

THE ADVISOR

THOMAS JEFFERSON SCHOOL OF LAW | APRIL 27, 2015

ALSA'S "100 YEARS OF DENIAL" ARMENIAN GENOCIDE COMMEMORATION



By Jack Pogosian, 3L, President of the Armenian Law Students Association

April 24th, 2015 marked the 100th Anniversary of the Armenian Genocide. The Armenian Law Students Association (ALSA) held an event on April 23rd to commemorate the centennial of the Armenian Genocide. Judge Larry Alan Burns, United States District Judge in San Diego, was the keynote speaker. The event was attended by many TJSJL students and members of the greater San Diego community.

The Armenian Genocide is commemorated each year on April 24th because it was on that day in 1915 that Ottoman leaders rounded up about 250 Armenian intellectuals in modern-day Turkey and either murdered or deported them. Following that event, innocent Armenian men, women, and children were uprooted and forced into death marches in the Syrian Desert, where they were either murdered or died from malnutrition. The number, according to historians, range from 1.5 million to 2 million killed at the hands of Ottoman Turks between 1915 and 1923. Jack Pogosian 3L, President of the Armenian Law Students Association, gave a brief

introduction. He explained that the title of this event "100 Years of Denial" is in reference to the fact that Turkey, until this day, refuses to acknowledge the acts of 1915 as Genocide despite the overwhelming evidence and eyewitness testimonies. Pogosian commented on the resilience of Armenians, their accomplishments around the world, and acknowledged a few Armenian intellectuals in attendance, such as TJSJL Professor Christopher Guzelian, highly successful complex litigation attorney Edward Gergosian, Archpriest Rev. Fr. Datev Tatoulian and Judge Burns who truly moved the audience with his remarks, and educated attendees by answering many questions for the final half hour of the event.

Judge Burns has served as a United States District Judge in San Diego since 2003 and prior to that was a United States Magistrate Judge for 6 years. Judge Burns, whose mother's maiden name was Momjian, was the third judge of Armenian ancestry to become an Article II federal judge. Judge Burns began with a bit of history regarding the Armenian Genocide, and particularly a personal and graphic account of his grandfather,

a survivor of the Genocide. Heavy emotions befell attendees upon Judge Burns' recitation of his grandfather's experience. Judge Burns mentioned that most, if not all Armenians of his generation have been effected by the Genocide and have gut-wrenching and painful stories from their family of their ancestors surviving, or worse, becoming victims of the first Genocide of the 20th century. Judge Burns talked about Armenian culture and history, and how the nation is based on perseverance and strong will. He read a quote by American-Armenian author and Pulitzer Prize winner William Saroyan, illustrating the cohesive nature of the Armenian people, and how the shared culture and history forms an undeniable bond between Armenians in all walks of life.

It is important to the Armenian community that many of the attendees were non-Armenians who showed their support and came to learn about the Genocide in 1915. "By spreading awareness and gaining recognition, we commemorate the victims of the Armenian Genocide," said Pogosian. "And through this channel bring awareness to all crimes against humanity."



NEW ALUMNI VIDEO SERIES COMING IN MAY 2015



Professor William Slomanson recently received the Columbia Law School Alumni Association's "Most Books Authored" award. He has been invited to attend the annual Alumni Association banquet in New York City in June.

Professor Slomanson began his LL.M. studies at Columbia Law School, just after graduating from California Western School of Law, plus a bout with the California Bar Examiners in between.

He completed his LL.M. studies, followed by practicing in Los Angeles before he began teaching full time at Western State University.

Professor Slomanson has authored, co-authored, or edited 25 books during his tenure at Thomas Jefferson School of Law—mostly in California Civil Procedure and International Law.

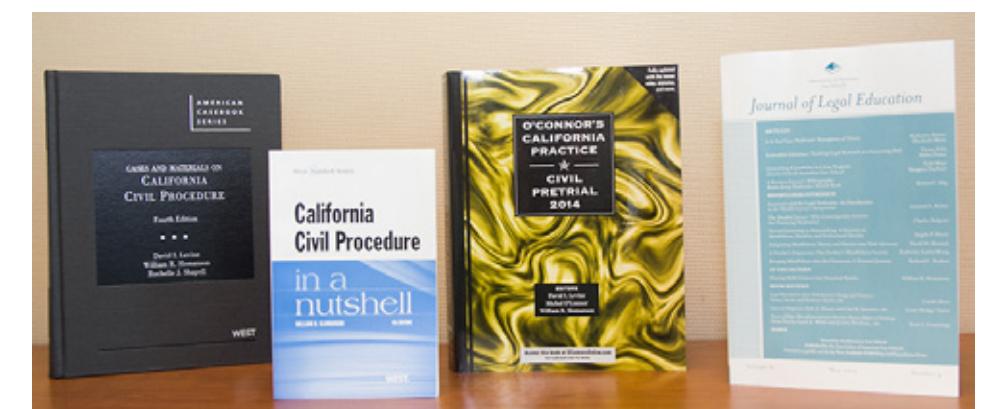
He undertook what he characterizes as his "residency," by penning four law review articles when in law school—two at California Western, two more at Columbia Law School, and a total of 34 articles.

