it. Diana Dascalu, who performed "My Angry

Vagina", raged over the top, hilarious complaints against the contraptions such as dry cotton tampons, steel stirrups, and thong underwear, which men make for women. The entire audience chanted "CUNT!" with Alex Goncalves as she reclaimed it. The outrageous antics helped the audience appreciate and overcome the previously considered taboo language. Performing "The Woman Who Love to Make Vagina's Happy", Stephanie Tavarez, stole the show by acting as a sex worker and inspiring

...*Vagina* continued on page 4

Vermont Law School FORUM

FIFTY-SEVEN DAYS AND COUNTING...

I recently had a revelation inspired by two people who don't deserve to lick my tires clean. It seems that the stages of my life have been clearly divided into 3 or 4 year intervals: Catholic school, high school, college, and law school. During all of these intervals I can remember friends- made and lost, tragedies- both personal and national, and both a clear beginning and an end. This little realization made me think- on May 17th I start the beginning of the end. No more graduating and moving on, this is it, this is my life.

Now, for most people, by the time you've reached 25 years old you've already had your rite of passage into the person you are today. But recently, I questioned the person I was and what exactly I had to show for the past three years. I felt as if I haven't done enough with the people who matter most to me while I've been here. I received an email from a friend who I'd let drift and she insightfully said, "Friendship is never dead, it just sometimes goes on a bit of a vacation." I am lucky to still have her as a friend, as well as the many others I've made during the past three years.

Take a look at what you've done and whom you've done it with. For many of us, this is the last time we'll ever be in an environment where it is this easy to make friends. Take a chance and make the effort to reach out to that person you've wanted to get to know better. After graduation there will be no more Wynterfoest broom ball games, no more hikes up to Kent's Ledge, and no more breakfasts at Wilson's. Make the most of this time left, as the friends you have now will be the ones you need when your real life begins.

Shannon Maher, Editor

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The *Forum* is an jointly funded student publication serving Vermont Law School and its surrounding community. Please contact the *Forum* office for advertising information (802-763-8303 ext. 2299).

Every effort is made to publish the *Forum* monthly during the Fall and Spring semesters, and usually distributed on Fridays. We encourage all articles, comments, rants, and inquiries without prejudice. Copy and photo deadlines are announced to the VLS community via email, though special arrangements may be made with *Forum* staff. Submissions should be made on a 3 1/2" IBM formatted floppy disk with your name and year on it or by email. Hard copies of the article should also be provided. Disks will be returned to you eventually. We reserve the right to edit all submissions as necessary, and the editorial staff makes the final printing decisions. However, unless an article is entirely without merit, lacks substantiation, or space is at a premium, we will do our best to see that submissions are printed.

The opinions expressed herein are not necessarily those of the editorial staff.

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LETTERS

"Cleansing" of the Chase Breezeway offends

I'd like to express my extreme disappointment in the removal of The Vagina Monologues signage from the Chase Breezeway during the Law Review Symposium.

At first, the entire situation struck me as completely ridiculous. Having been a business professional for a number of years prior to my arrival at law school, I was amused when I heard that there was concern that the word VAGINA might offend the professional people attending the Symposium, and thus the VAGINA signs needed to be removed while such elevated folk were present on our campus. Although some might find this hard to believe, in my experience the denizens of professional America are quite comfortable with the word VAGINA. One might also consider the fact that most of the worldly, cosmopolitan professionals who attended the Symposium were undoubtedly already familiar with The Vagina Monologues, it being an internationally known theatrical production. It's highly likely that at least some Symposium attendees had already seen The Vagina Monologues prior to their arrival at VLS, perhaps in San Francisco or New York City.

However, once my initial amusement passed, I became very angry. I became angry because a lot of things in this world offend me, and I can't take down some silly sign to make these things go away. The outrageous number of girls and women who are sexually abused and assaulted every year offends me. The domestic abuse of women offends me. The double discrimination that women of color confront offends me. The marginalization and inequality that gay women face offends me. The word VAGINA does not offend me. What does offend me are the things that the collective community of VAGINAS continues to endure.

Much of the violence perpetrated against women involves the VAGINA or stems from the fact that women are different from men because women possess VAGINAS. If we can't say the word VAGINA, how can we talk about the issue of violence against women in a serious manner? Only when we feel comfortable using such words in the context of life experiences will we be able to openly discuss the issue of violence against women and girls.

I was thrilled that the VLS production of The Vagina Monologues received such an overwhelmingly positive response from both the school and the community; indeed, our Board of Trustees verbally supported the event and some members of the Board even gave monetary donations to support our cause. I was proud to be part of the group of women and men who made such a wonderful night a reality. My hope is that going forward Vermont Law School will be a place where no one is concerned that the word VAGINA might offend visitors, whatever their station in life.

Marie Legrand
Owner of ten fingers,
tentoos, and one VAGINA.

Letters welcome:

Think Tank Thoughts
Ollivia M. Sexton, '05

Opinions to get you thinking.

Drilling in the Arctic

Patrick J. Michaels, senior fellow in environmental studies at the Cato Institute: To achieve more independence in energy, you have to produce more domestic energy. The NRDC [Natural Resources Defense Council] and the other green groups know that drilling in Alaska will be successful and lead to little — if any — detectable long-term damage to Arctic wildlife. In fact, drilling in nearby Prudhoe Bay enhanced the Caribou population. That success is going to lead to more drilling on Alaska's North Slope. The geology of that vast region, which stretches from the Yukon's Mackenzie Delta to Point Barrow, well over 500 miles, is pretty similar.

