

# CONSTRUCTIVENOTICE

September 18, 2007 Volume 20

## **MEET THE CLASS**



**Travis Borquez** 

This is one in a series of profiles of first-year law

Travis Borquez is a native Phoenician fascinated by the growth of the city during his short life. He received a bachelor's degree from the University of Arizona where he emphasized his love for travel and culture. During his junior year he studied French language and culture in Paris.

After graduation, Borquez lived and worked in London for more than two years as a cash manager and audit accountant. He also traveled to Southeast Asia and fulfilled a lifelong dream to see the temples of Cambodia.

Borquez hopes to utilize his passion for travel and law and specialize in international trade law.

"I would love to work for the World Trade Organization, International Monetary Fund or other similar non-governmental organization," he said. "But I always hope to be close to Professor Rose."

In his spare time, Borquez hopes to do pro bono work in family law and to restore historic properties.

## **SUMMER EXPERIENCES**



This is one in a series of reports on how students, faculty and staff spent their summer. Please send information on your summer experiences to DL.WG.LAW.Communications.

Professor Zig Popko spent part of his summer backpacking alone in the Gila Wilderness of New Mexico. One July afternoon, as he descended the switchbacks into the canyon of the Middle Fork of the Gila River, he stumbled and suffered a serious break to his left ankle. This is his story:

When I heard the snap, I knew I was in trouble. When I felt the hot, searing pain, I knew I was in deep trouble. When I recovered from the short fall to the ground and lifted my left leg to see the source of that pain, I saw my foot dangling at near 90 degrees to my leg -- a truly odd, creepy sight that, even today, makes my flesh crawl. How did I get into this mess?

Earlier that day, as I started down the narrow switchbacks, I came

across some fist-sized, loose rocks on the trail. I crossed one, maybe two, without incident. The last one, however, was the one too many. I lost my balance and, fearing I would fall off the steep drop-off that was to my right, I swung violently to my left. Well, most of me swung anyway. My left foot stayed in place while my leg didn't.

After recovering from the shock, I sat down on the trail to figure out

my next step. I tried the cell phone, but there was no signal. I hadn't seen anyone over the last day and a half of backpacking, so I didn't count on being found anytime soon. I needed to get to the bottom of the canyon where there was water and flat ground, where I could slide into my sleeping bag and wait for help.

While trying to navigate the switchback in a glissade-like fashion, with my bum leg up in the air, I remembered my little plastic orange emergency whistle. I blew three long blasts (a distress signal) and listened. Silence. I moved slowly forward. Resting, I blew again. Nothing. I made it down one or two short switchbacks before I finally heard some whistling in return. At first I thought it was birds, but it soon became clear it was human. I stayed in one place and kept blowing that whistle.

Soon, a woman appeared and asked what was wrong. I told her I broke my ankle. She smiled and told me she was a nurse. You're kidding, I said. She laughed and said that two doctors were a few minutes behind her. Sure enough, a short time later, two men appeared along the trail. One was an ER doc (and the nurse's husband), the other a family-practice doc.

When the docs examined my leg, they felt no pulse in the foot and told me they would have to set it, lest I risk losing my toes or even more. One asked, "Do you have anything to bite on?" I dutifully bit down – hard – on my bandanna. One doc grabbed the foot and the other the leg. They pulled. I can now speak from first-hand experience that it is impossible to scream

while biting down on something.

After a few minutes, they checked my pulse again and then pinched my big toe to see how long it took for the color to return. The docs were satisfied that enough blood was flowing to my foot. Fortunately, they did not

With the blood flow restored, my three rescuers — "angels," perhaps? fashioned a stirrup splint from my backpack waist belt. The ER doc used a GPS receiver to note our position and headed off on the six- or seven- mile trek to get help.

At about 1 a.m. the next day, I was airlifted out by a New Mexico Army National Guard air ambulance. I learned during the flight that the chopper had seen service in the Middle East and was scheduled to go back in a few weeks. I felt a sense of calm knowing that I was flying in a machine that had flown wounded service personnel from battle. They flew me to the local airport where a waiting ambulance took me to the regional medical center

in Silver City, N.M. There, a surgeon screwed my foot back to my leg. So, despite breaking and dislocating my ankle, I still say I had a lucky break that day. Whenever I start doubting it, I just look down at my left foot, wiggle my toes and smile. I'm a grateful, happy camper.

