

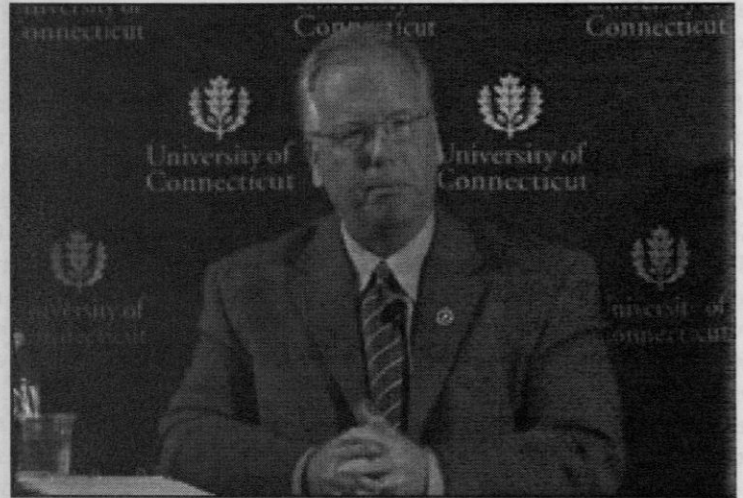
Political controversy swirls around symposium

By Drew Schaffer

The desire of the Connecticut Public Interest Law Journal ("CPILJ") to include Danbury Mayor and Connecticut Gubernatorial Candidate Mark Boughton and Principal Legal Advisor to Immigration and Customs Enforcement Peter Vincent in their symposium recently caused quite a controversy on campus.

On March 22, just four days prior to panel on "Undocumented Immigrants in the Workplace," the Latino Law Students Association ("LLSA"), through its Vice President Rafael Pichardo, publicly voiced its strong opposition to the inclusion of Mayor Boughton and Attorney Vincent in the Symposium. In its opposition, LLSA cited Mayor Boughton's policies that, in its view, have "served to intimidate Danbury's immigrant and Latino populations." Specifically, it mentioned the passage of "ordinances that permit selective enforcement of the housing code in Latino neighborhoods" and Mayor Boughton's "hate speech and discriminatory policies targeting immigrants."

See SYMPOSIUM p. 6



Courtesy of Shawn Sienkiewicz/FOX CT

The proposed inclusion of Danbury mayor Mark Boughton elicited rebukes from local interest groups.

Moot Court Board hits the road for competitions

By Kennex Chan

Some of UConn Law's finest students hit the road this semester, with great results. Members of the Connecticut Moot Court Board competed in competitions across the nation, covering topics such as the First Amendment, sports law, and sexual orientation and gender identity law. Kennex Chan and Yam Menon were in California for UCLA's Williams Institute Competition, Sarah Downey and Justin Theriault traveled to New Orleans for Tulane's Mardi Gras Invitational, Chris Barrett and Ailla Wasstrom-Welz competed in Vanderbilt's First Amendment Competition, Melanie Dykas and Amy Gilgis participated in New York Law's Robert F. Wagner Labor and Employment Law Competition, Kennex Chan and

See MOOT, p. 6

PILG and SBA spar over fellowships

By Tim Cieslak

A disagreement between SBA and PILG over funding of PILG fellowships, specifically whether student activity fees are the proper source of these fellowships, received mixed responses from the UConn Law student body.

Students have raised two primary concerns regarding the PILG fellowships. First,

some feel it unfair that the fellowships only go to students who help solicit donations for the public interest auction. But this limiting factor, imposed in fact by the SBA, ensures a degree of student commitment to public interest. Second, some students question the specific amount of money given in each fellowship. Ideally, each student's need would be individually

See DISPUTE, p. 5

Pondering immigration

Symposium tackles pressing issues for undocumented workers.

page 3

Gov. Rell visits campus

Connecticut governor dedicates the finally completed Meskill Library.

page 4

McNabb flies coop

Commentary analyzes the relationship between a city and its QB.

page 7

Dean's Corner with Dean Jeremy Paul

By Jeremy Paul

By many measures, this has been a triumphant semester. Our journal students held first rate symposia on "International Law in a Time of Scarcity," "Undocumented Immigrants in the Workplace," and "Regulating Risk." Professors Barnes and Janis each published a book with Oxford University Press. Governor Rell and President Hogan helped us dedicate our newly resplendent law library in honor of Thomas J. Meskill '56. And, the SBA's Film Night helped fuel an invigorated sense of community on campus.

