Free at Last! U.S. Hikers Return

By Gwendalyn LaVigne

Shane Bauer and Josh Fattal, both 29-year-olds, flew into the United States after their harrowing two year ordeal on Sept. 25. For 781 days, these American men were imprisoned in one of Iran’s most notorious prisons for, as Fattal said in a press conference, “being American.”

On July 31, 2009 the men were hiking with Bauer’s now fiancée Sara Shourd, 32, in the tourist province of Kurdistan in Iraq. According to the hikers, they were beckoned off the trail by an armed Iranian soldier, who then arrested them claiming they had crossed the border. Accused of being spies, the trio were imprisoned in Iran’s capital, Tehran, and placed into eight by thirteen foot cells separately. They only saw each other for a few minutes at a time, but even that did not happen often. They were only allowed one phone call and one visit by their mothers in Tehran the entire time.

It was a year into their imprisonment when Shourd was released on “humanitarian” terms and $500,000 bail due to her reportedly declining health in solitary confinement. She returned to the United States feeling “one-thirds free.” She and Bauer had become engaged in prison. Hope for the hikers had dimmed when they were found guilty of espionage and entering the country

continued on page 4

Helpful Hints for Law school

By Maria Zyskind

Pre-Law Club students came to the Sept. 29 meeting to hear Suzanne Rogers, the Assistant Director for Admissions at the Illinois College of Law, discuss iLeap and the law school admissions process. She gave students helpful information for getting into their law school of choice.

Rogers spoke about iLeap, a specifically designed program for University of Illinois undergraduates that are set on going to the University of Illinois College of Law. iLeap gives them the
Dear Gavel Readers,

I would like to welcome you to this year’s edition of the Gavel! I sincerely hope your year is off to a great start. For those of you who took the October LSAT, well done. You are well on your way to your successful legal careers in law school and I wish you luck on your endeavors. To those who have not yet taken the LSAT, don’t worry—you’ll be taking it soon enough. Regardless of the place you are in, I hope the Gavel can be both a source of entertainment and information for you to use to prepare yourself for the future.

This semester, Pre-Law Club has a multitude of speakers, social events, and workshops to help you reach your goals for the future. We will be profiling different lawyers to get an understanding of the diversity and depth of the legal profession. Speakers will explain how to make your resume more appealing, your personal statement stand out, and what law schools are looking for in a candidate. Of course, it can’t be all work and no play. Pre-Law Club has a plethora of social events happening throughout the semester to keep you sane in the midst of your coursework, extracurricular activities, and applications.

The Gavel will keep you informed on the most recent happenings in the legal world. Our aim is to bring the news to you in an enjoyable and informative format. I hope that you will use the Gavel as a useful means from which to gain information throughout the school year.

Sincerely,

Maria Zyskind
Editor-in-Chief
Continued from front page

opportunity to apply in their junior year to the Illinois College of Law. An added bonus is that students do not need to take the LSAT to apply. Rogers explained that applicants are evaluated based on their personal statement, GPA, transcripts, ACT score, extracurricular activities, and interview. For those interested, the iLeap application opens Oct. 10 and closes Feb. 1.

In addition to iLeap, Rogers shared some tips for getting into law school. She advised that applying early to law school can make a difference. Towards the beginning of the process, schools are not as worried about quotas they have to fill. However, as the process comes to an end, schools need to be more selective and make sure they make their quotas.

Law Schools pay a lot of attention to a student’s GPA and LSAT score. A student’s GPA is something that he can work on improving before it is time to apply to law school. If a student has a higher GPA but a lower LSAT score, the student does have the advantage of the higher GPA. Likewise, if the student has a higher LSAT but a lower GPA, the LSAT works to benefit the student. Ideally, a student’s GPA and LSAT score are both within or higher than the range in which the law school is recruiting. However, if one of those scores does happen to be lower, it will greatly improve a student’s chances of getting into that law school if they have a higher score for the other.

