

# Student Bar Association- Lewis & Clark Law School

## *General Assembly Agenda*

**Meeting Date:** November 10, 2013

**Meeting Time:** 3:00 PM

**Meeting Location:** Wood Hall, Room 8



- 
1. Welcome.....3:00-3:05
  2. Approve Minutes for October Agenda.....3:05-3:10
    - Passed
  3. SBA Masters of Legal Studies Representation Proposal .....  
*Laura Stewart*
    - Here to propose representation for the MSR program for the SBA
    - It's a part of the Environmental Law Program on campus
      - o It has become a formalized course
      - o The candidates are the same as the LLM program
      - o Suggestion was to combine the LLM and MSR program, since there are only 3 students; in both programs there are 15 students total
      - o Supplemental courses are similar to the Environmental Law program
      - o At this point, splitting the two seems redundant
        - There is a student picked out to serve as this representative
      - o There was a discussion with the LLM students
        - They already have representation but they are inclined to make this happen
        - There are about 3 students
    - Linli:
      - o The Rules Committee would have to set out the specific language of the responsibilities of the representative if we are going to combine them
      - o Motion for debate?
        - No motions
      - o Comments:
        - Samantha: if MLS students' tuition is a part of the SBA fund, then it makes sense to have them represented
        - Regardless of whether we consolidate it or create a new one, we should at least have some sort of representatives available
      - o Motion for open debate: seconded
        - Alex: these students can run for all of the SBA positions, we don't have a representatives for all of the groups so there are lots of people that aren't represented but they do have the opportunity to serve on the SBA
        - Anna: 15 people is a significant number for representation
        - Kyle: how would it be problematic for one person to serve both groups?
          - Linli: an LLM student is someone who has their JD
          - MLS students are not getting a JD and they are here for a 1-year program.
          - The commonality for the Environmental one, they are very similar; both programs are administered by Lucy Brehm and Janice Weiss

- Samantha: I don't remember the qualifications so we don't know if the bylaws allow MLS students to run for SBA office
  - The way the bylaws are set up is that any student can run for any position—you don't need to be a JD candidate to run
- Andrea: we should welcome all students to be a part of it
- Ron: If we have someone who wants to help out, it would be foolish for us to deny them
- Kya: it's a revenue generator and it's a very successful program in other schools like Vermont. It's something we might want to get ahead of the curve with. It makes sense not to split them up at this point but to have both
- Kyle: move to combine the MLS representative with the LLM representative
  - Seconded
  - Rules Committee will be convening to draft appropriate language in the bylaws

4. Notice on Name Change for Christian Legal Fellowship

*Adrienne Lattin*

- Point of information: President of former CLF
  - Changing name, keeping a lot of the mission the same
  - Changing the name to focus: International Justice Mission
    - Focused more on human trafficking
    - The budget is the same, the board members are the same and the name is more inclusive

5. Mock Trial Request for Help

*Samantha Valdovinos*

- Information about jury volunteers

6. Petition to Allow Use of Presidential Discretionary Funds for 1L Student Representative Orientation Dinner

*Linli Pao*

- Pursuant to the bylaws, the GA must be asked to allow Linli to compensate for the money spent
  - Direct Vote: Passed

7. Bylaws Motion for Removal from Office due to Unexcused Absences.....

*Christina Yoon, Daniel Housley*

- Christina Yoon: missed first meeting because of some confusion
  - Second absence was because she was in Canada
    - Given notice of the second meeting but did not hear back
    - I have read the bylaws and there shouldn't be any more confusion
    - Kya: what internal committees are you on?
      - Events and Rules
        - Wasn't able to do any work on both committees—emailed both chairs but never heard back
- Dan Housley: Missed the first meeting, it was his mistake
  - Second meeting was missed because of the mistake in the subject of the email which was corrected with a follow-up email within an hour
  - Still interested in serving on SBA
  - Has not been to any other internal committee meetings
    - Kyle: so you want to continue serving as the SBA representative on both your internal committees and your external committees?
      - As far as the external yes, but hasn't been receiving any emails for the internal committees. Will make efforts to get into contact with them.
      - Attended all external meetings.

