

# Lex Brevis

WESTERN NEW ENGLAND UNIVERSITY SCHOOL OF LAW

## *Lex Brevis Welcome Message from the Dean*



Welcome back! As trite as that sounds, I mean it – the faculty and the staff welcome you back to the School of Law, too. We missed you! The vibe in the building is very different over the summer. It has its charms, don't get me wrong, but without students in the halls and in the classrooms it does not feel right.

So, we're glad you're here. I hope you all had summers that allowed you to learn more about yourselves and the legal profession.

I am also happy to welcome you to the first edition of the new Lex Brevis, the newspaper of the School of Law.

Lex Brevis has been around for a long time and it is great to see it coming back with new energy.

Speaking of energy, the School of Law has a couple of high-powered events lined up over the next few weeks. First, as you should know by now, the School of Law is sponsoring part of the visit by Justice Sonia Sotomayor to Springfield. There are three components to the evening:

The first piece is called the Forum Scholars Program, this is the component we are sponsoring. Through our support, copies of the Justice's book, *My Beloved World*, have been distributed to selected students (about 30) in Springfield high schools. On the night of the talk, those students along with 10 WNE students and four faculty (who have been selected by lottery) will have a private audience with the Justice for Q&A about the book.

After the Forum Scholars Program there will be a dinner (5:30-6:00 reception, 6:00-7:00 dinner) for the Justice at the MassMutual Center. Tickets for the dinner cost \$45 and are available on the Springfield Public Forum website. The dinner will be a big event (about 300 people).

*~ Continues on Page 2 ~*

Of course the main event is the actual talk by the Justice, which will take place after the dinner at 7:30pm in the MassMutual Center. The School of Law has 135 reserved seats. We are making these seats available to students and faculty on a first-come-first-served basis. Contact Associate Dean Beth Cohen to get your name on the list if you would like to attend (there are no tickets, just a list).

Once we use up the 135 seats, people can still go, but they will not have a reserved seat. The Springfield Public Forum is dedicated to bringing interesting speakers to our city and offering their talks for free, so even if you do not get on our reserved seating list, you may still be able to hear the Justice's talk. The advantage of being on the list, however, is that you will have a reserved seat. If you are not on the list, you need to go to the venue very early, as spots will be available on a first-come, first-served basis and this is likely to be a capacity crowd.

The other big event is the big alumni weekend coming up on Thursday October 1 through Saturday, October 3. On October 1 in the evening at the Log Cabin banquet facility we will honor two alums, U.S. Magistrate Judge Katherine Robertson and U.S. District Court Judge Mark Mastroianni. On Friday, October 2, we will hold the 15th annual Students and Alumni of Color event on the top floor of the La Quinta hotel in Springfield, which has an incredible view of the Valley. Our featured speaker that evening will be retired Chief Justice of the Supreme Judicial Court and Springfield native Roderick Ireland.

On Saturday, October 3 we will hold the 20th Annual Supreme Court Review from ten to noon and then will have an open house to welcome alums back to the Blake Law Center. We'll have fun things to do and delicious food to eat. I hope we'll see you at some of these events!

## INSIDE THIS ISSUE

Lex Brevis Welcome....3	
Academic Calendar.....4	
Newsworthy.....5	
Strategies to Success....6	
SBA Welcome.....7	
Dean Johnson .....8	
Notes.....9	
Dean Cohen .....14	
Speaker Series .....15	
Alumni Profile .....16	
Closing Arguments...18	
Local News .....20	
Upcoming Events.....20	
About Lex Brevis.....20	

## **Welcome to the Start of 2015/2016 from Lex Brevis!**

*Welcome to Western New England University School of Law, 1Ls and welcome back returning students!* My name is Amara and I am your new Editor In Chief. We, at Lex Brevis are glad to welcome in a new school year with you.

### **To the First Year Students:**

Your first year of law school is one you will never forget for many reasons. You are about to embark on a new way of thinking that will hopefully surprise you and awaken a curiosity of the legal profession. You have no doubt heard that the first year is the hardest but what you may not have heard is just how fantastic that can be. In just a matter of a few months you will learn more about yourself that you can imagine. Looking back on my first year of law school and the same rings true now, I have never worked so hard in my entire life on a formal education. But, I have never WANTED to work so hard on one either. As you go forward this semester and into the next don't forget that this is an experience worth sharing. Your classmates and specifically your own section are going through the same experience were many prominent judges of the with you so be supportive of each other. Your family and friends back home are also there to support you so be sure to update them on your new experience.

### **In the Classroom:**

Here on campus we have an incredibly supportive and welcoming faculty and staff that make up the WNE law school community. Our professors are not just great teachers but are genuinely interested in seeing you do well in class and outside of class. Make a point of stopping in during office hours to talk to them. Sometimes talking through what happened in class with a professor or other students can give you more clarity than your notes will. There is so much to the first year but keep a few things in mind.

### **The Cold Call:**

You have no doubt heard about being cold-called and it may or may not scare you but keep in mind, everyone went through it and made it out just fine. When you get called on just take a breath and do your best. You need to know the facts of the case you read but keep in mind what the point of reading that case was; there was some legal issue that came up and had to be decided. If you get nervous and stumble, that's okay we've all been there. Just brush yourself off and keep going.