When it comes down to actually submitting the application, the personal statement is something a student can control, whereas GPA and LSAT score may already be finalized by that point. When reading personal statements, Rogers said she is looking for ones that make the applicant appear “special” and “unique.” Rogers dissuaded against using some of the more commonplace themes that students choose to write about. The point of a personal statement is to distinguish oneself from all the other applicants. Rogers warned against writing about an inspirational figure, mainly because the paper often ends up being more about that person than the actual applicant. Writing about a childhood dream to be an attorney also enters dangerous territory, as so many applicants write such personal statements.

Besides worrying about whether the law school will accept you, you actually have to think about whether this law school is the right choice for you. That can depend on many differing factors for each person, among which may be location, campus culture and academic rigor. Rogers described the University of Illinois College of Law as a “supportive, collegial environment.” She explained that there is a community atmosphere on campus and students are willing to help their classmates, despite the competitive nature of law school. Students from all over the country do attend the Illinois College of Law. Oddly enough the most out of state students that attend the College of Law are from California.
continued from front page

illegally. Each were sentenced to eight years in prison. However, the recent turn of events leading to their release brought the tribulation to a whirlwind end.

The president of Iran, Mahmoud Ahmadinejad, had first made an announcement saying the hikers would be released soon. However, he was publicly reprimanded by the courts of Iran, who said he did not have the authority. Nevertheless, his announcement rang true and the men were flown to the country of Oman on $1 million bail on Sept. 21.

Bauer and Fattal thank the United States and the International press for keeping their case alive. They also thank the country of Oman that posted their bail. The hikers are now residing with their families and trying to move forward.

The Bid for Palestinian Statehood

By Dan Szczesny

Palestinian Authority President Mahmoud Abbas arrived in New York City on Sept. 21, promising to formally request the United Nations to recognize Palestinian statehood through a vote in the General Assembly. The move was openly opposed by the United States. The United States has promised to veto any such motion if it is brought before the Security Council where all applications for full statehood are heard. The situation is complicated and threatens to undermine the prospects for peaceful negotiations between Israel and Palestine, which could one day result in an official Palestinian state.

The vote on Palestinian statehood in the United Nations would be largely symbolic. If blocked by the United States at the Security Council, Palestine would likely request to be formally recognized as a state. In addition, they may request for the Palestinian delegation to be elevated from the current designation as non-voting observer to a “non-member state” observer. This would not give Palestine any serious benefits or advantages in the United Nations. It would merely be symbolic, as well as an attempt to isolate Israel from the rest of the international community.

President Obama delivered a speech to the General Assembly, in which he stressed the need for a Palestinian state to come from negotiations between Israel and the Palestinian Authority. In his speech, he pointed to the 1948 War and the experience of the Holocaust as reasons for Israel’s cautious approach to negotiations. The vote for statehood puts the United States in a difficult position. If Palestine were to secure nine votes on the Security Council, the United States would be forced to exercise its veto power to stop the elevation of Palestine to full member state. If the veto power were used this would further damage the already strained perception of America in the Middle East. However, President Obama has pledged the United States will use the veto, as he believes the only way a Palestinian state will exist and thrive is if it comes from a compromise with Israel.

Palestine and Israel both claim to be amiable to reopening negotiations, but both will not agree to the preconditions that each side is proposing. The main point of opposition is the Palestinian Authority’s desire for Israel to return to its pre-1967 boarders, a condition Israel will not accept. The Israeli government and United States both agree that those boarders are indefensible and not an option for the Jewish nation. The situation promises to have no
quick resolution, as it has dragged on for the last six decades. In 1947 the Partition Plan was passed in the General Assembly of the United Nations creating the Jewish state of Israel, but unfortunately 2011 will see no story book ending to this conflict on the floor of the United Nations.

The Hunt for Gadhafi

By Kyle Lundin

The closely linked revolutions of Egypt and Libya have been motoring along for the better part of a year. The Egyptian revolution and conflict has mostly been resolved. Their leader, Hosni Mubarak, absolved himself from power and stepped down with relative ease. In Libya, the story takes a decidedly more dangerous twist.