How dispiriting then to be told by *U.S. News & World Report* that our full time program is again headed in the wrong direction (down

from 52 to 54). (Evening program rose from 18 to 13.) I have more to say on this topic than can fit here. But I want to make clear to everyone that the Law School administration shares your sense of dissatisfaction and that we are trying everything we can to improve the law school in every way we know how.

People often tell me that our Law School conveys a sense that we are somehow above the rankings. I don't know where this comes from but certainly not from me. Of course, it might be easier to appear not to be trying than to concede that success has been elusive. Yet we all know that some employers, prospective students, and potential faculty members form their impressions of law schools almost entirely from *U.S. News*. We

must care.

Last fall, I formed a committee chaired by Professor Steven Davidoff and composed of students, faculty, and staff to assess how we might improve our institutional reputation, recognizing that this factor is 40% of the *U.S. News* ranking. The committee's recently completed report recommends that the Law School find additional resources for student scholarships, hold more conferences on campus, and hire a public relations professional. Such steps will require University cooperation and generous support from graduates and friends. I am convinced, however, that without significant action, we risk watching our ranking continue to fall.

I am committed to action, and I ask you all to help. But

I ask two things more. First, please take time to learn more about how the rankings work. I suggest starting with *Understanding the U.S. News Law School Rankings* by Theodore Seto at 60 *SMU Law Review* 493 (2007). Second, don't lose sight of the fact that rankings are merely the means to an end. The ultimate goal is to prepare students to help subsequent generations build a stronger, fairer, and more just society. Thanks to those who led this law school before me and to the spirited efforts of teachers and students on campus today, we are succeeding at this as never before. Striving to improve the educational experience would remain our highest obligation even if magazine rankings did not exist.

Pro Se

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A note from the Student Bar Association

For many at UConn Law, awareness of student government is limited to periodic SBA emails or passing conversations about a single hot-button issue that arise during the academic year. While the responsibilities and challenges the SBA faces as a governing organization pale in comparison to those producing headlines at the national level, the decisions we make on a weekly basis have far-reaching effects on campus life.

Here at UConn Law, the SBA exercises an unusual degree of autonomy relative to other schools and plays an important institutional role. In addition to managing one of the largest discretionary funds on campus, the SBA appoints annually up to 24 student representatives to faculty committees to participate in substantive policy discussions and decision-making processes. Additionally, SBA leaders are routinely solicited for feedback on school programs, frequently meet with staff, faculty, and administrators, serve on search committees, and shape campus life through numerous social events.

During the past year, we worked hard to honor this privileged institutional role by engaging members of the law school community in a professional, accountable, and constructive man-

ner. We invested significant energy to overhaul our internal procedures and by-laws to ensure future operational integrity. We opened a new office, drastically expanded our website, played an integral role in exciting new plans to develop additional lounge space, renewed traditions like the Welcome-Back BBQ, Holiday Party, and much more.

April 19, 2010 marks the official transition date for the Executive Board. Leadership is passing to capable hands as the new Board possesses a valuable combination of experience, creativity, and a firm commitment to serving the student body. As my time as President comes to a close, it is my hope that future classes will overcome the tendency to discount student government and continue to embrace it for the great potential that it offers. Thank you, classmates, for the privilege and honor of serving during the 2009-2010 term.

Sincerely,

Gabriel J. Vidoni

Public Interest symposium focuses on workers *Rights of undocumented immigrants pondered by scholars*

By Erica McKenzie

On March 26 the Connecticut Public Interest Law Journal presented a symposium discussing the rights of undocumented immigrants in the work place. Dean Jeremy Paul began the discussion by introducing the two prevailing points of view on the topic: that employers exploit undocumented workers, and that undocumented workers take jobs from U.S. citizens, views which various panelists took up through the course of the symposium. The resulting discussion highlighted the main roadblocks to enforcement of undocumented workers' rights.