- Motion to expel both members
- Motion changed to retain both members
  - Seconded
    - Motion to debate retaining both members
      - Alex: both want to continue serving, in spite of what we have heard about their issues, it would make more sense to retain them
      - Kya: I would like to hear more from the Chair committees about those communications about attendance. The involvement with the internal committees are important
        - Nikoo: no responses received from Christina or Dan
        - Victor: there was one instance when I spoke to Christina regarding the Halloween Party
      - Linli: spoke with external committee chairs and had some extra information about the issues
    - Kyle: move to amend the motion (retaining both members) to with the understanding of no further absences from either GA meetings or unexcused internal committee meetings
      - Seconded
      - PASS
    - Victor: in the planning of the Halloween party, there were a few people who did the majority of the work. it was the single most important event and the following events will be less demanding so I don't agree with retaining for at least my committee.
    - Jon: if there is an excused absence, it seems unfair that they wouldn't be invited back
    - Sam: if Christina is attending the Admissions Committee meetings, then that's a lot of work. If she is doing that at least, that's very important
    - Alex: move to add external committee meetings to Kyle's motion
      - It's important that our representatives are respectful
      - Seconded
      - PASS
    - Kya: there are certainly committees that will need help in the upcoming semester. Can this be a suggestion to have them add to that committee (transfer) for a committee that will continue to be active and working the rest of the year.
      - Nothing enforceable, just a suggestion
      - Motion to make the amendment to the current motion that they can transfer
        - Seconded
        - PASS
        - One opposition
    - Natalia: Sarah: maybe we create a situation in which they don't get as much out of it as the rest of us are getting, like the transfer issue
    - Kyle: moving to previous question
      - Motion carries
    - All in favor of passing final motion:
      - PASS
      - Two oppositions

## 8. Resignations

*Andrew Henning, Kya Marienfield, and Samantha Valdovinos (alphabetical order by last name)*

- Drew resigned earlier this week
- Kya: resigning for externship
- Sam: resigning for externship

- Took floor for thank you
- Anna: what is the procedure for replacement
  - Linli
    - These resignations are effective at the end of the semester
    - We can also have a school wide election instead of appointments
- Orders of the day

## 9. Victor Mercado

### *Halloween Party Recap*

- Presentation of documentation showing the costs of the Halloween Party
- We performed significantly better

## 10. Proposed Budget Adoption for Fall 2013

### *Charles Malmsten*

- Linli: if these do not get passed today, the IBC will be meeting again and we would have to approve their suggestions in January
- Our decision effects students groups
- Kyle: open to approve budget
  - Kya: opposition, open up debate
  - Kyle: point of order
    - This might be steamrolling the approval process but in the interest of time and efficiency and accepting things for what they are, but I would like to get the process going so that student groups are not further deprived
    - Kya: request for information: How are we be at a negative, we weren't at a negative when it we met during every meeting. How were the cuts applied?
    - Charles: we looked at the events that were already taken into action (huge events v. small events). In the end, there was an excess of budget but we then became aware that three groups were not included. I applied those budgets to the best of my ability
    - Alex: concerned about the fact that there was an equitable process which involved the entire IBC, I take issue with the discretion that Charles took to add the three additional budgets
    - Charles: The budget will be rolling over so that it won't be a loss of funds. The guidelines still apply
    - Ron: given the situation with the resignation, I think Charles has done a great job
      - Motion to pass budget
      - PASS
      - One Abstention

## 11. Travel Stipend Reimbursements

### *Charles Malmsten*

- Convened last month
- Receipts given by each requester
  - Leland: \$93
  - Mushaboom: \$550
  - ACLU \$260 registration fees
- For the entirety of the year, we have \$1500 for travel stipends
- We are requesting \$903 for travel stipends
- All events were advertised to the entire student body
- Anna: move to approve all
  - Kya: recommends the budget

