

Sheck D's Top Ten Ultra Right Wing Reasons to Leave Iraq

By Dan Sheckler

1. Freedom isn't free; we need to stop giving free freedom to the Iraqi people.
2. America first—bring the troops home to rebuild New Orleans instead of rebuilding Iraq.
3. \$300 billion a year is better spent on a tax cut for the rich.
4. Balance the budget instead of balancing power in the Middle East.
5. Our troops can't save them; only Jesus can save the Muslims.
6. National security is better served when the troops are defending American soil.
7. America is the land of the free, not Iraq.
8. It is easier to drill ANWR than steal from Iraqi's.
9. We need the National Guard to help incompetent government bureaucrats search our luggage.
10. Never forget September 11th! We can't "bring the war to the terrorists" by fighting in Iraq because they will just fly planes into our buildings.

Amendment the Sixth

By Christopher Taylor

I am currently enrolled in Professor Rowland's evening edition of Criminal Procedure. Which, contrary to what one may otherwise think, does not in fact touch on criminal procedure. Or, to be more precise, touches on criminal procedure in a fairly narrow and unexpected way. Criminal Procedure as a class involves the Fourth, Fifth, and Sixth Amendments to the U.S. Constitution and the caselaw construing those amendments. It does not involve the Federal Rules of Criminal Procedure.

I had occasion to take a more detailed look at the Sixth Amendment last week while I was avoiding *Duncan v. Louisiana*. It reads, in part:

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed.

When there is no doubt that a crime *has* been committed, and the only questions are about the

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## Finding Your Niche in Light of Your Grades

By C. Dale Slack III, Society Editor

Well Mr. and Ms. 1L, the grades are in. Nancy recently sent out an email reassuring those of you who didn't do so hot of your self-worth and importance, and she's mostly right. Your grades do not, I am reassured constantly by attorneys at The Doghouse in Troy who listen to me cry over shots of Wild Turkey, reflect your ability. They do however tend to reflect the place in society you will occupy during your remaining five semesters here. There's a place for everyone here at the Shyster-Mill, and everyone should know and fit into their place. For those of you not familiar with their place, I'd like to help you find one so you can begin settling in now. Look for what you're good at, emphasize it and work with it.

**1. The Top-Tenner (4.0-3.8):** Your place has been decided for you by the professors. Your sterling GPA and ability to memorize outdated precedent and rules have placed you in the upper-echelon of our community. Congratulations! You are assured a salary in excess of \$60,000 and an office of some sort after you graduate. You will write for the Law Review, probably clerk for a federal judge or work in a silk-stocking firm, regardless of your personality (or lack thereof) and grooming-habits. You can't choose another niche, sorry. Practice saying, "Yes, your honor, I'll

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check those cites right away" and "Good morning sir! You look like million bucks today!"

2. The Politician (3.8-2.0): Face it; you came to law school so you could have a springboard to greater things. The Law is a jealous mistress, but little does she know you'll soon throw her over for your younger, prettier trophy-wife: politics. Regardless of how you did on the GPA front, you're charming, gregarious and a tad loquacious; you know those words, but never use them in conversation. You can sit down for a beer with Average Joe Sixpack and walk away old pals. In this state the judges are elected, the voters stupid and the judicial salaries not too shabby. One day the Top-Tenners will be quoting you! Only four more steps to Congress! Practice your handshake, your easy smile and your back-slapping.

3. The Hopeless Slackass (2.4-2.0): You're smart, you're good at what you do, you're just lazier than a mule on Thorazine. You skim your reading assignments, never raise your hand and shrug a lot. You slid by with mostly B's and C's, an A-minus in that one class that you just learned quickly without effort. You've figured out how much work is just enough to get that JD in your hand. You spend a lot of time in your carrel catching up on news from Fark and SomethingAwful.com. When you graduate you'll pass the Bar Exam by one point, hang out your shingle, then maybe hang around outside the courthouse in a rumpled suit just waiting for some scared unrepresented party to ask, "Are you a lawyer?" and offer you a fee. Practice your shrug and say, "I don't give a shit" in the mirror each morning.

4. The Average Workaholic (2.9-2.2): You study twelve hours a day, try your hardest and still got B's and C's. If you're really sure you don't want the ease and style of the Hopeless Slackass, you can be an Average Workaholic. You spend most of your time in your carrel, surrounded by Gilbert's, hornbooks and other study-aids, you make flowcharts, and you have study-groups. You still get B's and C's, but you tried your hardest. One day a firm will notice that you work nonstop and hire you to be an associate, where you'll spend forty years, because you're too busy working to look for other employment. They like that. Practice your harried look and your constant cry of, "Oh no, I forgot my handout!"