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## **ACADEMIC CALENDAR: FALL 2015**

**August 24:**  
Classes Begin

**September 4:**  
Last Day to  
Add/Drop  
Courses

**September 7:**  
Labor Day/  
No Classes

**September 8:**  
Last Day for  
Applying for  
Degrees to be  
awarded in  
October

**September 8:**  
Monday Classes  
Meet this Day

**October 12:**  
Columbus Day/  
No Classes

**November 6:**  
Last Day for  
Applying for  
Degrees to be  
awarded in  
February

**November 25-27:**  
Thanksgiving  
Recess

**December 4:**  
Last Day to  
Withdraw/Last  
Day of Classes

**December 5-8:**  
Study Period

**December 9-18:**  
Final  
Examinations

### **We are Here for You Too:**

The rest of the student body is here for you too! We all got through the first year and have made it beyond as 2Ls, 3Ls and 4Ls. By now you have been paired up with a student mentor, an upperclassman. When you get a chance respond to their email if you have not already to set up a time to meet. Your mentor may have been taught by your same professors but even if they were not, they took the same classes you are taking and can provide you with a lot of guidance and helpful information. You will get

intellectually stimulating things to take part in outside of the classroom. The SBA is in charge of the many student organizations and associations on campus to which you will see us tabling throughout the semester. Studying is important but it is also important to find things that interest you that are not your classes. Take the time to check out the student groups, talks presented in the Law School Common and other activities that come up. The student body is very diverse in backgrounds,

*Every day is a new chance to get what you want out of life and to make the most of your time here.*

the chance to meet other students too. One of the nice things about our community is that we, as students, are very supportive of each other.

### **Studying:**

Not everyone studies in the same manner. Some students form study groups and find that to be most helpful to them and others need to study alone. Give yourself time to figure out your own style even if that means different styles for different classes. Law school is a marathon, don't try to sprint the whole way. It takes time to learn about how you need and want to study and be a student.

### **Immerse Yourself in the**

### **Community:**

There are a number of interesting and

ethnicities and ways of thinking so be open-minded.

Every day is a new chance to get what you want out of life and to make the most of your time here. You will get out of law school what you put in. We hope you enjoy the rest of your semester and year.

~ By: Amara Ridley, 3L ~



# Newsworthy

## Ryan Scott Wins Prestigious Ethics Award

### Congratulations to Alumnus Ryan Scott L'15



on winning a prestigious Ethics Award!

Ryan was among the winners at the 11<sup>th</sup> annual Law Student Ethics Awards dinner held by the Northeast Chapter for the Association for Corporate Counsel recently at

The State Room in Boston, MA.

The ethics awards program recognizes and encourages the ethical practice of law at the earliest stages of a young lawyer's professional career. It includes a scholarship given to one student from each participating law school, which has demonstrated a commitment to ethics as recognized by the law school's faculty. The dinner's keynote speaker was David Gergen, a senior political analyst for CNN and an advisor to four U.S. presidents. In attendance state trial and appellate courts, as well as, faculty from participating schools, presidents of numerous bar associations, and general counsels of prominent local companies and law firms.

Tina Cafaro, Clinical Professor of Law at the Western England University School of Law, had this to say about Ryan's commitment to ethics: "As a student assistant district attorney in the Springfield District Court, Ryan prosecuted persons charged with both misdemeanors and felonies. During one difficult case, I watched as Ryan tried to encourage the victim to testify

while still appreciating the victim's very real fear of reprisal if he testified against the gang member defendant. . . . I watched as Ryan grappled with the ethical considerations of knowing the victim was being encouraged to assert a right that did not apply, yet understanding the very real fear the victim had." Cafaro added, "At all times during this case and throughout the semester, Ryan handled himself with professionalism and in a highly ethical manner."

Ryan had this to say about the experience: "Working in the District Attorney's office was eye opening. I believe deeply that ethical behavior is essential to the functioning of the justice system. It is important that we practice law with honesty and professional responsibility, because our work affects the lives of so many people."

The law school community is extremely proud of Ryan and extends a big round of applause for representing us so well.

~ By: Awilda Cardona ~



# Strategies To Success

## “Your Name Here, Inc.”

We hear many clichés in law school, while rarely inspiring, are certainly worth repeating.

*“Law school is an investment.”*

I will not get into the cost, because I cry every time I look at my student loan amount and interest rate, but you are also an investment. You are a small business and from this point forward consider yourself, "Your Name Here, Inc." Everyone who supports you while you are in law school is a shareholder. Your mom, who listens to your law school complaints, is a shareholder. So are taxpayers, who fund your student loans, and so is everyone in between. All of your shareholders want returns on their investments. It is your job to not only protect their investments but to also protect your brand. After all, you are a small business.

*“Your reputation as a lawyer started the day you walked into law school.”*

I know this is annoying and overused, but the cold hard fact is that it is the truth. First impressions are lasting impressions. One awesome benefit of our law school is we have visitors and programs every day. You have no idea who will be at the law school on any given day. Your dream employer may be visiting unannounced so you want to be ready to meet him or her. Always dress for success.