- Kyle: seconded to Anna's motion to approve
- Nathan: objection
  - The Rules Committee specifically required clear presentation about the events that we are funding.
- Charles: the ACLU registration fees: the reimbursement was for the \$65 fee to register. The speakers had experiences with unionizing Wal-Mart and various fast food chains. It was beneficial because students were able to get insight regarding union and employment law.
  - Alex: is the travel fund open for any legal gathering in Portland?
    - Linli: we don't have express language prohibiting it in the bylaws so that's something the IBC needs to address. Or the GA can address it in new business.
- Charles: For Leland's request: it was put on by Oregon Criminal Lawyers Association. He requested this amount for gas expenditures. The interest was on immigration and criminal defense.
  - Mushaboom: great opportunity for students to go out into the environment.
    - Kya: some of the amount will be returned to the SBA group's funding.
- PASS
- Two Oppositions
- One abstention

## 12. Dean's Discretionary Funds and Other Funds

*Linli Pao*

- Klonooff is inundated with discretionary requests from student groups
- In terms of the travel funds from the discretionary funds, he has swapped out the funding for the discretionary funds to a different fund which is more limited.
- We have enough money to grant 12-15 more students for travel for the rest of this semester
- He has allocated the CPDC with a fund that we can use
- Kyle: who is the person to contact for these matters?
  - Linli: there's no real contact. Klonooff is just saying that there are so many of them so he does not want to receive so many requests.
  - Derek: what do you think the best way to handle this is?
    - Linli: to communicate with the students about reasonableness
    - Motion to email the student groups
      - Seconded
      - Motion carries

## 13. Gantenbein Water Bottle Filling Station Proposal

*Andrew Bogle*

- Approached by a number of students regarding the lack of a water station in Gantenbein.
- Proposal to support the motion to allow him to go to facilities with SBA's support to have a water bottle filling station
  - Derek: move to have Andrew communicate with facilities regarding this issue and report back to the executive with any updates that he see fit.
    - Seconded
    - Linli: move to amend motion to include something about funding.
      - Ryan: you can talk to me about that, it'll be easy to get that figured out because the Sustainability Council has some funding.
      - Motion passes
    - Andrea: amend the motion to include news about this issue specifically.
    - Motion Carries

#### 14. External Committee Reports

Justin Withem: *Updates from the Curriculum Committee (Diversity Initiative)*

- Curriculum committee has discussed the proposal from the NLG and a combination of diverse student groups with the ultimate goal of addressing various diversity issues
- The curriculum committee so far has solicited support pending some corrections
- We are bringing this to the SBA to ask if there is any support or objections to this general proposal (maybe it'll be better to read the proposal and discuss it at the next meeting)?
- Kyle: Request for information: is there a contact person on the campus who distributes diversity concerns?
  - o Justin: that hasn't been established yet. My idea is to join the diversity working group to have that faculty support
  - o Victor: J.B. Kim would be a good person to funnel that through because has more contact
  - o Kyle: move for the SBA to endorse Justin Withem's pursuit of a resolution to generating a medium for collecting anonymous concerns to share with the Diversity Work Group and Curriculum Committee Representatives or other appropriate entities within the law school.
  - o Seconded
  - o Motion Carries
- Kya: do we have any updates regarding the Indian Law Program?
  - o Jon: there was a letter that was generated by students that was signed by a number of people both within and outside of the school showing support of the program
  - o The response was that it is being taken into consideration and there is meeting taking place with one of the main donors.

Kyle Johnson and Alex Tinker: *External Budget*

- There is a shortfall with enrollment
- There is a 2% tuition increase, which has been the lowest increase
- The amount of applicants is also expected to drop
  - o This will create more issues with meeting the tuition expectations
- Kyle: the budget committee is doing their best to address these concerns that are facing the entire legal education industry (mainly regarding dropped rankings and keeping a reputation)
- This is going to be a continued challenge in future years
- I will happily provide more information regarding this matter to all those interested
- Alex: Jennifer Johnson is the candidate at the time to step in as Dean
- Linli: what does this mean for SBA cuts
  - o Alex: it has not been brought to the table yet