5. The Mysterious Stranger (Unk.): Nobody knows for sure where you came from, what you do on the weekends or what your grades were. You seem dumb as a post sometimes, but then every so often from your seat in the back of the room you raise an interesting point and everyone looks at each other and says, "Who is that? Is (s)he new?" You may either have gotten As and Bs or be on academic probation for all they know. You don't hang out with other law students and you never study in your carrel. There's a rumor you have an ex-wife and three kids in some place called Mayor's Income, Tennessee, but no-one can prove it. Practice sneaking out of the Menard building two minutes after classes and evading tails.

6. The Practitioner (3.0-2.1): You're somewhere between the Top-Tenner and the Hopeless Slackass—your grades were disappointing, but you're an excellent orator and a pretty good

writer. You have what it takes; you just don't really do well on exams. You came here to learn to be a lawyer, damn-it, not to take tests! People may eye you suspiciously, thinking you're doing much better than you are, but they're wrong. Don't encourage them to think that you are a Top-Tenner. It will lead to distrust later on. Practice your drinking and keep your eye on the end, because you've got two and a half more years to get through, pal.

7. The Bitter Asshole (3.7-2.0): O'Neal just doesn't like you, that's why you got a D on your open memo. Goble just doesn't understand your fresh and innovative approach to Tort Law. Pollack is merely jealous of your pouty lips and lush, wavy, Victoria Principal-like hair. Even though you don't study, can't put together a sentence to save your life and spend all class time using Instant Messenger to talk to your friends in the back of the class, those grades were the professor's fault, not yours. Practice catching magical leprechauns and riding unicorns.

8. The Trucker (1.9-0.0): You worked hard and might have had the ability or drive, but you suck at taking exams. You're now enrolled in trade school, a masters program in your undergrad major or possibly the president of a small developing nation. The Law just isn't the cards for you. Congratulations! You've avoided a lifetime of disappointment and heartbreak. Practice enjoying good inter-personal relationships and having weekends free.

inter alia

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inter alia is the University of Idaho, College of Law's official humor and opinion pamphlet, published on alternating Wednesdays. Submissions for publication are encouraged. Any opinions represented herein are those of the indicated author or *inter alia*'s staff and in no way represent the opinions of the Student Bar Association. *inter alia* knows acting House Majority Leader Roy Blunt did not father "Wait Wait" regular Roy Blount Jr.

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Letters to the Editor

guilt or innocence of the particular defendant on trial, I take no issue with what I assume is the usual interpretation of this clause: that the trial should take place where the crime occurred. But what happens when the defendant is attempting to show that *no crime occurred*? That is, if the defendant is right, that no crime happened, where does the Sixth Amendment indicate the trial should take place? Same state, same district as where the alleged crime occurred? Or can a wily prosecutor bring proceedings in another state or district on the grounds? Or, more to the point, can a criminal defendant avoid, under the Sixth Amendment, a criminal prosecution in New York for criminal trespass alleged to have taken place in Idaho while at the same time asserting that he had permission to enter the property upon which he allegedly trespassed?

I would be very much surprised if the answer to this last question was (or would be) answered in the negative. I merely raise the subject to indicate one of the many ways law school has altered the way in which I read. I am reasonably certain that I would not, three years ago, have even seen a problem here. I was, like many Americans, a great believer in the presumption of Constitutional infallibility. But now I see all sorts of practical problems in any kind of plain meaning approach to Constitutional interpretation. See also the rarely mentioned first word of the First Amendment.

[Ed: the following letters represent the opinions of the undersigned only, and in no way represent manifestations of inter alia's soon-to-be-sentient artificial intelligence.]

I would like to voice my appreciation for the work of Dr. Martin Luther King, Jr., and hope that everyone reading this celebrated Dr. King's observed birth on Monday in style.

- Peanut Johnson

I am writing in response to Nancy Luebbert's email about grades. Certainly they do not determine your worth as a human being, as a future lawyer, or even as a law student. They do, however, determine your general happiness. If you are getting straight A's, you are studying way too much. Drink more beer. If you feel stressed about the poor grades you got, drink more beer. 32 ounces at The Club, for a tub. If you are on academic probation at risk of departing the law school at the end of the semester for good, drink a whole bunch more beer. Then apply for a job at Stein Distributing to drive its beer truck. Or you could do what I did after I got my less-than-desirable first law school grades: get a job in a bar and drink beer all the time! I think the key here is beer. Now that I am out of law school enjoying a semester in practice where I, moan, actually have to be up at 6:30 in the morning (who knew there was a

Events and Announcements

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Wednesday, January 18
3:30 PM
ILSA Meeting
Room 105

Monday, January 23
5:30 PM
Student Bar Association
Regular Meeting
Room 104

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Send event details
and announcements to
crtaylor@uidaho.edu.

6:30 in the morning?), I can't enjoy as much beer. So, if I can give one piece of wisdom learned over the past 2.5 years at the wonderful University of Idaho College of Law, it would be....take as many classes as you can in room 215; the chairs are very comfortable.

