



# THE FinePrint

April 2013 | Volume 3, Issue 4

A publication of Lewis & Clark Law School Student Bar Association

## Environmental Moot Court brings Chief Justice of the United States, John G. Roberts, Jr.



Chief Justice John Roberts (center) Judge Anna Brown (far left) and Judge Diarmuid O'Scannlain (second from left) stand with student competitors and Dean Klonoff (far right) after the competition. **Photo: Kerry Davis.**

Lewis and Clark law students Meredith Price, Andy Erickson and Maggie Hall competed at the Advocate of the Year Competition at Lewis and Clark's Flanagan Chapel on Thursday, April 4, 2013. The team competed in the National Environmental Law Moot Court Competition this February, placing second to

Vermont Law School out of 72 other schools. Three prominent judges attended to judge the competition, including Diarmuid O'Scannlain of the 9th U.S. Circuit Court of Appeals, Anna Brown of the U.S. District Court for Oregon and John G. Roberts, Jr., Chief Justice of the United States Supreme Court. **Continued on page 8**

### In this issue

- I want to practice international law, now what? ..... 2
- Professionalism in social networking ..... 3
- Dean responds to US News ranking ..... 4
- Bon Appétit contract up for review ..... 5
- WRLC Offers Opportunities for Practical Experience ..... 6
- Fun Page ..... 8
- The Fine Print welcomes contributions from the entire student body.
- If you have written an essay or article that you would like us to consider for publication, please contact Jennifer Holley at [jholley@clark.edu](mailto:jholley@clark.edu).

## To fluoridate or not to fluoridate?

This is the question facing City of Portland residents this upcoming May, when voters will decide whether to add fluoride to Portland's water. Like many L&C students, I am not a native Portlander, so when the fervent debate came Benson-bubbling up in the media, my first thought was, "Portland does not

fluoridate its water?! My dentist is definitely going to make me transfer!" If like me, you too were astounded at the very notion of non-fluoridated water, that is not surprising. Almost all major cities in the U.S. fluoridate their municipal water supply and have for decades, as a public health measure to improve residents' dental health. Of the nation's 50

biggest cities, only Honolulu joins Portland as a fluoridation holdout. Public health proponents of fluoridated water point to its important benefits in preventing tooth decay. One organization, Healthy Kids Healthy Portland, cites Oregon's poor dental health rating (among the worst of all 50 states) as a compelling reason to **Continued on page 7**

## I want to practice international law, now what?

“Here in Portland, if you want to be an international lawyer, and you put it all over your resume, you will not get a job,” Paul Taylor of Paul Taylor Global Law Office in Portland said in a recent international practitioner panel on the Lewis and

Clark Law Campus. He explained that outside of immigration law, there are only 10 or so true international lawyers in the Portland area. Therefore, what can law students and soon to be lawyers do to break into a small market here in the Portland area? The three panelists including Taylor gave the following tips.

### Be flexible

All three members of the panel mentioned flexibility in finding a career in international law. “If you want to do public international law, be prepared to move and to do internships that don’t pay well or don’t pay at all,” said Dagmar Butte, an immigration attorney and partner at Parker, Butte and Lane Attorneys, PC. “It is really the connections that are invaluable. Talk to people, be friendly, be open and doors will open for you, and maybe not in the way you expect.”

Although law students are usually told to specialize in a specific area of law, Taylor said he does not think that is the best fit for those who want to practice international law. “I think I am about as close these days, during this time of specialization, to a general practitioner,” he said. Taylor explained that he deals

with tax, environmental, real estate and other various issues with his international clients. To him, this just lends credence to how important it is to gain broad experience as much as possible.

### Look for the international issues

All three panelists agreed that new lawyers need to find ways to work on issues that will eventually expand out internationally. “There are a lot of jobs in our government where you can gain the skills and then move back into the private sector where those are highly prized,” Butte said. So, even if the first job does not seem like it will lead you to dealing with international issues, gain the skills needed to perform for international clients.

“Many cases just do not seem to have a blatant international feel, but some have international issues, and a lawyer who is looking for those issues will find them,” Taylor said.

