



## SCU LAW GRADS BRONZE THEMSELVES IN SALARY

By Lindsey Kearney  
Associate Editor

While many bright minds are driven away from law school by contentions that a legal education is no longer worth the price tag, a Santa Clara Law degree remains a great investment. [In a recent report](#) released by PayScale Human Capital, a salary information company, Santa Clara Law was ranked #3 for highest mid-career salaries out of all the graduate schools in the nation. Though the report accounted for all United States graduate schools (with the exception of medical and dental schools), twelve of the top twenty mid-career salaries were from law schools, and the other eight were business schools. Hailing in first place was Harvard Law School (\$201,000), followed by Emory University School of Law (\$200,600) in second place, and Santa Clara Law (\$197,700) in third.

Rank	School Name	School Type	Early Career Salary	Mid-Career Salary	% High Meaning
1	Harvard Law School	Private School, Law School	\$130,000	\$201,000	66%
2	Emory University School of Law	Private School, Law School	\$72,600	\$200,600	55%
3	Santa Clara University School of Law	Private School, Law School	\$76,900	\$197,700	46%
4	University of California at Los Angeles (UCLA) - College of Law	Public School, Law School, Offline Only	\$88,600	\$182,900	49%
5	Pepperdine University School of Law	Private School, Law School, Offline Only	\$74,700	\$181,600	55%

### Methodology

The data used in PayScale's College Salary Report was collected through its online compensation survey. According to PayScale, users provide data about their jobs, salaries, employers, demographics, and educational backgrounds, and the site is designed to help employees negotiate

better salaries.

The sample considered for the 2014 College Salary Report was 1.4 million college graduates. Only schools for which PayScale had a statistically significant sample size were considered for the study. The mean sample size across the schools included was 325 salary profiles per school, with a range of 50 to 4000 salaries per school. Naturally, the size of each school's sample was strongly correlated with the size of the school; for example, the samples in the study were larger for larger schools.

Importantly, for purposes of this report, "salary" did not include stock compensation or the cash value of employee benefits. On average, "early-career employees" in the graduate degree data set were 27 years old and had 2 years of experience, while "mid-career employees" in the same data set were 44 years old and had 15 years of experience.

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## SCU PRIVACY CERTIFICATE ATTRACTING EMPLOYERS

By Eric Goldman  
Co-Director of the High Tech Law Institute

In May 2014, the Santa Clara Law faculty created the Privacy Law Certificate. The certificate reflects the growing importance of privacy issues to the global, national and California economies. Privacy concerns have become mission-critical for many key Silicon Valley companies, and privacy has emerged as one of the major social issues of our time. As a result, legislators are constantly enacting new privacy laws, privacy litigation has exploded, and companies are frequently struggling with privacy imbroglios and (sometimes) proactively trying to avoid them.

All of this privacy-related legal activity is fueling strong employer demand for dedicated law students with demonstrated privacy expertise. The Privacy Law Certificate is an important resource for those students.

### Certificate Requirements

The Privacy Law Certificate has four main requirements:

**1) Coursework.** Students must pass Privacy Law, Comparative Privacy Law and three electives. We encourage certificate students to take Privacy Law in their third semester.

**2) Publication.** Students must publish a paper in "a publication likely to be read by privacy

professionals," which can include blogs or electronic newsletters approved by the certificate supervisor. We anticipate certificate papers will be much shorter (perhaps 1,000 words) than Supervised Analytical Writing Requirement (SAWR) papers (requirement of 7,500 words) because of the long times required to publish law review articles.

The International Association of Privacy Professionals (IAPP) has several publications that would be appropriate and time-effective venues for certificate papers. IAPP editors will even help students develop paper topics and edit paper drafts.

IAPP's standard exam prep course.

Some students will prefer to take the certification exam after completing Privacy Law in their third semester, and we plan to offer a certification exam on campus annually in early January. Ambitious 1L students could try the exam based solely on the prep video plus self-study.

**4) Work Experience.** Students need to complete an externship, or work in a paid job, "that substantially relates to privacy." We maintain an ever-expanding list of potential externships and clerkships. Right now, employer demand substantially exceeds the number of qualified certificate students.

Note: the official Privacy Law Certificate rules are available at <http://law.scu.edu/privacy-law/privacy-law-certificate/>. This guidance doesn't modify the official rules.

### Is the Certificate Right for You?

Students cannot earn both the Privacy Law Certificate and another law school certificate, so why pick the Privacy Law Certificate?

