

THE PRECEDENT

Letter from Dean Allen K. Easley

Dear Students, Alumni and Friends of WSCL,

I want to thank the Editorial Team of The Precedent for inviting me, as the newly appointed Dean of Western State College of Law, to introduce myself to readers of The Precedent and share my hopes and aspirations for Western State.

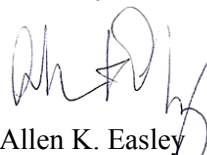
First, let me say that I am thrilled to have this opportunity to help lead Western State towards a bright future. In the short time I have been at Western State, starting as a visiting professor in the fall of 2012, I have grown very fond of the students, faculty and staff who are the heart and soul of this great institution.

Second, we all know that our two biggest challenges right now are finding a new home and attracting more students in a legal education environment that remains challenging on a national level. While I wish I had more to report today on the relocation issue, I can tell you that our Chancellor and I are laser-focused on finding a great new home for Western State as soon as possible.

With respect to attracting more students, it is critical that we continue to remind ourselves, and prospective students, of the strong program we offer and the outstanding results our graduates achieve. Among our alumni we have 126 active judges and commissioners. In the last six months alone, eight of our alumni were appointed to the bench. Looking at comparative data published by the ABA for Western State and the nine other California law schools with whom we regularly compete (Cal Western, Chapman, Golden Gate, La Verne, McGeorge, San Francisco, Southwestern, Thomas Jefferson and Whittier), our latest employment rate ranks second highest in the group, one percentage point below Chapman. Looking at bar passage data published by the ABA for 2011, 2012 and 2013, we ranked second, first and first among this group. Even in 2014, when we had disappointing results in July, our aggregate 2014 pass rate ranks us fifth in the group and fifteenth in the state.

We have every reason to be proud of our successes. We need to be less shy about trumpeting those successes to the world.

Sincerely,



Allen K. Easley
Dean, Western State College of Law



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THE PRECEDENT

welcomes contributions from the
WSCL student body, administration,
faculty, staff, and alumni.

If you have an essay, article, or
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consider for publication, please
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WSCL Ranked 5th Nationwide and 1st Statewide for Bar Exam Preparation!



We received the great news! Western State has been ranked 5th among the nation's 200+ ABA law schools and 1st among California's 21 ABA law schools in an article in the February 2015 issue of *The National Jurist* titled "Best Schools for Bar Exam Preparation." This ranking was based on predicting each law school's first-time pass rate using the entering credentials of its students, factoring in degree of difficulty of the bar exams in different states, and comparing the predicted first-time pass rate for each school to the actual first-time pass rate of its graduates.

This is great recognition for WSCL, and for our hard-working graduates' historically strong bar pass rates.

Criminal Law Speaker Event: Michael Becker



On Tuesday, February 3rd, the Criminal Law Association (CLA) partnered with the Criminal Law Practice Center (CLPC) and WSCL's Career Services Department (CSD) to host a fascinating presentation by Orange County Senior Deputy Public Defender Michael Becker. Mr. Becker, a WSCL alumnus, spoke passionately about his professional and personal outrage over misconduct by prosecutors and the police, the use of paid confidential informants, the militarization of local police agencies since 9/11, and other related topics. He showed a short video of the recent arrest of San Francisco Deputy Public Defender Jami Tillotson inside the Hall of Justice for the "crime" of advising her client not to cooperate with police.

AB 2306: New Privacy Policies for Drone Use

By Emma Popiolkowski



As technology surpasses the law, legislatures and courts alike are left with the task of protecting the public yet balancing the Constitutional rights we enjoy that were conceived when our current technologies were nothing more than science fiction impossibilities.

For example, the widespread use of tiny autonomous flying objects with cameras attached by the average private individual for the purpose of spying on others was an absurd idea just years ago. Yet today drones are found easily on the Internet, some for sale for only a few hundred dollars.

The technology and initial application can be found in military history. A very small, unmanned aerial vehicle can be very effective in saving military and civilian lives, gathering intelligence and attacking the opponent in military applications. However, as drones become cheaper and more widespread, thus available to police and private individuals, their possibility of their use to invade privacy becomes a serious concern.

Last year the California legislature approached the issue of individuals invading the privacy of others by initiating Assembly Bill 2306, which was approved by the

Governor and came into effect at the first of this year. Most notable in this bill is the explanation of constructive invasion of privacy, which is when a person attempts to capture another in personal or familial activities, either in a visual or auditory medium, in a manner that would be offensive to the average person that would have only been obtainable by a trespass. Simply put, if you could have only obtained these images or recordings by actually physically trespassing if you had not used the device, this law applies to what you did. Drones fit perfectly into this category.