#### **GOVER TO HEAD SMITHSONIAN MUSEUM**



Kevin Gover

Professor Kevin Gover, a former Assistant Secretary of the Interior for Indian Affairs, has been chosen to be director of the Smithsonian's National Museum of the American Indian.

The museum made the announcement last week, saying Gover's appointment will be effective Dec. 2.
"We're delighted that Kevin Gover will lead the

Smithsonian's National Museum of the American Indian in the next phase of its service to the public," said Cristián Samper, Acting Secretary of the Smithsonian. "Mr. Gover's extensive experience in Washington and with Indian communities, his deep interest in and knowledge of Indian history and

culture and his commitment to bringing the vast resources of the National Museum of the American Indian to the broadest possible audience will enable him to provide strong and effective leadership to the museum.' Gover said he was deeply honored by the appointment.

'The museum's mission of educating the public about living Native cultures is an important and challenging one, and I am grateful for the opportunity to build upon the strong foundation created by the museum's founding director, Rick West," Gover said.

Gover thanked ASU President, Dr. Michael Crow, and Patricia White, Dean of the College of Law, for their support.

"I'm grateful that I will maintain an association with ASU and the Sandra Day O'Connor College of Law," he said. "I will miss my colleagues and students at Arizona State University and my many friends from the Indian nations of Arizona, but I do look forward to serving in a new capacity.

White said Gover will remain a professor at the law school on leave for the duration of his time at the museum.

"The Smithsonian has made a magnificent appointment," White said.
"Kevin Gover is a man of rare talent and integrity. His knowledge of Indian affairs and policy is unmatched, and his interpersonal skills are truly won-

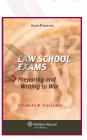
'We are proud to have him on our faculty and selfishly wish that he were

not taking leave to take on this important post."

White said the College remains committed to maintaining the leading Indian Legal Program in the country and will seek new talent to fill the space left by Gover's departure.

Read the rest of the story at www.law.asu.edu.

# CALLEROS BOOK ABOUT LAW SCHOOL **EXAMS PUBLISHED**



A new book by Professor Charles Calleros helps law students navigate the challenging maze of essay and multiple-choice examinations.

Law School Exams: Preparing and Writing to Win (Aspen Publishers, 2007, \$26.95) is a step-by-step guide to success that zeroes in on two points: exam scores can be improved if students master the techniques outlined in the book, and preparing to perform well on exams begins with a positive mindset on the first day of class and steadily progresses throughout the semester.

The 200-page paperback is a clear, concise guide

for time-crunched students that gives creative examples and illustrations in familiar, non-legal contexts. Calleros introduces students to new concepts using analogies, and advances to more complex legal examples.

The book defines types of exams, imparts advice on preparing for law school and classes, and makes suggestions for reviewing class notes, synthesizing cases, outlining course material, and taking exams. In it, the author recommends that students educate themselves about the style and nature of exams given by each of their professors and the types of responses each

Law School Exams gives exercises and practice exams that can help students identify their strengths and weaknesses, plan strategies, and organize their efforts. Calleros provides ideas for improving scores on several types of essay questions, as well as multiple choice and other objective questions. Students also gain insight into the balanced analysis with arguments for both sides on questions with uncertain answers, rather than jumping to

Finally, Calleros helps students understand that some anxiety over testtaking can be a productive motivator for them, and he gives suggestions for reducing anxiety through various stress-management techniques, such as stretching, meditation and motivational music.

Because the book emphasizes preparing for exams from the first week

of class, the book is ideal reading during the summer before law school or early in the semester. Several copies are available in the law library at the College of Law, or personal copies can be ordered from the Aspen website, lawschool.aspenpublishers.com.

#### DEAN WHITE HOSTS BROWN BAG

Dean Patricia White will host a brown bag session at 12:15 p.m. Wednesday in Room 105 to discuss tuition.

