

Judge dismisses state library lawsuit

By Chris Wasil

S-O-L. Those are the three letters a plaintiff never wants to hear.

In the state's lawsuit against the companies it alleges botched the UConn Law library construction, those letters stand for statute of limitations. And, for now, that leaves the law school – well, out of luck.

Last month, Waterbury Superior Court Judge Wil-

liam T. Cremins applied Connecticut's statute of limitations and dismissed Attorney General Richard Blumenthal's action – which included claims of negligence and breach of fiduciary duty – against 15 contractors and design professionals who built the library in 1996. The state argued, but failed to convince Cremins, that the statute does not apply on the basis of sovereign immunity.

According to Blumenthal,

See LIBRARY, p. 5



Photo courtesy of Emily Ritter

Dozens from the UConn Law community attended a concert given by law student cover band Undercover (including L to R: Anthony Mantia, Justin Theriault and Eric Miller). Proceeds from the event will benefit children's cancer research.

Wage freeze, furloughs anticipated next year

By Alexa Lindauer

With UConn Law facing significant budget cuts for the upcoming year, University of Connecticut President Michael Hogan has already contacted law school administrators and told them to anticipate the possibility of a wage freeze and mandatory faculty furloughs.

Connecticut is facing a budget deficit perhaps greater than \$1 billion amidst a severe

economic downturn and state programs are feeling the squeeze. UConn Law Dean Jeremy Paul did not rule out faculty layoffs given a sufficiently large drop in state funding. Returning law students are also looking at a 6-percent tuition hike.

Some law school administrators have already taken a day without pay this semester at the invitation of Hogan, who warned to anticipate longer furloughs next year. Ad-

See FURLOUGHS, p. 6

McCoy testifies before Congressional panel

By Patrick R. Linsey

Everyone knows the economy is a train wreck. But when it comes to putting the train back on the tracks, answers are harder to come by.

It was perhaps with those answers that UConn Law Prof. Patricia McCoy boarded the Acela for Washington, D.C. earlier this month, to testify before the Senate Banking Committee on the need for more effective federal over-

sight of consumer lending.

"One of the reasons we have [economic] gridlock right now is we lack trust and confidence in how financial services going forward will be run," McCoy said in a recent interview. "Having an effective law will set a baseline for good conduct. We need that not only for mortgages but for a number of other areas of financial services."

Speaking to the committee, McCoy pressed the

See MCCOY, p. 6

An LSAT people can like

New student organization aims to make testing easier for our troops.

page 3

Pomp to the rescue

Prof. Richard Pomp advises the state of California on taxation.

page 4

Our view

Connecticut politicians need to shape up or ship out.

page 7

To the Editor:

I read with great interest Drew Schaffer's commentary in the most recent *Pro Se*. While I disagree with Mr. Schaffer on a number of counts, I appreciate his candor and the power of his experiences. That said, two objections might be raised.

First is the contention that prisoners of war should be released only if they "can be proven unequivocally to be innocent." Such a standard completely inverts principles of legality and subjects individuals to the mercy of the State. To arrest and punish any individual unless she can affirmatively prove she did not commit the crime is deeply troubling and raises profound moral questions.

The second issue is Mr. Schaffer's characterization that trying and releasing prisoners of war would be "detrimental to both the interests of the United States and the world." While this may be true on some accounts, it is not obvious by which measure he arrives at this conclusion. Would releasing prisoners of war whose charges cannot be substantiated be detrimental? Is the rule of law and due process itself detrimental?

To the contrary, America's recent military endeavors have been detrimental. The Iraq war has proven costly to its reputation even among its friends. A strong argument can be made that it has galvanized opposition among its enemies and aided recruitment. Clearly neither of these condemn America's actions out of hand, but suggest an alternative reasonable view of the costs and benefits of its action.

Douglass Hansen, 3L

Prof. McCoy's BigLaw advice

By the *Pro Se* Staff

In Patrick Linsey's interview with Prof. Patricia McCoy, the former BigLaw partner offered a number of tips for students starring down a job market even Career Services has taken to calling "gloomy." Please enjoy several of McCoy's thoughts from the interview for students looking to start their careers at large law firms.

