

Suffolk University

Digital Collections @ Suffolk

Dicta

Suffolk University Student Newspapers

2016

DICTA, vol.16, no.2, 2016

Suffolk University Law School

Follow this and additional works at: <https://dc.suffolk.edu/dicta>

Recommended Citation

Suffolk University Law School, "DICTA, vol.16, no.2, 2016" (2016). *Dicta*. 6.
<https://dc.suffolk.edu/dicta/6>

This Newspaper is brought to you for free and open access by the Suffolk University Student Newspapers at Digital Collections @ Suffolk. It has been accepted for inclusion in Dicta by an authorized administrator of Digital Collections @ Suffolk. For more information, please contact dct@suffolk.edu.



Suffolk University Law School visiting professor (and retired judge) Isaac Borenstein lectures to students during January trip to Cuba.

11 days in Havana: Cuban native reflects during visit to island with students

BY (RET.) JUDGE ISAAC BORENSTEIN

On the one hand, Cuba is in the news all the time it seems. On the other hand, as 24 law students learned recently, there are a lot of stereotypes and misconceptions about the island and its people.

This is one of the best lessons at any level; seeing for yourself is believing, or at least discovering. In a unique educational experience, these 24 students, with

the participation of Prof. Elizabeth Trujillo and visiting professor and retired Judge Isaac Borenstein, spent 11 days in Havana with 5 days of classes at the University of Havana Law School, joined by Cuban law students and professors. The subject this past January, during the intersession course, was Cuban economic changes, the business environment, contract law and practice.

Whereas the media reports in the U.S.

from Havana — including during President Obama's recent historic visit — appear to focus on "Havana is collapsing and Cubans live in slums; only old American cars are running; the island is frozen in time," and other "catchy phrases," our law students were able to get to know the beautiful and interesting Cuban capital by moving around it, often alone, without trying to hold on to limited perspectives.

Continued on page 5

Deans get an earful at forum

BY MELANIE MAYNOR

On Feb. 2, 2016, the SBA Student Issues and Concerns Committee hosted a Q & A event with Suffolk University Law School, Dean Andrew Perlman and Dean of Students, Laura Ferrari. The event was open to all law school students, with a variety of questions raised.

Dean Perlman began by stating that he finds being dean of the law school gratifying and is very positive about the school's future. He reminded the audience that prior to being our dean, he has been on the faculty for the past 14 years, and that his emphasis as dean is on ensuring practical training for the students.

The topics raised included questions about schedules for evening students versus day students, questions regarding the current issue between Suffolk University's president and the Board of Trustees, to ranking the law school.

Q: Evening students are frustrated over course scheduling and final exam schedules. Scheduling for evening students does not seem to take into consideration their work schedules.

Continued on page 4

INSIDE:

► Former DA is new Suffolk general counsel. **Page 7**

► QLA panel reflects on civil rights challenges. **Page 9**

► Study abroad proves a valuable experience **Page 8**

► Asian-Pacific American Law Assoc. president honored by magazine. **Page 11**



**146 TREMONT ST.
BOSTON, MA 02111**



**ONE FREE MEDIUM HOT OR ICE
COFFEE WITH ANY PURCHASE!!!**



Section letters are no mystery

BY SHAKESHA COLEMAN

When I arrived two Augusts ago and discovered that I was in Section “1D,” I thought, “What does the ‘D’ mean?” I wondered if the “D” meant what Ds in school usually mean — that the person being given the “D” is somehow less adequate. Were Section D students the last to be offered admission? Were we the section with the lowest GPAs or LSAT scores?

Finally, I asked a second-year student, who happened to be in a “higher” lettered section, if there was any meaning to the section letter designations. Much to my chagrin, she said that there was, and that the letters corresponded to attributes such as GPA, LSAT score, whether or not students were granted scholarships, and personality.

This person told me that students were grouped according to personality, and that the decision-makers alternated the letter that corresponded to the section in which Type A students were placed — so that one year Type A students would be in Section A, another year they would be in Section C, and so forth.

This student also informed me that she had been given this information by an official source, but refused to reveal who or what the source was. Believe me, I asked. Later, another student from this same “higher” lettered section told me that some sections get a more challenging courseload, and that she and another student from her section had asked to be transferred to a “lower” section due to the workload. (Is transferring between sections even allowed?)

I found this hard to believe, but what did I know? This person had been here for a whole year before me — and she said her information was official! I struggled with this idea for obvious reasons, but mainly because many of my 1D classmates seemed so smart. (I had also met some “higher” lettered section schoolmates who did not seem so smart.)

At least two of my section mates were offered coveted OCI positions — one of which was offered two positions and had to choose which one he wanted! (He “settled” for being an associate at Ropes and Gray, LLP.) So clearly, “higher” lettered sections do not have a monopoly on success. Law school is hard enough without the added pressure of thinking your section letter is a scarlet letter concerning your potential.

Finally, I decided to speak with a school official who would know better than anyone what section letter designations really mean. I decided that no matter what I was told about what section letter designations actually mean, I deserve to be here. I earned my acceptance letter just like everybody else, and my grades, GPA, and LSAT score are not an indicator of my worth as a person or a legal scholar.

Apparently, I am not the only person to have wondered about the meaning behind section letter designations. Thirty-six percent of the students who responded to a survey about their perception of section letter designations indicated that they, too, wondered about the meaning of section letters. Almost half of the students surveyed admitted to not knowing if the designations mean anything, but more students thought the designations have meaning than those that believed there is no meaning.

Thirty-two percent of surveyed students revealed that they have discussed designation meanings with others. Forty-two percent have heard others discussing what the designations mean. Most students said that section letter designations were never explained to them. Thirty percent revealed that another student had informed them that section letter designations are a function of past achievement such as GPA, LSAT score, and scholarship achievement. Thirty-four percent of surveyed students agreed that students in some sections are exposed to more rigorous content than others.

A meeting with the Associate Administrative Dean of Enrollment and Registrar herself, revealed some surprising news. {Drumroll.....}

The only goal the school has in mind when creating sections is to make each section as diverse as the entire school. The school tries to keep sections diverse in terms of race, gender, and ethnicity, and tries to maintain equity among students and faculty.

For instance, twenty-four percent of Suffolk Law School’s students are people of color. The school attempts to reflect this ratio in each section. Academic credentials and scholarship attainment are not considered when sections are created. When students are admitted, it is not always known whether or not the student will get a scholarship.