The first panel, moderated by Professor Fischl, discussed current working conditions and legal issues for undocumented workers. The panelists seemed to agree that currently undocumented workers have many rights such as right to minimum wage and workers compensation. The problem, however, resides in enforcement of these rights. Amy Sugimori, executive director of La Fuente, explained that enforcement relies on the workers themselves complaining. Sadly, undocumented workers often fear deportation more than violation of their workplace rights. Efforts by the Department of Labor to overcome this fear by providing temporary visas to those involved in labor have proven futile, as the guidelines have not been followed. To begin to solve

the problem, Professor Peter Kwong of Hunter College and the City University of New York emphasized the need to separate labor enforcement from immigration to give undocumented workers a voice.

There have been advancements in recent history to do just that. Susan Hazeldean, an Associate Research Scholar at Yale Law School, described the current case of the "Danbury 11," wherein a group of day laborers were arrested without probable cause based solely on that they were day laborers. She explained how a protective order was obtained recently to keep the individuals from having to reveal their immigration status in court proceedings, one of the most recent attempts to open up the courts to undocumented workers. While some positive steps have been made, Sandra Trevino closed the first panel by reminding the listeners of the continuing severity of the situation: "Imagine working week after week, not knowing when or if you will get paid."

The keynote speaker, Peter S. Vincent, Principal Legal Advisor to Immigration and Customs Enforcement (ICE), put the problem of undocumented workers within the context of ICE's many governmental functions. He explained that ICE deals with terrorists and human rights violators and relies on prosecutorial discretion when dealing with undocumented workers.

The final panel's topic,

Notable Quotes from CPILJ Symposium

"Imagine working week after week, not knowing when or if you will get paid."

-- Sandra Trevino

... Often society "makes it so you have to pick a side, and once you've picked a side you've lost because then you stop listening."

-- Dean Jeremy Paul

a discussion of how to improve and reform undocumented immigrants place in the workforce, proved more contentious. The first panelist, Professor Vernon Briggs of Cornell University, presented an economics perspective, taking up the point of view that allowing undocumented workers a place in our work force depresses wages and creates unfair competition. In his views, in order to solve these problematic labor rights violations, stricter immigration enforcement should occur. Professor Keith Cunninham-Parmeter countered his argument, suggesting that the theory Briggs proposed was erroneous and that a competing theory exists: the presence of undocumented workers also expands the consumer market. Margaret Hu, a Senior Lecturing Fellow from Duke Law school took the discussion further,

reminding the audience that not only do undocumented workers face discrimination, but often citizens and documented workers face similar rights violations and discrimination by simply like an undocumented worker.

The interplay of discussion from the panelists in the final discussion revealed once again how contentious this topic is and how important it is to listen and learn from all sides of the debate. Dean Paul noted at the beginning of the panel that often society "makes it so you have to pick a side, and once you've picked a side you've lost because then you stop listening." The Connecticut Public Interest Law Journal's forum succeeded in beginning to break through that problem by bringing together people from all sides to work on this very sensitive issue.

UConn Law alum practices from the bench

Droney '79 serves as federal district court judge in Connecticut

By Karen Rabinovici

University of Connecticut School of Law has produced, and continues to produce, fine graduates who embark upon impressive, accomplished, and prestigious legal careers. This includes Justices, Judges, U.S. Attorneys, and distinguished litigators, amongst many others.

Now in the spotlight is Christopher F. Droney, class of 1979. He is one of Hartford's and UConn Law's own and he is making an impressive career footprint on the community and otherwise. Christopher F. Droney, born in Hartford, Connecticut in 1954, completed his undergraduate degree, magna

cum laude, from Holy Cross in 1976. He received his Juris Doctor from University of Connecticut School of Law in 1979, where he was Notes and Comments Editor of the law review.