He was honored by the Western State Law Review, when designated the "Godfather of Law Review." He was also designated an "Honorary Member" of the Thomas Jefferson Law Review in 2010, an award he proudly displays in his office, along with a half-dozen other TJSL law Review appreciation awards for providing numerous article topics for TJSL Law Review writers.

He will soon commence the work on book #26. It will be the 7th edition of his textbook *Fundamental Perspectives on International Law*, which has been adopted for classroom use in 24 countries.

When asked by the Columbia Alumni Association about his *Reflections on Highlights of Your Working Life*, he succinctly responded: "25 books, 4 children, 1 wife, and 0 regrets."

On looking back on his time since leaving Columbia, as he advised its Alumni Association: "I'm fortunate that my biggest success, as a teacher and author, has not been my biggest failure—given that my children are so incredibly well-adjusted." He adds: "I should also credit my wife, who's doing 42-to-life at my place...."



MYSTERY TRAILBLAZER

The March 27, Women and Law Conference Panel #2 featured a so-called mystery Trailblazer. Her identity was not disclosed until her long string of firsts was shared by Professor William Slomanson with the audience, before she rose to the occasion during the audience's hearty applause.

Panel #2 of the WLC featured presentations by Dr. Wendy Patrick, San Diego County Deputy District Attorney (on the early 20th century women's rights advocate Clara S. Foltz); Professor Jerry Uelmen, Santa Clara University School of Law (on California Supreme Court Justice Rose Bird); and the Hon. Irma Gonzalez, US District Judge (Ret.) and neutral with JAMS (on U.S. Supreme Court Justice Sandra Day O'Connor). Professor William Slomanson was the fourth "Trailblazer" presenter and moderator for this panel.

Slomanson began by noting that the mystery Trailblazer was not the kind of person to brag. He sealed the deal, however, when convincing her that the conference must take advantage of this perfect opportunity to share her accomplishments with the TJSL community. He mentioned that "She outranks me by an armful of stripes. So I had to twist her arm with great poise!"

The following list of "firsts" then dazzled the audience:

- First woman to win the "Military Skills" award, in the first integrated (male & female) Basic Marine Corps Training Class.
- One of only four women in the class of 180 young captains, and the only lawyer to attend the Amphibious Warfare School in Quantico, VA.
- First female court-martial judge in the entire Marine Corps.
- As a Naval Justice School instructor, was the first female department head, leading both the Criminal Law & Evidence Departments.
- When transferred to Camp Pendleton, the first female Regional Defense Counsel—evaluating and observing all Marine defense counsel west of the Rocky Mountains.
- When selected for the rank of Colonel, the first female Staff Judge Advocate for the @ 1st Marine Aircraft Wing (Okinawa).
- The first female Staff Judge Advocate, for the 1st Services Support Group, deployed in the 1st Persian Gulf War.
- As Chief Defense Counsel of the Marine Corps, the first woman to fill that position—thus evaluating and observing

all Marine Defense Counsel in the Marine Corps worldwide.

This Trailblazer has been a civilian attorney for the last 20 years, representing military members accused of crimes. She has tried over 400 jury trials and thousands of bench trials, involving Marines charged with war crimes in Iraq and Afghanistan. She is now the only woman, in a group of former defense judge advocates, to represent these men.

She is now the only former service member, who is member faculty, at the prestigious National Criminal Defense College at Mercer Law School.

The mystery Trailblazer was finally asked to stand, to thundering applause. It was our very own long-term Adjunct Professor Jane Siegel, Colonel, United States Marine Corps (ret.)

Professor Slomanson closed that portion of the proceedings by stating: "Each of today's trailblazing panelists addressed the nature of his or her Trailblazer's qualities, and their meaning for lawyers today. In this case, it was easy for Colonel Siegel. I looked no further than the Marine Corps core values that Professor Siegel exemplifies—Honor, Courage, Commitment Oorah!"