Further, sections are put together after tuition is due, and are filled up right

until the first week of classes. Students are offered admission at various times, so groupings based on such detailed characteristics are not possible. There actually is no discussion about the sections and the criteria for placement.

After chuckling at the idea that she and others actually have time to measure and fawn over the personalities and past achievements of admitted students and correlate that information to potential success, Dean Lorraine Cove reminded me that students in the “higher” lettered sections fit into the grading curve just like everyone else, and suggested that faculty could not follow the mandatory grading curve if everyone in any section deserved the highest possible grade.

Dean Cove encourages students to “separate your character and integrity from how you perform on exams,” and not to label oneself by the grade received on an examination. A grade of C does not make you a “C” person. Dean Cove informs that there is a strong correlation between first-year grades and bar success, advises all students to register for bar related courses and to take advantage of all the available bar resources Suffolk offers, and insists that the entire Suffolk community is committed to student success.

According to Dean Cove, a number of alumni identify their own law school experiences with classmates and faculty based on their first year section, and tend to mentor new students who are similarly sectioned. This is likely to be the only manner in which section life may lead to a distinction.

Sections are not compared to each other. There is no indication that students from one section tend to have a higher bar passage or employment rate than others.

So there you have it: Section groupings have nothing to do with perceived ability; it’s just about keeping each section even and diverse.

I guess in a place like law school — with its grading curves and competition — it’s easy to create or be attracted to a scenario that puts you on top or distinguishes you from the pack. That, and our society teaches us to associate the letters A through F with “grades.” But here at Suffolk, greatness is expected from all of us.

SPECIAL THANKS to Dean Lorraine Cove for taking the time to speak with me about section letter designations, and to those of you who took the time to complete the survey!

Dicta

Editor-In-Chief
Shakesha Coleman

Art Directors
Gamze Yalcin
Craig Thaddeus Martin

Contributors
Prof. Michael Rustad
Prof. Thomas Koenig
Melanie Maynor
Bridgett Sandusky
Anthony Hugar
Judge Isaac Borenstein (ret.)



@SULS_Dicta

Dicta is the official student newspaper of the Suffolk Law School community, existing solely to help foster a sense of community through communication. The goal of Dicta is to educate, inform, enlighten, and entertain the student body through outstanding reporting and editorials on news, events, trends, sports, arts, food, and popular culture.

The opinions and views expressed in Dicta are not necessarily those of the Dicta staff and are not the opinions of Suffolk University Law School or the student body. Suffolk Law School students control and conduct all facets of this paper. Dicta does not discriminate against any persons and complies with the university policies concerning equality.

Dicta encourages students, alumni, faculty, and administrators to submit letters to the editor and articles for publication. Submissions should include the author’s name, class and/or position at the university or in the community. Dicta reserves the right to edit and publish all submissions. Anonymous submissions will not be published.

Printed by Sun Chronicle Media,
34 South Main St., Attleboro, Mass.

Deans respond to student questions at issues forum

Continued from page 1

A: Dean Perlman and Dean Ferrari stated that they are open to suggestions. The school tries to make the schedule as fair as possible. The deans said that they will work one-on-one with evening students to try to resolve any issues.

Q: Above the Law's article that accused Suffolk Law School of turning a back room in its library into a "dungeon" for Suffolk's Client Services Innovation Program.

A: Dean Perlman stated that he was disappointed with the article. The key value of the program is to give students insight to real world law practice with technology. Dean Perlman did state that the program is still waiting for its first project to come.

Q: How does the recent battle between Suffolk University president McKenna and Suffolk University Board of Trustees affect the stability of the school as a whole? Will it distract from the improvements that the school has already made?

A: Dean Perlman stated that he was disappointed that the battle was being played out in the press, and that it is a distraction. However, he believes that the challenges won't have any effect on the emphasis of the law school's long-term vision. He also reassured the audience that all the prior reductions in the number of admitted students had been planned and were purposeful. He ensured high quality credentialed student, and envisioned better bar passage rates.

Q: Is tuition going up after the 2015-16 school year?

A: Dean Perlman reassured the audience that he is trying to keep tuition flat. He stated that the school's bills were being paid by reducing expenses, reducing faculty and receiving money from the use of the fifth floor by the Sawyer Business School.

Q: Are there any plans to address the noise issues in the library from the fifth floor?

A: Dean Ferrari encouraged student who were seeking more quiet to move to the quieter side of the library.

Q: What was being done about the law school's low bar passage rates?

A: Dean Perlman agreed that the bar passage rates are too low and is current-



From left: Jenna Borkoski, director of the Committee for Student Issues and Concerns; Dean Perlman; Dean Ferrari; Breanna Lynn Arsenault; Melanie Maynor.

ly looking at proposals that would bring them up.

Q: What is happening between Suffolk University president McKenna and the Board of Trustees?

A: Dean Perlman told the audience that the audience (students) knew as much as he did. He said that he was doing his best to keep out of the situation, is deeply disappointed that the battle was being played out in the press, as he believed that it should have been kept behind closed doors.

Q: What is being done to address the problems with the Financial Aid Office?

A: The deans agreed that the transitions at the school, including the Financial Aid Office, had not gone as smooth as they could have gone.

Q: What is the school doing to address the lack of diversity at Suffolk University Law School, with regards to students and faculty?

A: Dean Perlman agreed he doesn't see enough diversity at the school, either in the student body or the faculty. He commented that faculty diversity is accomplished through hiring and the school has not done much hiring lately.

Q: Is the school doing anything to increase summer placements for 2L's and 3L's, something similar to Northeastern

Law School's co-op program?

A: Dean Perlman agreed that the school could do more, and stated that he was open to ideas. He believes that smaller classes will help, and that the school is close to being able to guarantee that each student will get some type of practical experience while in school.

Q: The school needs to sponsor and hold more events with alumni.

A: Dean Perlman agrees!

Q: Is there anything that the school is planning to do to address the issue of separating out class schedules for evening students and day students, respectively?

A: Dean Perlman said that with fewer students come fewer classes. Dean Ferrari reiterated that she will work one-on-one with a student to address scheduling issues.

Q: Why is the law school not ranked?

A: Dean Perlman stated that he is not sure why the law school is not ranked, but noted that many of the school's program are highly ranked.

The event concluded with Dean Perlman talking one-on-one with students over food and beverages.

THE STUDENT ISSUES AND CONCERNS

COMMITTEE thanks Dean Perlman and Dean Ferrari for their participation in this event.