"I think it's really wise for students for this year and next year to diversify their interests. Litigation is a better place to be than transactional practices. I recommend you keep one hand in business litigation for now. Also consider taking bankruptcy law."

"I don't think it's bad to have an interest in transactional [work] as long as it's not your sole interest right now. You need to worry about hanging onto what job you get."

"If students get multiple summer offers, split the summer and go to two places. Try not to have all your eggs in one basket. If you can work in two places, go ahead and do it."

"Students should seriously consider applying for judicial clerkships – and it's helpful to try to line up professors for recommendations before May 31. Summer begins and everybody disappears. If you ask your professor to do it in May, then they have the whole summer."

Pro Se

Volume III
Issue 5
March 26, 2009

The student newspaper for the
University of Connecticut School
of Law.

Editor in Chief: Patrick Linsey
Managing Editor: Lynn Kelly
Executive Editors: Kyle McCarthy
Chris Wasil
Photo Editor: Peter Hitt
Features Editor: Allison Silva
Associate Editors: Alexa Lindauer
Alan Merriman
Drew Schaffer

Contributors

Heidi Cha
Dana Daniel
Melanie Dykas
Nick Valenta
Javier Villegas

Students aim to end food insecurity

By Javier Villegas

One way to eradicate hunger in people's minds might be to euphemize stomach pains. True to form, in 2006 bureaucratic doublespeak coined the term "food insecurity." This new term may or may not communicate that in the land of plenty, there are still many people who start and end each day on an empty stomach.

At the Law School, six students took on the challenge of temporarily experiencing first hand the hunger that 36.2 million Americans live with everyday, according to the U.S. Department of Agriculture's 2007 report.

The challenge is part of the Supplemental Nutrition Assistance Program (SNAP), which replaces the old Feder-

al Food Stamp Program. The program's change of clothes reflects their new focus on nutrition and putting healthy foods "within the reach of low income households."

The law students, along with others across the state, will attempt to eat on \$3.00 per day for one week to a month, which is the average daily SNAP allotment during the month of March.

Danielle Mickenberg, 1L, organized the challenge at the Law School to raise awareness about hunger issues.

"The idea is to make people see the issue from the other side, and motivate them to take the hunger they feel in their stomachs and translate it into a hunger to make a change," Mickenberg said.

Along with undernourishment and poor health, alien-

ation, distress, and adverse family and social interaction are also consequences of perpetual hunger. In the U.S., hunger correlates strongly with federal poverty rates. In Hartford County, the 2005-07 U.S. Census Bureau recorded that out of an 874,545 population, the poor and the low income comprised 265,931. Those suffering from "food insecurity," are the people living in "low income households," mostly children and the elderly.

If you would like to make a difference about the hunger crisis facing many in Hartford and the U.S., there are community-based programs and opportunities to take action. You can start by googling: Charter Oak Cultural Center, Hands on Hartford, or Food-share.

New student group aims to help soldiers study law

Law Students Assisting Troops will send materials and offer support

By Drew Schaffer

I am very excited to announce the emergence of a new program on campus, Law Students Assisting Troops (L.S.A.T.). The organization has a three-pronged approach.

First, we will serve as a legal interface for deployed soldiers and their family members. We will solicit the assistance of law firms throughout the state who will provide services to soldiers who are deployed and their families as the JAG Corps cannot handle many cases and soldiers often prefer to solve their non-military issues in the private sector. Although the initial interface will be primarily online, ultimately a

staffed call center will connect soldiers with appropriate firms.

Second, the organization will promote legal education overseas by facilitating LSAT administration, sending study materials to interested soldiers, and providing mentors to aid soldiers through the law school admissions process.

Third, L.S.A.T. will run at least two drives per semester to send much needed supplies to service members overseas. These drives will incorporate members of both the law school and local communities.

My short term goal for the organization is to gain a strong support network within the UConn Law community in order to conduct outreach

to local firms and to develop a more thorough plan of action to include building a website and spreading the name of the organization through the legal and military communities. By the time I graduate in 2011, I hope to have a network that extends to all law schools in the Northeast and that has connections to units deployed in both Iraq and Afghanistan.