The Privacy Law Certificate seeks to train highly specialized privacy professionals. As a result, certificate students should be very competitive for entry-level privacy jobs. If you're sure you want a privacy career, the certificate is right for you.

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SCUPrivacy  
@SCUPrivacy



This semester, @SantaClaraLaw Privacy Law Certificate students are working/externing @Facebook @Forbes @PlayStation @TRUSTe (3 students!)

**3) Certification.** Students must pass an IAPP certification exam, a multiple-choice test that takes about a half-day. Student IAPP membership costs \$50/year (see <https://privacyassociation.org/join/>) and includes a free administration of a certification exam plus a free 20 hour video of the



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# SCU Salary Continued...

**Analysis**

An honest question that a prudent person examining these results would ask is “Why Santa Clara?” Granted, we are indeed a premier school with outstanding faculty, staff, support, and opportunities, but why does a Santa Clara Law alum command a mid-career salary higher than that of a graduate from Yale, Georgetown, Chicago, or Columbia—all much higher-ranked law schools in the ubiquitous U.S. News & World Report rankings? “The type of degree you earn, your major or emphasis and the school you attend each make a big impact on future earning potential,” according to Lydia Frank, the editorial director at PayScale.

One important consideration for Santa Clara Law is its geographic location: Silicon Valley, which is notoriously marked by innovation, expensive real estate, and lucrative employment (this is true for the entirety of the greater Bay Area, for that matter). In fact, a recent study by the U.S. Commission of Mayors showed that Santa Clara County has the highest median household income in the country. Since a high percentage of SCU Law alums remain in the Bay Area and in the Silicon Valley especially, this is almost certainly a factor contributing to the high mid-career salary earned by Santa Clara Lawyers.

While SCU Law does matriculate a handful of graduates into the traditional “big law” setting every year, it delivers even more talent into business and local industry, which includes students working for established companies, start-up businesses, venture capitalists, and local, Silicon-Valley trusted firms alike (Source: NALP). These types of careers tend to have especially high pay and potential for upward mobility, especially once an attorney becomes established and is able to build a network of

clients, colleagues, and companies in the Valley. These are just some of the many edges that SCU Law graduates have in the ultra-competitive legal job market.

**A Word on Student Debt**

Ah, student debt, without which any evaluation of postgraduate earning potential would be incomplete. According to analysts at Bloomberg BusinessWeek, “While the salary rankings may provide a good benchmark for what’s possible with an elite law degree, great job connections, and a lucrative specialty, the average would-be lawyer should think carefully about the return on an investment in legal education.” Put simply: these salaries are by no means typical or guaranteed for all SCU Law grads, and should be considered alongside student debt, which is also climbing. For example, a student who wants to be a corporate attorney will almost certainly make a lot more money than a student who wants to be a public defender, but absent special circumstances, both students are likely to graduate with a large amount of debt (though to be fair, salaries for Public Defenders and District Attorneys in Santa Clara County are also dramatically higher than the national average). Bloomberg also reports that today’s average law school graduate carries a median debt of over \$140,000. Because there is such a wide variety of earning potential for different jobs within the legal field, the rate which law students are able to pay off their loans must also be factored into the ROI equation.

Ultimately, the mid-career salary information provided by PayScale Human Capital can provide optimism to law students and graduates that we have a lot to look forward to in our careers.

## Follow @SCUPrivacy

In contrast, if you aren’t sure what you want to do post-graduation, the certificate isn’t a good choice. The certificate’s requirements are so specialized that students pursuing non-privacy careers won’t get the full benefit of their certificate work. At minimum, that time could be better spent. For example, if you want to be an intellectual property litigator, enhancing your litigation skills is a better time investment than the Privacy Law Certificate. Students still unsure about which career path to pursue should choose the High Tech Law Certificate (HTLC); students can count many of the privacy law courses towards the HTLC but will retain more curricular flexibility.

The Privacy Law Certificate is not helpful to law students aimlessly chasing gainful employment regardless of subject matter. Students who subsequently realize they don’t love privacy work may find it tricky to switch to a plan B. Plus, privacy employers will quickly ferret out any lack of enthusiasm.

Many entry-level privacy jobs are “J.D.-advantaged,” i.e., the J.D. helps the employee get hired over other candidates, but the employee won’t provide legal advice. J.D.-advantaged privacy jobs are typically good jobs with favorable entry-level compensation (usually comparable to starting lawyer salaries outside Biglaw) plus strong financial and job responsibility upside. Still, if your heart is set on being a lawyer, you’ll want to research this issue carefully.