Mina's List founder to relate story

Suffolk Women of Color Law Students Association "Hearing Her Story" series is a unique speaker series held throughout the year which showcases the legal journeys of faculty, professors, judges, attorneys, alumni, and community leaders. Through these events we hope to encourage, inspire, and empower women of color law students and others in our Suffolk community.

Past speakers, such as Dean Camille Nelson and Professor Elizabeth Trujillo, have not only shared their experiences as women of color in the legal field, but also their perspectives as members of a minority community fighting for justice in their own unique ways to be able to contribute to the larger diversity initiative.



The next featured speaker in the "Hearing Her Story" series will be Tanya E. Henderson, Esq., who will relate her experiences in "Dynamic Women Transforming Society" from 6 to 8 p.m. on Wednesday, April 20, 2016 in the first floor function room.

Henderson, SULS JD'01, is the founder and executive director of Mina's List. Henderson was a policy director for Women's Action for New Directions, the U.S. National Director for the Women's International League for Peace and Freedom, a legal consultant for the Ministry of Social Affairs in Lebanon on issues of gender-based violence and women's political participation, and part of a research team in Ethiopia working with Harvard Medical School to research and draft policy on gender inequality, economic development, and health.

Her work in international human rights and empowering women across the globe inspires us to also look toward similar contributions in our future legal careers.

Introducing the Asian Pacific American Law Students Association



Members of the Asian Pacific American Law Students Assoc. executive board at Suffolk University Law School include: president Cherie Ching, vice president Winnie Choi, treasurer Linda Vo, secretary Da Eun Lee, inter-APALSA chair Ramon Livingston, community service chair Kwok Tse, diversity co-chair Jolethia Rogers, diversity co-chair Xiayun Summer Zhou and PR/social media chair Linchi Liang.



TOP LEFT: Members of the Asian Pacific American Law Students Association take a dim sum study breaks in Chinatown.



BELOW LEFT: General Meeting and Green Project Presentation before the Asian Pacific American Law Students Association. APALSA is organized to articulate and promote the academic and professional needs and goals of the Asian Pacific American law students at Suffolk University Law School. The group serves to instill a greater awareness in the Asian Pacific American attorney and law student of the needs of the Asian Pacific American community and encourages the membership to commit resources to respond effectively to those needs. Suffolk University Law School's APALSA chapter is all inclusive and open to any student regardless of racial or ethnic background.

Cuban visit an eye-opener

Continued from page 1

Unlike the typical visitor, including the media, Suffolk's law students stayed in Cuban homes, walked all through the neighborhoods, got around on every means of public transportation, ate in restaurants where locals dined, had classes on a lovely campus, and more.

Suffolk's students, as one would hope any traveler would, went to Havana to listen, to learn, to understand, and to exchange in mutually respectful ways; they were not there looking for "catchy" headlines. As a result, these 24 students came back full of knowledge, very affected, full of respect and affection for their new Cuban friends. The course in January 2016, like its original first seminar in January 2015, was meant to provide substantive legal training, understanding comparative systems of justice, and cultural and language growth.

These 24 lucky participants, like the original 24 in January 2015, return with greater legal knowledge, and new Cuban friends. In addition, they have returned with an appreciation of a people who have learned to live with less; more connected, day to day, with one another than in the U.S.; who show a remarkable generosity; committed to a national health system and respected public schools and universities; and a deep culture, museums, amazing music and dance.

As for a dilapidated city? Well, its partially true. There are parts of Havana that are in great need of repairs — and there are beautiful, well kept neighborhoods, with cafes and restaurants and stores. The old U.S. cars? There are many and its wonderful how these "wizards of invention" keep the cars running ... and, there are also new cars, Japanese, Italian, German, and French cars.



ABOVE: SULS professor Elizabeth Trujillo lectures to University of Havana Law School and SULS students. **BELOW:** Students visit the International Court of Arbitration.



nese, Italian, German, and French cars.

Cuba has many problems facing it, including an inefficient economy with heavy state control and terribly low salaries. This has contributed to the creation of an underground economy, including a large number of sex workers. Likewise, issues of a lack of freedom of expression and a lack of elections as we know them, are real problems. No one, however, is starving in Cuba. Everyone is provided for — and, as the Cubans remind us, "You Americans have your own serious problems."



Cuba Seminar Panel

April 4th - 4 PM

Room 335

Presentation by Seminar Students and Professors on Intersession Immersion to Havana, Cuba.

Do Cubans want US Business in Cuba? What can US Businesses do in Cuba? What regulations are in place? What can be changed? What NEEDS to be changed?

Contracts, Property Ownership, Free Enterprise are ALL NEW CONCEPTS IN CUBA!!!



ACLU chief at Suffolk Law

ABOVE: Attorney Susan N. Herman, left, president of the American Civil Liberties Union, chats with students at reception following her lecture on terrorism in the main courtroom at SULS. Atty. Herman's lecture included discussion about the lawsuits the ACLU has brought on behalf of people allegedly kidnapped, tortured, and experimented upon under the auspices of the CIA. **AT RIGHT:** Herman, right, is greeted by Eliza Bailey, editor-in-chief of Suffolk University Law Review



Spring Break Over? Let's Taco 'Bout It...



Monday – Friday 8am – 3pm

Downtown Crossing
55 Bromfield Street
Boston, MA 02108
(617) 482-8822

Diversity my a%\$!

BY SHAKESHA COLEMAN

When I walked into the foyer of Sargent Hall at the beginning of “Diversity and Inclusion Week” and saw the banner announcing its inception, I almost burst out laughing. I thought it was funny that many of the people behind some of the events, and many who claim to support the concept, are themselves not diverse and likely have very little understanding of what diversity even means.

My judgment is influenced by my personal experience here at Suffolk. I understood when I arrived at Suffolk Law School, that networking would be important. But here at Suffolk, students seem to require more than networking; they want details. Apparently, I missed the memo that extensive socialization is required, or one risks being ostracized. Indeed, folks here take greetings and meetings personally.

I think this is the case for two reasons. First, although we know how great our school is, we are in the shadows of our more highly regarded counterparts. And not being ranked at all makes things even worse. We don't get the same reaction when we say “Suffolk Law School” as when others say the name of their law schools. Many of us are scared about how Suffolk's reputation will impact our chances at getting jobs.