### Take advantage of the classes

After taking only one admiralty class during law school, Chris Helmer, a Lewis and Clark graduate and partner at Miller Nash, decided she should get an LLM. Her key to success

was having a willingness to take on any work that may have a connection to international issues. She said to take as many internationally focused classes as possible, while mastering whatever skills are required of you when you begin practice.

“A big problem is that lawyers do not know what the international issues are or how to recognize them, and so they miss opportunities to get involved internationally,” explained Helmer. This is why she would recommend that those who want to do international law take courses that have an emphasis or element of international law. Taylor suggested that it may be best to start in business law or litigation and then try to move into the international field.

For those who feel like they will never break into the international legal field because they love smaller cities like Portland, Taylor emphasized that international issues simply need to be recognized and addressed. Taylor explained, “As the world continues to grow smaller everyday, which it does everyday, it is difficult to not be involved in some way in international issues.”

**Bryce Kunz**

## The Fine Print

### Lewis and Clark Law School

10015 SW Terwilliger Blvd.  
Portland, OR 97219  
[http://law.lclark.edu/student\\_groups/student\\_bar\\_association/](http://law.lclark.edu/student_groups/student_bar_association/)

**Editor-in-Chief**  
Jennifer Holley

**Managing Editor**  
Amanda Johnson

**Layout and Photography Editor**  
Christine Zenthoef

**Copy Editors**  
Zachary Dorn  
Anna Marie Gulotta  
Jay Johnston  
Joel Reschly

**Staff Writers**  
Mary Bodine  
Noam Amir-Brownstein  
Patrick Dennis  
Ann Gong  
Wynn Heh  
Bryce Kunz  
Joanna Lau  
Nikki Pritchard  
Nicole Schaefer  
Richard Sohler

**Photographers**  
Rachel Jo Chen  
Sarah Wright

# Professionalism in social networking: How does Facebook affect your future legal career?

Can your posts or pictures on Facebook affect a reference's willingness to provide the state bar a recommendation?

five employers check social media when looking at a potential employee. An additional 11 percent said they would like to begin

applicants, and some employers have demanded access to the applicant's Facebook and related pages. Setting aside the lawfulness of the

latter, law students should assume that whatever they post on social media or send in an email will be public information, and it is virtually impossible to permanently delete," says Glick.

the front page of the New York Times for the next 50 years." Lewis & Clark Law Professor Janet Steverson also avoids social networks but knows that she would "seriously question the judgment of someone who posted information that reflected negatively on that person, e.g., getting drunk at a party." Glick personally admits that he may judge someone negatively or positively based on what they share on social networks

if it reflects poor judgment or a lack of sensitivity. Students should especially be careful with editorial commenting. "For example, if an applicant thinks an interview went poorly or that the

interviewer was an idiot, best not to say that. Although truth is an absolute defense in a libel action, that is not the case in a competitive job market."

Editorial commenting may also include complaints about law school. "Employers look for employees who are positive, trustworthy, and who have good character outside of the workplace," says Lewis & Clark Law Professor Sandy

**Continued on page 6**



Will a potential employer turn you down after reading those 170 character Tweets you send out with your Smartphone while waiting for the Pioneer Express? When you complain about a professor using social media, does this negatively impact how an employer evaluates you? How about the law school parody YouTube video you uploaded? A survey of more than 2000 hiring managers and HR professionals conducted by Harris Interactive in February of 2012 found that 37 percent or nearly two in

using social media to screen new employees. In this culture of over-share, budding professionals often find it difficult to navigate the ins and outs of social media etiquette when trying to secure a job. "To some extent, this is a generational issue," says Richard Glick, partner at Davis Wright Tremaine. "Younger people tend to be much more comfortable with social media and much less concerned with privacy than older people." This willingness to share, however, has its pitfalls. "Many employers (and clients) scour the Internet for information about ap-

**"Law students should assume that whatever they post on social media or send in an email will be public information, and it is virtually impossible to permanently delete."**

Not all employers look to Facebook for guidance in hiring, a practice that may also be indicative of a generational divide. "I don't pay attention to them [social media] in hiring or otherwise," says Oregon Appellate Court Chief Justice Rick Haselton. "My advice on that score would be limited to the classic (and invariably ignored) parental advice of 'never post anything that you wouldn't want to see republished on