**How to Learn More**

As I’ve indicated, the Privacy Law Certificate is optimized for students who know they want to become privacy specialists. But what if you’re not sure if it’s something you want? Students looking to learn more about privacy careers can take the following steps:

**1) Conduct informational interviews.** Meet with privacy professionals and ask them three questions: (i) what do you like about your job?, (ii) what don’t you like about your job?, and (iii) how does someone get a job like yours? Find potential interviewees through your LinkedIn and the alumni networks.

**2) Review the IAPP’s career page,** <https://privacyassociation.org/connect/career-central/>. If those jobs look interesting to you, that’s a sign you’re on the right track.

**3) Subscribe to the Privacy Law Certificate Twitter feed** (<https://twitter.com/SCUPrivacy>) or Facebook page (<https://www.facebook.com/PrivacySCU>), which link to many career-related items.

At any time, I’m happy to meet with you to discuss your specific situation.

**Conclusion**

Law students are often nervous about over-specializing in law school.

They often think simultaneously pursuing a range of practice areas maximizes the chance of a successful job search. However, as professional jobs become increasingly specialized, “shotgun” job search tactics are probably outdated. Students dedicating themselves to a niche practice—and who stop hedging their bets—may (perhaps counterintuitively) generate greater employer interest.

If you’re committed to a privacy career, you can declare for the certificate by meeting with the certificate supervisor (right now, that’s me). Declaring for the certificate means that you’ll get certificate-related emails and will get more guidance from the certificate supervisor.



# HONORS

santa clara university school of law

## MOOT COURT

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### EXTERNAL

## ProtoCat and the Emergence of Software in Synthetic Biology

By Campbell Yore  
For *The Advocate*

In Boston, blocks from Copley Square, the newest iteration of synthetic biology research was revealed over the Halloween weekend. Synthetic biology (syn bio) is the process of designing new, or redesigning, existing life forms using a combination of synthetic and natural molecules. This growing field of technology was conceived by two former computer scientists, Randy Rettberg and Tom Knight, at MIT in the late 1990s. In one of the earliest examples of genetic “hacking,” Knight synthesized a simplified form of the bacteria *Mesoplasma florum* using a method called genome refactoring. Genome refactoring is the process of “tearing apart a genome to pieces that we understand, taking out the pieces we don’t understand, and recoding for simplicity the pieces that are essential.” At the time, Knight’s recombinant bacteria revolutionized biology by confirming living cells can function after substantial genetic modifications.

Since the new millennium, synthetic biology has generated promising solutions for today’s most imposing medical, environmental, and industrial problems. The IGEM (International Genetically Modified Machines) competition documents the rise of syn bio to the forefront of cutting edge research. In 2004, five teams entered the initial competition. By 2014, over

two hundred teams from across Asia, Europe, and North America presented research at the conference. Projects this year include a modified [cyanobacteria](#) which simultaneously purifies water and generates electricity, and a [miRNA \(microRNA\) mechanism](#) that detects molecular plaque, an indicator of Alzheimer’s disease.

In addition to its prevalence in academic research, synthetic biology has developed momentum in commercial R&D. Earlier this year, Dupont filed a patent application claiming a genetically engineered yeast cell exhibited [xylose isomerase activity](#). This technology, which enables yeast to more efficiently metabolize xylose, the second most abundant sugar is cellulosic biomass, allows scientists to reduce the amount of sugar wasted in ethanol fermentation and effectively make biofuel production more cost effective.

Pharmaceutical companies have also been developing applications of synthetic biology in drug research. Work on [bacteriophages](#), benevolent viruses that destroy harmful bacteria, have been ongoing since 2010. Human clinical trials are set for later this year. Curing type 1 diabetes by programming stem cells to become insulin producers is another area where synthetic biology can improve medical drugs.

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**Congratulations to IP Law Meets National Champions:**

**Pam Vavra and Elizabeth Uruskyj**

Special Thanks to Coach Tom Jevens  
and

Competition Coordinators Steve Chao & Nellie Amjadi

## LAW & BUSINESS SOCIETY HOSTS IN-HOUSE PANEL

By Kyle Glass  
Copy Editor

On Thursday, October 23, SCU’s Law and Business Society hosted a lunch event and invited a panel of four in-house attorneys. This was another opportunity for SCU’s law students to listen and talk to legal experts from Silicon Valley. The event focused on attorneys that had the opportunity to go in-house at large tech companies. The panel provided students with knowledge, advice and anecdotes regarding their respective paths to successful in-house careers. In attendance was Roxana Niktab from Amazon, Penny Honda from Oracle, Erica Kelly from Palo Alto Networks and Bisi Akinola from LinkedIn. The panel was very well received and the event was one of the most popular lunchtime events of the semester.