The embattled leader of the Libyan state, Muammar Gadhafi, refused to relinquish power. This was a decision that went against the explicit demands of his people. His refusal to step down incited a civil war and a bit of a legal snafu: what is to be done with Mr. Gadhafi?

Comparatively, the Egyptian regime change went rather smoothly. After weeks of protest, President Mubarak relinquished his grip on the country. He was promptly arrested in his hospital bed by Egypt’s Illicit Gains Authority under suspicion that he had illegally acquired wealth. He went quietly, as most 83-year-olds do, and was put on trial as soon as Egypt’s health minister indicated he was fit enough. Unlike Mubarak, Colonel Gadhafi’s whereabouts are still unknown. On June 27, 2011, the International Criminal Court issued an arrest warrant for Gadhafi, which is where the main legal issue comes into play.

The International Criminal Court was established by the Rome Statute, which was signed and ratified by 116 countries around the world. In these countries the International Criminal Court has jurisdiction; conveniently for Gadhafi, Libya is not one of these countries. Thus, in order to have the arrest warrant carry the force of law, the United Nations Security Council must authorize it. The United Nations did this quickly, mandating that Libyan officials “cooperate fully with and provide any necessary assistance to the court.” At this point the International Criminal Court has complete authority within Libya to pursue and arrest Gadhafi if they can find him.

In the past weeks there have been bands of Gadhafi loyalists leaking into Niger, the country bordering Libya to the south. It is unknown whether Muammar Gadhafi himself is among them.

Niger, with a freshly established government and budding economic aspirations has required international help in solidifying their border with Libya; their total annual budget of just under $2 billion is stretched incredibly thin already. As a signatory of the Rome Statute, Niger has indicated that they would respect the authority of the International Criminal Court to pursue Gadhafi into their territory.

As Niger designates its legal affiliation with the International Criminal Court instead of Colonel Gadhafi, it is theorized that if Gadhafi is choosing to leave Libya, he would seek asylum in another African nation close to Libya. Reasonable possibilities include Togo, Mauritania, and Equatorial Guinea. None of these countries have signed the Rome Statute.

Of course, nobody actually knows where the former leader of Libya could be hiding. He could have crossed the border to Niger, he may still be in Libya or he could be elsewhere altogether. The hunt for Muammar Gadhafi continues.

“Hunt for Gadhafi”:

“International law”


“The Bid for Palestinian Statehood”

“EXCLUSIVE: Palestinian President Abbas Says He’s Willing to Meet With Israeli Prime Minister Netanyahu” (Fox News). “Pointing the finger at diplomatic failure” (Sydney Morning Herald). “The U.N. Palestinian Statehood Vote: A Test of Obama’s U.N. Engagement Strategy” (The Heritage Foundation).
Casey Anthony Trial: It’s Not Over Just yet
By Megan Gil

This summer the Casey Anthony trial caused an immense amount of commotion that occurred both in the courtroom and at home through television screens all over the world.

The media captured every moment of the Anthony trial, keeping people glued to every bit of new information up until the verdict was announced. A multitude of dedicated viewers followed the trial, unable to wait to see what would happen next.

On July 5, the commotion and controversy surrounding the trial exploded even more when Casey Anthony, who is 25-years-old, was acquitted on the charges of murdering and abusing her two-year-old daughter, Caylee Anthony. Millions of people were outraged by the verdict that confirmed Anthony’s innocence in her daughter’s death. Many questioned the ruling. However, despite the fact that Anthony was proven not guilty, the state of Florida is not quite done with her actions yet.

Florida Judge Belvin Perry ordered Anthony to pay approximately $100,000 for costs accumulated during the investigation of her missing daughter. The recent order of reimbursement was prompted by the constant lies Anthony told from the beginning of Caylee’s disappearance to the trial in June. Among Anthony’s many lies, she initially claimed that Caylee had drowned in the family swimming pool. Yet, she later stated that her daughter had been kidnapped. Anthony’s fine from her lies “is significantly lower than the more than $500,000 officials were seeking.” Although Anthony has already been ordered to pay $100,000, it is certain that this will not be the last time she will be forced to pay charges. Officials are planning on an amount closer to $500,000.