Sierra Club: President Bush's energy plan won't work, because it makes the wrong choices. The Bush Administration energy plan ignores high-tech, energy-efficient solutions in favor of increased oil, gas, coal, and nuclear production, while his budget proposal slashes funding for renewable energy and efficiency by a third.

Charli Coon, senior policy analyst specializing in energy and the environment at The Heritage Foundation: More than a year ago, President Bush put forth a sensible, balanced plan to give Americans greater access to reliable, affordable energy. His plan strikes a proper balance between increasing supply, reducing demand and caring for the environment. It calls for increased efficiency and refining capacity, upgrades to energy infrastructure and reduction in dependence on foreign oil. He seeks these steps because these are the keys to energy independence, not because he's a former oilman.

Michael A. Toman, senior fellow at Brookings Institution: While conservation and energy efficiency improvements can help enhance energy security, a more robust policy program would include other measures. In the shorter term, the government must figure out how to use the Strategic Petroleum Reserve more effectively. The Bush administration has restated the old and misguided view that the roughly 550-million-barrel reserve should be used only for some undefined "emergency," not as a way of altering market prices.

Environmental Defense: The Arctic National Wildlife Refuge (or ANWR) has often been called America's Serengeti because of its abundant wildlife (including polar bears, caribou, grizzlies, wolves, snow geese and millions of other migratory birds). Drilling for oil in this sensitive habitat would harm these wild creatures and destroy their breeding grounds. Moreover, the U.S. Geological Survey estimates that at most ANWR would provide less than a six-month supply of oil, most of which won't even be available for another 10 years - hardly enough to make a dent in our reliance on foreign sources of oil. Real solutions to our nation's energy security lie in energy efficiency, conservation, and improved automotive technologies.

BLUE IN GREEN CONFERENCE – ARTICULATING HUMAN RIGHTS & THE ENVIRONMENT

Kaylea White, Brian Mulry, and Valeria Gheorghiu

Human Rights and the Environment, Blue in Green's theme inspired by the U.N.'s blue helmets and the obvious green for the environment, though clearly linked in many people's mind, is facing challenges in acceptance by the "state". The conference, through a series of provocative workshops and lectures, demonstrated that like the earth's proportion of colors seen from space, environmental rights are comparatively slim in the face of the well-developed human rights. The conference articulated a pressing need to link the two, both as a matter of fact and social change, encouraging local action for global effect. There was a progressive lecture by Argentinean Sofia Bordenave, Director of the Center for Human Rights and the Environment in Patagonia. She claimed that many human rights violations were simultaneous with environmental degradation, that the most destitute were most vulnerable and made perfect victims because they did not know how to demand their rights in the face of unjust corporate and state behavior, that there is impunity for the polluters because they can't prosecute them for human rights violations.

After lunch, Beverly Naidus displayed her fascinating vibrant artwork. Beverly Naidus is a highly acclaimed painter who has displayed her work from New York to Los Angeles. In 2001, she was diagnosed with Thyroid cancer. Living in Los Angeles, California, she had frequently been sick. She began to recognize a correlation between the poor quality of the environment and her perpetual sickness. Her paintings depict the mental and physical effects of victims of environmental illnesses. Naidus's slide show, "My One Canary Song," is a narrative display of multi-medium slides showing the relationship between pop-culture, print-ads, and environmental illness.

Workshops ensued.

Two Canadian delegates offered their impressions of the World Summits on Sustainable Development (SD), Amelia Clarke (Sierra Club representative) and Brian Sawyer-Foner (Biologist who studied strategies of environmental groups, now has completed a PhD in communications, and was a green party candidate - went as individual to Rio). Amelia gave us an overview of the history of SD at the UN.

The Keynote Speakers for the evening was Dr. Owens Wiwa and Elizabeth May, radical director of the Canadian Sierra Club who has staged hunger strikes against petroleum monopolies in Nova Scotia.

With that, the conference ended with a list serve to keep everyone in touch in this burgeoning field of human rights and the environment.

Wynterfest 2003



2003 WLG CONFERENCE

Heather Dlhopsky, '05

"Women Working for Peace" is the timely theme of the Women's Law Group annual spring conference. This conference brings together women from different regions of the world, who are working to initiate, achieve, and maintain peace in their local communities and around the world. Given the current world situation and the distinct possibility that the United States may very soon be a nation at war, this conference aims to explore and celebrate the unique contributions women have made to peace efforts.

Beginning the evening of March 19, the film "Kandahar" was shown in Oakes 208 at 6 pm, followed by a coffeehouse discussion in Javaprudence at 7:30.

