

# THE ADVISOR

THOMAS JEFFERSON SCHOOL OF LAW | FEBRUARY 17, 2015

## SHANNON LAOYE 3L NOMINATED FOR BURTON AWARD



Shannon L. Laoye 3L is the 2015 TJSL nominee for the prestigious Burton Award. On June 15, 2015, the Burton Awards will host its 16th annual gala at the Library of Congress in Washington, D.C., where members of the legal, academic, political, and scholarly fields will celebrate significant accomplishments in the law and recognize legal writing. Patterned after the Pulitzers, the non-profit program is one of the most prominent and dynamic awards programs in the legal community.

"I was in complete shock," said Laoye. "I am truly honored and I feel extremely blessed to have been nominated for such a prestigious award, especially since there

were so many excellent student publications. I can only hope that my Note inspires others and stimulates social and judicial change."

Professor Marjorie Cohn, Laoye's directed study advisor, was delighted when she heard the news. Professor Cohn described the Note as "excellent - complex statutory interpretation and extremely well-written."

Laoye's Law Review Note, *Innocent Beyond a Reasonable Doubt*, 36 T. Jefferson L. Rev. 309 (2014), discusses and proposes a solution to the unanswered legal question of whether a state prisoner with a freestanding actual innocence claim is entitled to federal habeas relief. The Note provides statistics on those wrongfully incarcerated, reviews the evolution of the writ of

habeas corpus, addresses the Court's federalism, separation of powers and policy concerns, and proposes criteria outlining when federal habeas corpus relief should be granted. The Note also develops the "extraordinarily high" proof of evidence standard suggested by the Court should petitioners seek relief based on a freestanding claim of innocence and applies the proposed standard to an ongoing California Innocent Project case.

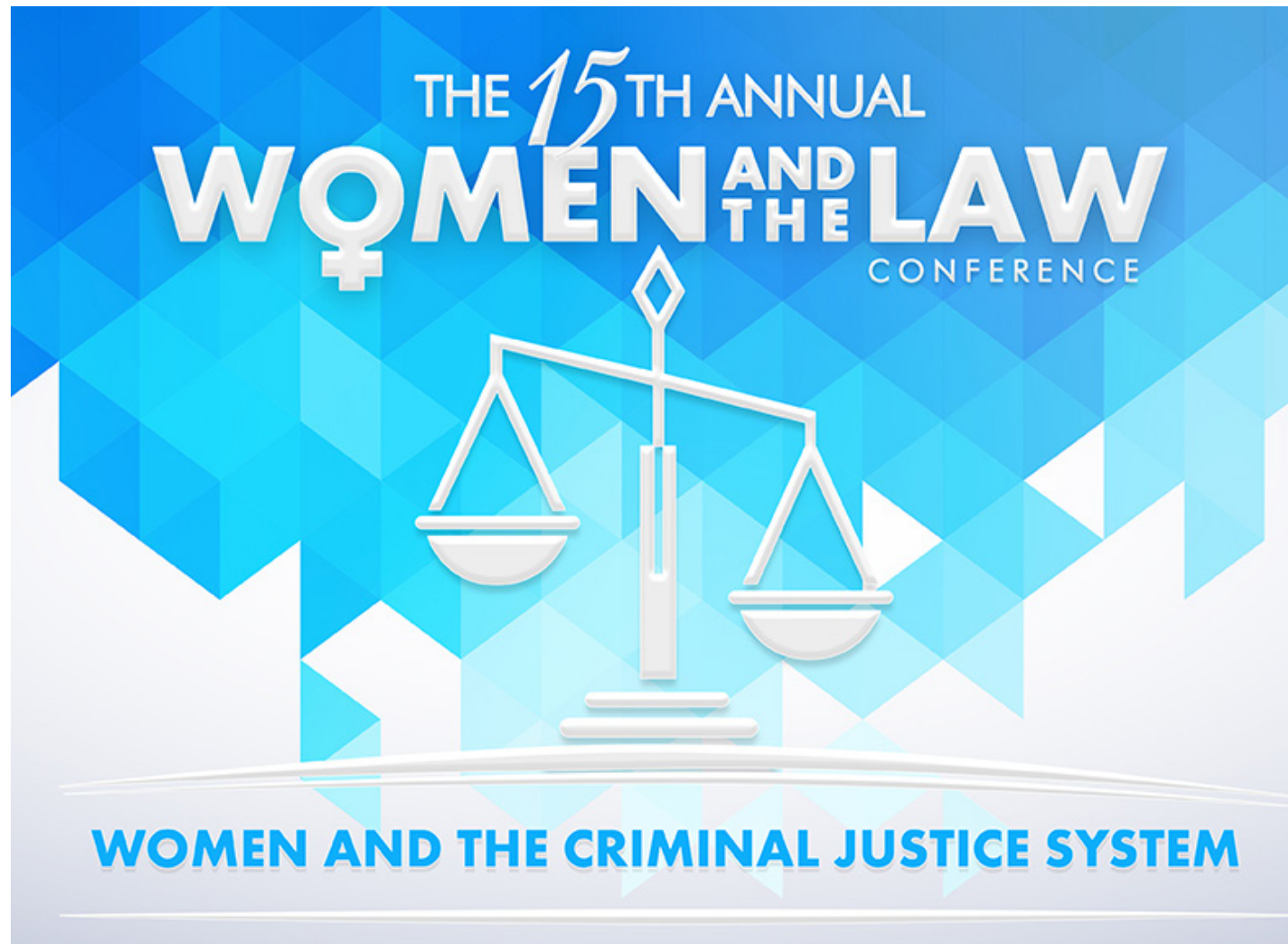
"My involvement and commitment to public interest work spans over a decade," said Laoye. "In 2003, I began studying the social sciences at San Jose State University and interned at a local