## Dean responds to *US News* ranking

One hour after *US News and World Report* released its annual ranking of the top law schools in the country, Dean and Professor of Law, Robert Klonoff, sent L&C students an email with the news. “I wish I could report happy news, as I have done for so many years. Unfortunately, we dropped from 58 to 80,” he wrote. Klonoff, who has always valued transparency in his administration, held two events with students just days after the report was released to discuss the impact of the drop in ranking. During Klonoff’s tenure, the law school’s rank has soared from 82nd in 2007 to 58th in 2012. This year’s report, which was released in March, ranked L&C 80th overall along with five other schools including: Brooklyn Law School in NY, Catholic University of America (Columbus) in Washington, DC; Michigan State University; University of Cincinnati, in Ohio; and University of Hawaii—Manoa (Richardson) in Honolulu. The race for a top tier spot was tight. The six schools that tied for 80th received 41 out of 100 points. The schools that ranked 58th (where L&C ranked just

last year) scored 46 out of 100 points.

This year, unlike past years, the rankings of the 194 law schools fully accredited by the ABA included job placement criteria that examined employment rates at graduation and nine months after graduation. Despite a low score in this area, the school remains strong in many of the other fundamental criteria such as reputation among peers, lawyers and judges and selectivity. Further, L&C’s specialty rankings remained strong. The school’s environmental program ranks 2nd and the evening program ranks 9th. The specialty programs are ranked solely on nominations by legal educators at peer institutions.

Klonoff says finding out about the decline was “truly disappointing” but he does not want students to focus too much on the rankings. He remains extremely committed to the school and says his job as Dean is one he does not take lightly. “I came back [to Portland] for this job,” he says, “This is my capstone, not a stepping stone.”

To a packed classroom of students, Klonoff said that he was not there to “spin” anything or “bury” it and

wanted students to be aware of all the measures the school is taking to address the concern over the rankings and job placement.

Klonoff says one of his first priorities is to decrease

**Klonoff, who has always valued transparency in his administration, held two events with students just days after the report was released to discuss the impact of the drop in ranking.**

the class size. This year’s graduating class is about 250 students but he has approved a budget that has a class size of about 190 students. Decreasing the class size will have an estimated \$1.7 million impact on the budget. He says officials are still trying to figure out how to make that work. He says one of his priorities is to avoid layoffs, instead focusing on encouraging voluntary retirement and other measures.

Next, Klonoff says the school is trying to address the rising cost of tuition. He says that while compared to other schools, the yearly tuition at L&C is on the low end, but he thinks it is still “too high.” He says the school had only a three percent tuition increase last year, which is

the smallest increase the school has had in the last 20 years. He wants to work towards a tuition freeze.

Klonoff also addressed the issue of faculty raises. Currently the budget allows for faculty raises up to three percent but Klonoff says that is not automatic and any raise ultimately must be approved

by him. He says that while students have expressed concern about faculty raises during such a difficult time, he is not dismissing the idea of providing raises to deserving faculty. “There is a huge risk of losing great faculty if they feel their salaries are frozen,” he says. “We have to remain competitive or else we will lose what makes this such a great institution.” He says senior faculty salaries are already on the low end compared to other institutions, with some faculty making \$100,000 less than what they could at other schools.

Klonoff says the school is also working to address the issue of job placement. The school has allocated resources to help students

**Continued on next page**

**US News rankings, continued from previous page**

interview for positions out of state, expanded the externship programs available to students to better prepare them upon graduation and has expanded the mentoring program in an attempt to bring more students to rural areas of the Pacific Northwest.

Klonoff says some of what the school is doing is marketing in nature. The school created two new positions focusing on alumni outreach. He says these individuals are personally calling alumni in the area to see if they have or know of jobs avail-

able. They are also asking alumni to be mentors or provide other support to help recent graduates launch solo practices.

Libby Davis, Associate Dean of Career Services & Alumni Relations, says that most first year, entry-level legal positions are never advertised. She says firms usually fill these positions through word of mouth, so having strong connections is one of the biggest things to landing a job. She says the new alumni outreach positions will help students with the networking process. While the school will be focusing on all areas of the Pacific Northwest

including the Portland-metro area as well as more rural areas of Oregon, both Davis and Klonoff advised students that if they were willing to move outside of the state, they might be more successful at getting a job. "If you tell me you want to stay in Oregon, I will move mountains to help you find a job in Oregon," Klonoff says. "But if you are willing to look outside of Oregon, there may be lots of opportunities available."