Each of the panelists had very interesting backgrounds and offered their own particular guidance for going in-house. Of the four guests Akinola, in-house at LinkedIn, had the “longest” road to her current position. She began her legal career in Scotland after getting her law degree for University College in London. After working in Scotland, Akinola moved to Fenwick & West where she specialized in securities, venture capital, and, mergers and acquisitions. Following Fenwick & West she decided to go in-house and has worked at places such as Zazzle and Zynga before moving to her current employer, LinkedIn. The other three attorneys all received their law degrees from Santa Clara. Kelly and Niktab started their careers in litigation. Kelly initially worked for an insurance defense firm and then moved to Littler Mendelson, one of the largest labor firms in the country. Eventually, Kelly moved in-house at Palo Alto Networks where she is Associate General Counsel dealing with global employment compliance. Niktab, on the other hand, began with IP litigation and transactional work for Thacher & Bartlett before transferring to Sullivan & Cromwell where she was an IP transactional associate.



LBS Co-Presidents Lexi Louderback & Jack McCormack

Niktab is now corporate counsel for Amazon Lab 126 in Sunnyvale. In contrast to the other three attorneys, Penny Honda went straight in-house after graduating from SCU Law. She had a summer internship program with Sun Microsystems and transitioned to full-time immediately after graduating. Now, she is Senior Corporate Counsel in Oracle’s Development & Engineering Legal group where she handles many of the inbound licensing issues surrounding software.

The panel offered students in attendance a unique opportunity to gain insight and perspective on how to successfully go in-house. On top of the traditional advice, regarding good grades and extracurricular activities, the four attorneys offered some more particular words of wisdom geared towards a career in-house. They emphasized the importance of understanding the business aspects of the companies they worked for. In-house legal departments are often responsible for limiting liability and risk which often

requires them to put a stop to certain ideas or practices. Having an understanding of the business and overall objectives of the company puts the legal department in a position to suggest alternatives to ideas instead of flatly rejecting them which makes the legal team a more valuable asset to other departments of the company.

The panel also explained the differences between working at a firm versus in-house. At a firm, the work you do is for clients; in-house your clients are now your coworkers. Being part of the same team requires the attorney to get a better understanding of how your coworkers function so that they can anticipate problems and generate solutions that are effective in the long term. Additionally, in-house attorneys need to be willing to engage in a more diverse array of topics than an attorney would in a firm where there is a tendency for lawyers to specialize in a particular area of law. Furthermore, given the fast paced nature of Silicon Valley, companies can change niche or focus and as result acquire new and unfamiliar legal issues. Effective in-house can identify the issue and create a set of solutions to mitigate any difficulties that arise. Finally, good in-house counsel knows when an outside firm is needed to tackle certain problems that are too big for the in-house staff. Although this increases the immediate costs, it can save the company money and hassle over the long term, which is the primary goal of any in-house counsel.

*The Advocate* caught up with Co-Presidents Lexi Louderback & Jack McCormack to get their thoughts on the event. “We wanted to put attorneys and students in the same room and facilitate a conversation about working in-house and how the client side of things work. I think we did a good job of that,” reported Jack. “Many of our members are interested in working in-house, but are not sure how to get there or even what it really entails. We’re happy our members enjoyed the event, and we hope to see an even better turnout at our Venture Capital and Start-Up panel in the Spring,” added Lexi.



# OFFICE HOURS UNWOUND



**Lisa A. Kloppenberg**  
Dean and Professor of Law

**Areas of Specialization:**  
Constitutional Law, Dispute Resolution

**Education:**  
-J.D., University of Southern California Law Center  
-B.A., University of Southern California

## 1. What study habit helped you the most in prepping for law school exams?

I found a quiet study space in the early mornings, often in the Library, and worked on outlines while I was fresh and thinking clearly. Coffee, which I started drinking during law school, always helped!

## 2. What would you do differently if you were retaking your law school exams?

I wouldn't wear that same "lucky sweater" to every exam; it was really in bad shape by the end of my third year.