#### FIVE LAW ALUMNI NAMED TO INAUGURAL BAR LEADERSHIP PROGRAM

Five graduates of the Sandra Day O'Connor College of Law are partici pating in a new State Bar of Arizona program designed to foster profes sional growth and expand the leadership skills of a diverse group of Arizona attorneys

Named to the Bar Leadership Institute were K Royal (Class of 2004), director of Pro Bono Programs and Student Life at the College of Law, Jesus Acosta (Class of 2002), an assistant Phoenix city prosecutor, Jocquese Blackwell (Class of 2004), an attorney at Goldberg & Osborne in Tucson, Steve Bodmer (Class of 2006), an attorney at Rosette & Associates in Mesa, and Leta Hollon (Class of 2005), an attorney at Hufford, Horstman, Mongini, Parnell & Tucker, P.C. in Flagstaff. They're among 15 attorneys who met Sept. 15 for the first in a series of programs in leadership, ethics and career development.

The institute's mission is to increase the participation and visibility in the State Bar and the community of historically under-represented groups, with an emphasis on racial, ethnic, cultural, religious, gender, sexual orientation, gender identity and expression, disability and geographic diversity.

Read the rest of the story at www.law.asu.edu.

#### **NEW PAST EXAMS WEB SITE**

In an effort to provide students with best possible access to past exams, the Ross-Blakely Law Library has begun posting some on them online. The database consists of the past 10 years of administered exams, some with answers, which were selected by faculty, and are available only to College of Law students, faculty and staff. If you cannot locate an exam for a particular professor, please check the Exam Index at the Circulation desk. (An exam also may be available in a hard copy which you can photocopy.)

Access the new exam site from the law library home page and the "For

Law Students" tab. Questions should be directed to Leslie Pardo, Head of Access Services, at (480)-965-3579.

## LASSA EVENT

The Law & Science Student Association will host a presentation by Danny E. Adams, an alumnus of the College of Law and partner at the Washington, D.C.-based law firm of Kelley Dry & Warren LLP, on Sept. 25. Adams will address "Issues in Telecommunications Law: Consumer Protection, Internet Competition Policy and Broadband Regulation" from 12:10-1 p.m. in Room 114.

He will discuss the jurisdictional wrestling match between federal and state officials over broadband service and consumer protection, the battle of Google/Yahoo versus ATT/Verizon/Cox over "net neutrality," and the constantly changing rules for competition in local telecommunications services that have undone most competition and destroyed billions of dollars of investment.

#### HISPANIC HERITAGE MONTH

The Chicano/Latino Law Student Association has organized a series of speakers in honor of Hispanic Heritage Month, which began Sept. 15, the anniversary of independence for five Latin American countries—Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua.

The next speaker is José A. Cárdenas, partner, Lewis & Roca LLP, who will speak on "The Gap Between Negative Stereotypes and Reality" at noon on Sept. 20 in Room 116.

#### FOOD/SUPPLIES ACROSS THE STREET

The UPS store across the street has opened. It is in the ground floor of Hassayampa Academic Village, southeast of the Ross-Blakley Law Library. It's full service, handles shipping, sells packaging and mailing supplies and stamps, does metering, faxing, color copying and laminating and has mail pickup between 10 a.m. and 2 p.m. (times vary). Hours are 9 a.m. to 6 p.m. Monday-Friday, 10 a.m. to 2 p.m. Saturday. Call (480) 894-8838, ext. 104, for more information.

In the same building is Hassayampa Market, which has a variety of fruits milk, ice cream, a coffee bar with muffins, pastries and more. Adjacent to the market is a large dining hall featuring several food stations and lots of variety. It's open to ASU students, faculty and staff, 7 a.m. to 10 p.m. Monday-Thursday, 7 a.m. to 7 p.m. Friday, 11 a.m. to 7 p.m. Saturday, and 11 a.m. to 9 p.m. Sunday. Prices, without tax, are \$4.50 breakfast, \$6.50 lunch, and \$8.50 dinner, and \$6.50 for Saturday and Sunday brunch. No credit cards are accepted.