The first meeting of the organization is on Thursday, March 26th at 1:30pm in the KKB Courtroom. I encourage all students, faculty and staff to attend as I will not be able to get this organization fully operational in such a short span of time without the help of the UConn Law Community. I will be looking for both general volunteers as well as

those students who are willing to take on leadership roles within the organization.

Although I have a general idea about the future course of L.S.A.T., I encourage students to come to the meeting with questions, concerns and ideas for the future as it is only through the hard work and dedication of its members that the organization will ultimately succeed. If you have any questions about the organization or how you can help out, please don't hesitate to contact me at john.schaffer@students.law.uconn.edu or at 910-495-4767.

Drew Schaffer is the founder of Law Students Assisting Troops and an associate editor of *Pro Se*.

Kebab House offers Afghani experience

By Nick Valenta

Afghani cuisine was once described to me as a more mildly spiced version of Indian food. However, being in-between so many countries, each with their own storied culinary histories, its flavor is much more complex than that.

Overall, the Shish Kebab House of Afghanistan in West Hartford Center is a fine establishment. It first opened in town in the '80s at a different location, and has since developed a solid reputation. Lamb kebabs were marinated in onion juice and grilled to a perfect medium rare with a touch of cayenne pepper. Ashak,

boiled dumplings filled with scallions and spinach and topped with peas and house-made yogurt, was a good vegetarian appetizer. A side of pumpkin puree was offset with mildly hot spices, which cut through the sweetness and kept the dish from becoming cloying. Rice is an integral part of Afghani cuisine and their Kabuli Palow—rice topped with raisins, almonds, and carrots flavored with cardamom—was very good.

I also sampled their Daugh, a traditional cold yogurt beverage flavored with mint and cucumber, but with an overall salty flavor. I personally was not a huge fan; however, the execution

of the product was obviously well-done and it was a pleasure to explore such unfamiliar fare. For dessert, I had Turkish coffee and the cake of the day, which turned out to be chocolate cake. It was good, although I regretted not ordering a more unique dessert.

The service was warm and the space was well kept and spacious, with lots of different levels and nooks that provided for intimacy. There was a band playing Afghani music and upon exiting I perused the section of the restaurant devoted to the sale of Afghani cooking products. There, I found the restaurant's own cookbook for sale, which covered

everything that was on the menu. It is the mark of a confident and usually talented chef who is willing to part with her secrets, content in sharing because they know their execution is where the magic lies. This restaurant deserves a visit and, because of the range of its cuisine, there's definitely something for everyone.

Shish Kebab House of Afghanistan – 36 LaSalle Road, West Hartford, CT 06107

(860) 231-8400 www.AfghanCuisine.net. Handicap accessible, vegetarian options, full-service bar, moderately priced.

California taps Pomp for economic commission

By Heidi Cha

Professor Richard D. Pomp was appointed as one of the fourteen members to serve on California's Commission on the 21st Century Economy established by Governor Schwarzenegger. The bipartisan Commission was created under the Governor's Executive Order S-01-09 in response to the "state of emergency" that California, the world's seventh-largest economy, has a \$42 billion deficit. Pomp serves as the only non-Californian.

"I am the only non-resident, without a local constituency... it is quite unusual. I can call it as I see it," said Pomp.

The purpose of the Commission is to promote long-term economic prosperity for the state and its citizens. It

will make recommendations to establish a tax structure that fits California's 21st century economy, and to reduce volatility in the state revenue system.

Pomp realizes the "very hard" mission the Commission has been assigned. "Consensus within the Commission is important if we want the Legislature to take it seriously, but Commissioners are essentially representing their own constituencies," said Pomp. "It's a microcosm of the power structure, so to reach a consensus with different groups like big businesses, labor, those wanting increased spending, is not easy," he added.

Despite the Commission's focus on tax reform, Pomp sees the central problem of the deficit as a spending problem. "The real problem is that the

Legislature locks into spending during the good years; instead of putting away money, they spend it irresponsibly." He added, "Rather than looking for more taxes, legislatures have an obligation to spend more efficiently and transparently and they don't do either."