Ashley MacDonald and Sierra Philips: *Faculty Committee*

- Sierra: there's not a lot we can say due to confidentiality issues
- Ashley: Professor Mandeburg is leading the whole process
  - o Professor Johnson is the main candidate
  - o There will be a panel
    - We're planning on questions being presented beforehand anonymously
  - o Then Professor Johnson will step out of the room for deliberation
- Anna: will you and Sierra be chairing that meeting and are you confident in your abilities to do that?
  - o Ashley: yes and yes
- Kyle: what is the timeline?
  - o Ashley: we are looking at doing this quickly, not certain about the long range but there is a sense of urgency.

Victor Reuther: *Hiring Committee*

- No information for the body

Question for the next health rep: is there a proposed healthcare plan for next year?

- Dan: we have not yet brought that up

## 15. New Business

### - Elections:

- The issue is whether to hold elections for the vacancies now or in the Spring?
  - Kya: point of information: how would it work if we don't do this now and in the Spring itself?
  - Sam: last year, when I ran for the position of admissions committee representative, it was held in the Spring and the SBA GA voted at a meeting to approve that
    - Linli: so one option is to do a Spring selection prior to Spring
      - Another is to do it once the semester starts
      - Another is to do it now
    - If we do it now, there is no contingency plan
    - If we do it now, we might not have anyone running. The upside would be to have the current positions orient the incoming students
  - Kya: another option is to have statements sent out to the exec board and the GA will vote. That would be my recommendation. Linli: we can no longer do that since we changed it last year. I can no longer appoint anyone except for the executive board.
  - Linli: we need to figure out how to coordinate this?
    - It needs to be put on the website and the roles need to be made very clearly
    - Andrea will volunteer to put the relevant information on the website.
  - Nathan: it seems as though the elections committee can accommodate to certain circumstances.
- Alex: motion to A) make an announcement to the Student Body that the positions are open and B) that the elections committee collect those names and C) the elections committee along with the GA is to pick among those people (by a vote).
  - This can be done through email
  - Kyle: request for information regarding B)
    - Alex: those names are generate on a Google doc and the GA along with the Elections Committee will make a vote
    - Kya: volunteers help to the Elections Committee
    - Kyle: Request for information on C) –that elections committee will be voting via email
      - Amendment made
    - Nathan: this should all be coming from the Elections Committee and it shouldn't be put in the motion
      - We'd have to leave it up to them to make the decision regarding the up/down vote
  - Linli: before we pass this, we need to know who is going to do what.
    - Announce account email: Kya
    - Ballot on voting:
    - Nathan: this is the job of the elections committee and it involves the procedure of the elections
    - Sam: last time, no one helped me except for Andrea and I don't want that to happen again.
      - Nathan: you can delegate to the entire GA if you want. And we can all volunteer but we can't create the process that it's going to look like
    - Kyle: request for information:
      - To Sam: how many members are on the elections committee



Group Name	Amount Granted	Amount Requested for Fall
ACLU	347.98	477.98
ACS	450	795
APALSA	350	475
BLSA	437.5	567.5
Brewers Guild	125	800
Business Law Society	475	475
CATS	187.5	625
Christian Legal Fellowship	200	200
Criminal Law Society	150	300
CVRA	450	560
EASL	350	500
EJA	300	550
ELS	400	760
Environmental Law Caucus	510	630
Family Law Society	330	342
Fed Bar	100	200
Fed Soc	357	1057
International Law Society	456.45	777
IPSO	675	881.45
Jewish Legal Society	400	550
Latino Law Society	448	848
Law Revue	0	0
LSRJ	400	1450
Minority Law Students Assoc.	808	1468
Native American Law Stud. Assoc.	320	320
NEDC	2300	2850
NLG	500	700
OutLaw	610	710
PDP	400	750
PILP	650	700
SABER	350	600
SALDF	450	1025
Scales of Justice	400	1900
Secular Legal Society	370	1230
SIEL	375	454
Soccer/Futbol Club	375	641.8
Softball	400	750
SSDP	150	300
Student Family Society	540	632
Student Trial Lawyers' Association	250	450
Women's Law Caucus	270	400
Total	17417.43	29701.73
Budget	15000	15000
Remaining	-2417.43	-14701.73