group home on weekends. In 2008, I graduated with a Master's degree in Business Administration and started a small organization for at-risk youth. My desire to make a life-changing impact has led me to intern with the California Innocence Project, the Juvenile Public Defender's Office, the Law Office of Charles Sevilla, and the Dependency Legal Group, San Diego (DLG). In addition to interning, I am a member of several service driven organizations such as the Black Law Student Association (BLSA), the Earl B Gilliam Bar Association (EBGBA), Phi Alpha Delta Fraternity Inc. (PAD), and the Public Interest Law Foundation (PILF)."

"This is one of the most pleasant jobs I have occasionally enjoyed while chairing the Faculty Law Review Committee," said Professor Bryan Wildenthal. Professor Wildenthal expressed how difficult it was to make a choice this year but explained that Ms. Laoye's Note was selected because of its overall combination of excellent writing, the challenging legal problem effectively addressed, and the practical solution offered.

In recognition of her hard work and achievements, Shannon Laoye has been the recipient of several accolades, including: the National Bar Association (NBA) Gertrude E. Rush Award, the EBGBA Judicial Scholarship, and the Western Regional BLSA Scholar of the Year Award. She is slated to graduate Magna Cum Laude in May and plans to continue working for social justice and equality-speaking for those whose voices often go unheard.

If chosen for the Burton Awards, Ms. Laoye will join other TJSL winners including: Jennifer Siverts '06 in 2006, Anne Knight '08 in 2008, Skye Resendes '11 in 2010, Sean E. Smith '11 in 2011 and Robert M. Sagerian '13 in 2014.



Thomas Jefferson School of Law's Women and the Law Conference 2015 will be held at the Thomas Jefferson School of Law in rooms 323 and 325 on Friday, March 27, 2015. The daylong event will include prestigious panelists and a reception on the 8th floor terrace.

All participants must register for the conference that will run from 8:30 a.m. – 5 p.m.

The conference will explore Women and the Criminal Justice System. Noted criminal defense attorney and author Leslie Abramson, who handled the Menendez Brothers trial and the Phil Spector case, will deliver the Ruth Bader Ginsburg Lecture.