Pomp feels that it has been an "honor" to serve as part of the Commission despite the coast-to-coast commutes. Even for one of the "legends" in the field (25 State Tax Notes 869), he feels that the experience will improve his multi-state tax class next fall. "The more real life experiences you have, the better teacher you are," said Pomp. "If the Commission gets something done, great; if we are stalemated I guess I knew that was a real possibility going in."

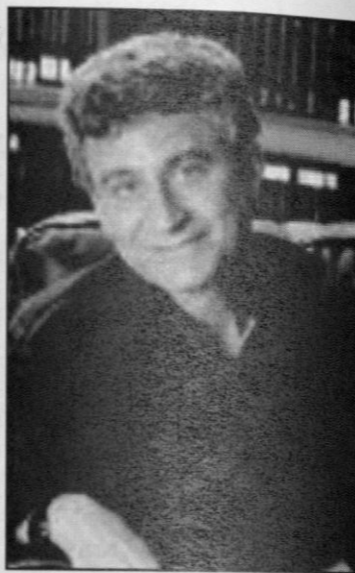


Photo courtesy of UConn Law
Prof. Richard Pomp has consulted with numerous states and countries on tax-related issues.

Tighter lending standards will aid home market

By Alan Merriman

COMMENTARY

In July 2008, the federal HOPE for Homeowners Act was enacted. This Act created a program designed to help homeowners who are considered to be at risk for foreclosure. Homeowners who qualify will be able to refinance their currently unaffordable variable rate mortgages into affordable 30-year fixed rate mortgages insured by the Federal Housing Administration (FHA), if their lenders agree to participate. This Act was followed up with the March 4th, 2009 release of the U.S. Treasury's Making Homes Affordable Guidelines. These guidelines include a ceiling home value of approximately \$730,000, a requirement for the property to be

owner-occupied, imminent danger of defaulting on the mortgage, and documentation of the individual's financial position showing hardship. The program provides financial incentives for lenders and borrowers to renegotiate and reduce unmanageable positions for individuals who were previously encouraged to speculate on the future value of their homes and the conditions of the job market.

The new government program is part of an effort to undo the damage done by loosening policy and regulatory standards leading to speculative pressures on the market. As far back as the 1980s (when we were going through another real estate boom in value) agencies such as ACORN had been pushing for the loosening of industry lending standards that were

"inherently discriminatory" by requiring proof of income and reasonable credit ratings to establish sustainable mortgages. People wanted homes they couldn't afford and lobbied aggressively for it. The speculation occurred where the growth in the real estate market was expected to continue at an unsustainable level (hindsight being 20-20) so regulators encouraged the use of friendly, optimistic terms leading to the abuse of Adjustable Rate Mortgages. Rates were fixed at a very low level for a few years and then an indexed increase of the interest rate which, in some cases, caused a person's monthly payments to nearly double. Most people weren't worried about this risk because they assumed a strong growth market and a steady one- or two-year payment history would allow for

borrowers to refinance out of the unmanageable terms. When markets turned down and people lost their jobs, refinancing was not often an option, foreclosure loomed and mortgage-backed securities (such as those insured by AIG) devalued drastically.

We have developed an aversion to failure in this country. We will not allow individuals who are irresponsible be held accountable for their failures and the taxpayer will suffer dearly for this. Perhaps we should include education in the incentives we offer with the large sums of money being handed out from our treasury. The rapid devaluation of our property markets is perhaps more a correction that will return us to a sustainable expectation for homeowners and investors alike.

State may be left on hook for library repairs

from LIBRARY, p. 1

Cremins' ruling was "fatally flawed." Blumenthal maintains that, even if there were a statute of limitations on state civil cases, it should not be applied in this case because the defendants misled the state and concealed the severity of the construction defects. This, along with a desire to reach an out-of-court resolution, is the excuse the state cites for not filing suit until 12 years after the library was completed.

UConn Law Dean Jeremy Paul expressed dismay in Cremins' ruling.

"I was disappointed by the trial judge's decision in the lawsuit seeking to hold those responsible for our library's defects accountable for their failures," Paul said.

The defects first manifested as pervasive leaks that appeared soon after completion of the \$24 million building. As Associate Dean for Library and Technology Darcy Kirk

told the *New York Times*, "Basically whenever it rain[ed], there [was] a focus on 'Have we checked for leaks?'"