Some students seem to have channeled that fear into competing with others. For most, this means sizing one's self up to others: Asking classmates how they've fared on tests, asking how much others are studying, asking around to see who already has a job lined up, observing what time people arrive and leave Sargent Hall to get an idea of how much time people spend in the Building — hoping this will be a clue about study habits, or using connections to look at classmates' grades. (Preoccupations that keep us from focusing on our own success.)

Greetings lead to meetings, and meetings lead to information, and information is power. Denying people access to information builds fear of the unknown.

The second reason I think some students don't tolerate diversity when it comes to socialization is generational. Most students here are millennials — super-sensitive beings who are used to being coddled, and who are not used to there being a divide between themselves, authority, and anything they want, includ-

Editorial

ing relationships. Millennials tend to have grown up having had friendly relationships with their parents and authority, and have come to expect that level of comradery with everyone — even without having earned it.

My punishment for not being more social has been more severe among other people of color. The other memo I missed apparently stated that I have a special obligation to socialize with people of color, and to attend certain events. Yet, the folks who have made it the clearest that I have not held up my end of the bargain have not exactly extended the hand of fellowship to me, either, and have gone so far as to judge me for my introversion.

This actually is what concerns me the most: the idea that when someone's conduct does not match your desires or ego, the disappointment becomes a license to pathologize — the very thing the diversity movement was designed to prevent — and the very idea that kept the Enslavement Process (the TransAtlantic Slave Trade) in business. The Battle Royal comes to mind. These were fights slave owners forced slaves into after blindfolding them.

I'm particularly disappointed because lawyers are supposed to be among the smartest people in society — with unsurpassed critical thinking skills. Where is the critical thought in pathologizing a person, situation, or response that simply does not assuage one's ego?

Diversity is a thought process, not superficial acts of solidarity. It requires that people appreciate others respective of their sameness or lack thereof, whether we are talking about culture or personality. It is keeping an open mind about people and situations so that you do not miss out on their value. It requires people to suspend judgment and any preconceived notions or prejudices they have to people and situations that are different — or the same — or that you perceive to be different or the same.

Diversity also requires a certain level of security and self esteem. The diverse person is fearless of differences, even when they feel they are competing with others, and get an unexpected result because they are confident about their own value and do not approach people and situations with a sense of entitlement.

Former DA is new Suffolk U general counsel

ATTY. SHEILA CALKINS, a native of Peru (Mass.), earned a nursing degree from Alfred University before joining the Middlesex County District Attorney's Office. She recently was named Suffolk University's general counsel and took a few moment's of her time to answer some questions from ICTA.

□□□

► Where did you go to law school?

Willamette University in Oregon — when I graduated from college I really wanted to move out to the Northwest. I chose Willamette, loved the Northwest but returned to the east coast one summer between my first and second year of law school and met my husband who was born and raised in Boston area. The rest is history and I am now in Boston.

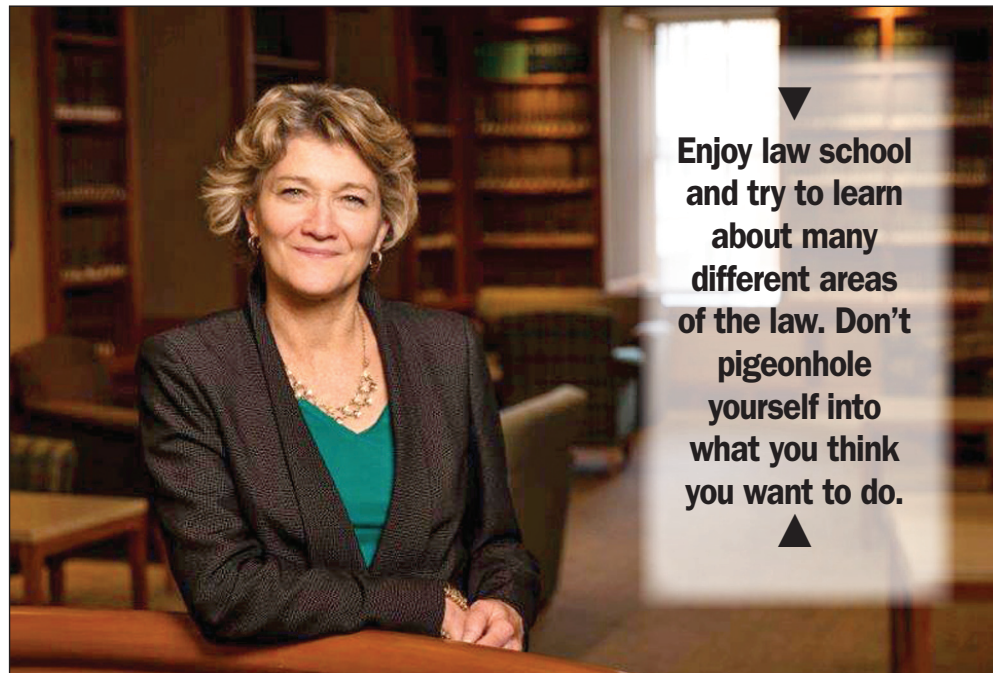
► What was your first job out of law school?

I worked for a small medical malpractice/personal injury firm in Boston. My undergrad degree was a BSN in nursing and it seemed like the right fit. When I first started law school I was very interested in criminal law and torts. I feel lucky I was able to try and work in both areas over the years.

► How did your interest in education law come about (or did it)?

After working at the Attorney General's office and working with others in the area around higher education, it became an interest — especially the work around Title IX and the Dept. of Education/Office of Civil Rights recommendations for universities and colleges. I felt my experience in the District Attorneys' offices and the Attorney General's office would be useful.

► You were an ADA for Middlesex County (if my research is correct). What advice do you



Atty. Sheila Calkins, Suffolk University's new general counsel, advises law students to sharpen their skills in Trial Practice, Appellate practice and Mock Trial competitions.

have for law students concerning making opening and closing statements?

Yes, I worked as an ADA for many years. One of my mentor's early on suggested that with any case, big or small, you study all of the facts, determine who your witnesses will be, speak with each of them — sit back and ask yourself what do I want to tell them in my closing argument? It may seem backwards at first but it makes perfect sense when you think about it — it helps you to determine what facts you need to bring out from each witness, it helps you outline your opening and it is the pathway you will use throughout the trial. Oh, and never read your opening

or closing, that will put a jury to sleep immediately!

► What class or law school activity prepared you most for your tenure as an ADA?