The keynote speaker was Nelofer Pazira, who grew up in Kabul, Afghanistan during the Russian occupation, has made two documentary films about Iran and starred in "Kandahar." Ms. Pazira's address took place Thursday evening in the Chase Center. There was a cocktail hour and dinner. The price of the ticket includes din-

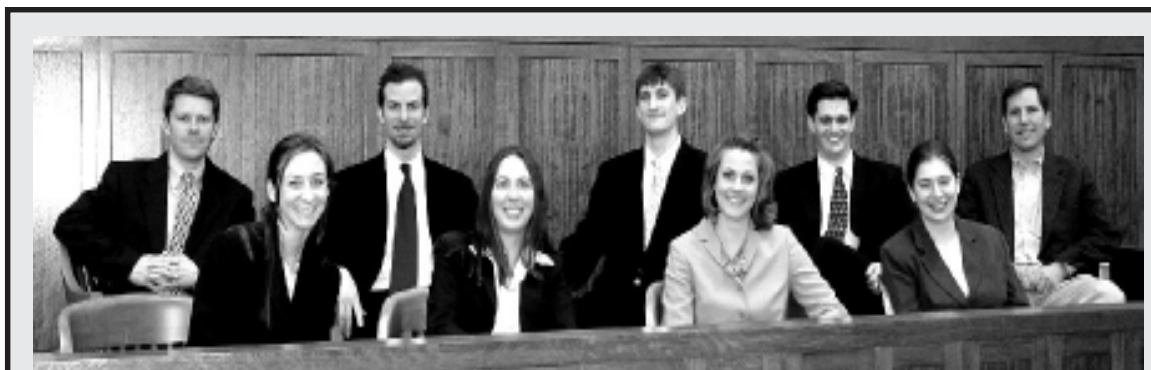
ner and dessert, catered by the Travellin' Willy-B's of Bethel. Tickets were not required for the address, but be sure to be there a few minutes before 7:00.

The conference continued all day Friday in the Chase Center. Registration was at 8:30, and the first speaker, Dr. Cynthia Mahmood, will speak at 9:00. Dr. Mahmood is a social anthropologist, and focuses on issues relating to war and peace, conflict resolution, and the cultural contexts of violence. She has been a fellow of the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame since 2001. She also serves as consultant to governmental and non-governmental agencies in the United States, Canada, and the United Kingdom, and is a frequent public speaker on topics relating to peacemaking.

At 10:15, Dr. Marta Umanzor spoke. Dr. Umanzor, originally from El Salvador, began her activism in the 1950s and 1960s with activist Oscar Romero. In El Salvador, she taught and worked as an attorney for

disadvantaged clients. When Archbishop Romero was assassinated, Dr. Umanzor fled to the United States and began her life here cleaning hotel rooms. Since then, she has earned her Ph.D and is now a professor at St. Michael's College and part of a Burlington-based peace activist group.

The final speaker of the morning, Madeline Kunin, spoke at 11:30. Ms. Kunin was Vermont's first woman governor, serving three terms. She was also Deputy Secretary of the U.S. Department of Education under Bill Clinton, and in 1996 was the American ambassador to Switzerland where she worked to secure reparations for Holocaust victims. Lunch will be served at 12:30, and the conference will conclude with a panel discussion at 1 pm facilitated by VLS professor, Cheryl Hanna. Tickets for the Thursday night dinner will be on sale this week in the Chase Breezeway.



2003 ATLA Team

Team members Dustin Taylor, Sarah Schreck, Rich Taylor, Sara Berthiaume, Patrick Kenney, Jenny Lyttle, Brian Amones, Jenn Thomas, and Coach John Evers participated in the 2003 Student Trial Advocacy Competition sponsored by the Association of Trial Lawyers of America. The regional competition was held in Boston, February 28 through March 2.

...continued from cover

VAGINA

moans from the cast.

Actresses Maria Gomez and Joslyn Wilschek, whose character survived war tactic rapes in Bosnia and Kosovo, and Natalie Sullivan, presenting the story of a Native American domestic violence survivor, made the purpose of V-day really hit home for the performers and the audience. Aside from talking freely and openly about vagina issues and celebrating vaginas, *The Vagina Monologues* organizers aimed to help stop violence against girls. Nobody wants to talk about vaginas or the war and violence that is perpetually waged against them everyday in the United States and countries across the globe. At Vermont Law School, in our small community of South Royalton, we rarely understand or hear about the numerous unfriendly vagina experiences that occur throughout Vermont. The play's straight talk offered important messages to the community. Unbeknownst to several within the VLS community, Vermont is not a safe haven from violence against women.

Vagina perceptions at VLS have been reformed for a greater good. Roddy Hughes called the performance "a great learning experience".

After the show, the performers and organizers were overwhelmed by the generosity and gratefulness of the South Royalton community. Kathy Leonard proclaimed, "This was, truly, a gift to the community, as well as an important effort toward ending violence against women. The performance was excellent, empowering, and important." Performer Melissa Kalinen felt that it was the most powerful, magical experience she has had in many years, "I learned that I can laugh and cry at the same time". Julie Hernandez was "amazed at the students power to create change and educate others to the problems of violence against women". Sarah Webb was concerned that "there are still professional adults out there, that have not found their vaginas".

The cast and production crew hope that the VLS community will never forget the message behind *The Vagina Monologues*. It was definitely, our most memorable event at VLS this year.

V stands for Victory, Valentines, and Vagina. A vagina fairytale occurred last month at VLS. VLS loves vaginas. We hope that next year, South Royalton will truly be a rape-free zone and the fabulous vaginas within our community will truly be able to celebrate Valentine's Day.

We especially want to thank the amazing dedication of Judy Szeg and the Safeline volunteers who work day and night to end violence against women in Vermont. Safeline's 24 hour hotline, 1-800-NEWSAFE, is available at any time for emotional support, crisis intervention or for information or referrals.



EARTHWEEK 2003 - - ENVIRONMENTAL LAW SOCIETY EVENTS:

The temperature may be below freezing and the ground still hidden under three feet of snow, but spring is on its way! And what better way to celebrate than to attend Earthweek at Vermont Law School brought to you by the Environmental Law Society.