Discovery of the leaks was followed by an architectural firm's 2002 inspection of the structure's integrity, which revealed dangerously loose granite stones on the building's facade. This forced the UConn Law to hide the once beautiful gothic structure behind scaffolding that remains an inconvenience and an eyesore for students, staff and faculty alike. Even worse, the state has since paid a reported \$20 million for repairs.

There is still hope, however, that a successful appeal will ultimately cover those costs. Paul's message to the student body: "As law students, [they] should understand that the trial judge's decision is outcome-determinative and rests entirely on a question of law."

As for whether the state will therefore appeal the ruling,

"that option is now being thoroughly reviewed by our lawyers, and I expect a decision concerning a possible appeal will be announced shortly," Paul said. "Obviously, I would like to see those who caused our problems be made to pay for them."

Those problems include more than just the exorbitant monetary cost. They include the fact that current students have surrendered their library to a perpetual construction zone. What was once a peaceful and majestic place to study and research is now only peaceful with the library's complementary earplugs. These days, hardhats and tool belts are just as common within the library as laptops and casebooks.

While this has arguably hurt the overall educational experience for current students, Paul sees some educational value in Cremins' ruling, as it has wide-ranging impli-

cations for State construction contracts.

"I do encourage [interested students] to read the decision and to reach [their] own conclusions," Paul advised.

According to the website for Massachusetts-based Donovan Hatem LLP, which represents the architect in the suit, the decision was rooted in Connecticut General Statutes § 52-584a, a special statute of repose that bars claims brought against architects and engineers more than seven years after substantial completion of a project. The architect argued, and Cremins agreed, that the legislation serves as an abrogation of the state's sovereign immunity in favor of freeing construction companies from perpetual liability and insurance coverage concerns.

Unfortunately for UConn Law, and indeed all Connecticut taxpayers, this means that the state may be on the hook.

Fate of death penalty bill hangs in the balance

By Allison Silva

COMMENTARY

On March 4th of this year, a public hearing on two pending death penalty bills in Connecticut took place. The hearing, which lasted 8 hours, involved debate over a bill to replace the death sentence with life in prison without the possibility of parole and a bill to heighten the burden of proof in death penalty cases to "absolute certainty," rather than "beyond a reasonable doubt." Connecticut has the chance to join 15 states and the District of Columbia that have abolished the death penalty. This month New Mexico became the third state in

two years to abolish the death penalty, joining New York and New Jersey. Connecticut's chief public defender, Susan Storey, has said the death penalty does not act as a deterrent to crime and is an enormous waste of resources.

In the face of this recent nationwide trend towards abolishing the death penalty, the fate of the abolition bill in Connecticut remains uncertain. A Quinnipiac University poll measured public opinion of the death penalty in Connecticut after the tragic home invasion in Cheshire in July of 2007. 63-percent of respondents supported the death penalty and 27% opposed. These statistics were mirrored in an informal

poll taken by the Hartford Courant this month. Despite the appearance of public support for the death penalty, these polls do not necessarily reflect lack of support for a bill that replaces capital punishment with life in prison without parole. A nationwide Gallup poll in 2006 found that when respondents were given the choice of life without parole as an alternate sentencing option, more chose life without parole (48 percent) than chose capital punishment (47 percent).

UConn Law's National Lawyers' Guild (NLG) has encouraged students to voice their opposition to the death penalty, a practice that statistics have shown to have a dispa-

rate impact on indigent and minority defendants. NLG is organizing a brown bag lunch with Hilary Carpenter, Director of the Board of the Connecticut Network to Abolish the Death Penalty later this month. Additionally, approximately 12 UCONN Law students are participating in a pro bono study co-authored by UCONN Law Professor Peter Siegelman and Yale Law Professor John Donohue on behalf of the current death row inmates in Connecticut. One component of their work involves trying to ascertain whether the death penalty is applied in a consistent and non-arbitrary (discriminatory) fashion.

Testimony may help shape new financial regulations

from MCCOY, p. 1

need for strong safeguards to guard against reckless financial practices and predatory lending. Her testimony came as the committee, chaired by the increasingly notorious Connecticut Sen. Christopher Dodd, considers new policies to regulate the financial system.