Competitions or classes where you actually are on your feet, you have the opportunity to argue a case. Trial Practice, Appellate practice, Mock Trial.

► What class, law school activity, or experience has prepared you the most for your new position as General Counsel of Suffolk University?

At both the DA's and the AG's office I had a senior administrative role where I oversaw many areas of the office, which

meant I had to know and understand so many different areas of the office. I feel like that is similar to the GC position, there are so many areas that GC is involved in as the University's lawyer. Being a trial lawyer for so many years has helped me become very organized and remain calm in stressful times. I also have to say I never thought Contracts (1st year law school) would become so useful again.

► What do you see as being your primary responsibility as General Counsel of Suffolk University?

Representing the university and assisting the university community with issues that arise.

► What types of matters do you handle for the university?

Areas of the law I deal with regularly are contracts, IP, employment, non-profit regs, governance; I also work a lot with the university police on different matters.

► Feel free to tell us anything you think we (law students) would want to know about you or your role, or anything else!

Enjoy law school and try to learn about many different areas of the law. Don't pigeonhole yourself into what you think you want to do; that can change, so I recommend you try and get as broad an experience as you can get. For example, think about taking trial practice even though you may not feel you want to be a trial lawyer, the skills you learn around standing up and presenting in front of people — and being comfortable doing it — is invaluable in so many ways later on in life.

ICTA THANKS Atty. Calkins for taking the time to share her experiences and wisdom with us.

STUDENTS 'SHAKE IT UP' AT CONFERENCE



Five Suffolk law students attended the 3-day National Conference of Vietnamese American Attorneys. It was a fantastic learning experience about the issues impacting Asian Pacific Americans in the legal community and in hopes of making a positive impact. As one of our attendees Jolethia Rogers stated, the theme of the conference was really "Shake it up."

Sports and Entertainment Law Networking Fair

Wednesday, March 30th 6-8pm
1st Floor Function Room

Join Suffolk's **Sports and Entertainment Law Association (SELA)** for a great opportunity to meet and interact with professionals in the sports and entertainment industry.

Some Participants include:

Amanda Schreyer- Prince Lobel & Tye LLP
John Hobgood- Wilmer Hale
Tyler Keyser- Ropes & Gray LLP
Matt Saunders- Saunders & Silverstein LLP

 **Suffolk University**
Law School
Sports and Entertainment Law Association

Suffolk student travels abroad 3x

Suffolk Law student exposed to different cultures, economies

JD/MBA STUDENT MARCYA BETTS has experienced a different side to her legal studies by engaging in academic study in Sweden, Puerto Rico and Cuba. She recently sat down with DICTA for a brief chat about her travels.

□□□

► Did you start law school intending to study abroad?

No, studying abroad never crossed my mind before I attended law school. Once I heard about and experienced the Lund Program, I was sold.

► Where have you studied abroad while a student here at SULS?

I have been to Lund, Sweden under the leadership of Sara Dillion along with Professors Leah Grinvald, Renee Landers, Jeffery Wittenburg and visiting professors Judge Isaac Borenstein. I have been to San Juan, Puerto Rico under the leadership of former Dean Camille Nelson. Last, but certainly not least, I have been to Havana, Cuba under the leadership of Isaac Borenstein.

► How much did each trip cost?

It is really hard to say how much each trip costs because I honestly try not to think about it. The academic exchange in Cuba cost me roughly \$3,000. I would have to estimate that Puerto Rico costed me about \$2,500, and Sweden cost me about \$4,500.

Please keep in mind that I was in Sweden for a month and I traveled on the weekends. Also keep in mind that these costs do not account for the credits taken. I am a dual degree student so I pay per credit hour. These courses amounted to eight credits and cost me roughly \$13,688 in student loans.

► How did you pay for your study abroad experiences?

I used student loans to pay for the cost of the courses. In Sweden and Puerto Rico, I used a mixture of cash and credit cards, but for Cuba I only used cash.

► Did you write about your previous SULS

study abroad experiences when you applied for subsequent trips?

I only wrote about my study abroad trips to apply for the Cuba Seminar Program. There was no application process for Puerto Rico, and I had never been abroad when I applied for Sweden.

► Which study abroad experience was your favorite? Least favorite? Why?

I honestly have to say, I do not have a favorite or least favorite. Each program provided me with a different perspective of life, opportunity, and experience I would have never gained in the United States. I have created strong bonds with professors I would have never taken classes with otherwise.

I was able to travel to Berlin, Germany during the 2014 World Cup while in Sweden, and lastly I was able to experience an island that most people cannot experience unless they fit into one of the 12 categories for authorized travel. My SULS study abroad experiences have been phenomenal and I wouldn't call one my favorite or least favorite because that takes the value away from the trip.

► Did you study abroad because it was related to your legal or business career goals?

I am always interested to see how the legal and business industries operate in different countries. I always think it is better to experience it first hand than to hear it from third-party sources.

My goal is to work as general counsel for a corporation and these experiences will allow me to be more marketable. Working for Nike has been a long term goal of mine, and if I can master international law and business while merging the two worlds together, it will make me a great candidate for an in-house position someday.

► What type of law do you intend to pursue, and how do you think your study abroad experiences will help?

I am pursuing corporate law. As most corporations have international offices, traveling abroad will give me an advantage concerning an ability to understand different markets and the impact of cultural differences on various markets and economies. Further, law can be personal. Understanding different cultures helps you understand others' values. Values are the undertone of most laws.



JD/MBA student Marcyia Betts as seen in some of her overseas study experiences. **TOP:** With the famed "Little Mermaid" statue as a backdrop, Betts joins a group of SULS students in Sweden. **AT LEFT:** Betts relaxes outside the University of Puerto Rico School of Law. **ABOVE:** Betts is joined by former Suffolk University Law School dean, Camille Nelson, also in Puerto Rico. **BELOW LEFT:** Suffolk Law students take a break from studying in Puerto Rico to pose for a group photo.



QLA panel reflects on civil rights challenges

The Queer Law Alliance (QLA) is an organization at Suffolk University Law School that is dedicated to serving current and prospective students through educational events, advocacy, and community service. The QLA also strives to provide a visible network of LGBTQ and ally students within the school and within the legal community of the Greater Boston area.

The alliance recently hosted its last event for the year, in collaboration with Black Law Students Association, the President's Diversity Initiative, and the Dean of Students, the 2016 Nutter Speaker Series for Diversity & Inclusion panel.