Davis also says that even more than class rank, having geographic flexibility will help the most in this economy. She also encour-

aged students not only to look outside the state of Oregon, but also to diversify the types of jobs they are willing to consider.

Klonoff, who rarely uses sports metaphors says, "We had five Super Bowl seasons and now one off season does not doom us as a team or as a school." He says the economy is not only hitting the legal profession but is difficult across the board. "We will ride out this period of time," he says. "Each and every one of you will get satisfying work," he says, "It's just taking a little longer, but it will happen."

**Amanda Johnson**

## Bon Appétit contract up for review

**D**avid Kelley, Assistant Dean for Administrative Services, says the school is in negotiations with Bon Appétit for next year's contract. The food service company, which has the exclusive right to serve food in all public spaces on campus, operates several dining facilities around campus, including four at the undergraduate campus and one at the graduate school. Some students at the law school have expressed concern about the lack of variety in campus dining and balk

at the company's exclusive right to serve food, citing a need for different vendors and cheaper catering prices. Kelley says, however, the law school has almost no negotiation power with the company because the bulk of the contract involves the dining program and meal plans for the undergraduate school. In fact, he says the grill operated by Bon Appétit at the law school loses money for the company. Yet despite the lower revenues from the law school, Kelley says Bon Appétit has always been willing to

work with him to address student concerns. He says they created the food waiver in response to students' concerns that Bon Appétit was too expensive to cater student group events. While the food waiver is not in Bon Appétit's contract, Kelley says the waiver was a mutual agreement between the college and the company in response to those concerns.

Kelley says Bon Appétit is always working with him to find ways to be more efficient at the law school campus. He says Bon Appétit loses about \$9,000

each summer to stay open at the law school. In order to continue to provide food service at the grill, the law school would have to subsidize it to stay open. Instead, Kelley says the school and Bon Appétit mutually decided the grill would close during the summer, and instead the law school would bring a food cart to serve the law campus. Kelley says both the company and the school were concerned about the best use of student funds. He says the school plans to bring food

**Continued on pg. 7**

## WRLC Offers Opportunities for Practical Experience in Natural Resource Advocacy

With law students being hard-pressed to find means of gaining legal experience throughout law school, the Western Resources Legal Center (WRLC), a non-profit organization located in Portland, has been doing its part to help students gain practical experience in legal advocacy for natural resource users. WRLC is the nation's first clinical internship program and has been active at Lewis & Clark for the past six years. Interested 2Ls and 3Ls, under the supervision of the WRLC's Executive Director Caroline Lobdell or a staff attorney, interview and counsel

clients, conduct fact investigations, problem-solve, draft documents,

**WRLC is the nation's first clinical internship program and has been active at Lewis & Clark for the past six years.**

negotiate agreements, and represent clients at administrative hearings, trials and appeals.

Working with the WRLC requires an application process and there are multiple experiences available depending on the type of placement. For example, in the WRLC Internship course, the student works internally on WRLC cases directly with a full-time attorney. This course not

only provides experience but also has a paper requirement that can satisfy the WIE.

Additionally, there are field placements where students work directly for legal counsel for a natural resources organization. There are a variety of organizations that students can get involved with, including the American Forest Resource Council and the Oregon Cattlemen's Association. The attorneys for the course often come from local firms such as Dunn Carney, Haglund Kelley and Perkins Coie. This allows students to gain

invaluable experience in a firm setting throughout their enrolled semester.

The third type of experience offered by WRLC is an advanced two-credit course where the advanced student assists in teaching the WRLC Internship course. Students interested in more information can find it at <http://www.wrlegal.org/students>.

In a time when finding practical legal experience is becoming more and more difficult, it is a change of pace for the WRLC to offer these hands-on courses which can help better prepare students hoping to pursue careers in this field.