## Lewis & Clark Student Chapter – National Lawyer’s Guild

April 10, 2013

### Curriculum Committee Lewis & Clark Law School

Re: Curriculum Diversity Initiative

To the Curriculum Committee:

We are writing to express our desire to see Lewis & Clark lead other law schools in the development of a long-term initiative to better integrate diversity education into the school’s legal training in order to prepare Lewis & Clark students to be professional, knowledgeable advocates in a diverse world.<sup>1</sup>

The National Lawyers’ Guild’s mission is to safeguard the rights of people marginalized by poverty and discrimination and to effect structural change to vindicate people’s rights. To that end, our student group has attempted to stimulate discussion on campus about the inherent injustices of our legal system, which we believe is built on and still serves a majority culture. We feel that learning how to recognize issues of privilege, bias, diversity, and discrimination is a critical professional skill for all new lawyers – not just those lawyers who seek out such education in extra-curricular forums. We see diversity education as both a tool of professionalism and a value unto itself that has intrinsic importance.

Our own experiences and stories shared by our peers make it apparent that students sometimes feel unsupported in raising gender, race, poverty, or other social issues in their classes. A recent survey conducted by the school confirmed that students of color in particular feel uncomfortable raising race and ethnicity in their classes, despite a desire to discuss the implications of race and ethnicity in the law.<sup>2</sup> We want to feel comfortable talking about these issues with our peers and professors, learning to have frank discussions

---

<sup>1</sup> This issue is separate from admissions diversity, although the inclusion of many viewpoints in our school community is important to our goal.

<sup>2</sup> A 2010 survey of students of color facilitated by Lewis & Clark Law School’s Diversity Working Group shows that 43% of the students respondents felt that issues relating to race and ethnicity were not addressed in their law school classes, while 85% responded that they somewhat or strongly agreed with the statement that race and ethnicity should be addressed in some or all of their law school classes. Despite this desire for increased discussion of these issues, sixty-two percent of the students felt that they would feel somewhat uncomfortable or uncomfortable bringing up an issue relating to race or ethnicity during classroom discussion. Forty-one percent of the students felt that the list of law school courses offered relating to race or ethnicity could be expanded to include more. A large number of students also felt that their race or ethnicity – or the intersection of their race or ethnicity with economic status, sexual orientation, or gender identity – had affected their law school experience, whether positively or negatively.

while being sensitive to different cultural perspectives and points of view. We believe that the suggestions outlined below can help our school community reach that place of open and honest learning.

Numerous undergraduate programs have recognized the importance of diversity requirements in fulfilling their academic missions.<sup>3</sup> Further, Oregon's legal community has made education about inequality and diversity a priority. For example, the Oregon State Bar's Diversity & Inclusion Section seeks to remove barriers to justice in part by "educating attorneys about the cultural richness and diversity of the clients they serve."<sup>4</sup> The Bar requires Oregon lawyers to take access to justice credits to meet continuing education requirements. Also, many law firms now have diversity managers who carry out internal diversity initiatives. Diversity education is clearly a component of professionalism that should not only run through existing courses but should be taught in law schools as a specific requirement of legal training.

To meet these goals, we hope the Curriculum Committee will take the following suggestions under consideration. We suggest that the school work with students to design and implement a structured five-year plan with increasing integration of diversity education. The need for staff and faculty support for an ongoing plan is critical to achieving these goals, as student turnover could otherwise frustrate the process.

- 1 The school should support the creation of a diversity education student task force, beginning in Fall 2013, made up of representatives from identity-based groups, public interest student groups, and other interested students not affiliated with student groups. This task force could interact with and report to the Curriculum Committee and the existing Diversity Working Group made up of faculty, staff, and students.<sup>5</sup> The task force should not be treated as another student club. It should receive institutional support, working closely with faculty and administration to implement a five-year plan.