On September 18, 1997 Judge Droney, at the recommendation of U.S. Senators Christopher Dodd and Joe Lieberman, was nominated to the U.S. District Court for the District of Connecticut by President Bill Clinton. He was confirmed for the position by the United States Senate and he began serving on September 22, 1997. His Chambers are at the Abraham Ribicoff Federal Building United States Courthouse in downtown Hartford.

Before then, Judge Droney, heavily involved in the community, was on the West Hartford Town Council in 1983, and was deputy mayor of West Hartford from 1983 to 1985. From 1985 to 1989 he served as the mayor of West Hartford. Also, from 1979 to 1993 Judge Droney was in private practice, as partner in the Hartford law firm Reid & Reige, P.C., and he specialized in trial work. Then, on October 21, 1993 his federal career was kickstarted when Judge Droney was appointed United States Attorney, nominated by Bill Clinton, for the District of Connecticut and served until he was appointed District Judge in 1997. During his time as

United States Attorney, he was a member of the Attorney General's Advisory Committee of United States Attorney.

The Honorable Christopher F. Droney is one of many UConn Law graduates who has set, and continues to set, a very high bar for University of Connecticut School of Law alumni and current students alike.

Correction

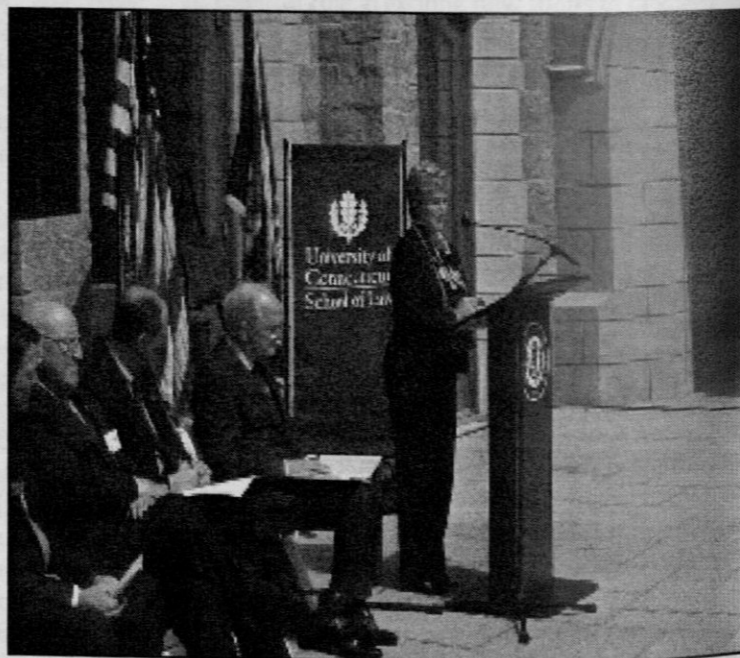
In previous issue, we incorrectly referred to the H.E.L.P. program as "Homeless Experience Legal Help."

The correct name of the program is "Homeless Experience Legal Protection." We apologize for this error.

Governor Rell dedicates new library

Connecticut Gov. M. Jodi Rell led a delegation of dignitaries onto campus on April 13 to dedicate the recently completed library in honor of Thomas J. Meskill '56.

Meskill served in all three branches of government during his distinguished career. Meskill's notable stops include a one-term stint as governor and two terms in the U.S. House of Representatives.



Menon takes over as new SBA president

Incumbent secretary poised to assume top leadership role next year

By Chris Wasil

Pro Se recently spoke with SBA President-Elect Yamuna Menon about her past, her views, and her upcoming term.

What do you see as the primary purpose of the SBA, and of the SBA President?

I see the primary role of the SBA as being the voice of the student community, particularly with regard to working with the school's administration, faculty, and staff. It is vital for students to have a forum to voice and address their concerns, and the SBA can provide such a venue. In addition to representing the student body, it is critical that the SBA president effectively oversee and guide the significant operations of the Board in all matters - from student group funding and social events to elections.

What you did you do before law school?

After graduating from Johns Hopkins University, I worked for three years primarily in the non-profit sector to advance civil rights laws and legislation affecting women, racial minorities, and the LGBT community.

How will your experience affect your actions as president?