**Noam Amir-Brownstein**

---

**Professionalism in social networking, cont. from pg. 3**  
Patrick. "A lot of negative postings, whether about classes, professors, [or] work experiences[...], may signal that you will bring a negative vibe to the office. No one wants to work with someone who complains or criticizes."

Other students personally may find fellow students' shameless self-promotion

about good grades or successful interviews to be irritating and insensitive, but employers seem to be a little less judgmental. District Court Judge Angel Lopez refrains from using social media but "see[s] no harm in some self-promotion in issues pertinent to education or work." Steverson disagrees. "Unless a person's Facebook was limited to family and close friends, I see no

reason to share news about jobs, interviews, or grades. I do not know why anyone, other than a person's family or close friends, would want to know that information." Irritating your peers may not be wise either; they may not be in charge of hiring you now, but you may run into them in the future. The general rule of thumb is to consider if your post will be embarrassing to read on

the front page of a reputable newspaper. Patrick offers guidance. "You cannot control what happens to information after it is posted, but you can always control what information you post. Take a minute and think about the material you are posting. If you would be embarrassed for a professor, a colleague, or an employer to see it, then do not post."

**Ann Gong**

**To fluoridate or not to fluoridate? cont. from pg. 1**

fluoridate. However, water is not the only way to consume fluoride. Toothpaste, fluoride-enhanced foods and fluoride supplement tablets are all effective ways of getting the benefits of fluoride.

Nevertheless, what makes fluoridating the water supply so important, proponents say, is that it reaches so many more people.

**Clean Water Portland takes issue with the type of fluoride that the City of Portland proposes to add to its water... it is a by-product of fertilizer production and tests have revealed that it contains arsenic, lead and other contaminants.**

Poor residents may not be able to afford fluoride tablets or corrective dental procedures, but they will drink the water, and if it is fluoridated, they will drink to their dental health.

So, what is the big deal? If most cities in the U.S. have been adding fluoride to their water supplies for decades, why doesn't Portland? Opponents to the measure, like Clean Water Portland, point to several reasons why an activity is not necessarily a good idea just because it is widespread. Clean Water Portland takes issue with the type of fluoride that the City of Portland proposes to add to its water. Fluorosilicic acid (FSA), it says, is not the same grade as the fluoride in toothpaste. Instead, it is a by-product of fertilizer production and tests have revealed that it contains arsenic, lead and other contaminants.

In addition to the possibility of contaminants

in the water supply, the organization points to other adverse health risks, including possible interference with brain functioning and increased cancer risk.

The organization also points to less risky ways of improving dental health, such as better access to dental care. One concerned resident, Zia McCabe, finds fluoridation unethical and akin to "mass medication." She says she was outraged when the issue was initially proposed without a public vote.

Opponents and proponents remain deeply divided over the fluoride issue. As for me? I would



Zia McCabe, a concerned Portland resident, considers fluoridating water to be unethical and akin to "mass medication."

like to say that as someone who grew up in a city with fluoridated water, I experienced a blissful and "healthy-toothed" childhood. However, I had more cavities than birthdays by age 10, but have had none since moving to Portland. With disagreement and strong campaigning on both sides of the debate, it will be interesting to see how Portland residents vote on May 21.

**Joanna Lau**

**Bon Appétit contract, continued from pg. 5**

carts back to campus this summer, and possibly in summers going forward, and to keep Bon Appétit closed at the law school. Bon Appétit continues to operate during the summer months on the undergraduate campus.

Kelley says there is no plan to bring in additional vendors to the law school campus, but this is merely because the school does not have the space for it. "Our kitchen just wasn't designed for it," he says and he doesn't think the school's population is

large enough to support multiple vendors.