Currently, the Environmental Law Society's energy is focused on Earthweek. Earthweek comes early here at VLS, given that Earthday falls during the reading period. And while we like to live by the motto, "Every day is Earthday," we will bring it up a notch during the week of March 31-April 4.

Monday, March 31 **Tabling Day**

Local non-profit organizations and Ann Melander and her worms in the Chase Breezeway from 12:30- 2:00.

Sharon Elementary will demonstrate how to make paper in the Chase lobby from 12:30-2:00.

Tuesday, April 1 **"State of the State" discussion panel**

Discussing Vermont's environment with Professor Parenteau as mediator in the Chase Center from 12:45-2:00 (including food).

Open Mic and mingling at The Pub 5:30-7:00.

Wednesday, April 2 **"Be Green Save Gasoline" -- Alternative Transportation Day**

To promote carpooling, walking and riding bikes.

Campus Display of hybrid, electric, and veggie oil automobiles on the Semicircle Driveway Oakes Building 12:30- 2:30.

Thursday, April 3 **"Blue Vinyl" Film for Thought**

In Oakes 007 at 7:00- Documentary—Travel with Judith Helfand as she explores nontoxic building alternatives to polyvinyl chloride (PVC) in this humorous adventure from Louisiana to Long Island!

Friday, April 4 **Earthweek Keynote Speaker**

(TBA) in the Chase Center from 12:45-2:00 (including food)

Annual "Save The Ales" Party and environmental garb fashion show at Crossroads 9 p.m.

Through the week we will have Quotes, Environmental E-mails, Library displays, Art Work Displays, ELS T-Shirt sales and our first annual publication of the VLS-ELS Sustainability Guide!

The ELS would like to thank everyone at VLS for their support in the past and encourage all of you to attend the upcoming Earthweek activities!

"UNLESS someone like you cares a whole lot, nothing is going to get better. It's not." - The Lorax



LESSONS FROM REBELLIOUS LAWYERS

Abbi Doolittle, '05

Around thirty students from Vermont Law School caravanned down to New Haven, Connecticut for the Rebellious Lawyering Conference on February 21st. This weekend was definitely the highlight of my law school experience so far. Get together some of the most progressive-minded law students in the country with some of the most subversive lawyers in the field at the most beautiful law school imaginable, and I suppose you can't go wrong.

This was the ninth year the National Lawyer's Guild has organized the RebLaw Conference at Yale Law School. It is a student-driven and student-organized event that aims to encourage "innovative advocacy for social change." They gather community lawyers, activists, and law students from all over the country in an open forum to share ideas, experiences, and creative energy. For me, it was an opportunity to think beyond contracts, civil procedure, and all the other dry subjects we have to study, and start to look forward to the potentials of my career. It was also a chance to be inspired by activist lawyers who spend their days fighting the good fight, lawyers who really believe in what they do and love their life's work.

This article is meant to highlight just a couple of the events at RebLaw that particularly inspired me. There is not room enough to describe all the things attendees learned from the experience.

The main event on Friday night was a showing of the documentary film "Fighting for Life in the Death Belt," a work in progress by Jeff Marks and Adam Elend. The film was shot just this past summer in Georgia. It follows the work of attorney Stephen Bright at the Southern Center for Human Rights (SCHR), a non-profit firm that defends death row inmates. The documentary shows one of the SCHR's biggest successes and its biggest disappointment. One of Bright's clients was able to win a new sentencing hearing to work out a life prison term rather than suffer the death penalty. That seems to be the best Bright can hope to achieve

for any of his clients. Seeing the story from the perspective of the lawyers made the film's message quite powerful.

Saturday's main events were panels on various subjects throughout the day. I am proud to report that VLS students definitely represented in the only environment-centered panel titled, "The Bush Energy Policy – Environmental Injustice". I found this panel to be very thought provoking and full of useful information.



The first speaker was Mark Mitchell, a physician who serves as President of the Connecticut Coalition for Environmental Justice. His talk focused on how Bush's Clear Skies Initiative and other federal legislation is negatively impacting minority communities that are already faced with severe health risks by pollutants from power plants in their neighborhoods. He pointed out how the current environmental policies do not take the cumulative impact of different sources of pollution into account. Also, the increased health burden generally falls on low income and minority communities rather than those who are reaping the benefits of the pollution. Mitchell urged us to oppose recent energy policy proposals that increase the environmental and economic burdens on urban residents.

The second panelist was Eva Blake, who works for the Indigenous Environmental Network. Eva's native connection with the earth gives her a unique spiritual perspective through which she works. To Natives Americans, protecting the environment is a sacred task. She said, "We pray with the earth below and the sky above." If those precious entities are contaminated by the abuses of economic forces, native spirituality is also tainted. "You are what

said, are the source of energy and power behind her work. She advises most of her clients that although they may not win the legal battle, they can still prevail if they organize communities and publicize the issues effectively.

Overall, I think everyone who attended this panel went home with a better understanding of the impact of the current administration's energy policies and some different strategies to address it. I felt excited at seeing these lawyers talk about the work they do with both passion and expertise.

Finally, what many attendees were most excited about was Saturday night's Keynote Speaker Morris Dees. Dees has been an activist his whole life, and a rebellious lawyer since the 1960's. He was the co-founder of the Southern Poverty Law Center, a citizen-funded civil rights group that has been involved in all types of lawsuits. In 1980, the Center founded Klanwatch to address the rise in organized racist activity, which now monitors hate groups and develops legal strategies to protect citizens against racially motivated violence.