"Over the coming months, we will rebuild the nation's financial architecture from the bottom up," Dodd, a Democrat, promised at a committee hearing in early March.

Given the patchwork of federal and state agencies regulating banking and consumer credit, McCoy called for a "single, dedicated agency whose sole mission is consumer protection." She noted in the past even where

agencies have had the power to curb abuses, at times they have failed to do so.

"[T]wo of the federal banking agencies received almost all of their operating budgets from assessments paid by the entities they regulate," McCoy said. "So, they had a dual incentive - first of all for the institutions they already regulate to make them happy, and to try to attract new institutions."

The harm a lax regulatory structure can inflict on the economy is no longer an academic matter. Over the course of the housing boom, mortgage companies wrote increasingly risky loans. These loans, many of which at first required only low "teaser" payments, further expanded the real estate bubble.

Meanwhile, many of these

mortgages were then bundled and securitized. The result was that lenders were able to offer increasingly risky mortgages then divest themselves of the risk. Companies like AIG further fueled the speculative practices by effectively offering insurance policies on the securitized mortgages.

When the real estate bubble burst and the holders of those insurance policies came calling, AIG faced bankruptcy. The federal government is now pumping dozens of billions of dollars in bailout funds into the company, which is considered by many to be too big to fail.

McCoy noted even comparatively wealthy states like Connecticut have not been immune from the effects of the economic downturn.

The real estate collapse

"was really huge in Fairfield County," she said. "Those prices ran up to very high levels. When the bubble burst it was a big burst. In the rest of the state, the bubble burst was noticeable but not as severe."

A silver lining from the economic crisis, if one can be found, may be the professional opportunities created by the array of reforms Congress is likely to craft and the ensuing regulations federal agencies promulgate.

"They will need to hire lawyers to make sure the laws are complied with and also lawyers to participate in commenting on the regulations that implement the laws," McCoy said. "Sooner or later, we're going to see an up-tick in hiring for financial services compliance and a regulatory practice."

Faculty furloughs could be option as state aims to save money

from FURLOUGH, p. 1

ditionally, Hogan has already implemented a hiring freeze and a ban on state-funded travel.

At this point, it is unknown what concessions faculty members will be asked to make. Unlike the faculty at Storrs, the law school's professors are not members of the American Association of University Professors, which is currently in the process of negotiating with the University. However, Paul has noted, "whatever is agreed to would typically be applied to the law school, as well."

Because the negotiations are confidential, the law school has neither a role in the proceedings nor any knowledge of what is being considered, leaving the faculty temporarily in the dark

with regard to their futures. Furlough days, or essentially required unpaid leave, are certainly an option, although Paul said he has not heard any lengthy discussions on the matter.

Paul added that faculty furloughs have been instituted at other law schools, though never at UConn in his 20 years here. If furloughs do occur, Paul said it is very unlikely they would lead to the cancellation of any classes. The law school is already coping with open faculty positions unlikely to be filled in the next year given budget woes.

The law school relies on much of its budget from the greater University of Connecticut, which in turn is largely dependent on the state's allocation of funds.

Currently, Connecticut's Democratic-majority legislature and Republican Gov. M. Jodi Rell are in the process of negotiating the state's budget, but it is unclear when a suitable agreement will be reached. Only when the law school budget is finalized, will the administration know whether layoffs will occur.

"We will do our best to avoid layoffs, but we can make no promises," Paul said, stressing "layoffs are never a first choice," but acknowledging a substantial budget cut could require them.

In another sign of the law school's economic plight, adjunct professors have been asked to voluntarily donate back their \$500-per-credit-hour compensation. Paul said many adjuncts had already been doing so without having

been asked.

"Others have also been asked to join their contemporaries," he said. "No one is [teaching] for the money."

The only decision certain to affect returning students is the 6 percent tuition raise approved by the board of trustees earlier this year. The tuition level was chosen from options ranging from no increase to a 13.6 percent hike.

Reacting to the budget developments, students expressed disappointment both in the potential cuts and the tuition increase.