I will use my previous experiences serving on the SBA (1L Day Rep. '08-'09; Secretary '09-'10) to tailor our plans for the 2010-2011 year. It is critical that we build upon the organizational-structural improvements implemented over the past year and continue our long-term goals and projects. I have met with most of the administration, faculty, and staff, as well as numerous students regarding a variety of concerns. Contributing to the various changes within the SBA this past year has taught me how critical is it to design formal and transparent procedures for effective governance and service to the student body.

What do you see as being your greatest challenge?

One of my greatest challenges will be to ensure that I am serving the needs of the entire student body. I am committed to ensuring that the SBA serves as the student government for all UConn Law students - day, evening, part time day, and LLM. Given the diverse needs, backgrounds and experiences of our student body, it is critical to execute the goals of the SBA with an eye toward serving the entire campus.

SBA weighs implications of fellowship funding

Control over funds, overall cost lead school to step in to avoid cuts

from DISPUTE, p. 1

assessed with the resulting fellowship based on this need. But this undermines the notion that the fellowships are meant to be an award, and would drive the fellowships toward direct compensation, ultimately distancing them even further from being a campus activity.

The SBA reiterated countless times the value of public interest both for the university and students themselves, but in reality, the fellowships are a prominent target of

scrutiny because of the large amounts of money involved, with moot court competition trips being the only comparable expense.

With PILG fellowships, students are awarded a discrete amount of money, but there is little accountability as to the necessity of the full funding. There is a safeguard in place for students awarded the fellowship who eventually make additional money. In other student functions, including mock trial competitions, the funding is more heavily scrutinized

requiring receipts for reimbursement in almost all cases. However, due to the forward-looking nature of the fellowship as to future summer employment, the PILG fellowship cannot function under this system.

PILG intends for the fellowships to be an award in recognition of past and future public interest work, but this reward is difficult to separate from the reality that these fellowships are in fact providing money for the students' employment over the summer.

The final agreement between SBA and PILG was for one less fellowship, which the UConn administration kindly provided. The inability of the SBA to take a stance as to the legitimacy of funding may be seen by some students as a bureaucratic failure. In reality, the SBA understood the necessity of encouraging public interest work, but rather than making a rash decision and hurt PILG fellowships they opened the conversation with students for the future.

Proposed inclusion of Danbury mayor sparks furor

Boughton pulls out of symposium as CPILJ copes with fallout

from SYMPOSIUM, p. 1

LLSA also voiced criticism of Attorney Vincent, who was chosen as Keynote Speaker. The organization emphasized that "having a keynote which represents the views of ICE – a notoriously anti-immigrant agency...sends a skewed message about how [the nation] should think critically about [its immigration policy]." LLSA was joined in its criticism of the event by Peter Goselin of the National Lawyers Guild who added that Mayor Boughton "does not provide balance to [a] discussion of rights and redress for the undocumented worker" and also pointed to Attorney Vincent's lack of "expertise in labor policy"

did not "merit making him the keynote speaker for a symposium with the workplace rights or undocumented immigrants as its central theme." Attorney Goselin criticized CPILJ for what he considered to be a "terrible mismatch" and a lack of balance among the ranks of those invited to speak and joined LLSA in calling for the revocation of the invitations extended to these two speakers.

Soon after receiving this harsh criticism, Patrick Linsey, Editor-in-Chief of CPILJ, attempted to clear up misconceptions and inform the community of why these speakers were important to the success of the Symposium. Linsey commended LLSA for ex-

pressing its point of view and explained that such arguments were exactly what the Symposium was looking to draw out. Linsey stated, "While not in line with the views of LLSA or many of the students [at UConn], Mayor Boughton's ideas are shared by a large number of people in this country." He argued that the inclusion of panelists such as Sandra Trevino and Amy Sugimori, who espouse viewpoints in direct contrast to that of Boughton, did in fact make for a fair and balanced panel. Finally, Linsey invited all in attendance at the Symposium to express their viewpoints if contrary to those of the panelists, as doing so would be value added to the Symposium

and the community.