## 3. What was your favorite course from college or law school?

Alternative Dispute Resolution with Hon. Dorothy W. Nelson; we visited the courts and prison, we interviewed lawyers and judges and learned about systemic issues in the justice system; we learned about the connections between the criminal and civil justice systems, the pressures on judges, the cost of litigation, and the need to develop more options if our system was to function effectively for our democracy. Even though we had to write a short paper every week and a long paper at the end of the course, attend field trips and class sessions, the work opened our eyes to how lawyers work within the justice system and can impact society.

## 4. What did you want to grow up to be when you were a child?

I wanted to be the first female President of the United States (that's before I understood much about the role of money in politics).

## 5. What is your favorite guilty pleasure?

I love curling up in a big chair on our patio with a murder mystery and a glass of red wine!

## 6. What is your favorite source, (news / journal / legal blog / other) for keeping current with the law?

ABA Journal

## 7. Who are your favorite characters in literature and/or film?

One of my favorite legal characters in film, among many, is Marisa Tomei's character in "My Cousin Vinny" – she's much smarter than anyone realizes and she proves that it pays to know your civil procedure code!!!

## 8. What was your favorite job (externship/ clerkship/ fellowship/ associate position) that you had while in law school and why?

I clerked for Judge Nelson, my ADR teacher, who had been Dean of the University of Southern California Law Center before she became a Ninth Circuit judge. She treated everyone with dignity and respect, from the lawyers to litigants to law clerks. She was incredibly bright and well versed in the law, yet she truly cared about what her law clerks thought about the issues presented in the cases before her.

## 9. What do you consider your greatest professional success?

Being Dean at Santa Clara Law, in a position to advocate for our students and serve as an ambassador for our law school community to our alumni and friends, the legal profession and Silicon Valley.

## 10. What do you consider to be the most important development in your field over the last 5 years?

The recognition by the ABA, the California Bar and many others that hands-on training is so critical for law students. This is so consistent with the Santa Clara's tradition and the Jesuit emphasis on training the whole person – the heads, hands and hearts of our students -- by focusing on the integration of legal knowledge, practical skills, and issues of professional judgment and ethics.

## 1. What study habit helped you the most in prepping for law school exams?

I created outlines which were unique to my way of "seeing" the materials. My flowcharts reflected my view of a logical progression of ideas. They were hand-written, and sometimes had pictorial depictions. They tended to be relatively concise. All this helped me organize, understand, and recall the materials, and created a pathway for me to approach a problem.

## 2. What would you do differently if you were retaking your law school exams?

I would have worked smarter before the exam. I would have actively sought, and then taken every opportunity to get feedback on practice questions. I would have written out practice answers, and then re-written answers to selected issues -- not to the entire question -- until I was satisfied that I had understood how to organize and analyze that issue. All this takes time, which is a rare commodity in law school. However, I believe it is a matter of studying "smarter," not necessarily "harder."

## 3. What was your favorite course from college or law school?

Geography. I was fascinated learning about different cultures, about landscapes and the people who inhabit them: the prairies, the Steppes, the deserts of Africa. In retrospect, this is very interesting because although I never followed that curiosity in a formal classroom setting beyond high school, I have found myself in a career which gives me many opportunities to explore other cultures and peoples.

## 4. What did you want to grow up to be when you were a child?

I came from a different culture, India, where most women did not have careers. I never had any professional goals or aspirations. I saw myself as a homemaker, just as my mom was. A world of opportunities opened up to me in the US. I like to think I was raised in India, but I grew up in the U.S.

## 5. What is your favorite guilty pleasure?

Nutella. Unfortunately.

## 6. What is your favorite source, (news / journal / legal blog / other) for keeping current with the law?

IntlLawrrls. Professor Beth Van Schaack has recently posted a fascinating 3-part article on the Bangladesh International Crimes Tribunal. The events are very familiar to me since East and West Pakistan were separated by India; I understand the history and the struggle of the peoples of the three nations involved in that conflict.

## 7. Who are your favorite characters in literature and/or film?

Interestingly, they seem to be diametrically opposite in film and literature! In film, it has to be Julie Andrews' character in Sound of Music. My cat is so familiar with the tunes I sing around the house, she's going to burst out in song with me one of these days. In literature, I am fascinated by Charles Dickens' character in Great Expectations, Ms. Havisham. A dark spinster . . . versus a light, airy rebel in Sound of Music.

## 8. What was your favorite job (externship/ clerkship/ fellowship/ associate position) that you had while in law school and why?