The penalty for anyone found to have invaded privacy under this bill, whether by a physical or constructive invasion, could be liable for treble damages caused by the invasion, including punitive damages. Additionally, if the invasion was committed for a commercial purpose, as in cases like paparazzi obtaining footage of celebrity's private events, a defendant may be ordered to pay the victim any profit made from the invasion of privacy. To top it all off, a court may also impose a civil fine ranging from \$5,000 to \$50,000. Using a drone to invade someone's privacy is very costly.

The bill further states that it does not apply to lawful activities of law enforcement or other government officials

Source: http://leginfo.ca.gov/pub/13-14/bill/asm/ab_2301-2350/ab_2306_bill_20140930_chaptered.pdf

INTELLECTUAL PROPERTY & TECHNOLOGY LAW SOCIETY



Annual Scavenger Hunt

**Where: Downtown Fullerton
(Exact Location TBA)**

**When: Saturday, March 28,
2015**

Time: 1:00 p.m.

Teams of 4-6 people

\$5 per person

Sign-up by emailing us at:

Prizes for 1st, 2nd & 3rd place

IPT@WSU.STU.ARGOSY.EDU

IPT & SBA do not advocate or endorse the abuse of alcohol. Anyone consuming alcohol at the event shall do so responsibly.

WESTERN STATE COMPETITION TEAMS

FALL 2014 - SPRING 2015

Western State College of Law at Argosy University is proud to be the home of several law students who participate in negotiation, moot court, and mock trial competitions nation-wide. Thank you, students, for representing WSCL, and thank you, professors and coaches, for your support and mentorship!



UCLA Williams Institute Moot Court
Sam Stone and George Aloupas



ABA Mock Trial - Fall 2014
Aarón Muñoz Figueroa, Suzie Kersh,
Vanessa Lynn, Ariel Armendariz,
Jeannette Garcia, Steven Bell, Nick Maranesi,
and Daniel Cappy



Jerome Prince Evidence: Moot Court
Jordan Culver, Kylie Starr, and Alex Shaaban



Thomas Jefferson Sports Law Negotiation
Vanessa Klass, Brett Gover, Jonathan TerKeurst,
and Neda Mohammadzadeh

Other 2014-2015 Competition Teams

Southwestern Entertainment Law Negotiation
Winnie Jow and Suzie Kersh

2015 TYLA Mock Trial
Suzie Kersh, Paul Domen, Nick Maranesi,
and Tommy Antunovich

Bloomberg LawMeets Transactional Negotiaton
Joe Hudack, Tony Masi, and L.E. Becker

Golden Gate Environmental Law Negotiation
Suzie Kersh, Brett Gover, Emma Popiolkoski, Yumi Choe

NYU Immigration Law Moot Court
Angelina Lerma and Madison Burga

ABA Negotiations Competition
Scott Harlan and Irving Estrada

WESTERN STATE COMPETITION TEAMS



Whittier Juvenile Law Moot Court

Larissa Parker, Zoha Khan,
Jonathan Martinez, and Christopher Gipe
1st Place Overall: Larissa Parker and Zoha Khan
Distinguished Brief Award:
Jonathan Martinez and Christopher Gipe
Top #5 Oralist: Jonathan Martinez
Top #10 Oralist: Zoha Khan



Chicago Moot Court

Lynet' Shigg, Kylie Starr, and Alex Shaaban
1st Place in Preliminary and Semi-Final Rounds
2nd Best Team Overall
2nd Best Oralist: Alex Shaaban



UNLV Bankruptcy Competition

Robert Dagmy and Perla Huizar
2nd Place Team Overall

Q&A : Suzie Kersh



The Precedent had the opportunity to ask Suzie Kersh about her experiences balancing school, work, and life while representing Western State in five competitions throughout her law school career.

Q: *How many competitions have you been in throughout your law school career?*

A: I have competed in four competitions thus far with my fifth taking place on March 13, 2015.

Q: *Do you work or participate in other organizations at school?*

Yes, I am a legal extern with the Traut Firm; the President of Sports for the Sports Law Society; and campus representative for Wolters-Kluwer casebooks and study aids.