Dees' speech was entitled "With Justice for All." Its main purpose seemed to be to give us motivational guidance, to encourage us to "fight the hard fight" and always seek justice in our rebellious lawyering. He told us some stories of his battles and victories. The great reward of being a civil rights lawyer, he said, is the pride one takes in the job one does. The cases and clients he remembers most are the ones where he was "paid in a handshake". He advised us, aspiring lawyers, that even if we end up working in a big firm, we can always do our part to protect others by pushing for more pro bono work and striving for justice. He reminded us many times that as the future generation of lawyers, we "hold the keys to the gates of justice". It was a message we all carried home with us and will hopefully stay with us in the future.

you eat," she reminded us. When their ability to live off of the land is destroyed, cultural genocide has occurred. The Indigenous Environmental Network is a collective of environmental groups working on many levels to increase public awareness of environmental abuses and development of renewable energy sources.

The final panelist was Diane Curran, an environmental justice lawyer in private practice in Washington DC. She represents citizen groups, state and local governments, and individuals in a range of cases involving nuclear facility safety, chemical and radioactive waste disposal, NEPA compliance, and other environmental justice issues. She discussed some of her recent cases and shared with us some important lessons in advocacy. Citizen networks, she

THE LAWYER'S GUILD PRESENTS:

HOW TO MAKE MONEY & SOME CHANGE: SOCIALLY RESPONSIBLE INVESTING & YOU

The Event:

Tuesday, March 25, 2003 the National Lawyers' Guild will be hosting a panel addressing Socially Responsible Investing entitled How to Make Money and Some Change. The event will be held from 12:45 until 3:00pm in the Chase Center.

The Speakers:

Thom Hartmann is the author of several books on politics, economics, spirituality, mysticism, ecology, and culture.

Ritchie Lowry is a Professor of Sociology from Boston College, has a Ph.D. University of California at Berkeley and is the President & Founder of Good Money, Inc.

Doug Hoffer is an independent policy analyst and, among other things, has conducted research on import substitution, including the lost opportunities from sending so much investment capital out of Vermont.

Eric Becker is a portfolio manager and research analyst. He is also the editor of Trillium Asset Management's newsletter, Investing for a Better World. Prior to joining Trillium Asset Management in 1993, he worked for Cultural Survival, a human rights organization.

Elizabeth Weisholtz attends Wesleyan College in Connecticut and is an active member of STARC: Students Transforming and Resisting Corporations. STARC's mission is to "lead the foundation for a multiracial, youth-led resistance movement" and to "win

concrete changes through grassroots campaigns and direct action to transform the world in which we live".

Professor Oliver Goodenough is an expert in the law of business, including corporations, entertainment law, intellectual property, trademarks, and securities law.

What is Socially Responsible Investing?

We all know that the best way for the average person to make money is by investing in the stock market, buying government and corporate bonds and by investing in real estate. Most people lack the time, technical expertise, and the ability to read and assimilate numerous trade or science journals each month, and thus

invest in stocks, bonds and real estate through a mutual fund.

Mutual funds are an activity whereby many people invest their individual money with a mutual fund manager who pools the money and is thus able to buy in stocks, bonds, and real estate in volume which means lower prices and thus usually equates to higher returns on investments. For most people who invest in mutual funds, once the money that they invest leaves their possession they are not concerned with how or where the mutual fund manager invests their money as long as they keep receiving expected dividends and capital gains on their investments. As a result, whatever the fund managers think are profitable companies, they will invest in and of course the more money that a company has the more that it is able to grow and expand.

SPRING 2003 AT THE SOUTH ROYALTON LEGAL CLINIC

Alexander W. Banks, Staff Attorney

The Winter/Spring semester at the South Royalton Legal Clinic is in full swing and is as busy a semester as any we can remember. This semester we have 20 student clinicians enrolled with an additional 9 work-study students on hand to help out. The Law and Social Work partnership with UVM and Casey Family Services is in its second full semester bringing a UVM social work student and a social work supervisor from Casey on board. This translates into the Clinic currently representing over 100 low-income Vermonters in an impressive array of legal issues. We have two cases pending before the Vermont Supreme Court, and already this semester, the Clinic has appeared on behalf of clients in over 45 judicial proceedings. In short, things have been rather exciting at the Clinic lately.

Staff Attorney Maryann Zavez is the supervising attorney for both of the cases currently pending before the Supreme Court. In one case, Attorney Zavez, Paul McDermott, and former clinician and volunteer Tim Yarrow worked around the clock to finish their brief which was filed on March 13. In that case, the Clinic represents a mother who has been resisting the termination of her parental rights. In the second case, Attorney Zavez and Brian Buck filed their brief last semester. The case will be heard on briefs only, so we are awaiting the Court's decision.

Alex Northern has already had a busy semester. He has appeared on behalf of a four year-old boy in a highly contested divorce proceeding, assuring that the Court entered an order protecting a vulnerable young boy in a truly volatile situation. Also, Alex has an interesting immigration case with Staff Attorney Arthur Edersheim, representing a young woman and her mother who came to this country from China. We are representing the clients before the INS in their petition to stay in this country pursuant to a provision of VAWA, the Violence Against Women Act. Alex has

been working intensely with Greeta Soderholm, our UVM social work student, who is developing valuable information to support the petition. Finally, Alex has recently begun working with Clinic Director, James May and Bill Ramey to file an emergency bankruptcy petition. The petition was filed just prior to a likely repossession of the client's vehicle. Alex and Bill are now preparing the rest of the bankruptcy case.