Since 2003, the WLC has featured the annual Ruth Bader Ginsburg Lecture, thanks to the generous support of Associate Justice Ginsburg of the U.S.

Supreme Court, who visited and lectured at the law school that same year. This is one of only two lecture series that Justice Ginsburg has authorized to be named in her honor.

A dynamic speaker, Abramson promises to give a spirited presentation. "Leslie is a funny and dynamic speaker and I'm confident she will give a great Ginsburg Lecture," said conference organizer Professor Marjorie Cohn.

Other notables speaking at the conference include retired U.S. District Court Judge Irma Gonzalez, Alumna San Diego District Attorney Bonnie Dumanis '76, and Santa Clara law professor Gerald Uelmen.

Panels will focus on timely and controversial subjects, including: Are Women Treated Like Men in the Criminal Justice System?, Pathways to Power:

Trailblazing Women in Criminal Law, and Women in Prison. The conference will be followed by a reception.

The WLC, inaugurated in 2001 by Thomas Jefferson School of Law Professors Susan Bisom-Rapp, Julie Greenberg, and Susan Tiefenbrun, and fostered over the years by committed TJSJL students, staff, and faculty, was the first regular conference series in the western United States focusing on issues pertaining to women, gender, and the law.

The WLC is organized by the Women and the Law Project at TJSJL. The popular annual conference is open to the public and regularly draws a large audience of academics, legal practitioners, and other professionals as well as students from local universities.

[Visit the Women and the Law Conference.](#)



By Ashley Salas 3L

Every year, the Texas Young Lawyers Association (TYLA) hosts the National Trial Competition, consisting of 14 regional competitions and one national final competition. This year, Thomas Jefferson School of Law, University of San Diego School of Law, and California Western School of Law co-hosted the 14 Regional competitions in San Diego that took place on Thursday, February 5, through Sunday, February 8, at the Hall of Justice and California Western.

TJSJL sent two three-member teams: the first team consisted of Sarah Brand 3L, Jeremy Garrett 2L, and Andrew Myers 3L; the second team consisted of Joshua Brisbane 2L; Melanie Guillen 2L; and Justin Hall 3L.

Coach Mark Cumba stated, "From meeting with coaches on off days to meeting with each other at 7:00 a.m. every weekday morning, the competitors showed a level of dedication and commitment that will serve them well in their future careers as trial attorneys." These competitors and their scrimmage teammates had been practicing for this competition since December 2014 and by Thursday, February 5th, they were ready.

Competitor Justin Hall reflected, "Absolutely nothing compares to the moment when you realize your passion, and realize that this is where you belong."

During the first round held on Thursday two competitors from each team

competed against squads from other schools. Altogether 32 teams competed, with 16 trials going simultaneously.

"From Drew's impeccable ease and Jeremy's energetic passion, they gave a team performance that the most seasoned attorneys felt the need to applaud," said Sarah Brand.

The second preliminary round was held on Friday with all 32 teams competing again. Only half of the teams would advance to the sweet sixteen. On Friday night, both TJSJL teams received word that they had advanced!

Coach Cassandra Hearn stated, "I have been involved with the TYLA competition for almost ten years now, kudos to our TJSJL teams for advancing in one of America's toughest trial competitions!"

On Saturday, the quarter-final round and semi-final rounds were held. Only half the teams would advance each round.

During the four-day competition, TJSJL went up against teams from California Western, Chapman, Pepperdine, Southwestern, and USD. However, only the top-seeded team in the region was able to nudge TJSJL's teams out of the regional competition.

By Sunday morning, only four teams remained. TJSJL was still in the competition! Justin Hall, Melanie Guillen, and Josh Brisbane won their sweet sixteen round and then eliminated one of Pepperdine's teams in the semi-final round. Hall, Guillen and Brisbane found

themselves in the final round and they were up against the 6th highest ranking team in the nation: Loyola Law School.