---

<sup>3</sup> See, e.g., Loyola University Maryland's requirement that students take Global Awareness, Justice Awareness, and Domestic Diversity Awareness courses (<http://bit.ly/Uljmt2>), Rutgers' School of Arts and Sciences requirement that students take courses meant to "enable an understanding of an increasingly globalized world" (<http://bit.ly/PQNbFl>), Fairfield University's Core Curriculum Diversity Requirement aimed at helping students "develop a critical consciousness of self and society" (<http://bit.ly/UE63V4>), and Colby College's Diversity Academic Requirement which helps ensure that students "learn how people different from oneself have contributed to the richness and diversity of society, how prejudice limits such personal and cultural enrichment, and how each individual can confront intolerance" (<http://bit.ly/T15tV2>).

<sup>4</sup> See <http://www.osbar.org/diversity/programs.html#mission>.

<sup>5</sup> Representatives of our group have met with the Diversity Working Group, whose members have expressed support for a student-driven initiative that will complement and amplify but not duplicate that group's own goals.

2 The task force, Diversity Working Group, and Curriculum Committee should host a community forum in Fall 2013 with participation from staff, faculty, and students to agree upon a five-year plan.

3 The five year plan could include:

Yearly anti-racism or other inequality trainings, with school-wide participation.

Incorporating a required diversity component into existing Professionalism and Ethics courses.

Creating a library database of diversity materials pegged to law school subjects to assist faculty with incorporating diversity concepts into existing classes through syllabus supplements.<sup>6</sup>

Incorporating diversity education into Legal Elements.

Incorporating a question into course evaluations about the extent to which a professor addressed issues of diversity and social justice during the course.

Encouraging faculty-directed reading groups on relevant topics and further faculty support for student-directed reading groups on social justice topics.

Creating stronger ties to the Oregon State Bar's Diversity and Inclusion section and encouraging law student participation in community diversity initiatives.

Creating a course or forum for recent alumni to reflect on the challenges and changes to their values during law school and in legal practice.

Creating an academic requirement apart from Professionalism courses, requiring students to take at least one class in a category of diversity-oriented courses in order to graduate.

We understand that there may be many logistical hurdles to realizing these goals, but those hurdles will be much larger for students to tackle without institutional support. We hope this letter can at least begin a dialogue with the school and help establish a plan of action to move forward.

With your help, we can make affirmative efforts to educate ourselves about how others view the world and to become well-rounded lawyers in our increasingly diverse state and society. Our clients and colleagues will be of many races, gender identities, and cultures, and we want to be able to relate to them as sensitive, educated lawyers.

---

<sup>6</sup> See, e.g., "Diversity Readings Related to First-Year Courses," compiled by Mary Whisner, reference library at the Gallagher Law Library, University of Washington School of Law, available at <https://lib.law.washington.edu/content/guides/Diversity1L>.

Thank you for your consideration. We look forward to your response. You can contact our group at [nlg@lclark.edu](mailto:nlg@lclark.edu), or individual NLG representatives Erin Duncan ([eduncan@lclark.edu](mailto:eduncan@lclark.edu), 3L) and Diana Winther ([dianawinther@lclark.edu](mailto:dianawinther@lclark.edu), 2L).

Sincerely,

National Lawyer's Guild, Lewis & Clark  
Law School Student Chapter

**with support from:**

Minority Law Students Association •  
Latino Law Society • Jewish Legal Society  
• OutLaw • ACLU • Black Law Students  
Association • Women's Law Caucus •  
Asian/Pacific American Law Student  
Association • Native American Law  
Students Association • Public Interest  
Law Project • Christian Legal Fellowship •  
Family Law Society • American  
Constitution Society • Law Students for  
Reproductive Justice • Students for  
Sensible Drug Policy • Coalition  
Advocating for Transportation Solutions

cc: Susan Mandiberg, Associate Dean of Faculty  
Paula Abrams, Curriculum Committee Chair  
Juliet Stumpf, Diversity Working Group Chair  
Aliza Kaplan, Interim Diversity Working Group Chair