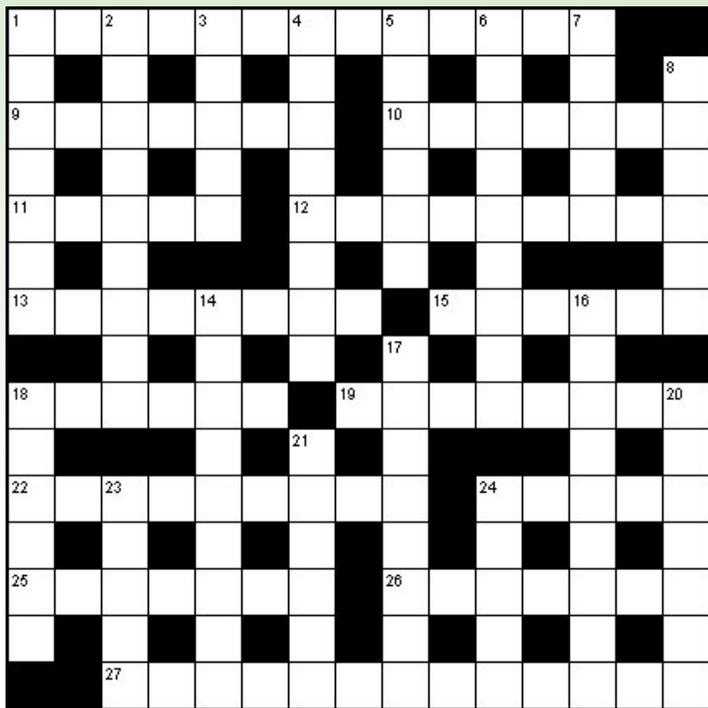
"With 700+ people, they can't meet everyone's hunger desires on a given day," Kelley says, but he does think the company is trying. He says Bon Appétit initiated "Meatless Mondays" at the request

of students and brought back a cheap-eats staple: rice and beans.

"Students can always share their concerns," Kelley says, "and I will always see if there is something I can do about them."

**Amanda Johnson**

## The Fun Page



source: www.freecrosswords.net, set by: Alberich

### Across

- 1 Prize winner gets golden ring exchanged after initial refusal (5,8)
- 9 Migratory bird from 6 is returned to centre of perch (7)
- 10 Raise level of a GCSE pass (7)
- 11 The trunk contains a tonne approximately (5)
- 12 A drip almost paired up with staggering blonde in 8 tournament (9)
- 13 Skillfully captivates girl, acting thus? (8)
- 15 A former college professor studied chiefly coelenterates (6)
- 18 A measure of medicine after party is wise (6)
- 19 The Blues requires playing old instruments (8)
- 22,8 A general request to appear in court? (6,3,6)
- 24 A student member causes panic (5)
- 25 Greek character in a spot with height indicates part of horizon (7)
- 26 One chanting in male voice, misplacing vowels (7)
- 27 Removes all complexities from unfinished diary scientist scribbled (12)

### Down

- 1 Victorious at 12 in 1998 after Antonov exploded (7)
- 2 See 16
- 3 Give money to German for game (5)
- 4 A strong rising tide submerging Henry's animal (7)
- 5 Regions about to be given aid (6)
- 6 Cake eaten by Gabriel? (5-4)
- 7 One leaves Daniel frolicking with antelope (5)
- 8 See 22
- 14 Legendary seamen have a gas with heartless relatives (9)
- 16,2 "Surely you jest?" famously heard at 12 - you see ban on court is a possible outcome (3,3,3,2,7)
- 17 Attendant at 12? (8)
- 18 Tense situations arising when Mum's relocated in Indian city (6)
- 20 Girl's taking on politician victorious at 12 in 1998 (7)
- 21 Hound a citizen (8)
- 23 It was once torn apart in year 506 uprising (5)
- 24 A lofty Greek? (5)



### Environmental Moot Court cont. from pg. 1

Court. The moot court problem centered around a golf course developer that caused disruptions in bodies of water. As a result, the EPA took action and a homeowners association sued over increased flood risk. All three candidates held their composure and responded directly and respectfully as the three judges hurled difficult questions and analogies at them. Although all performed exceptionally, the title of Advocate of the Year went to Price.

The reception afterward allowed students and the public the opportunity to socialize and meet the judges and competitors. Both Roberts and O'Scannlain were open to meeting and speaking with students. In addition, Roberts dropped in on several Lewis and Clark law classes earlier in the day. He received a class roster in advance and called on students by name. Of the many events and opportunities available in law school, this was truly one to remember.

**Jennifer Holley**

**Above left:** Students converse with the Chief Justice at the reception following the competition. **Below left:** The panel considers the legal arguments presented by Price, Erickson and Hall. **Photos by Kerry Davis.**