The winner of this final regional round would advance to the National Trial Competition in Texas. Team TJSJL felt up to the challenge and the scores revealed that they were evenly matched with number one seed Loyola. TJSJL's and Loyola's final scores were nearly identical, with TJSJL losing a split ballot by a one-point difference.

"Losing the championship round by one point is obviously a disappointment, but losing by just one point to the top-seeded team in the region and the 6th ranked team in the country is a sign that TJSJL's trial team can compete with anyone," said Coach Mark Cumba.

"After proudly representing my school my proudest moment was standing in the courtroom telling myself, 'This is where I belong. Right here in this courtroom,'" said Justin Hall.

Competitor Melanie Guillen reflected, "In my first year being on the team, I have already learned so much and have grown as an advocate and as a student. Trial Team has definitely been the highlight of my law school experience so far, and I cannot wait to continue on the team next year as a 3L."

The Team is coached by Lea Fields-Bernard, Lilys McCoy, Cassandra Hearn, Ryan Forman, and Mark Cumba, all of whom have shown hard work and dedication to the development of the competitors.

Volunteer witnesses are needed for the upcoming South Texas Competition; please contact Coach Lea Fields-Bernard at [sdesg94@gmail.com](mailto:sdesg94@gmail.com) if you are interested in helping with preparations for the South Texas Mock Trial Challenge.

Students interested in joining the 2015-2016 Mock Trial Team are encouraged to try out on Friday, April 10, and Saturday, April 11. Contact Coaches Lea Fields-Bernard or Lilys McCoy for additional information.



On January 31, the Filipino Asian Lawyers of San Diego (FALSD) and the Pan Asian Lawyers of San Diego (PALSD) held their annual joint scholarship awards dinner. Two of this year's scholarship recipients were Julie Houth and Tony Nguyen, both December 2014 graduates of TJSL. In addition to their academic achievements, the recipients had to demonstrate past or current public service to the Asian American and other diverse communities.

"I am so incredibly honored and grateful to be one of the five PALSD/FALSD Scholarship Recipients this year," said Houth. I'm proud of Tony Nguyen '13, my fellow classmate and fellow scholarship recipient. I had a lot of love and support from my fellow TJSL family including all my previous professors and friends. I hope current TJSL students pursue great opportunities such as this scholarship."

"I would like to thank FALSD and PALSD for the great honor of being their 2015 scholarship recipient," said Nguyen. "This award not only provides financial support during my studying for the bar exam, but more importantly, it shows both the organizations and its members believe in my abilities and vision of becoming a future education attorney. One of my goals as a future attorney is to raise awareness of special education rights in under-privileged communities, and with this great encouragement from organizations like FALSD and PALSD, I know my goal just became that much

closer to being achieved. I would also like to express my appreciation to Mr. Jeff Chinn and Ms. Paula Gluzman from Career Services Office for attending the banquet to recognize all of the student scholarship recipients. It was a humbling experience to see representatives from TJSL showing their continued support of recent alumni."

TJSL was well represented at the event including many TJSL students, some of whom were volunteering at the event. Former FALSD President Ariel Javier ('06) was awarded the PALSD/FALSD Joint Presidents' Award. Several other TJSL alumni were in attendance and their presence reflected TJSL's leadership roles in other bar organizations and associations. The alumni present included Ben Aguilar ('11), Renee Galente ('08), Eric Ganci ('08), Srinivas Hanumadass ('03), Johnny Gogo ('96), Esther Hyun ('13), and Peter Quon ('77). TJSL adjunct professor and trial team coach Mark Cumba was also in attendance.

### BLACK LAW STUDENT ASSOCIATION (BLSA) YEAR OFF TO A GREAT START



By Charlene Mayers 3L, BLSA Historian

The Black Law Student Association (BLSA) started 2015 off with a bang! This year marked the 47th Western Regional BLSA (WRBLSA) Convention: Paving the Road for Tomorrow's Lawyers. The convention was held January 6-11, 2015 in Long Beach, CA. This annual Convention is a wonderful opportunity for attendees to network with other BLSA members; perform pro-bono community service; participate in student advocacy competitions; engage in workshops related to the legal profession; and

network with attorneys all across the Western Region.