"We can't afford a drop in faculty. It sometimes seems like we don't have enough class choices anyways," 2L Daniella Azevedo said. "And what gets me is that when things are good it's not like they lower tuition."

Our View Political Failures

In this job market, it may be wise to look to the government for steadier employment. But, given the recent performance of some of the state's elected officials, we're left to wonder just how steady their employment should be.

Some time ago, the national media reported the favorable treatment Connecticut's senior United States senator, Chris Dodd, received from Countrywide, the since-disgraced mortgage company. Subsequent stories have revealed other cases of poor judgment, including a fishy real estate deal for an Irish cottage with a fellow convicted of insider trading.

And now this latest mess over \$160 million in bonuses for the AIG executives who were kind enough to drive our economy into the ground. Whatever Dodd's role in drafting the legislation, the Democrat's flip-flop of an answer as to his involvement has only deepened the toll on his reputation. We then enjoyed his excuse - that he thought the language he inserted preserving the bonuses was "technical." You're on the Banking Committee, senator. All the language is "technical." And, as chairman, it's pretty important you understand it.

The recent announcement Dodd will face a serious challenge from Republican Rob Simmons, former congressman from the state's second district, is all too predictable given Dodd's poll

numbers. The long-serving incumbent has about a year and a half to convince us we'd miss him.

Not to be outdone in the realm of foolish legislation, our state Senate has gotten in on the act. Sen. Andrew McDonald (D-Stamford), distinguished graduate of UConn Law, apparently skipped one too many Con Law classes. He was the force behind a proposed bill that would have created lay boards to govern Catholic parishes' finances, forcibly removing the priest and bishop from these traditional duties.

McDonald has sparred with the Catholic Church over gay marriage - and his position there we of course support. It is also true Catholic parishes have not been free from financial scandal. But that doesn't justify proposing unconstitutional legislation that is bound to stoke rather than heal cultural divisions. McDonald has since apologized and the bill has been withdrawn.

The uproar over the legislation was unfortunate given it occurred just before St. Patrick's Day. This year was the first in many McDonald did not march in Stamford's parade. Instead, the senator told the *Darien Times* he celebrated the holiday with a visit to a pub, where he "hoisted some pints of Harp in honor of my Irish heritage." We prefer Guinness. And he might have better spent the day with a hornbook on the First Amendment.

Tort du stade: Records are still records, even with the steroids

COMMENTARY

By Melanie Dykas

Editor's note: This is Part I of a two-part column.

Since the steroid "scandal" in baseball isn't fading quietly into the night, I feel the need to comment. As a preface, let me state that in no way, shape or form do I condone steroid use. However, I also do not feel the need to burn users at the stake. Yes, using steroids is cheating and yes, those using should be punished. However, the idea that "The Steroid Era" has tainted baseball or that certain records should be considered invalid is utterly ridiculous.

Alex Rodriguez is the latest superstar to be condemned as a cheater. The one A-Rod sound bite in his press conference that rang true is that baseball is bigger than Alex Rodriguez. And baseball has a lot more depth and nuance to it than a handful of all-stars who failed to play by the rules.

I really don't care that any of these players used steroids - just as I do not care that those before them openly admit to using amphetamines during their playing days. Sure, reading through the Mitchell Report a few gasps of surprise escaped me, and there was a time that I thought the use of steroids in baseball was overblown. More players than I had thought used steroids - for varying periods of time.

But I am also very cynical of the effects steroids have on the ability to make one a great baseball player. In baseball, however, no matter how big one becomes, steroids cannot help your hand-eye coordination. They may allow you to hit the ball further, but skill alone is what will allow you to connect to Mariano Rivera's infamous cutter. Similarly, steroids may help a pitcher throw a few MPH faster, but all you are is Ricky "Wild Thing" Vaughn if you lack the skill to locate those pitches.

Some great ballplayers did a dishonorable thing. However, they certainly did so with the approval, implicit or explicit, of their colleagues as well as their employers. There was certainly an element of "keeping up with the Joneses" during the era, and men who otherwise played the game with honor and respect felt the need to use steroids so that they would not fall to the wayside and disappear in the abyss of the minors. They fell prey to the very competitiveness that got them where they were.