*“Law school is temporary; your career is forever. Be kind to your peers.”*

Small businesses work with other small businesses every day. Lawyers do the same. Whether you want to be a sole practitioner or work at a Fortune 500 law firm, your reputation and brand is going to follow you. You want your law schoolmates to refer clients and legal jobs to you in the future. Law school is the time to build

your brand. Lawyers are busy and they do not have time to read through long boring resumes. Many times lawyers and judges ask their current interns to refer other interns for jobs. You want to be on that list of referrals. When a job announcement is posted, you want colleagues to say, “Your Name Here, Inc. would be great for this job!” Good grades may get you the interview, but great character and the right fit personality will get you the job.

In case you haven’t heard it enough yet, live by these 3 notions:

1. Protect your brand. Your shareholders want a return on investment.
2. Always dress for success. Opportunity doesn’t always provide notice.
3. Be kind to your peers. Law schoolmates today, legal colleagues tomorrow.

~ By: Tasha Marshall, 4L ~



## From The Student Bar Association

Welcome back for another great year here at Western New England University School of Law! For those who do not know, my name is Meg Florez, and I am your Student Bar Association President for the 2015-2016 academic year! On behalf of the entire SBA Council, I cannot accurately tell you how excited we are to help our community navigate year full of academic, professional, and personal growth. We have already begun some great work this summer and are ready to launch into our most successful semester yet.

I am beginning my 3L year and my second year as a member of the SBA. I have served as class representative and Charities committee co-chair. Last year, I was a member of the SBA Budget committee, the student/faculty Curriculum committee, and the student/faculty Public Interest committee. Each of these experiences, in conjunction with other extracurricular and academic experiences, has prepared me for the tasks that this new position poses. Additionally, I had the good fortune to attend The Annual Meeting of the American Bar Association this summer. I traveled to Chicago, Illinois and met with SBA presidents from across the country. Among voting on governance restructuring and character and fitness reform, we were able to network with each other and share our ideas regarding how to maximize the success of our individual Councils and the Law Student Division as a whole. This experience was invaluable in preparing me for what this year holds for us, here at WNEU. I hope this year's Council and I will be able to implement what I learned that weekend to make your year as beneficial as possible. There's a lot to look forward to!

For the incoming 1L's joining our student body, I'd like to congratulate you for having the courage to take on this wonderful, life changing experience. One of the most rewarding decisions I've made since starting law school was to get involved in our community. The SBA acts as the primary bridge between the students and the faculty and administration. As elected representatives and officers, we stand for and vocalize the best interest of the student community. While I highly recommend running for a representative position, we also have standing committees that do great work for the school and are always looking for help! For example, our athletics committee organizes tournaments throughout the semester, our charities committee organizes various events to promote philanthropic causes, and our social committee frequently offers opportunities to get out of the building and let out some steam. Whether you get directly involved or not, we hope that you'll join us throughout the year!

I'd like to take this opportunity to introduce the students with the most difficult jobs in the SBA: my executive board. This year's Day-Vice President is Mathew Kelly. While my job is to act as the formal liaison between the students and the University at large, Mat will act as a liaison between the different factions of our student body. Mat will bridge the SBA to clubs, organizations, and committees. Sarah Ryzewski will return for a second term as Evening-Vice President, bearing mirrored responsibilities. Steven LaMonica will serve his first year as a member of the SBA as our Treasurer, overseeing the budgetary needs of all clubs, committees, and organizations.

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# Notes

## From the Dean of Student Affairs



This time of year is always an exciting time for faculty and staff. Not only do we welcome back our returning students but we also welcome our incoming first year and transfer students. We look forward to working and learning with each of you. Whether you are getting to know the area for the first time or trying to adjust to another year of law school, now is a good time to think about how you will make this year a successful one. Preparation is the key to your success. I would like to suggest three things that may help you during the school year and beyond.

First, try to address how you will manage your time. Between your classes, studying outside of class, extracurricular activities, work or externships, family commitments, exercise, eating and sleeping, time can become a valuable commodity. For example, it is not uncommon for fulltime students to study a minimum of 35 hours a week outside of class; for part-time 20 hours is not unheard of. One suggestion is to keep a weekly calendar to help manage your activities. This may seem time consuming at first, but it will help keep you keep organized and better prepared. You want to avoid falling behind or missing an important assignment or meeting. As busy as you will be, a weekly calendar is a nice visual aid and helpful reminder of all the important goals you need to accomplish. It may also be an excellent way to share with your family and friends when you are available.

Second, now is a good time to figure out a tentative budget for the semester. You want money woes to be one less distraction as you pre-

pare for class and exams. Fiscal responsibility is an important character and fitness issue that you can address now. For most of you that all important refund check will come twice a year. Knowing how to budget your money for the entire semester will be essential to your mental well-being. You have better things to do than to worry about where your next meal is coming from or can my car run on fumes. However, we all know there will be unexpected expenses such as car repairs, unanticipated bills, child care emergencies and computer crashes. Your budget plan may help mitigate some of these unexpected issues. Don't spend the rainy day fund the first week of school.