"DRUG CZAR" SPEAKS AT TJSL



On Wednesday, March 25, TJSL was honored to host founder and executive director of the Drug Policy Alliance, Ethan Nadelmann, for a discussion titled "Legalizing Marijuana & Ending the Drug War: California's Special Case." Described as "the real drug Czar" by Rolling Stones magazine for his pivotal role in major drug policy reform ballot initiative campaigns across the country, Nadelmann's presentation focused on his approach to ending the drug war through legalization and regulation of marijuana.

Years of study and interviews with agencies and individuals on both sides of the drug war have shaped Nadelmann's approach to drug reform. Most easily explained by drawing parallels between current drug policy and the United States' failed prohibitionist regulation of alcohol, Nadelmann's drug reform policy is driven by the idea that legalizing and regulating most drugs would radically reduce the harms of drugs and the harms of prohibitionist policies such as violence and crime. Nadelmann, who played a role in legalizing medical marijuana in California, is one of many leaders pushing for broader legalization in 2016. "California never set up a state wide regulatory system," Nadelmann says of current medical marijuana regulations. "So you have places like San Francisco, San Jose, and Berkeley where the medical marijuana is regulated, there are health authorities, and there is zoning and licensing. Then you have places like Los

Angeles where 100 dispensaries pop up overnight." Nadelmann expects broader legalization of marijuana will increase its use among people between the ages of 40 to 80 and benefit the public by generating tax revenue.

"There is no inherent reason why the criminal justice system needs to be a part of drug policy," Nadelmann told the audience. "Maybe for certain types of drugs and certain types of sales. But what that means is we have to legalize marijuana in California and other states by 2016. It means we have to stop putting people in jail for simple drug possession. It means that we need to build a coalition between the left, right and center. The coalition for people who love their drugs, the people who hate their drugs and the people who don't give a damn about drugs but all who believe that the war has got to end."

"The discussion was insightful," said Amanda Wang 2L. "Ethan Nadelmann's comments differentiating between dependence and addiction were logical and it was great for him to address many of the common misconceptions people hold that marijuana has detrimental effects on long term memory or that it is a gateway drug."

"I really loved the talk. I have done my own research on the subject prior to the lecture, so I knew the basic reasons why people are attempting to get marijuana

legalized," said Chris Asmar 2L. "However, the speaker has given me new insight into, and appreciation of, marijuana legalization."

The event was co-sponsored by TJSL's Center for Law and Social Justice and the Institute for Humane Studies. "The law school community had the chance to hear from the nation's leader on drug policy reform efforts, in a talk that covered marijuana legalization to mandatory minimums and everything in between," said organizer and Director of the Center of Social Justice, Professor Alex Kreit regarding the event.

The final Center for Law and Social Justice event of the semester, will be held on Tuesday, April 28th from 11:30 - 12:45 in room 227. "We'll be hosting Diane Goldstein, a 21-year veteran of law enforcement who served as the first female lieutenant for the Redondo Beach Police Department," said Professor Kreit. "Goldstein is currently an Executive Board Member for Law Enforcement Against Prohibition (LEAP), a group of law enforcement officials opposed to the war on drugs. The title of the lecture is: Policing, Public Health and the Drug War. Don't miss out on this opportunity to hear a unique perspective on drug law enforcement from an engaging speaker." If you are interested in attending, [please be sure to RSVP.](#)

PANEL DISCUSSION ABOUT NCAA ATHLETES: SHOULD THEY BE PAID?

On Wednesday, April 1, the Sports Law Society and the Labor and Employment Law Association at Thomas Jefferson School of Law collaborated to present a panel discussion on a hot topic in college athletics: Whether student-athletes should be paid for their services. Panelists included Ricardo Ochoa, Labor Law professor at California Western School of Law and Partner with Ochoa Legal Group, John David Wicker, Deputy Athletic Director for San Diego State University, Brad Walker '16, student at Thomas Jefferson School of Law and former four-year football player for the University of Southern California (USC), and Marlon Tucker '01, former University of Massachusetts football player and current NFL agent and owner of Team Sports Agency.