It seems as though in the near future, Anthony will be facing court once again for similar accounts. While the Casey Anthony trial is over, Anthony could continue to be faced with charges for the next several years.

Living in an Orwellian World?
By Anna Choi

George Orwell’s “1984” is a classic dystopian tale that warns of extreme governmental control and surveillance. Although this world of two-way “telescreens” and “doublethink” is a purely fictional one, the possibilities of living in such a world have always kept people alert to any threat against the freedom they cherish. A recent controversy in police surveillance questions just how much of one’s personal life the government should be able to monitor.

Come November, the Supreme Court will have to decide in States v. Jones, if using a GPS to track a car without any warrant is allowed. The argument against allowing this type of tracking is that it goes against the Fourth Amendment’s prohibition of “unreasonable searches and seizures.” Susan Freiwald, a University of San Francisco law professor, stated that “the Jones case requires the Supreme Court to decide whether modern technology has turned law enforcement into Big Brother, able to monitor and record every move we make outside our homes.”

Which measures of police monitoring are lawfully allowed by the Constitution and which
are not? For example, does the length of time that someone tracks a car count? This questions the current practice of monitoring suspects by following vehicles. The government could argue that a GPS device would be employed for the same purpose, as it would make matters more efficient for the police by saving time and money.

In the end, however, the Supreme Court will have to rely upon the Constitution and past precedents to determine this question. One precedent the Court may refer to is the ruling of United States v. Knotts, in which the Court decided that the police could use a beeper signal to follow a car for a single trip. Although the Court ruled that no warrant was required, it warned that “twenty-four hour surveillance of any citizen of the country” using “dragnet-type law enforcement practices” might violate the Fourth Amendment.

This time around, the Supreme Court will have to decide if such a tracking device without any warrant falls under the category of “dragnet-type law enforcement practices.”

Recent Supreme Court Case Decisions

Leal Garcia v. Texas
Decided July 7, 2011
In the Supreme Court Case of Leal Garcia v. Texas, Garcia was a Mexican citizen. He was found guilty of kidnapping, raping, and killing a 16-year-old girl in the United States. He argued against his execution since authorities did not tell him he was able to speak with his consulate, as is required under the Vienna Convention. The court rejected his claim, and he was executed.

Brown v. Entertainment Merchants Association
Decided June 27, 2011
In 2005, a California law was passed that banned children from buying violent video games unless they were accompanied by a parent. This law was brought up to the Supreme Court in the case of Brown v. Entertainment Merchants Association. The Court’s ruling found that the First Amendment protects video games under its free speech provision.

Snyder v. Phelps
Decided March 2, 2011
The funeral of Matthew Snyder, a United States Marine killed in Iraq, was picketed by members of Westboro Baptist Church. This group had picketed many other military funerals to show their disapproval with the country’s increasing acceptance of homosexuality in the military. In Snyder v. Phelps, the Supreme Court ruled for the Westboro Baptist Church, saying their speech was protected by the First Amendment.
At the 2011 American Bar Association meeting, Resolutions 111A and 111B were discussed. Their intention is to help law students with mounting debt. They aim to provide correct information on the availability of jobs to prospective law students taking out loans. Given the increasing costs of getting an education, educational debt has been on the rise for students.

Resolution 111A focuses on helping students with their increasing debt from taking out loans to pay for school. It lobbies Congress and lenders to give students more time to repay loans. It wants students to be able to pay their loans based on their income. In addition, it wants to provide financial assistance to those lawyers going into the public service field by creating programs that enable the government to either cancel or decrease the amount of their educational loan.