The event, titled "The Intersection of LGBTQ Policy and the Black Lives Matter Movement," was held on Tuesday, March 29 in the first floor function room, and featured a guest panel comprised of Professor Anthony Farley of Albany Law School, Ms. Elle Hearn of Black Lives Matter and Attorney Carl Williams of the American Civil Liberties Union of Massachusetts.

The discussion was moderated by Professor Boonin with opening remarks from Professor Cooper, and touched on the role of race, gender, class, and sexual orientation in the #BlackLivesMatter movement. The event aspired to connect the historical involvement of queer people in the early civil rights movement to the great need and potential for the LGBTQ to support the Black Lives Matter movement now.



Continued to page 10

Mohammad Alwaheed becomes first S.J.D. student at Suffolk to successfully defend dissertation

BY BRIDGETT C. SANDUSKY,
MICHAEL L. RUSTAD & THOMAS KOENIG
Special to DICTA

On March 8, 2016, Mohammad Alwaheed had the honor of becoming the first Doctor of Juridical Science (SJD) student to defend his dissertation and be approved as the program's first graduate.

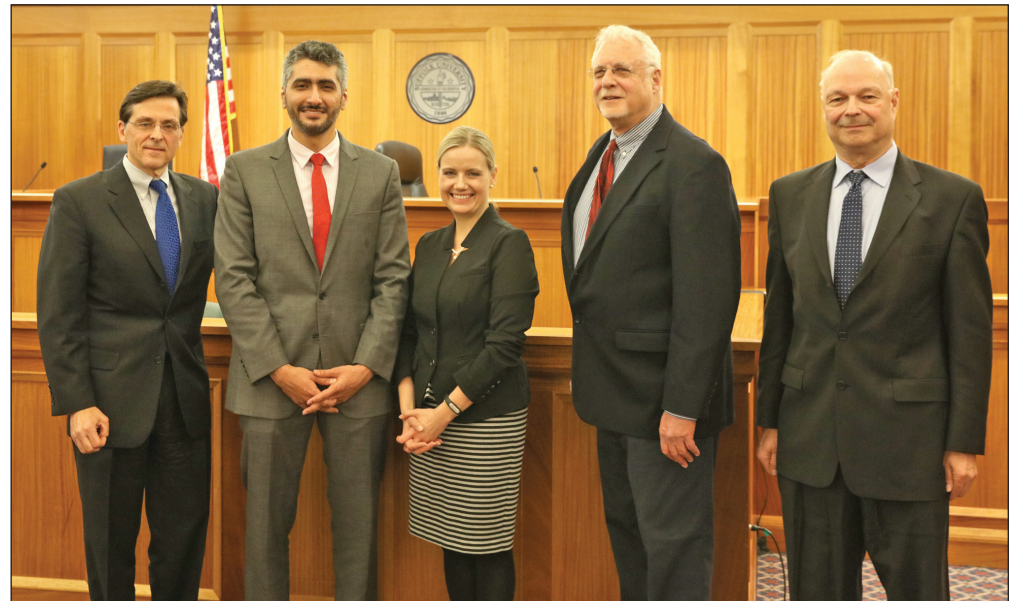
The SJD degree at Suffolk is a post-LL.M. degree that is awarded upon the completion of an in-depth, publication-quality, dissertation that makes an original and creative contribution to the legal literature.

Mohammad received his bachelor's degree in Sharia Law from Umm Al-Qura University, is a former judge, and is currently counsel at Saudi Aramco. Prior to joining the SJD program at Suffolk, Mohammad Alwaheed completed his LL.M. degree here with dual specializations in International Law and Business and Intellectual Property and Information Technology Law.

As a LL.M. student, Alwaheed studied Internet Law and Emerging Issues in Information Technology at the Boston campus and international commercial law with Professor Rustad in Budapest, Hungary. He was a member of the first entering SJD class at Suffolk University Law School in 2012.

Alwaheed wrote his dissertation on multi-faceted legal issues that arose from the release of the "Innocence of Muslims" film trailer on YouTube that triggered violent demonstrations, deaths, and injuries throughout the world.

Suffolk's SJD program was founded in 2012 and currently enrolls 20 students from diverse countries, including Saudi Arabia, the Democratic Republic of Congo, Nigeria, Turkey, Bulgaria, Pakistan, and the United States. These students are working on key legal topics, such as Human Rights in Saudi Arabia, Intellectual Property Reform, Comparative Corporate/Securities Studies, International Trade and Arbitration, Banking Law, Conflict of Law, Rent to Own, and Comparative Studies of Criminal Law, Freedom of



From left: Prof. Chris Gibson, Mohammad Alwaheed, director Bridgett Sandusky, Prof. Tom Koenig and Prof. Michael Rustad

the Press, and Legal Dilemmas involved in National Security.

"This is an exciting day for Mohammad, but also for Suffolk Law. In an ever increasingly global world, our SJD program provides new avenues for our students and faculty to collaborate together and to contribute to novel scholarship on a variety of legal issues," said Bridgett Sandusky, director of Graduate Law Programs at Suffolk.

Sandusky heads up the SJD, General LL.M., the LL.M. in Global Law and Technology and exchange programs with universities in Germany, Sweden, Mexico, and Canada,

The chair of Alwaheed's dissertation committee was Professor Michael L. Rustad, who is the Thomas F. Lambert Jr. Professor of Law and co-director of the Intellectual Property Concentration at Suffolk. Professor Christopher Gibson, director of the Business Law and Financial Services Concentration, was the first reader. The second reader was Professor Thomas H. Koenig, who has been a faculty member at Northeastern University since 1977, serving as chair of the Depart-

ment of Sociology and Anthropology from 2002 until 2008.

The March 8, 2016 defense of Alwaheed's dissertation was well attended by graduate law students and faculty members. His defense began with a 30-minute presentation of his research, followed by a vigorous question and answer period with Professors Rustad, Gibson, and Koenig, followed by a question and answer period where other faculty members and students could question the candidate.

After these three stages were completed, the SJD committee convened and announced its decision to the Suffolk University Community: "By a 3-0 vote, the Committee determined that Mohammad Alwaheed successfully passed his SJD defense."

In May 2016, Alwaheed will graduate as Suffolk University Law School's first SJD graduate. The conferring of the first SJD degree on Mohammad Alwaheed is a proud moment in the history of Suffolk University Law School. In the next two months, two more candidates are scheduled for defense and they will also be open to the public.