#### **DEADLINE**

The deadline for externship applications for the Spring 2008 semester is Friday, Sept. 21. Contact Carolyn Landry at 480-965-4862.

#### **ALUMNI NEWS**

**Diandra Benally,** Class of 2005, received the New Mexico State Bar's Outstanding Young Lawyer of the Year Award for 2007, which was presented at the New Mexico State Bar Annual Conference in July.

The office of Benidia Rice, Class of 1984, recently received the 2007 Most Improved Program Award from the National Child Support Enforce ment Association. Rice is director of the District of Columbia's Child Support Services Division which, since Rice took over, has made great progress in identifying neglectful fathers and securing new child-support orders.

Jesse Guerra, Class of 2006, has moved to the Texas law firm of Hilliard & Munoz LLP in Corpus Christi. His practice includes catastrophic injury/wrongful death cases.

#### CAREER SERVICES

An informational workshop and panel discussion for the Arizona Legislative Legal Internship Program for Spring Semester 2008 will be 12:15 1:15 p.m., Sept. 20 in Room 105.

## DODGED, DIPPED, DOVE AND DODGED

Thirteen six-person teams participated in the dodgeball tournament hosted by the Pro Bono Board and the Small Business Law Student Association on Sept. 14. The event, which raised \$400 for the groups, drew many spectators who watched as the event was won by the team, "Jumping Amazing Super Optimistic Noodle Squad," whose members were Veronica Reynosa, Carmen Dapkus, Cristina Perez, Andrew Ellison, Sam Lofland and Alex The Noodle Squad Acosta.



The second-place team "Moose Knuckles," made up of Tyler Allen, Josh Clark, Jason Rosell, Eric Enger, Liana Garcia and Christine Foote.
Winner of "Best named" was "In Your

Prima Facie," made up of Lindsay Gomez, Scott Bishop, Christian Thompson, Jessica Maziarz, Molly O'Connell, and Matt Ester. "Best Dressed" was Moose Knuckles.



Moose Knuckles

# IN THE NEWS



Laurence Winer



Laurence Winer, professor of law and faculty fellow at the Center for the Study of Law, Science, & Technology, was quoted in *The Arizona Republic* in an Aug. 25 article written by Doug Carroll and headlined, "Privacy laws shroud school-discipline truth."

In a follow-up to an event at Payne Junior High in Chandler in which a student was suspended for doodling a fun on an assignment paper, Carroll wrote that privacy laws that hamstring school districts and prevent officials from commenting about investigations involving students. Winer said the public should be grateful that school officials are so guarded.

"If I were a school parent, I'd want the school to be very reticient and not to be talking to other people or reporters," Winer said. "(Educators) have to take a hit for it, but they can say -- correctly

that there are aspects they can't amplify."

Law student **Yu Cai** was quoted in and photographed for an article in the Sept. 16 edition of The Arizona Republic by Ken Alltucker, titled "Ariz. lur-

ing — and losing — brainpower: Jobs scarce here for advanced-degree grads in high tech."

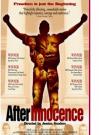
Cai, a Shanghai, China, native told Alltucker she came to Arizona more than six years ago to pursue a doctorate degree in plant sciences and a minor in genetic research

. After graduating from the University of Arizona, she saw few opportunities for research jobs. Not wanting to leave the state, she enrolled at the College of Law, where she is specializing in genetics.

"I wanted to find a way to use my background and at the same time increase my opportunity," Cai said.

#### JUSTICE PROJECT SCREENS FREE FILM

The Arizona Justice Project will present a free screening of the film, After Innocence, at 6 p.m. Sept. 27 in Room 105 in Armstrong Hall.



The compelling, 90-minute documentar follows wrongfully convicted men freed by DNA evidence after decades in prison, as they struggle to transition back into society. After the film, a discussion about the plight of the wrongfully convicted, legislation being introduced in Arizona to address the problem, and what you can do to help

is planned. For more information, contact Professor Michael Saks at (480) 727-7193.