Finally, I hope you have found or already know that we are here for you. This is a welcoming and supportive community and your well-being is a major priority. On the law school website under the Student Life tab, you will find the Office of Student Affairs webpage. The Student Affairs webpage has important resources that may answer many of your questions. If you have any questions or concerns, please do not hesitate to stop by my office or set up an appointment to meet with me. I have an open door policy and if I am available I will be happy to meet with you. Please remember I can't help if I don't know.

I sincerely welcome you to Western New England University School of Law and hope you have a wonderful year.

Best,  
 Michael Johnson  
 Associate Dean for Law Student Affairs and  
 Enrollment Planning  
[mjohnson@law.wne.edu](mailto:mjohnson@law.wne.edu)



# Notes

## From The Library

### *Ten Great Ways the Law Library Can Help You Become a Better Law Student*

1. **Receive fabulous research assistance!** Need help getting started with your research for Lawyering Skills or Advanced Writing classes? Our knowledgeable Librarians can steer you in the right direction and work with you to help you locate appropriate resources. We want your business! Please feel free to ask for help whenever you need it.
2. **Polish your legal tech skills!** The Law Librarians run workshops geared toward specific student needs. This fall the Law Library will present a Legal Tech Certification program. Legal Tech will teach and then assess how well students use basic law practice technology to complete commonly encountered legal tasks. Lawyers spend time not just in the courtroom, but drafting and editing contracts and other lengthy documents. Tech skills are especially important now that law firms are cutting back support staff and clients refuse to pay for new associates' learning curves. RED ALERT: One student completing Legal Tech will win an iPad-mini. Don't miss out!
3. **Speaking of workshops**— look for our annual Bridge to Practice program offered spring semester. This program is geared to help you strengthen your research skills by working through a hypothetical problem, using both print and online resources. This is a great intensive research refresher before heading out into real-world practice.
4. **Check out our excellent Study Aids!** Having difficulty with a particular concept in one of your courses? Study Aids are available and on Reserve at Circulation. These materials explain course topics such as property law in a narrative way, focusing on the needs of the law student. Sometimes reading someone else's explanation of material may be just what you need to see the light. Study aids can be checked out for 3-hour loans, enough time for you to do some reading.
5. **Visit the Library's website!** Check out the Library News for information about events, programs, new databases, and contests! Use our Research Guide page and our Database page as your jumping off point for research. Wondering if the Library is open? Or to whom you should direct a question? It's all there on the Library Hours and Staff Directory pages. All this and so much more....
6. **Study at the Library!** We offer Quiet Areas (second floor beyond the glass double doors and third floor near the study carrels), and other types of settings. For example, Library Lounges on each floor, the first floor Massachusetts collection, or the outside patio (on a nice day) off the Technology Lobby. We just added two standing carrels on the second floor. Prefer to collaborate? We have Conference Rooms available to two or more students for four hours a day; just stop by the Circulation Desk to request one. Like to study with an ergonomically-correct book stand? We have two available for check-out at Circulation.

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# Notes

## From The Law Review

The Western New England Law Review, established in 1978, is a student-run organization whose primary purpose is to publish a journal of legal scholarship. Each issue of the Law Review is distributed to law libraries throughout the United States and examines a diverse array of subjects. The Law Review provides a platform for attorneys, professors, students, and researchers to discuss and debate important topics. You can find an issue of the Western New England Law Review outside the Law Review office located on the third floor of the Western New England Law Library or online at <http://westernnewenglandlawreview.org>.

The journal provides opportunities for Review members to develop their own editing and writing skills. Membership on the Law Review is open to first year full-time students and second year part-time students after completion of their spring semester and is decided on the basis of academic performance or a write-on competition that is offered during the summer period.

First year members of the Law Review, often known as Junior Staff, are responsible for their own student Note. A student Note is a work of legal scholarship that identifies a specific, unresolved legal problem and offers a solution. The research, writing, and rewriting of the student Note continues throughout the school year with the assistance of a Note Editor. Additionally, a faculty member provides insight and helps direct the student's organization and research. Writing a student Note provides a unique and exciting opportunity to write about a legal topic of your choice that is of publishable quality.

In addition to the student Note, Junior Staff members will be assigned production work for Articles and Notes that have already been accepted for publication. This work includes editing and source checking, often referred to as "tech-citing." Junior Staffers may also be required to evaluate possible topics for use by the following year's Junior Staff.

Second year members of the Law Review comprise the Senior Staff. Each member of the Senior Staff is selected a Student Editor Position. The Board of Editors is responsible for content, timely publication, and all other organizational decisions. As a Student Editor, each member of the Senior Staff has the opportunity to take on a more specialized role within the journal.

Being a member of the Western New England Law Review is both a challenging and rewarding experience. Most Junior Staff members put in between 10 and 15 hours a week regularly and occasionally an additional 5 to 10 hours when a deadline approaches. Through the rigorous work, members acquire and sharpen their legal research, writing, and editing skills that are invaluable as careers as lawyers or law clerks.