Unfortunately for CPILJ and those attending the Symposium, the controversy surrounding Mayor Boughton's inclusion as a panelist ultimately led to his withdrawal from the event. However, this withdrawal did not hinder the Symposium's ultimate success. The Symposium brought together some of the brightest minds influencing the immigration debate and those who attended left with a greater understanding of the complex circumstances that surround the issue and the ultimate implications of the proposed reform policies.

Moot Court students garner awards and plaudits

Park, Preville take home top prize in Loisselle competition

from MOOT, p. 1

William Mauke took part in AIPLA's Giles Rich Competition, and Erin O'Leary and Gwaina Wauldon competed in Seton Hall's John J. Gibbons Crim. Pro. Competition, in which O'Leary earned a "Top Ten Best Oralist" award.

The Board's litigation week panel was a success as well. Comprised of distinguished appellate advocates and moderated

by Professor Bader, the panel provided students with insight into argument technique as well as war stories of experiences in appeals courts. Students attending the panel heard from Eric Brunstad, who has argued in front of the U.S. Supreme Court ten times; William Nardini, who clerked for Justice Sandra Day O'Connor, as well as for the Italian Supreme Court; and Wesley Horton,

who argued the famous *Kelo* and *Sheff* cases.

The Board finished off a busy spring semester with the 2010 Loisselle Competition. This year's competition featured forty-two teams. After five rounds of fierce competition, four finalists argued in front of a panel comprised of the Hon. Bethany J. Alvord '82, the Hon. David M. Borden, and the Hon. Mark R. Kravitz. Sarah Butler and

Keegan Drenosky, representing the Respondent, the United States, and Caroline Park and Jaclyn Preville, representing the Petitioner, Jeffrey Skilling, argued on issues related to the federal honest services fraud statute and jury prejudice. Caroline Park and Jacklyn Preville bought home the 2010 Loisselle Championship, and Michael Kaczynski took the title of 2010 Loisselle Best Oralist.

Commentary

One of our own bids adieu to UConn Law

By Alan Merriman

For many students, law school is an exciting experience in which graduation represents the culmination of three or more arduous years of reading, researching, writing, arguing, and interviewing. For some, this has been a lifelong ambition. For others, law school came as an afterthought to an unsatisfying prior career decision. There are those who made the decision to attend law school on the heels of a significant life experience that challenged their personal beliefs or awakened a desire to seek justice for the oppressed. Whatever it was that drove us all to take the journey, graduation from law school is another milestone on the way to accomplishing our personal goals.

With the rare exception, the journey has been difficult, wrought with unexpected shifts in personal circumstances, and I dare say there are few students who have not reevaluated, even if but for a moment, their decision to attend. We have sacrificed so much to attain the privilege to practice law. Of course, the last thing standing in our way is the bar exam.

Assuming we can all manage that cumbersome application and pass the exam, the challenge going forward from here will be reconciling the past three years of intellectual training with those original goals and aspirations we once held, those which hopefully some of us still hold.

Soon I will stop using the default excuse of "Sorry, I'm just so busy with law school" to alleviate the pain of hearing from old friends with whom I've lost touch, and perhaps some of the new friends I've acquired here at UConn Law will someday face similar excuses about the difficulties of entering practice and starting a family. This is the way of life and some of us will be swept up in the inertia of our legal education, carrying us into professional practice, while others will turn to a different path, still yet entirely unanticipated. I am entirely grateful to everyone at UConn Law that has helped me along this journey, students and professors alike. I wish you all success and hope for a political appointment someday when one of you is Governor or President. Congratulations to class of 2010.

Thanks so much for reading
Pro Se this year!

Tort du Stade: Trade exposes racial divisions

By Melanie Dykas

The recent trade of Donovan McNabb from the Philadelphia Eagles to the Washington Redskins has prompted me to think about the impact of a city's racism on its sports teams. I remember eleven years ago when D-Mac was drafted to a bevy of boos by the Eagles fans. The booing never stopped, even though McNabb put up Hall of Fame numbers on a team with little to no other offensive weapons during most of his tenure. Philadelphia, for all it has to offer, remains a large city further out on the racism scale than most. In 2002, Allen Iverson was charged with felonies stemming from alleged domestic abuse, and openly spoke of the racial profiling in Philadelphia. The charges were dropped, and though the abuse was always denied by AI and his wife, he was vilified in the media and domestic violence was seen as part of the "thug life." On the flipside, the media nearly laughed when white Penn State football coach Joe Paterno publicly bragged about how he systematically beat his wife.