Alex's experiences are merely representative of the work that all of our students are doing. Laurie Beyranevand and Greg Ryan are working with Attorney May on a Social Security case remanded from the United States District Court. This hard fought case, pending since 1999, has blossomed into two separate administrative proceedings and one court case.

Rich Bianculli had two hearings and a deposition last week. In one case he was working with Attorney Zavez on a contested child support matter. In the other case, Rich represented an 18 month-old child in Probate Court with Staff Attorney Alex Banks. Rich's job of representing this child will not be easy. The case will go to a final contested hearing in late April.

Simon Mayo is working on another interesting immigration case with Attorney

Edersheim. Our client was a victim of repeated domestic violence. Finally, a criminal case was brought against her husband, and she obtained a Relief from Abuse order. The outcome depends on several questions: Will the BCIS finally write the required regulations? Do we truly want the regulations written by the present administration amidst popular suspicion about immigrants?

Meanwhile, Elana Baron, Laurie Beyranevand, Ken Diamond, Jeremy Hojnicky, Simon Mayo, Kelly McMichael, Bill Ramey, Greg Ryan, Tamara Sadoo, Stephanie Tavarez, and Jessica Zaleski all have either appeared in court or are scheduled to appear on behalf of the Clinic's young clients under the Clinic's Children First! program. In these cases, clinicians supervised by Children First! Project Coordinator Alex Banks represent children in volatile Family Court proceedings. The goal is to protect the Clinic's young clients' best interests from the storm of controversy that surrounds their parents.

Jessica Zaleski did a wonderful job in a complicated Relief from Abuse case, working with Attorney Edersheim. The case finally settled favorably for our client, due, in large part, to Jessica's excellent preparation.

Aside from the cases mentioned above, Jim May is working on a variety of cases with a host of students: from bankruptcy/consumer (Elana Baron, Jeremy Hojnicky, and Greg Ryan) and family (Liz Georg, Ken Diamond, Peter Osyf, and Jenn Thomas) to veterans and Social Security cases (Tamara Sadoo, Liz Georg, Jessica Zaleski), landlord-tenant/contract (Rich Bianculli, Kelly McMichael, and Jessica Zaleski), and unemployment compensation (Adam Gil). Art Edersheim is working as well with Joslyn Wilschek on a particularly intense juvenile case, and Jennifer Zegarelli has been representing a client in one of our longest-running, most contested family law cases.

The Law and Social Work partnership is growing into an integral part of the Clinic's everyday operation. Greeta Soderholm, the UVM social work student, and Sara Kobylenski, Vermont Division Director of Casey Family Services, provide us day-in and day-out with unique perspectives and resources for our representation. We truly look forward to this program growing in the years to come.

Another Clinic innovation is VIA, Vermont Immigrant Assistance, being developed by VIA Project Coordinator Arthur Edersheim. The Clinic recently received a \$5000 grant from the Windham Foundation to launch the project, and it is matched by some support from VLS while fundraising efforts continue.

For as much as we mentioned, there is twice as much that we simply do not have the room to discuss. But one thing is a constant through all of this activity: the Clinic has been providing the highest quality legal representation to disadvantaged members of our community in some of the most difficult and challenging of legal settings. So the next time you pass one of your colleagues who is rushing to and from the Clinic, take a minute to find out what is going on. Take a minute to thank them, because their work is the finest reflection of this school's commitment to our community.



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GETTING OLD FAST

Jonathan Stein, '05

A few days before "Spring Recess," I received a phone call that really made me think. It certainly doesn't feel spring-like—it's 14 degrees and the sky is gray outside as I write this. Also, I have started to feel old a lot sooner than I expected.

This call came in the form of a prospective student, thinking of starting in the Fall. Sure, I had sent my info over to the Admissions office to be included on the student contacts list, but the call still took me by surprise—it was only February!

The call took me back to a year ago when I made a similar call, somewhat excited by having gotten in here at VLS, but still unsure of whether I wanted to come here. The caller grew up in Montgomery County, graduated from University of Maryland with a government and politics degree, from the BSOS school like me, seemed pretty excited about VLS, but still

not quite sure. I fielded questions such as "How cold does it really get? How much snow is there?", "What's the town like?", "Where do you get food?", and "How did you adjust to living up there having come from DC?" As I answered them, I remembered these were basically the same questions I had asked a year ago.

About a year ago, I was finishing up my degree at Maryland, the sweet taste of an NCAA Tournament National basketball Championship about to become a reality for me as I headed down to Atlanta to be at the Final Four. I looked back shocked that a year has really gone by since we all applied and got in. VLS invited me (and I suppose the rest of us) to come up for visiting day with an enticing letter referring to something called mud season. I guess that's what will happen when all this snow eventually melts. I wasn't able to make the trip then in April, although I went to a reception in DC where I met Vermont Senator Jim Jeffords. I didn't come to visit the VLS campus and get

housing until June.

It's scary and amazing at the same time that we have all now nearly made it through our first year of law school. Scott Turow didn't seem to have it so fast in *One L*. When we started law school, I thought briefs were supposed to be short, hadn't learned what intentional infliction of emotional distress is, or what a life estate is. Quasi in rem jurisdiction? Reliance damages? English, please? In the last year, we've learned these and many other useful legal concepts.