Helping students with loans is crucial; however, it is also necessary to provide students with pertinent information, so they can make informed financial decisions about choosing a school for their future. Many students imagine that they will be making their desired salaries as successful attorneys right out of law school. Before that dream can be actualized, student loans need to be paid off. Also, it is likely that a student’s first job may not be his dream job. Likewise, the 111B Report found that law students have unrealistic expectations of their salaries and jobs after graduation. To combat this, Resolution 111B asks law schools to provide students with more detailed information on their job outlook after law school. It wants students to realize the comparison between job salary versus money spent on law school. Questions mentioned in this report are crucial ones that prospective law students need to be asking. For example, are law graduates from this school getting full-time or part-time positions? Are they working in the legal field or another field? What are the living expenses of a law school in its particular location?

The House of Delegates, the decision making branch of the American Bar Association, passed these two resolutions; however, it does not mean that law schools are constrained by them. Resolutions 111A and 111B only show how the American Bar Association feels about student loans. Nevertheless, this is a good beginning to helping students with their increasing debt, as law schools will be more likely to address the topic of student loans.

Although scary, student debt does not have to be unmanageable. As long as you do your research, you know law school is the right decision for you, and your willing to work hard, I believe you will be successful in your legal career.

Michael Vick: From Dog Fighting Back to Football

By Courtney Litchfield

In April 2007, one of the top quarterbacks in the NFL was charged with an illegal operation of holding a dog fighting ring over a span of five years. A few months later he was charged and was serving 21 months in prison. Fast-forward to Sept. 20, 2011 and this same quarterback is not only back in the game, but he has reclaimed his place as one of the top quarterbacks in the league. In the past four years Michael Vick has served out his prison sentence, filed for Chapter 11 Bankruptcy and was released from the Atlanta Falcons in time to join the Philadelphia Eagles for their third week in the 2009 season. It is apparent that Vick had some pretty difficult times in the past few years, but now, equipped with a $100 million six-year contract with the Eagles, things are looking up for this star quarterback.

However, after his game against the Atlanta Falcons, ironically Vick’s old stomping grounds, he experienced a concussion that forced him to leave the game during the second half. The Eagles coach, Andy Reid, strongly believed that Vick would be able to come face to face with the New York Giants at the next game; however, symptoms of a concussion can be absent one day and appear the next. Along with Michael Vick, Tony Romo of the Eagles is out due to a broken rib and a collapsed lung. The Tucson Citizen asked their readers who would be missed most if only one could make it to the game. It seems that Vick’s illegal dog fighting from four years ago does not matter to Philadelphia fans anymore. Also, he is considered by teammates, such as safety Antrel Rolle, as “…the best of the best…” Thus, it seems that the readers’ would most likely pick Vick.

However, Reid assures Eagle fans and even Vick himself that there are two other very strong and skilled quarterbacks, Mike Kafka and Vince Young, who are prepared to play.

Strange but True Laws
By Andrea Sinele

Wacky, ridiculous, outdated, or just plain indecipherable. These laws are a source of entertainment for the general public who for the most part neglect to follow them.

Illinois:
It is a little known fact that here in Illinois it is unlawful to fish while sitting on the neck of a giraffe. One cannot help but wonder about the kind of situation that brought this law to fruition!

Coincidentally, it is also illegal to fish in the city of Chicago wearing men’s pajamas. Those of you who enjoy “fishin’ in the dark” should refrain from changing into pajamas first.

To dine in a building that is on fire is another illegal act in Chicago. If you find yourself in a restaurant that has caught fire and you choose to continue to eat rather than to evacuate, not only will you face serious harm but you can also be charged with a misdemeanor. The safe bet in such a situation is simply to get out of the area.

In Evanston, Ill., it is a crime to exchange clothes with someone in a car. This is allowed, however, should the car be on fire.

Massachusetts:
When visiting Boston, be sure not to spill your drink on a public sidewalk. Should you happen to be so clumsy, you could be facing a small fine as this is against city law.

Equally hilarious, dancing along to our nation’s “Star Spangled Banner” is prohibited in Massachusetts.

Likewise, in Massachusetts, it is against the law to harass someone in the street with a laser beam.