This year we embark on Volume 38 of the Western New England Law Review with a promising Junior and Senior Staff. The Notes and Articles that have already been selected for publication assure to have a positive impact on the Review. We look forward to continuing the high quality of the Review that further establishes Western New England University School of Law's reputation for excellence.

# Notes

7. **Use our Printers!** All Library computers will print to the two laser printers in the Copy Room on the First Floor of the Library. These printers also scan. Students receive \$50 (500 impressions) per semester. All of the print jobs default to double-sided copying. If a student chooses single-sided printing, \$.10 is deducted per page; if a student chooses duplex printing, \$.09 is deducted per page. Any remaining balance from the fall semester zeroes out on December 31. The spring semester impressions carry over until August 14. Printing from your laptop? Download the print drivers from the Library's website under the "Printing" link. Lexis prints to a dedicated printer in the Copy Room; Westlaw does not support free printing.
8. **Use One of our Many Computers!** There are 12 PCs in the Technology Lobby on the First Floor for your use, Computer Classroom 329 is always open (unless booked), or check out a laptop or Mac at Circulation.
9. **Leave Your Stress Behind!** Come play in the first floor Zen garden, work the group jigsaw puzzle, or squeeze a stress ball (during exam time). We also have a collection of books on Reserve on the topic of stress relief. Take a break from required reading and peruse our Leisure Collection of novels and movies with a legal theme. Also, we periodically have student contests and raffles. Join the fun and win a prize!
10. **Be Prepared for Your Next Exam!** We make past exams accessible via our Library Catalog (Catalog>course reserves>professor's name or course). Past exams can be helpful to familiarize yourself with the type of questions your professor is apt to ask, to review with your study group, or to take a practice exam. During the pre-exam and exam period, enjoy coffee and tea in the second floor Library Lounge when the Court Café is closed!
11. **Let us Help!** The Library staff are trained to help you make the most of your time as a law student. Stop in and find out how we can assist you and make your studies as productive as possible. We look forward to working with you.

## From Law Career Services

On behalf of the Career Services staff, I would like to welcome you to campus. For returning students, I hope that you enjoyed your summer and were able to build on your legal experience. We encourage you to use our resources early and often this year. To those of you who are just joining us as first year students, I hope that your transition to law school is painless. You are joining a small, accessible and supportive community that is invested in your success. Although we are unable to speak with you about career matters until October 15th, we encourage you to drop by our office to visit and get to know us. The Career Services office is located in the administrative wing of the Law School, just down the hall from the Registrar's counter and across the hall from the Deans' Suite.

Our office is currently open Monday through Friday from 8:30 a.m. to 4:30 p.m. and until 6:00 p.m. on Wednesdays. Students with questions or those who want to schedule an in-person or telephone appointment may call the office at (413) 782-1416 to schedule an in-person or telephone appointment.

We have planned a number of programs for this year including our 1L Orientation; a Networking and Business Etiquette Lunch with New Law Students; Lunch and Learn presentations with attorneys from a variety of practice areas; resume clinics; interviewing programs and more. And remember, we are always available for individual consultation. We look forward working with you during law school and throughout your career.

# EXPERIENCE THE VALUE of the Massachusetts Bar Association with a **FREE** law student membership

Take advantage  
of the MBA's **FREE**  
resources and  
services, and let  
the MBA help build  
the foundation of  
your future.

Give back to the  
community through  
volunteer programs



Grow in the legal  
profession by taking  
advantage of the MBA's  
mentoring resources



Connect with our  
invaluable network  
of members through  
My Bar Access and  
unique social events



Sharpen your  
skills with **FREE**  
CLE programs



**MASSBAR**  
ASSOCIATION

**YOU** Belong here.

[www.MassBar.org/iBelong](http://www.MassBar.org/iBelong)

Our Secretary is Arielle Aikens, our Executive Board's only 2L and a second year representative. Arielle will manage the calendar, meeting minutes, motions, installments, and other various administrative demands involved in the SBA. Finally, Chris Rousseau will serve his third year of involvement with SBA as our Parliamentarian. The Parliamentarian's job is to run our meetings and liaise to the Judicial Appeals Board. We all hope to see you at our meetings, which are always open to all students, so that you can get a better idea of how each of our offices operates. For 1Ls looking to take some hands on involvement from the jump, we have class representative elections quickly approaching! Keep an eye out for information online and outside the office (located on the first floor of the library); please reach out to any of us or any of our other members if you have any questions!

Lastly, I'd like to take a moment to thank the students involved in restarting the wonderful publication that is Lex Brevis. It will no doubt serve as an excellent outlet for the kinds of work that students may not otherwise have the opportunity to produce and publish. I'm certain that those involved have dedicated great time and energy to make the newspaper's reboot a success, and we couldn't be more grateful to them for their efforts!

On behalf of the Executive Board and the Council at large, we hope you'll help us

make this year our best yet. Our meetings are every other Wednesday at 9:55 pm in room C. If you can't make our meetings, remember to join our TWEN page and our various Facebook groups to stay as up to date as possible on what's happening at school. Feel free to stop by our office any time – we have coffee!

Let's get this year off to a great start!