In attendance this year was Constance Perry, BLSA's 1L Representative, and Gabrielle Williams 1L. The pair competed, and won, the WRBLSA 1L Oral Advocacy Competition. "The regionals experience overall was life-changing," said Williams. "Going to the competition, I was nervous, and truly felt unprepared. My perspective changed when we first arrived to Long Beach. Everyone was welcoming and willing to help. We were the only 1L team to show up for the oral advocacy competition so we competed with the 2Ls and 3Ls. As we went through the rounds, our competitors began to give advice on presenting our case and proper ways to address the judges. From this experience, I was able to watch ambitious individuals apply themselves, and grow throughout the experience. Working around such individuals inspired me to work just as hard. I now have goals of trying out for Moot Court. I would recommend this competition or others like it, to any student wanting to push themselves."

The excitement did not end there. Perry accepted the nomination to serve as the Community Service Director for the 2015-2016 WRBLSA Executive Board. "I was shocked," she stated. "It was my first time attending a convention, my first time competing, and I walked away with a high honor of being able to serve on next year's board and continue to inspire other law students." In addition to testing her advocacy skills, Perry also received WRBLSA award for 1L of the Year.

Our BLSA chapter also brought back the award for WRBLSA Scholar of the Year. This was awarded to Shannon Laoye 3L. When notified that she had won the award, she stated "I was pleasantly surprised. It is one thing to work hard and be acknowledged by those around you, but it is completely different to work hard and have that acknowledged by an entire region of individuals you have never met. It is an amazing honor and I am sincerely grateful."



The Thomas Jefferson School of Law is proud to announce the second installment of the TJSL Bar Study Scholarship that provides financial support to graduates studying to take the California Bar for the first time.

The scholarship is designed to enable successful applicants who demonstrate financial need and academic achievement to devote more time to pre-bar study.

Tony Nguyen and Alexander Green were the charter recipients of the first awards. "I would be remiss not to express my sincere gratitude for your selection of my receiving the TJSL Bar Study Scholarship for the February 2015 Bar Exam," said Nguyen. "As a recent graduate enduring the studies of the bar exam, this

scholarship has not only been a financial alleviation for my Barbri Bar Study Course, but it has also served as TJSL's continuing emotional support for my career endeavors as a future education law attorney."

The awards are funded by contributions from faculty, staff, alumni, and students. "I would like to express my immense gratitude for your having elected to award me with a scholarship towards my bar study for the February 2015 California Bar Exam," said Alexander. "I am incredibly grateful that you looked favorably upon my application as well as to each and every one of the faculty, alumni, and students who donated to this cause."

The next scholarship will be awarded after the close of the spring 2015 semester. [An application form can be downloaded](#) or picked up on the 6th floor reception area. A combined faculty-staff committee will review all applications. **The deadline to apply for the May 2015 graduation award is Friday, April 10.**

Students and other members of the TJSL community can donate to this fund online through [TJSL's Make a Gift website](#). Select "TJSL Bar Scholarship Fund" in the "Please direct my gift to" dropdown menu.

# THE DEAN'S FORUM

FEBRUARY 25, 2015 ■ 5-6 PM ■ ROOM 227

## VITA TAX CLINIC AT TJSL TO OPEN IN FEBRUARY

From February 21 to April 13, the Volunteer Income Tax Assistance (VITA) program operated by Thomas Jefferson School of Law's Tax Law Society will provide free income tax return preparation for students, low-income families, senior citizens and others who can't afford professional tax services or are unable to complete their own tax forms.