- Ken Webster

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I wanted to pass along a helpful tip to those persons who frequent the males-only washroom in the law cave near the Clinic. When attempting to wash your hands, hold the top of the soap dispenser with your fingers and depress the trigger with your thumb. This way, you'll get a usable quantity of frothable fluid. Otherwise, you're stuck with unwashed damp hands, and liable to be subjected to ridicule by your peers.

- Christopher Taylor

Important Rental Unit Maintenance Tips

By Jeff Dearing, Home Repairs Editor

As law students, most of us probably live in rental housing. Be it apartments, houses, condos, duplexes, trailers or yurts, we are often forced to pay too much for very little. For example, a few years ago I was living in an apartment which ran \$480 a month. It was in a condemned building, which had partially burned down and collapsed years earlier, there was no heat or insulation and there was a steady gas leak. Despite the free entertainment provided by the gas leak and its resultant lightheadedness it was a horrible situation. I'm sure most of you have experienced something similar.

The problem with renting is compounded by the deplorable status of Idaho's rental laws. For example, in title 55-314 a landlord is given the power to evict tenants of "questionable moral composition or odour or otherwise lacking in a balance of the humours." Further in 55-319, tenants are responsible for "any and all gambling losses of the landlord during the rental period. Failure to reimburse the landlord for such losses can result in transfer to a state run reeducation camp." With laws like these on the books tenants have to look out for themselves more often than not. So with that let me share with you what I have gleaned from years of renting.

1. Leaks and other plumbing problems. This is a common occurrence encountered by the renter. Leaks can come from many sources, including, but not limited to, bad water heaters and disturbingly clogged

toilets. In the event of a leak, it's best to call a plumber immediately. The plumber will arrive, tighten or loosen one thing and then promptly rob you using a charge known as "labor." Odds are if the leak had gone unstopped for a significant period of time your home will then smell like an old fish tank. Just like mine does currently.

2. Electrical problems. These can manifest in everything from lighting to heating to refrigeration. Electricity tends to be far more dangerous than water (despite being similar to cows), so a professional is invariably required. It also poses the danger of turning you into a mindless killing machine that can transform into electricity as seen in the Home and Garden Television special "Shocker." Expect to pay a lot for this service again. But it's worth it. Remember, electricity and the luxuries it provides is the only thing that makes Idaho better than Wyoming.

3. Heating and insulation. Most apartments are shoddily constructed on limited budgets as evidenced by the widespread notion that drywall and wood paneling count as insulation. This is not true unless at least two layers of heavily soiled newspaper are stuffed between the wood paneling and the drywall. Under no circumstances should you attempt to insert the newspaper or any other substance (e.g. sawdust, adult diapers, cardboard or garbage) into such a space. Doing so will void your extended warranty, despite what the salesman said.

Jeff Dearing is the author of "The Modern Renter's Guide to Idaho," "He Smoked a Robotic Cigar: The Bronze Warlock Story" and "I Once Ate a Doorstop and Other Reflections on Growing Up Dumb." He appears courtesy of Khabar, Kazak News Service.

Top 5 of 2005

By Christopher Taylor

I am hesitant to do this on some level because I have only seen 22 films released in 2005 thus far. Which is in many ways a paltry number. But ultimately I have to fill this column, and it is too late to solicit additional help from the staff. And so, my list:

1. *Harry Potter and the Goblet of Fire.* Rowling's fourth Harry Potter novel was a turning point in the series, presaging more adult themes and tackling a more complex narrative. Which made for better-than-ever source material for the film version. Moreover, although Cuarón's attempt was mostly successful, Newell managed both to capture the feel of Britain and the boarding school society therein as no one had before. Couple that with some expert story paring and an all-around superb cast, and we have ourselves here an example of pure cinematic magic.

2. *Batman Begins.* While at times popcorn fluff, and at times over-dramatically self-indulgent, Nolan's Batman revival is so entertaining it is scary. Like Spider-Man 2 and X2, Batman Begins is an example of how one can take a frighteningly good comic series and make a frighteningly good film. Also, I must reiterate that Cillian Murphy's Scarecrow represents one of the best villains ever captured on film.

3. *Sin City.* Violent, disjointed, and supremely beautiful. After years of Spy Kids films, I was afraid we had lost Robert Rodriguez forever; apparently I worried needlessly. Although I typically am a script-praiser, finding the look a secondary concern alone, here I must admit that the visual style cannot be dismissed as garnish, nor the choppy script exalted as brilliance. Kudos to whoever cast Mickey Rourke.

4. *Syriana.* Well-woven. Stephen Gaghan succeeds better here than he did with Traffic (although that may be more the reduced involvement of the hack formerly known as Soderbergh than anything else) by skirting the well-worn clichés with poise and grace. And Jeffrey Wright would have stolen the show, but for a lack of screen time.

5. *The Constant Gardener.* Rachel Weisz and Ralph Fiennes redeem themselves from the sins that were Runaway Jury and Red Dragon, respectively. Fernando Meirelles establishes that City of God was no fluke. John le Carré finally has an on-par adaptation. And I have my love story fix for another year.