~By: Meg Florez~

Student Bar Association, President 2015–  
2016

On behalf of the Student Bar  
Association

# Notes

## From the Dean of Academic Affairs



come back! Law school is an exciting and challenging time and, as Associate Dean for Academic Affairs, I am here to help and support you.

First, I congratulate you. I congratulate you on your achievements and I congratulate you on your desire to become a lawyer. Despite countless advances in society, there are also many serious challenges and problems. These issues range from local to global, from individual to societal. Lawyers are problem-solvers, and we need more talented and compassionate problem-solvers. The opportunities at Western New England University Law School will help you acquire the skills and experience you need to be successful.

You are learning a new language - the language of the law. The best way to learn a new language is to immerse yourself in the language and the culture. So I encourage you to take charge of your education and to take full advantage of the opportunities here. Professional development opportunities beyond the classroom include clinics, externships, moot court teams, law review, mentor programs, career services programs, student bar association groups, bar association memberships, and pro bono projects, to name just a few. We are committed to your success and professional development and to helping you maximize these opportunities, so please contact me if you have any questions or if I can be of any assistance.

I would like to join in welcoming you to law school, to Western New England University, and to the start of your legal career. To returning students - wel-

Second, remember the big picture. Although you have probably been incredibly busy since you arrived, I suggest that you take a moment to pause and reflect, and write down why you decided to attend law school. Refer to this note when you need some encouragement and to remind yourself of the bigger picture and of what is important to you.

Third, practice with professionalism. The preamble to the Model Rules of Professional Conduct includes that, "[a] lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice." As a law student, you are building your professional reputation. Be mindful of our special responsibilities as you approach your work. "Work hard and be kind." I serve on the Supreme Judicial Court Professionalism Committee and I cannot overstate the importance of professionalism and civility. Approach your work with diligence and passion and a desire for excellence. There are no secrets to success. Law school, like lawyering, requires a great deal of work and commitment. Take advantage of the opportunities to learn and improve and the many resources available to help you succeed.

You are not alone. We are a collaborative community, and you are part of that community. Faculty, staff, and administrators are all dedicated to helping you succeed. I encourage you to take advantage of academic success and bar prep programs, academic advising, and mentoring programs. Personal connections provide support, both personally and professionally. I look forward to working with you.

I am very happy to see the return of Lex Brevis! My office is in the Deans' suite and I can be reached at [bcohen@law.wne.edu](mailto:bcohen@law.wne.edu) or [bethdcohen@gmail.com](mailto:bethdcohen@gmail.com) or 413-782-1622.

# Speaker Series

## Color of Law Roundtable

Created in 2007 by Professors Bridgette Baldwin and Sudha Setty, the Color of Law Roundtable brings attorneys of color to Western New England University to share their educational, career, and personal experiences with the School of Law community. The speakers give students an opportunity to ask candid questions about career choices, career challenges, and the decisions that the speakers made in response to those challenges. Roundtable speakers, many of whom are graduates of Western New England University School of Law, represent a wide range of practice areas and careers, giving students a firsthand look at the numerous possibilities a legal education can provide.

In the years since the Color of Law Roundtable began, speakers have included an Associate Justice of the Massachusetts Supreme Judicial Court, state legislators from Massachusetts and Connecticut, federal and state prosecutors, partners and associates at large and small law firms, government attorneys, academics, activists in non-governmental organizations, and many others.

The Fall 2015 speaker will be Rishi Desai (Class of 2009), who will speak at the Law School on October 1, at noon. Attorney Desai is the Director of the Business Law Department at the firm of Shah & Associates, P.C., located in central New Jersey. Please email Professor Setty to RSVP for the event ([sudha.n.setty@gmail.com](mailto:sudha.n.setty@gmail.com)), as space is limited. Lunch will be provided.



# Alumni Profile

**1. Name:** Kelvin (Kel) Thomas

**Graduation year:** 2014

**Employer:** Ford & Paulekas, LLP

**Areas of practice:** Commercial lending; Banking law; Commercial litigation; Contract disputes; and real estate based litigation.



**2. During law school, what kind of work did you do that helped enhance your skills?**

I secured an internship during my 2L year and 3L year of law school. Nothing prepares you better for actual practice than being in a law firm. The Small Business Clinic at Western New England University and the Transactional Lawyering Team were the most helpful ventures toward my professional growth in which I participated.

**3. What was the most difficult aspect in school and how did you overcome that obstacle/experience?**

The exams are not the most difficult part of law

school. The most difficult aspect is getting through all of the reading and staying motivated to do it all (especially when you have teacher that wants to assign 100 pages in a single night [Thanks Prof. Baker]. If a law student actually does their reading throughout the year, preparing for the exams will be so much easier. To help accomplish this, set up specific reading times and pretend it's a job. Be there on time. Also, break up the reading sessions. Instead of trying to read 200 pages in one night, read some right after class, read some more that night, and then finish up / review the morning of class by getting to school an hour early. It worked well for me.