Managing Attorney at California Sports Lawyer and Center for Sports Law and Policy Director, Jeremy Evans '11, moderated the panel, and began the discussion by asking, "What is the definition of a student-athlete?" Wicker and Ochoa both agreed the answer to this question depends on the student and the sport. "In the context of basketball and football, the athlete comes before student," stated Ochoa. As the discussion progressed, the panelists gave their opinions of whether or not they believe athletes should be paid and exactly what this could look like. As a former Division I college football player for a major school, Walker took the stance of athletes not being paid. However, Walker recounted a story of his student-athlete days at USC and how difficult it was to maintain the life of being a college student without proper funding. "USC football players received \$1,000.00 a month in the form of a stipend. A majority of that money was spent on rent. Athletes should be receiving more money in the form of scholarships to cover the incidental costs of being a college student." Wicker seconded Walker's sentiments. "College athletics at the Division I level is a big business, but it does not have big business money. Instead of forming an employee/employer relationship, we should be focused on figuring out a way to give our athletes more money in the form of scholarships." Wicker continued by breaking down the current financial

state and division of money for the upcoming school term for athletes at San Diego State.

The discussion then turned to the legal ramifications of considering college athletes as employees. When asked to discuss the pros and cons of an athlete being deemed an employee, Ochoa added, "The athletes would be considered at-will employees. The member institutions would not have to change much of anything. It could be made into a deferred compensation type deal similar to a retirement fund that athletes would have access to upon graduation. As all employees of any business though, you have to consider taxes when discussing an athlete receiving payment for their services." Tucker disagreed: "If you are treated as an employee, your expectations are going to be different. Everything is taxed! An eighteen year-old college freshman is not equipped to deal with having money he/she never sees being taxed."

With a room full of potential sports agents and athletic directors, the panel was very enlightening and shed more light on a difficult situation with many solutions. Phylicia Coleman '15, a graduating Thomas Jefferson student

and Sports Law Fellow in the Center for Sports Law & Policy, works in compliance at the University of California, San Diego with alumna Abrina Wheatfall '12. Coleman added, "I thought the panel was not only informative but a lively debate. In the end, it gave me many things to think about, some of which I had never considered. As someone who works in NCAA Compliance, I appreciated the different opinions and suggestions for student-athletes to work within the parameters of the current NCAA rules."

The idea of student-athletes being paid by their member institutions as employees is a difficult task the NCAA continues to deal with, while implementing new solutions. The public looks at the amount of money major NCAA athletic programs bring in, and wonder where it goes if it is not being poured back into the money making athletes? Wicker closed the discussion by stating, "The system is not perfect, but it is not broken. It could be different. You have to take into account what the TV money and advertisements are paying for behind the scenes. This money goes to subsidize other sports. Everyone gets caught in looking at what a school is bringing in and what the athletes are not getting, without stopping to think what the money is actually going to."



TRIAL TEAM COMPETES IN SOUTH TEXAS MOCK TRIAL COMPETITION



By Katie Jenkins, 3L
TJSL National Trial Team Member

From March 26-29 the TJSL National Trial Team traveled to Houston, Texas for the annual South Texas Mock Trial Competition. The case was a medical malpractice damages case. One of the first of its kind, as this competition has never had a purely damages case. Further, this competition is especially unique because it includes a writing component. This year, the team had to write a brief regarding the cost of medical insurance. Kaitlin Shelby 2L, and Puneet Loyal 2L, represented the plaintiffs while Thomas Gennaro 3L, and Katie Jenkins 3L, represented the defendant hospital.

The competition started off with three

back-to-back preliminary rounds. Gennaro and Jenkins kicked off the competition against a school from Alabama where Jenkins painted a picture with her opening while Gennaro gave a passionate closing. "Katie fired off objections like nobody's business and Thomas destroyed his witness on re-cross," said Coach Lea Fields-Bernard.

In the afternoon, Shelby and Loyal went against the University of Florida where Shelby took control of the courtroom and showed off impeccable advocacy skills with her opening and cross-examination of the defense expert. The next morning, the two competed again in the third round against St. John's University. Shelby speaks of her time as an advocate, saying that "competing at the South Texas

competition was an amazing experience to see this trial come to light after weeks of long practices to hone our craft."

This is the fourth year of the South Texas Mock Trial Challenge, which is sponsored by the South Texas College of Law. TJSL competed against schools from all across the nation. TJSL advocates also had the pleasure of being judged by local attorneys and judges from Houston. Though the TJSL National Trial Team did not advance, the team learned invaluable skills throughout the entire process. "This is one of the most rewarding experiences of my life," said Jenkins. "It was an honor to represent my school at this nation-wide competition. And it was so much fun to compete against schools from across the country."

[View Legal Writing Competitions](#)

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THOMAS JEFFERSON SCHOOL OF LAW GRADUATION INFO

SATURDAY, MAY 16, 2015

DOORS OPEN AT 9 AM

GRADUATION PROCESSION STARTS PROMPTLY AT 10 AM

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THOMAS JEFFERSON SCHOOL OF LAW

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- **File Format**
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