Right mindset, preparation can determine success on bar exam

BY ANTHONY HUGAR

The bar exam is as bad as you want to make it. Let this line soak in. Too often students walk into bar review with fear and nervousness at an all-time high. The mantra they repeat over and over is “I just want to pass.” After working with several hundred students across the United States and in the New England area I have seen a lot of success stories. The most common element of success has been from those students who approach bar exam preparations with a healthy and confident mindset. This is not a mindset of “wishful thinking” but rather it is a goal-driven and determined mindset.

Aim high(er)

Write down the number you want to get on the exam. I tell my students this during my initial round of phone calls. A student often says that they just want to pass, but then the fear sets in that if they do not pass they fail. This pass/fail line is razor thin.

Instead I tell students to pick a number a few points beyond the required passing score and say “I am getting a 295 out of 400.” Repeat this phrase often as you work through your materials. A 295 out of 400 is a solid passing score for most states [Massachusetts requires 270/400, New Hampshire requires 270/400, New York requires 266/400]. With this 25-point buffer you can successfully decrease the risk of missing the mark and more importantly you can eliminate the fear of failure from your mind.

Find Inspiration

When I studied for the Massachusetts Bar Exam I was fortunate enough to stumble across the “Rocky” series on Netflix. It was perfect timing to see those two. Rocky is the story of an underdog boxer who rises through the ranks beating the Heavy Weight Champion and taking down the Soviet Union’s best fighter during the height of the Cold War. Like Rocky I felt like I was an underdog too having not taken a bar exam ever. With the mindset that I have to train hard and have discipline I was able to navigate through the eight weeks of study. Many of my students do the same.

One student I worked with was from

a very low-tiered law school. His weekly scores were coming in off the mark. There was very slow improvement from week-to-week. The one thing that was progressing was the overall course progress. This student was moving at a good pace. I called the student to talk about his progress and give suggestions on how to improve and he would take them into account.

I asked what he was doing to prepare for the following week and he would say that he watches Tony Robbins videos and other YouTube videos that preach of the concept of “Visualization” of goals. To me,

▼

You are not competing with classmates anymore. It is just you and the exam. If you can tame your thoughts, then you can succeed.

▲

it was all a bunch of philosophical BS, but I did not tell the student that. When the results came out though I was surprised to see this student overcame the odds and passed despite having low practice scores all throughout the summer. Every student is an underdog here but with this mindset and inspiration he or she can overcome the odds.

Aim for a B

Law students are all Type A personalities. To pass the bar exam you need only get a D. The exam is often referred to as “An exam of minimum competence.” The sooner you realize you do not have to be a perfectionist the better and more flexible you will be in your review. Take time to practice questions and look at your results as a means to improve.

I tell my students that each time you miss a question in practice is an opportunity to not miss it on the exam. You develop a foresight into the issues in such a way that merely reading the outline cannot accomplish. Take your bumps and bruises throughout the summer so that you can coast through the exam in July. Do not, DO NOT, be afraid to do practice questions early on because this is the best

way to determine where you need to improve.

Study like you are winning an election

My boss, Rick Duffy, a 40 year bar review veteran, has stated that studying for the bar exam is like running for president. You do not need the popular vote you just need to win the states that matter. When you are studying it is best to have a working knowledge of all topics tested but you want to have a more solid understanding of the highly tested areas. These highly tested areas are your big states. You want to spend a little more time in them because if you can get them then you have a greater chance of passing comfortably.

The National Conference of Bar Examiners provides a “Subject Matter Outline” for the MBE on its website (ncbex.org). In this Outline you can see the percentages of topics tested. The conference typically sticks closely to this breakdown, which means you can essentially predict what areas show up so that you can study more heavily in those areas.

For example, it is a better use of your time reviewing Mortgages and Foreclosures instead of the Rule Against Perpetuities on the MBE. Think of Mortgages and Foreclosures as Ohio and the RAP as Rhode Island. Ohio is a good state to win, and if you do well there then you can ensure you will get enough points to pass the MBE. No offense to Rhode Island (or the RAP) but it isn’t a good use of your time if you are reviewing hours on end to try your luck on the possible two or three questions that may appear.

Concluding points

Get yourself in the right mindset now and know that you are your best ally in preparation. You are not competing with classmates anymore (as the exam isn’t graded on a curve) and you are not trying to get an A. It is just you and the exam. If you can tame your thoughts, then you can succeed. I promise you that.

ANTHONY HUGAR is a Suffolk Law graduate and Massachusetts Attorney. He currently is the director for Massachusetts at Themis Bar Review and is the legal adviser for Get A Grip Golf, LLC. To reach him you may email HugarLaw@Gmail.com.

QLA panel reflects on civil rights

Continued from page 9

The fact that black transgender women have an average life expectancy of 35 years, with the highest murder rate in the country, is something the legal community needs to address.

The legal community needs to discuss racial discrimination, police brutality, and the lives of Black, Queer and Trans people in order to better create access to justice. Our panel discussion hopefully helped to promote opportunities to create dialogue and understanding of the Black Lives Matter movement and the intersectionality of race, gender, and sexual orientation.

QLA headed many momentous initiatives, such as establishing gender neutral restrooms in Sargent Hall 4th Floor, as well as organizing and showcasing an exhibit called, “LGBTQ Law: Existence is Defiance” with Moakley Library and Archives Department to celebrate LGBTQ History Month.

Other notable programs that QLA hosted this year included Gay, Lesbian & Straight Education Network (GLSEN) Trainings, World AIDS Awareness Day movie screening of Paris is Burning and The Normal Heart, and QLAunch and study breaks for dialogue and friendship.

QLA officer include president Annette Macaluso, vice president Michael O’Brien, secretary Alex Samaei, treasurer Cherie Ching and IL representative/community relations liaison Skailer Qvistgaard.

CROSSWORD ANSWERS

The answers to this month’s crossword puzzle (on page 11) are as follows:

ACROSS: 1) bankruptcy 2) a fortiori 3) pecuniary 5) bail 9) force majeure 12) per se 15) underwrite 16) ultra vires

DOWN: 1) bona fide purchaser 3) per curiam 4) ex post facto 6) parens patriae 7) res ipsa loquitur 8) Bill of Attainder 10) unconscionable 11) res judicata 12) parol 13) per capita 14) barratry

SUFFOLK ON FACEBOOK



Congratulations to AAJ National Student Trial Advocacy Competition regional champions James Duffy JD'17 and Carolyn Kenniston JD'16 (seen flanked by Kristen O'Keeffe and Ian Mackey). They defeated the team from Yale in the regional finals and were off to New Orleans for the nationals at month's end.