**4. Are there any specific programs, committees, clubs that you suggest current students to join?**

Either for classes, studying, fun, networking etc. My most rewarding experience came by being on the Admissions committee. It's a big time commitment and you can't talk about the applicants to anyone, but the internal satisfaction you receive from the feeling that you are giving back to the law school and contributing to make your school better is awesome. Remember, the better your school looks, the better your degree looks. Protect the Shield!

**5. How did you network, or, if you didn't, how do you wish you had? How can students benefit from meeting other attorneys and others within the legal profession?**

One of the ways the ways you can network is by joining the student division of the bar associations. Most (if not all) are free and you can go and attend various events. Also, when the law school hosts events with alumni, make sure you're there! The Alumni want you to succeed because your success makes them look good too. Another way I networked was simply by participating on moot court teams. Alumni that came back to help made a lasting impression. One even offered my teammates and me internships.

~ *Continues on Page 17* ~



## 6. What is something you did or advice you were given that has helped you now?

#1. Review your notes. Even now, when I study a topic area and have to speak about it to a senior partner, I'll write the major learning points on an index card (even if I never use it). Before I call a client back, I'll review all of the recent emails sent between us. We receive so much information in a day that we have to make sure the important things stick.

#2. Always return phone calls and emails. Even if you do not have time to answer a particular question at that moment, send a message that you will work on it and get back to them later. Then follow-up. You'll gain a lot of respect.

## 7. Was there a class or area of law you studied that has proven particularly helpful now?

For the areas of law that I practice, Secured Transactions and Bankruptcy were very valuable (although pretty painful at the time). Every business attorney needs to know his or her way around the UCC. Secured Transactions will also help you on the state essay portion of the bar exam for most states, but no worries if you don't take it, your bar prep course will get you up to speed.

## 8. What class(es) if you recall, helped you the most on the Bar exam and what states Bar did you sit for? And do you have any advice for those about to take the Bar?

I should have read this question first! Obviously, all of the 1L courses and the 2L required courses are important. Outside of those, 'Wills Trusts & Estates' was valuable because you'll always get one of those questions on the exam. Secured Transactions, as mentioned above, is very important because you'll get an article IX issue as well. I received a family law question on both states' exams and I never took that class in law school. "Best Interests of the Child." I am licensed to practice law in both Connecticut and Massachusetts. This may sound neat, but now I have to become an expert in the Practice books for both states. Good luck with that.

As far as being successful on the bar, you should treat bar prep like a job. Get up. Exercise. Get dressed (avoid the "I'm wearing pajamas everyday because my life is so difficult look"). Eat breakfast (not just a cup of coffee). Go to the library or somewhere other than your home to study (too many distractions at home). Find a place where you can stay as long as you want. Eat lunch. Write your own notes. Review your notes. Do all of your MBE questions timed and give yourself less time than the bar exam gives you. Read from the big review book, not just the compressed review book. Relax at night. If you're working and studying for the bar,

you won't be able to complete your bar review course's plan. Make your own and make sure you cover everything at least once and focus on the practice MBE questions.

## 9. What was your favorite part of attending Western New England University School of Law?

Competing on Moot court teams. The hilarious professors.

## 10. Overall, how well did the skills that you learned in law school transition into the legal profession upon graduating?

I use the knowledge learned from my classes (especially the classes that touched on transactional law) everyday. Also, don't understate the value of simply being a professional. Simply showing up to class everyday, prepared to speak, and carrying yourself in a professional manner will directly translate to the legal profession (and every other profession in the world).

## 11. What surprised you most about Practicing?

Some of the law is more mechanical than I thought it would be. Some of the mechanical parts of the law entice you into making a lot of mistakes (be careful).

## 12. What has been your favorite part of being an attorney?

Getting paid (oops, was I not supposed to say that). Seriously, you'll have to wake up earlier than you did for law school and you'll actually work more than you studied. I think my favorite parts are the little closures you get. Cases can take a long time to come to completion, so I take a little time to reflect on each loan closing, or each motion granted, or even a successful client meeting. Taking pride in your work will lead to having lots of 'favorite moments'. And a lot of good reasons to go to Happy Hour for little celebrations (if you get off in time for Happy hour). (Disclaimer: I'm not promoting excessive alcohol consumption....)

## 13. If there were anything that you could tell current students today as advice for school, what would that be?

Try to step outside of your world and look at yourself and what's going on around you from a bird's eye view. You'll realize that school isn't that difficult because there is a plan already laid out to get you to where you need to be. When you practice, you'll have to develop your own plan. Talk to your professors and as always, your notes should be 1/3 your preparation from the night before, 2/3 your professor's notes. Draw that line down your page! (I still use it when talking with clients.)

# Closing Arguments

## “Gay Rights - Obergefell Is Not The End”

**On June 26, 2015, Justice Kennedy** delivered the majority opinion for Obergefell v. Hodges, a decision that decided marriage bans that excluded homosexual couples were a violation of the Fourteenth Amendment. **The opinion is considered a major victory for the gay rights movement and one that has certainly been hard fought and hard won.** However, marriage is not the only issue the LGBTQAI+ community is facing.