Since 1998, TJSL students have annually offered this service to the San Diego community. The clinic's student volunteers receive training to become IRS-certified, operate the TaxWise

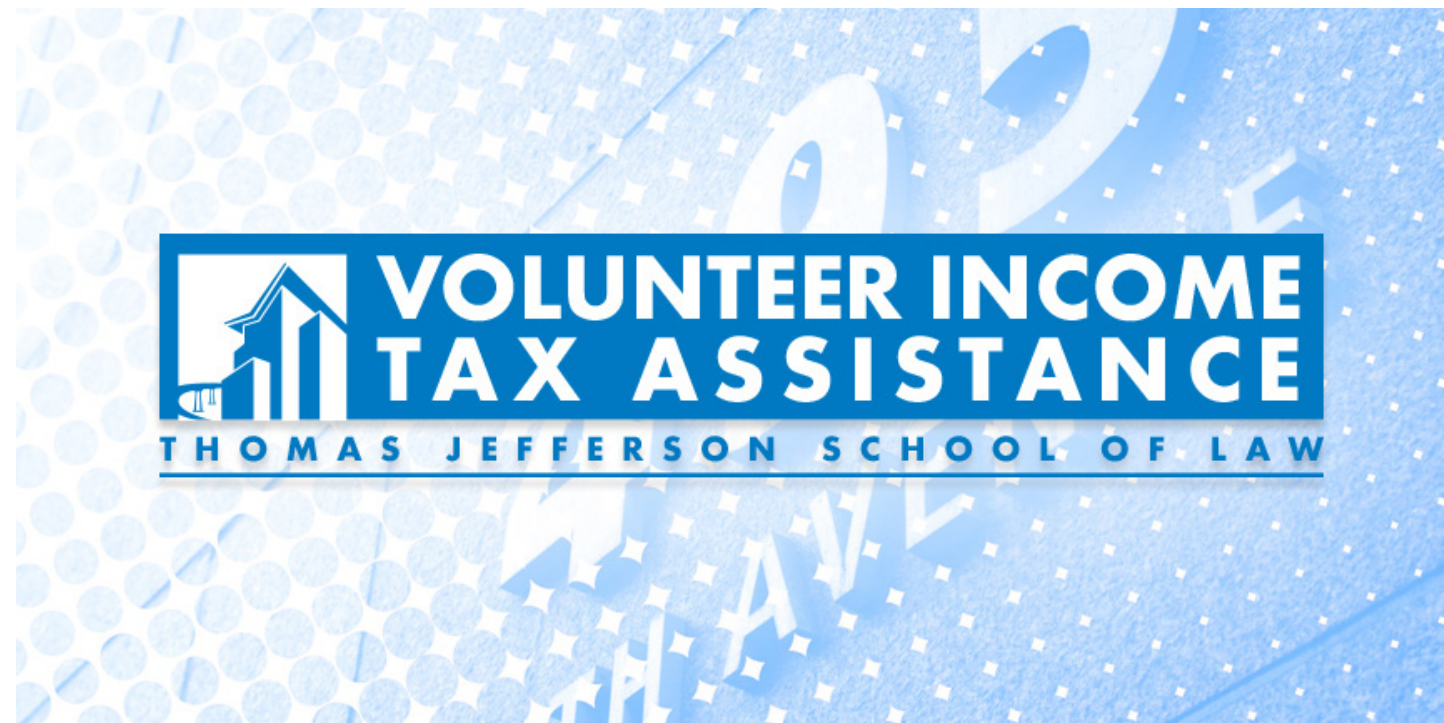
software, interview clients effectively and assemble a proper tax return. This year, approximately 15 students, who are IRS-certified will participate.

The TJSL tax clinic is open to appointment only clients on Mondays from 5 – 9 p.m. and Saturdays from 1 – 5 p.m. The clinic will be closed on Monday, March 2, Saturday, March 7, Monday, March 9 and Saturday, March 14. Appointments can be made by emailing [tax@tjssl.edu](mailto:tax@tjssl.edu).

The Tax Law Society is advised by TJSL Professor Richard Winchester, a former attorney in the national tax office of

PricewaterhouseCoopers, who is a national authority on employment tax policy and the taxation of the closely held business.