Since we started law school, many historic events have happened. When we started law school, we hadn't even marked the first anniversary of 9/11. The United Nations (including France!) hadn't yet passed the resolution requiring Iraq to turn over their weapons of mass destruction or face severe consequences. We still had Shuttle Columbia, and hadn't found Elizabeth Smart yet. Our nation hadn't been terrorized for several weeks as snipers Muhammad and Malvo gunned down over

15 people at random.

Strange events have happened in the last year. The TSA didn't scan our baggage yet. We hadn't learned yet what an Orange Alert was, and duct tape was for taping yourself to the right side of the bed so you didn't wake up on the wrong side of the bed in the morning, and many other uses not including sealing your windows from chemicals. Dick Cheney spent most of his time in an undisclosed location. (I think he's still in that bunker, wherever it is. In about 20 years, the government will probably declassify what he's been up to down there, but I really doubt anyone will want to know.) When we started law school, we did not have Ohio State as national college football champions, Tampa Bay as NFL champions, or Anaheim as major league baseball champions. When we started law school, it was nearly 100 degrees outside, which is very hard to believe right now. It's snowing. Again.

SPORTS

SWANS OPEN MUD SEASON FIGHTING

Jonathan Stein, 05

It certainly doesn't look like it outside with snow falling and single-digit temperatures, but inside Champion Rink in West Lebanon, Mud Season has begun. The days of repeatedly playing Tuck and the No-Names are gone now. The Mud Season March to April league features several games a week, culminating in the playoffs the second week of April. Fresh from spring practice and ready to put the pre-season behind them, the VLS Fighting Swans took the ice for the first time Tuesday, March 11, against a squad representing Potter. Bearing absolutely no resemblance to international child superstar Harry Potter, this team represented a construction company.

The game was ugly from the start. With the game being played in one sixty-minute period with a running clock, VLS was already down 3-0 by the time star forward Pat Kenney put the puck past the Potter goalie with 43:51 to go. Things simply went downhill from there. What had been snappy end-to-end hockey for VLS became otherwise uninspiring offense which didn't take advantage of the few opportunities offered, and defensive lapses left VLS goalie Tim Mahon to carry the load single-handedly on his shoulders. Despite his incredible talent, the score did not remain at 3-1 for very long. It was 4-1 at 43:08, on a slapshot. By 29:55, the score was an embarrassing 8-1, and grew worse as it was 9-1 with 28:17 left.

With about 25:30 left, something of historic proportions occurred. Despite our fierce rivalry with Dartmouth Tuck Business School, and also with the No-Names, repeatedly playing each team still did not lead to this event. In the defensive zone near the VLS goal, a fight ensued after a shot on goal by Potter. After Mahon made the save, it looked like the Potter player who shot it on Mahon got in his face and said some unkind, unprintable words, shoving him in the process. Players from both sides noticed this exchange and some punches were thrown. The Potter bench emptied and the referees had a very difficult time separating the players. Fighting Swans goalie Tim Mahon was suspended for the game against CCM on Thursday, March 13, and Potter had two players suspended for their next game. As a result, this unprecedented fight ended the game.

Unlike their professional counterparts in the NHL who routinely deal in fisticuffs, collegiate hockey players do not expect to get in a fight during a game due to the severe resulting consequences, and teams do not carry a player affectionately known by his or her teammates as the "enforcer," whose fighting prowess typically is greater than their actual hockey skill. In fact, collegiate fights are so rare that they tend to end up on ESPN's Sportscenter and other nightly sports highlight shows regardless of the teams involved. Unfortunately, ESPN seemed to be uninterested in this fierce battle pitting future lawyers against construction workers. Whoever was in charge of creating a VLS mascot certainly didn't think of this when they named us the Fighting Swans. Come out to games wearing GREEN and support your FIGHTING SWANS as the season continues!

FIGHTING SWANS SECONDS LATE AGAINST CCM

Jonathan Stein, 05

Though it was snowing outside just hours beforehand, Mud Season continued Thursday, March 13, as the VLS Fighting Swans took on CCM, without Tim Mahon in goal for the first time this season. After Tuesday's game-ending fight, the referees called this game tightly, as one would expect.

The Fighting Swans came out of the gate on the attack early in the game, but to no avail. The strong attack soon became dump and chase hockey by both teams. For quite some time, this kept offensive opportunities for VLS to a minimum.

The Fighting Swans' speed and intensity were greatly improved over Tuesday's game, but the defense often had a difficult time clearing it out of their own zone, especially during the second half of the game. The VLS defense was bolstered by excellent goaltending and by some fearless blocked shots.

After 20 minutes, no goals had been scored, an incredible turnaround over Tuesday. Unlike Tuesday's game, which saw no penalties other than the game-ending fight, CCM had a 2-minute penalty called on a player with 28:47 left. Unfortunately, the VLS power play responded tentatively to the man advantage, and was unable to generate scoring chances until after it had ended.