According to the ACLU, twenty states consider LGBTQAI+ members a protected class underneath employment discrimination laws. This includes transgender citizens, gender non-conforming citizens, and any individual who expresses their sexual orientation publicly. **Three states (Wisconsin, New Hampshire, and New York) consider sexual orientation a protected class, but not gender identity.** Two states (Arkansas and Tennessee) have banned employment non-discrimination laws outright. That leaves a whopping twenty-five states which have absolutely no discrimination protection for LGBTQAI+ citizens. Simply put? Let's say Susanne and Lucy can tie the knot at their local court house in Waco, Texas and post pictures of their ceremony on Facebook. Two hours later, Susanne and Lucy are terminated at both of their respective positions in the private sector. Four hours after that, they are issued an eviction notice. As it currently stands, there is no legal protection available for either of them as lesbian workers or tenants.

Employment and housing discrimination is not the only issue at hand, either. Transgender healthcare is a real problem, too. The Affordable Care Act mandates that insurers must accept pre-existing conditions. Fortunately for transgender citizens, “gender identity disorder” is considered a pre-existing condition underneath the ACA. Theoretically, this means hormone therapy and “gender reassignment surgery” should be covered underneath the ACA, which means insur-

ance companies cannot deny services to transgender citizens who wish to utilize them. The Human Rights Campaign has compiled a helpful list of health care providers who do offer transgender healthcare coverage to their customers.

The only problem is that the list is woefully small and varies from state to state. There is no specific anti-discrimination law on the federal level that protects transgender Americans, which means there is no specific law that forces states to authorize medical procedures to assist transgender Americans transition as they see fit. Some companies have authorized transgender healthcare procedures on a national level. Other companies are allowing state branches to make up their minds over whether or not they want to include transgender healthcare into their packages. This leaves a lot of transgender citizens left paying for healthcare out of pocket.

In short, **Obergefell v. Hodges is a landmark decision that has opened the door for more civil rights victories to come.** The right to marry is a battle that has been fought for decades by plaintiffs, activists, lawyers, demonstrators, organizers, and campaigners. It's a victory that should be celebrated, but don't put away your signs and flags yet. The LGBTQAI+ community is already gearing up for the next big victory celebration in D.C.

~ By: Chelsea Donaldson, 2L ~



# The Connecticut Bar Association: A Community of Lawyers That Will Help You Advance

## A Community of Lawyers That Will Help You Advance



For those of you reading this article, I congratulate you on your decision to attend law school. With this education, you will have more opportunities than most when it comes to determining the course of your professional career. But I know first-hand that the pursuit of a law degree is incredibly challenging both academically and in your personal life. The time commitments of school can affect personal relationships, make you feel like your social life has ceased to exist, and can lead to the constant stress of lingering student loan debt and an uncertain job market.

Fortunately, there is a community of people who know exactly what you're experiencing, and who are ready and willing to help you on your continued path to success—the Connecticut Bar Association's Young Lawyers Section (CBA-YLS). We are the association's largest and most vibrant group, and offer a number of resources to best assist you during your transition into the Connecticut legal marketplace. Are you considering starting your own practice, but need the training and mentorship to learn how to successfully do that? We can help you. Do you want to go to events where you can build your network, meet potential employers, and get connected with future clients? We help forge those relationships daily. Maybe you would like the chance to meet or have lunch with a judge or respected business person in your community. We provide opportunities for such access. The CBA-YLS organizes law-related, educational programming to help you be successful, as well as non-legal events that allow members to make a difference in their communities.

Law student membership in the Connecticut Bar Association and the Young Lawyers Section is completely free. You can join at [ctbar.org](http://ctbar.org) or by contacting the Member Service Center at (860)223-4400 or [msc@ctbar.org](mailto:msc@ctbar.org). I realize that studying, papers, and projects occupy much of your time now, but as someone who has walked down the path you are currently on, I can't express how large of an impact the CBA-YLS has had on my personal and professional life. Let us assist you in reaching your goals.

~ By Matthew Necci ~  
Chair, Connecticut Bar Association Young Lawyers Section



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Lex Brevis enthusiastically welcomes submissions from law students, faculty and staff, alumni, and other members of the legal community. Please send all submissions and inquiries to Amara Ridley at [Lexbrevis@gmail.com](mailto:Lexbrevis@gmail.com).



## Local News

U.S. Supreme Court Justice Sonia Sotomayor is coming to Springfield as part of the Springfield Public Forum Series on Wednesday, September 9, 2015!

## Upcoming Events

### Thursday, October 1:

There will be an Alumni Event recognizing the Hon. Katherine Robertson & the Hon. Mark Mastroianni. This event will be held at The Log Cabin in Holyoke, MA.

### Friday, October 2:

The 15th annual Students & Alumni of Color event will be held on the top floor of the La Quinta hotel in Springfield. Our featured speakers for that evening will be retired Chief Justice of the Supreme Judicial Court and Springfield native Roderick Ireland.

### Saturday, October 3:

The 20th Annual Supreme Court Review will be held from 10:00 am to 12:00 pm. Also, we will have an open



**Not Pictured:** Karina Ramos, Tyler Ingraham, Joe Poulsen, Mike Iovanna, Philip McPherson, and Richard Cipolla.