The tax clinic is located in the Law Clinic office at the Thomas Jefferson School of Law in the East Village area of downtown San Diego. The entrance to the clinic is at 495 Eleventh Avenue. The Park & Market Trolley station is adjacent to the law school and there are commercial parking lots available nearby as well as limited on-street parking.



### Items you need to bring to the TJSL Tax Clinic to have your tax returns prepared are:

- Proof of identification
- Social Security Cards for you, your spouse and dependents and/or a Social Security Number verification letter issued by the Social Security Administration
- Birth dates for you, your spouse and dependents on the tax return
- Wage and earning statement(s) Form W-2, W-2G, 1099-R, from all employers
- Interest and dividend statements from banks (Forms 1099)
- A copy of last year's Federal and State returns, if available
- Bank Routing Numbers and Account Numbers for Direct Deposit
- Total paid for day care provider and the day care provider's tax identifying number (the provider's Social Security Number or the provider's business Employer Identification Number)
- To file taxes electronically on a married filing joint tax return, both spouses must be present to sign the required forms
- If you rented your home, the name and address of your landlord or property management company and their phone number

## FACULTY SCHOLARSHIP

### MARJORIE COHN

#### Radio

Obama's AUMF, Wake Up Everybody, KPOO radio, San Francisco, February 14, 2015.

Obama's AUMF, The Scott Horton Show, Liberty Radio Network, national, Feb. 13, 2013.

Obama's proposed congressional Authorization for Use of Military Force, WHDT World News TV, Boston and Florida, February 12, 2015.

[View All Faculty Citations](#)

| Location        | Dates                         | Credits              | Application/Deposit Deadline | Tuition Deadline |
|-----------------|-------------------------------|----------------------|------------------------------|------------------|
| Hangzhou, China | May 18, 2015 - June 5, 2015   | 4 Credits in 3 Weeks | March 27, 2015               | April 17, 2015   |
| Nice, France    | June 22, 2015 - July 16, 2015 | 4 Credits in 4 Weeks | April 17, 2015               | May 15, 2015     |

**2015 STUDY ABROAD PROGRAM**

Have you ever dreamed of studying abroad in an exciting and exotic location? Thomas Jefferson School of Law offers exceptional opportunities to do just that with two major programs. Earn 4 summer credits studying in one of China's most beautiful cities or on the French Riviera.

Visit [www.tjssl.edu/study-abroad](http://www.tjssl.edu/study-abroad) for more information. Fill out an application today! Limited internships may be available.

[View Legal Writing Competitions](#)

[View the TJSL Event Calendar](#)



Have you always wanted your own TJS� designed apparel? Well, now is your chance! From now until *March 31<sup>st</sup>*, any member of the TJS� community can submit a T-Shirt design. We are planning to have the winning design available for sale on the Shop TJS� site.

### DESIGN GUIDELINES

1. Design must be original work.
2. Submit design as JPG or Vector file.  
*(JPG resolution should be 300 pixels per inch or higher)*
3. The design should be universal and one-sided so that anyone can wear the design.
4. Please do not include the TJS� logo *(the Shop already has the logo)*. We would like something new and creative.

### HOW TO SUBMIT YOUR DESIGN

Send your electronic file with your name and contact information to [studentservices@tjst.edu](mailto:studentservices@tjst.edu).

6.6 Inches

## Want to Submit a TOUCHSCREEN FLYER?

If you are a TJS� organization and would like to have your information promoted on the Touchscreens, please follow these flyer guidelines:

- **Dimensions**  
6.6 inches (*width*) x 10.1 inches (*height*)

- **File Format**  
PDF or JPG

- **Submit Your Flyer**  
[TouchscreenFlyer@tjst.edu](mailto:TouchscreenFlyer@tjst.edu)

Please note that Touchscreen Flyers are not placed in The Advisor.

**Microsoft Word Users:** Change paper size by going to Page Layout tab > Size > More Paper Sizes.

10.1 Inches