By no means am I insinuating that all of Philly is racist, nor am I saying that Philly is alone with this problem. Boston was the last team to integrate in baseball, perhaps because Tom Yawkey was

racist, but no one in Beantown was crying out for it, despite continually losing to integrated teams. Sports-related racism did not end in Boston when the Red Sox finally did integrate. In 2008, Torii Hunter spoke about racial slurs being yelled at him at Fenway. Former outfielder, and (finally) Hall of Famer Jim Rice has said that he progressed slowly through the Red Sox system because he was a Black player. Even basketball great Bill Russell, who brought eleven championship banners to the Garden, has spoken frequently about the racism he dealt with as a player. Russell has been quoted as saying that Boston was a "flea market of racism," after his home had been broken into and the walls covered with racist graffiti.

While this country has obviously made great strides since the times of segregation, racism remains a reality and the sports world sadly reflects this truth. When even liberal East Coast cities must deal with racist fans, the problem likely exists across the country. When players develop feelings of resentment and hatred toward the cities of their team, it is likely that they will either sign elsewhere or not play to their full potential. Clearly, this makes us all losers in the sports world – especially those vociferous "fans."

The Back Page

UConn Law students hit the court in Springfield

Twenty students traveled north to compete in hoops tourney

By Melanie Dykas

Don't expect Jim Calhoun and Geno Auriemma to make a recruiting trip to the law school anytime soon. At a time when many students were glued to their TV screens for March Madness, approximately twenty UConn Law students trekked to the far regions of Springfield to represent the school in the WNEC Basketball Tournament, which hosted thirty teams from fourteen law schools. Judging by the results, these students will hopefully find success as lawyers.

The men entered two teams, though they regrettably left the courts winless. The fault does not lay with their skills, however, as all in attendance were impressed at how quick the men cut and how adamantly they defended the ball. All the men's games were close, hard fought losses. The team was essentially doomed from the start, as no players over six feet were able to attend, leaving the men at a definitive disadvantage. 2L Steve Zakrzewski remarked, "For a bunch of washed up law students, the level of competition was shockingly high and featured former college players and various other extremely tall people."

The women's team was comprised of a mere five players, with only four on Saturday. While this meant no substitutions and playing a woman down at times, the women were able to obtain the three-seed going into Sunday for a match-up with WNEC. Though UConn led the majority of the game, WNEC used their home-court advantage to pull out a close win. 1LE Miriam Godfrey summed up the weekend best: "The WNEC tournament



Courtesy of Tien Ho

The UConn Law women's team competed valiantly in Springfield despite boasting a maximum of five players on its roster over the course of the two day tournament.

was a great release from law school stress. We played hard and went up against some good teams. It was a tough competition and, with only five players, we came up a little short this year. We're hoping to get more players next year so that we can bring home the championship!"

Ask McCarthy: One last time for the road ahead

By Kyle McCarthy

As we contemplate a life that will soon revolve around bar studying and job searching, I ask myself one question: where is the silver lining?

- Every 3L Across The Land

If I wanted to answer succinctly and snarkily, I would

offer just one word: August. But that retort doesn't accurately encapsulate the misgivings of the average soon-to-be graduate in the increasingly overcast legal world.

While starting the next phase of your career with a golden handshake and a cozy little office would make life easier, those deals await a

precious few after graduation day. The dearth of certainty presents both a burden and an opportunity.

Instead of focusing on the worrisome aspects of the situation, I suggest a more positive approach to the conundrum. One suggestion: ponder how the unexpected flexibility gives you the op-

portunity to chase a dream or pursue a passion rather than slot in somewhere.

Any last words?
- C. McCall

I offer two tangentially related ideas pertaining to the future: (1) What's next? and (2) Quo vadimus?