Suffolk University Law School 3L Cherie Ching has been named "Law Student of the Year" by National Jurist Magazine. As president of Suffolk Law's Asian Pacific American Law Students Association (see item on page 5), Ching, a native of Pearl City, Hawaii, has spearheaded the Harry H. Dow Annual Lecture Series on Immigration Law. The series is named after Ching's role model — a 1929 Suffolk Law School graduate and the first Chinese-American admitted to the Massachusetts Bar. After graduation, Ching plans on practicing in real estate and property law to open up investment opportunities for minority communities.



Over 250 alumni and students attended the annual SuffolkConnect Alumni-Student Networking Reception, held recently at the Omni Parker House. An enthusiastic group of alumni turned out to spend with students sharing their experience and wisdom.

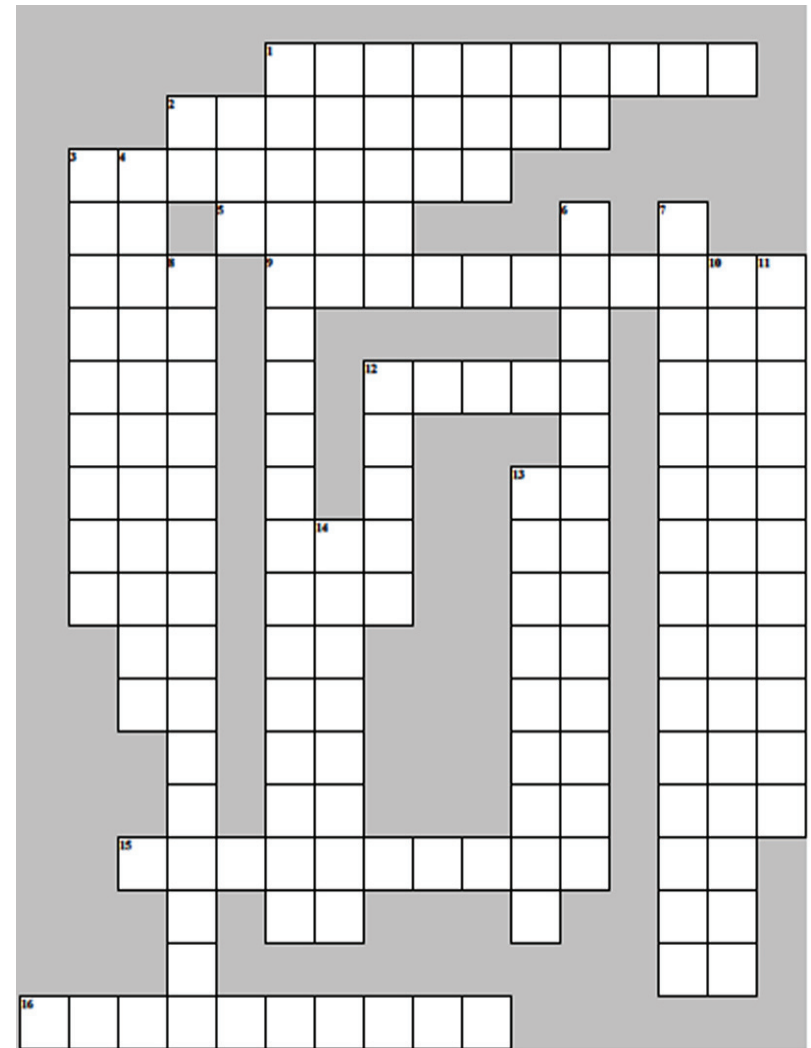
SUFFOLK LAW CROSSWORD FOR MARCH

ACROSS:

1. Federal system of statutes and courts which permits persons and businesses which are insolvent or who face insolvency, to place financial affairs under the control of the bankruptcy court.
2. (Latin) "with even stronger reason;" applies to a situation in which if one thing is true then it can be inferred that a second thing is even more certainly true.
3. Relating to money
5. The money or bond put up to secure the release of a person who charged with a crime.
9. (Latin) "superior force", frees both parties from liability or obligation when an extraordinary event or circumstance beyond the control of the parties prevents one or both parties from fulfilling their obligations under the contract.
12. (Latin) "by itself," meaning inherently, but further explanation might be required.
15. To agree to pay an obligation, guarantee purchase, or guarantee by investment.
16. (Latin) "beyond powers;" refers to acts of a corporation and/or its officers outside the powers and/or authority allowed a corporation by law.

DOWN:

1. Commonly called BFP in legal and banking circles; a person who has purchased an asset (including a promissory note, bond or other negotiable instrument) for stated value, innocent of any fact which would cast doubt on the right of the seller to have sold it in good faith.
3. (Latin) "by the court," defining a decision of an appeals court as a whole in which no judge is identified as the specific author.
4. Latin for "after the fact," refers to laws adopted after an act is committed; such laws are specifically prohibited by the U.S.
6. (Latin) "father of his country;" doctrine that the gov't is the ultimate guardian of all people under a disability, especially children, whose care is only "entrusted" to their parents.
7. (Latin) "the thing speaks for itself;" a doctrine of law that one is presumed to be negligent if he/she/it had exclusive control of whatever caused the injury even though there is no specific evidence of an act of negligence, and without negligence the accident would not have happened.
8. A legislative act which declares a named person guilty of a crime, particularly treason. Such bills are prohibited by Article I, Section 9 of the Constitution. Con-



- stitution, Article I, Section 9.
10. Referring to a contract or bargain which is so unfair to a party that no reasonable or informed person would agree to it.
11. (Latin) "the thing has been judged," meaning the issue before the court has already been decided by another court, between the same parties.
12. Oral
13. (Latin) "by head," meaning to be determined by the number of people.
14. Creating legal business by stirring up disputes and quarrels, generally to benefit the lawyer who sees fees in the matter.

See page 10 for answers

Don't miss Dicta for all the Suffolk Law School news that's fit to print!

Shakesha Coleman, Editor-in-Chief



You did it!

Another year completed at Suffolk Law is a real accomplishment. Congratulations on the achievement, whether you're just getting started or are moving on with a new degree in hand.

Today and in the future, we're here to support your learning and growth as an attorney.

Stop by our Government Center store today for everything you'll need.



Staples
1 Washington Mall, Boston, MA
617-248-8975