Massachusetts state law dictates that shooting range targets may not be set up to look like human beings and beer cannot be given to hospital patients. These laws are at least somewhat practical.

Indiana:
While many people would agree that such a skill is rather impressive, it is against Indiana state law for a person to catch a fish with his or her bare hands.

Also taking place in Indiana, forging a check is punishable by public flogging.

state government officials in Indiana who engage in private duels may be forced to give up their positions.

Texas:
Another sensible law in Galveston, Texas requires that bicycles be driven at a “reasonable speed.” Spending any amount of time on the University of Illinois’ campus would convince nearly anyone of this law’s necessity!

Now that you are aware, you may hold your cup a little steadier while walking down the sidewalks of Massachusetts or refrain from buying a beer for your brother at the hospital gift shop.

Best TV Lawyers
By Lillian Fitzmaurice

Television networks give us our fair share of attorneys. Amidst the vast array, how do we weed out the best one? This list presents you with six of the best legal minds on TV. Decide for yourself which one you would call if you find yourself in need of a lawyer.

Alicia Florrick
Show: “The Good Wife”
Graduated: Georgetown University Law School – top of her class
Job: Junior Associate at Stern, Lockhart & Gardner

While her current position may not be extremely powerful, she puts her career on hiatus for over a decade to raise her kids and be a “good” political wife. At her last job, Florrick is a junior associate at Crozier, Abrams & Abbott and has the most billable hours. Bonus Points: She survives her husband’s sex scandal.

Marshall Eriksen
Show: “How I Met Your Mother”
Graduated: Columbia Law School
Job: Volunteer at the Natural Resources Defense Council

Of all the lawyers listed here, Eriksen may have the most admirable reason for going into law: his love of the environment. Granted his path to being an environmental savior has taken some detours, like working for Goliath National Bank, this giant softie gets back on track when he resigns from Goliath National Bank to work for the National Resource Defense Council.

Alexandra Cabot
Show: “Law and Order: Special Victims Unit”
Graduated: N/A
Job: Lawyer at the Prosecutor’s Office of the International Criminal Court

New York’s Special Victims Unit has gone through many lawyers, but one of the most memorable was ADA Cabot. With her strong legal ethics and willingness to fight for what is fair, she helps win a plethora of cases. She even enters the Witness Protection Program after trying a criminal. She leaves her position to deal with sex crimes and human rights abuses, but she is expected to return to Special Victims.

Miranda Hobbes
Show: “Sex and the City”
Graduated: Harvard Law School
Job: Corporate Lawyer

Among her group of friends, Hobbes is considered the reasonable and driven one. Her legal prowess allows her to work her way up at her law firm, but she later quits after feeling unappreciated. Last seen, Hobbes is working at a new firm.

Priya Koothrappali
Show: “The Big Bang Theory”
Graduated: Cambridge University, top of her class
Job: Lawyer

The Koothrappali family seems to raise children who succeed in their chosen fields. The female Koothrappali can practice law in three different countries and takes several business trips to California throughout the show.

Patty Hewes
Show: “Damages”
Graduated: N/A
Job: Litigator at her own firm, Hewes & Associates

Hewes is probably the toughest of the bunch, and she is willing to go to great lengths to win a case. She is known for bribery, witness intimidation and even calling a hit on her employee, Ellen Parsons. Her methods prove effective. She wins three major cases: Frobisher, Ultima National Resources, and Tobin. Bonus Points: She has a huge intimidation factor.
Can you think like a lawyer? Fill in the puzzle accordingly! (Don’t use spaces)

Across
2. testimony taken out of the courtroom
3. To disobey the court is to be in _______
11. A limit on the amount of time after a crime when one can sue

Down
1. None can sue the government unless the government allows it
2. The right to a fair trial
4. One cannot be tried twice for the same crime
5. Asking a higher court to review a decision
6. This cannot be used as evidence
7. A court order preventing a certain action from being done
8. To send a case to a higher court to review the lower court's ruling
9. An attempt to get information out of a person
10. The attorney does not receive compensation
12. To be found not guilty