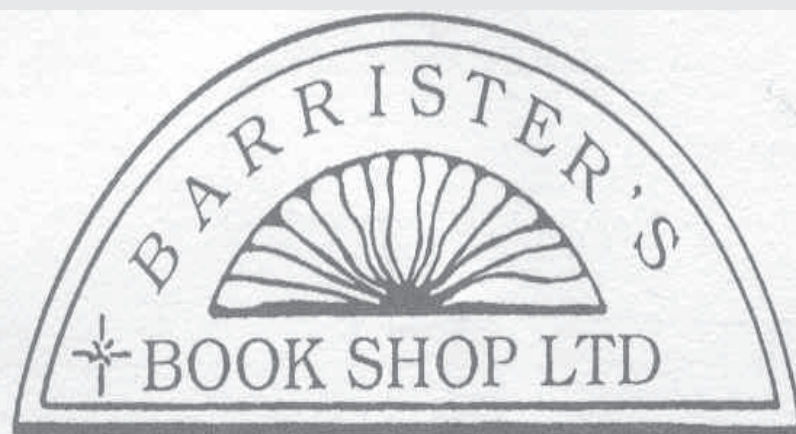
Although CCM scored goals with 40:45 remaining and 21:10 remaining, VLS really turned up the offensive jets, turning in a great effort and earning excellent scoring opportunities with 25:30, 22:25, and 8:20 remaining in the game.

—————
"Losing never felt so good."
—————

- Comment by VLS player

The Fighting Swans finally lit the lamp with 2:43 remaining in the game, with a blazing shot from close range by Tao Smith after he skated past the defense. Down 2-1 with time dwindling under two minutes, VLS had a tough time clearing it far enough out of the defensive zone after the goal for the sixth man to safely come on with around a minute to go, and wouldn't have been able to do the switch until about 30 seconds remained in the game. With the running clock, the Fighting Swans had several great scoring chances with time running out quickly.

Though we lost 2-1, VLS turned in an excellent effort on both ends of the ice, which seemed a complete turnaround from the game on Tuesday night. As one VLS player observed afterwards, "losing never felt so good."



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INTO THE (SNOW-FILLED) CRYSTAL BALL...

Jonathan Stein, '2005

ARIES (March 21-April 19)

You become flustered today and feel claustrophobic from living in South Royalton. A move to greener pastures will benefit both you and your pets. Stop smoking. If you don't, don't start. Lucky numbers: 15, 37, 83, 21, 6, 31. Bracket Cinderella team: Western Kentucky.

TAURUS (April 20-May 20)

You find yourself advising and being a confidante for a close friend today. Helping them sort through their emotional difficulties will help you with your own. Lucky numbers: 7, 99, 26, 49, 87, 93. Bracket Cinderella team: Vermont.

GEMINI (May 21-June 20)

You feel consumed by your professional life. Try to find a balance with your personal life. Go and ski. It's still cold enough. The celestial atmosphere indicates that you rock your partner's world. Lucky numbers: 12, 54, 20, 13, 41, 43. Bracket Cinderella team: Austin Peay.

CANCER (June 21-July 22)

The aura of planetary energy surrounding you today is directed toward positive expression, and causes you to engage in civil discourse when someone expresses a differing opinion from your own. Lucky numbers: 28, 95, 19, 52, 8, 55. Bracket Cinderella team: Utah State.

LEO (July 23-Aug. 22)

You have extreme confidence in your decisions today. Travel plans to a faraway destination lie in your future. However, be careful traveling to Europe as an American. Lucky numbers: 67, 84, 36, 30, 69, 79. Bracket Cinderella team: Butler.

VIRGO (Aug. 23-Sept. 22)

Take out time for yourself, and make it a priority. That eyestrain you feel is from spending too much time on Westlaw. You'll enjoy the break. Lucky numbers: 9, 53, 38, 80, 64, 72. Bracket Cinderella team: Tulsa.

LIBRA (Sept. 23-Oct. 22)

No need for coffee this morning to wake you. The unexpected thrills you. Impulsive acts might end up as memorable adventures. There's more ways than one to get where you want to go. Lucky numbers: 32, 3, 35, 25, 34, 42. Bracket Cinderella team: Southern Illinois.

SCORPIO (Oct. 23-Nov. 21)

As Venus moves through your relationship sector, enjoy casual encounters with others, but be safe! They always talk in hushed tones about "what happened last year", so don't be the cause of a repeat of it. Lucky numbers: 10, 33, 71, 18, 4, 50. Bracket Cinderella team: Manhattan.

SAGITTARIUS (Nov. 22-Dec. 21)

Your planetary configuration today will serve to influence you to visit an online store soon for a product you can't get in West Lebanon, but be wary of going overboard. Lucky numbers: 44, 24, 91, 27, 66, 81. Bracket Cinderella team: Weber State.

CAPRICORN (Dec. 22-Jan. 19)

You feel as if random, chaotic movements in the universe seem to be the force driving your life these days. Resist the temptation of the dark side, Luke. The worst of it will soon pass over you. Lucky numbers: 1, 88, 47, 39, 51, 59. Bracket Cinderella team: UNC-Asheville.

AQUARIUS (Jan. 20-Feb. 18)

Psychic insights or telepathic messages that you think you are receiving from people around you are not real. Stay in law school. Environmental law is still more lucrative than starting a psychic hotline. Lucky numbers: 5, 77, 29, 14, 61, 63. Bracket Cinderella team: Holy Cross.

PISCES (Feb. 19-March 20)

After last night's fun, drinking water throughout the day is a must. Examine your desk chair and computer set-up. Is it ergonomically correct? Lucky numbers: 23, 22, 2, 17, 11, 45. Bracket Cinderella team: Penn.

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