The Back Page

25 Random Things About UConn Law

1. The sculpture in the middle of the courtyard was originally a fixture on the library's facade. It fell off during a mild wind-storm years ago and has yet to be replaced.
2. Rumor has it the Starr Hall tower is accessible via a very narrow, winding staircase hidden from sight. Until the UConn police read this, anyway.
3. The Ugly Christmas Sweater and Moustache Party is a way of life.
4. Dallas Dodge is a folk hero.
5. Professor Oquendo keeps broken-in moccasins under his desk and a wine glass next to his computer. Try to act surprised.
6. Law students secretly like country music.
7. If the picture on the law school's website showed the way the campus actually looks, we would be a Tier 4 school.
8. Playing wiffle ball during your 10-minute class break is frowned upon by the profs, but your soul will thank you for it.
9. Tim Gondek wrote some arguably funnier, certainly more random facts, but they were unprintable.
10. Creative configurations in the temporary lot by Knight suggest a fair majority of law students grew up accustomed to valet parking.
11. 1Ls take a two-credit Lawyering Process class for thirteen weeks, followed by a three-credit Moot Court class for four weeks. Next year spring break will be worth six credits.
12. A statue of Francois the cat will adorn the entrance to the newly renovated library in recognition of his bravery and determination.
13. The law school softball team is unable to remember at least half of its games due to intoxication, hence, next year they will be filmed for review.
14. Jim Calhoun will be teaching a night class next semester and Ken Krayeske will be his TA.
15. The law school recently bought out the seminary's land and will build dorms - Prof. Fernow to R.A.
16. Our bookstore subscribes to Teen Vogue magazine so the girls can pick out dresses for law school prom.
17. Law Review actually picks its members from the top 10 finishers in the final Arch Street Tavern Beirut tournament.
18. A Starbucks will be opening up at the coffee cart in Truffles, to be staffed by furloughed professors.
19. Because there is no room for lockers, the law school will instead be providing each student with a helper-monkey to carry books. Do not give Xanax to the helper-monkeys!
20. UConn Law has decided, in an effort to close the gap with Yale, to adopt a non-grading policy.
21. Someone you know has probably hooked up in the 506 study room.
22. Those spam e-mails IT can't figure out how to filter are actually a side business run out of Truffles.
23. Our library provides fine study rooms, state of the art computers and countless opportunities to develop contacts in the construction industry.
24. Compared to other law schools, academic throat-slitting seems to be kept to a minimum here. Or maybe we're just all ninja about it.
25. Capital Punishment's locker room is haunted by the ghost of the Hartford Whalers great Kevin Dineen. Odd, given he's very much alive.

Ask Sanetti: Casual encounters of the professorial kind

By Dana Sanetti-Daniel

Last weekend, after a long, lonely night of studying, I responded to a Craigslist Casual Encounter ad. Upon arriving at the darkened commuter parking lot where we had arranged to meet, I realized that my intended paramour was my professor! I high-tailed it out of there, but not before making eye contact. How do I handle the very awkward situation in class next week and ensure this won't happen again the next time I'm out trolling the 'net for late-night companionship?

Avoid eye contact for a while, act normal, and pretend nothing happened. I feel confident in suggesting that the professor is just as embarrassed as you, and would like to forget the whole thing ever happened. Though I will say, meeting a stranger in a darkened commuter parking lot in the middle of the night was probably not your best idea. In the future, get to know a little more about the person you're meeting, and pick a more public and well-lit place. Like Truffles.

Why does it take professors so long to get our grades back? Is it because they hate us?

I don't know for sure, but I imagine that reading every one of our exams in an effort to assess each student's understanding of an entire semester's worth of material is difficult and exhausting. If it were me, I would want to take my time to make sure I didn't give out some bad grades just because I felt cranky on a particular day. Or, yeah, they hate us.

If a professor wears two different colored shoes to class, should a student let him know?

No. Unless someone has a spare pair of kicks, at that point there's not much the prof can do. And hey, maybe it was done on purpose. One of the benefits of being a professor is getting to live above the fashion rules that the rest of us generally choose to live by.

E-mail your queries to asksanetti@gmail.com.