Q: *How do you balance school and life when you're in competition mode?*

It is not always easy. During competition preparation, any spare time that I have is dedicated to practicing. This includes practices in the evenings, between classes, and on the weekends. When the fact pattern is released it is a race against the clock to get in as much practice time as possible before the competition date. We have a limited amount of time to prepare, but it adds to the excitement of being involved in these competitions.

Q: *What's your advice to first and second years students who might want to represent WSCL in a future competition?*

I encourage all students who are competitive and interested in gaining some practical experience to take advantage of the opportunity to compete. Whether you are interested in civil or criminal law, the best place to start is enrolling in evidence early in your 2L year as well as the trial advocacy and negotiation courses offered.

Interested in competing next year? Suzie would love to share her experiences and offer her assistance! You can contact Suzie at SuzieKersh@gmail.com.

Business Immigration Law Speaker Event: Representing Corporate Clients and High-Skilled Workers in Immigration Matters



On Thursday, February 5, 2015, Professor Koh's Immigration Law class welcomed attorney Eric Dominguez of Fragomen, Del Rey, Bernsen & Loewy. Dominguez spoke to the attendees about working with highly-skilled immigrant workers and entrepreneurs seeking Visas to pursue their careers in the United States.

Dominguez offered his expert insight into the processes of assisting immigrants in obtaining H-1 "specialty occupation" Visas and O-1 "extraordinary ability" Visas.

Dominguez's career began with a passion for Public Interest law when he first started law school at Chapman University. After graduation, he worked as a Law Clerk for Neighborhood Legal Services, the American Civil Liberties Union, and the Mexican-American Legal Defense and Educational Fund.

Dominguez shared his stories of pro bono work during the 2014 Central American refugee crisis. Dominguez and his clients would attend "expedited removal hearings" via video conference with the Denver, Colorado Immigration Court from the Artesia Family Detention Center in New Mexico.



During the event, Dominguez fielded questions from students about his unique specialty involving aspects of both business law and immigration law.

Western State College of Law is grateful for Eric Dominguez's presentation and panel. Stay tuned for future Immigration Law and Business Law events!

WSCL Student Appreciation BBQ



During the 2011- 2012 school year, Western State's front lobby and library were under construction. Things got a little noisy. Facilities Director Jon Evans oversaw the construction process and realized while our school would reap the long-term benefits of the new renovations, the students were enduring the short-term inconveniences and interruptions.

To show his appreciation for students who had to put up with construction noise in the halls during class and study time, Evans had an idea of having a BBQ for students. He spoke with Donna Espinoza, Senior Assistant Dean of Student Services, and they worked together and started what is now a biannual tradition at Western State: Student Appreciation BBQ.

For this year's Spring BBQ on February 24, the theme was Western (hint: Western State). Besides being the main cook, Evans made the WSCL BBQ sign and the jail. Mary Swenson from the Library brought items from her stables to enhance the décor.



Espinoza and Evans put together a committee with members from Student Services, Library, Finance, Admissions, Institutional Advancement/Alumni Relations, Academic Administration, and Human Resources. Staff members who helped with planning, set-up and clean-up are as follows: Stacy Hang from WSCL Finance, Mary Swenson and Lei Zhang from the Library, Cathy Gorman and Tim Hoang from Admissions, R.J. Espinoza from Institutional Advancement and Tim

Mallory from Alumni Relations, Brenda Ishmael from Student Accounts/ Student Services, Julie Kohler from Student Finance/Student Services, Jacqueline Alvarino from Academic Administration, and Maile Sagiao from Human Resources. There were others such as Sarah, Waithira, Sierra, Eboni, and Shari who kept the offices open and running smoothly but came by periodically to see what help they could provide.

"Our students are wonderful and the heart of this law school, and we appreciate them every day," Espinoza said.

The festivities lasted from 12 noon to 6:30 pm with a delicious menu of tri-tip, smoked pork, BBQ chicken breast, ranch beans, potato salad, green salad, cookies, drinks and other snacks.

Needless to say, students really enjoyed the day and the food! Thank you, Jon Evans, Donna Espinoza, and thank you to all the Western State Students, Staff and Faculty for spoiling us with such special events and for your hard work all year! We love you!



Facilities Director, John Evans



*3L Student, Winnie Jow, and
Dean of Student Services, Donna Espinoza*



Barrister's Ball 2015

"Casino Royale"
Costa Mesa Hilton
March 21, 2015 - 6:30 pm

Tickets \$80 - On sale thru March 16

Reserve your room
by March 7th at
getsocialwsu.wix.com/barristersball



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AT ARGOSY UNIVERSITY

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