Is it fair to list an "almost-job" with the white-collar crimes division of the San Mateo County DA's office? I blurted out a very sassy quip in the interview, and then had the audacity to turn down the employment offer. Although I did not take the position, I sometimes wonder how my career may have turned at that pivotal point. Interestingly, my most memorable case as a young associate was pursuing a white-collar crimes case against a bank manager in an elder-abuse case.

## 9. What do you consider your greatest professional success?

I'm not sure I have one . . . or any. It has just been one awesome ride. Although, perhaps as a litigator it was a mega elder abuse case we fought against a bank manager. It felt good to be unquestionably in the right, and the long hours just didn't matter. In corporate transactional work, it was the fulfillment of developing and working with my own clients while still a fairly "green" associate.

## 10. What do you consider to be the most important development in your field over the last 5 years?

Corporate Social Responsibility, a new course I have developed and am teaching here this fall, is advancing rapidly. The UN Guiding Principles have been instrumental in propelling this movement towards increasing awareness of ethical and responsible conduct in business. I also see much greater positive development in issues related to animal rights and the law.



**Vinita Bali**  
Managing Director, Center for Global Law & Policy

**Education:**

-LL.M., Santa Clara University School of Law  
-J.D., Santa Clara University School of Law  
-Foreign Fellowship, Mount Holyoke College, Massachusetts  
-B.S., St. Francis' College, India



# OFFICE HOURS CONTINUED...



**Evangeline Abriel**  
Clinical Professor of Law

**Education:**  
-J.D., Tulane Law School  
-B.A., Newcomb College of  
Tulane University

**1. What study habit helped you the most prepping for law school exams?**

I had very rudimentary study skills in law school! I do remember reorganizing my notes into an outline, which was very helpful, and taking some practice exams, which were also helpful. Please see the answer to the next question for what I SHOULD have done!

**2. What would you do differently if you were retaking your law school exams?**

Two main things. First, I would outline my courses and start the outlines earlier. Second, I would take more practice exams and take them earlier. I'd take the first ones with my outline, so that taking the practice exam would be a way of reviewing the law, and I'd take the later ones without the outline. I'd also work with a study group and meet with my professors.

**3. What was your favorite course from college or law school?**

I took a course in International Public Law and was hooked.

**4. What did you want to grow up to be when you were a child?**

An interpreter at the United Nations.

**5. What is your favorite guilty pleasure?**

Watching Breaking Bad, although now I'm devastated at Hank's death.

**6. What is your favorite source, (news / journal / legal blog / other) for keeping current with the law?**

I listen to a LOT of NPR on my commute. I practice in the area of immigration law, and for that I read Interpreter Releases, a weekly journal on recent development in that field.

**7. Who are your favorite characters in literature and/or film?**

There are a lot, but here are three. I really love the character of Elwin Ransom, the philologist in C.S. Lewis' space trilogy (Out of the Silent Planet, Perelandra, and That Hideous Strength). Another favorite character is Harriet Vane, in Dorothy Sayers' Lord Peter Wimsey mysteries. On film, it's hard not to love Mona Lisa Vito in My Cousin Vinny.

**8. What was your favorite job (externship/ clerkship/ fellowship/ associate position) that you had while in law school and why?**

Law school clinics were just starting when I was in law school, and I participated in the Juvenile Law Clinic, where I represented teenagers in delinquency proceedings. This involved going to detention centers or their homes to speak with them and sometimes with their families. This was the first time I had worked with clients, and it really opened my eyes to law as a service profession; that our job is to serve others in the persons of our clients.

**9. What do you consider your greatest professional success?**

The cases in which I've helped the client obtain some benefit that really changed the client's life. These are almost all immigration cases, since that is my main practice area, but they also include some juvenile and family cases. I can see the faces of those clients in my mind. And I also see the efforts were not help the client any means of the faces of clients for whom, unfortunately, my successful. Part of practicing law is trying to deal with the loss of a case and seeking ameliorating an unsuccessful outcome.

**10. What do you consider to be the most important development in your field over the last 5 years?**

There have been two developments in immigration law that I would never have predicted. First, Congress and the Administration's creation of specific forms of relief for people fleeing harm has had enormous humanitarian benefit. These forms of relief include self-petitions under the Violence against Women Act, U visas for victims of crime, T visas for victims of trafficking in persons, Temporary Protected Status for victims of social upheaval, natural disasters, and other crises, specific relief for groups such as Iraqi interpreters, and now Deferred Action for Childhood Arrivals.

The second area of great change is the exponential legal developments in the intersection of criminal law and immigration law. With the Supreme Court's decision in *Padilla v. Kentucky*, criminal defense lawyers and prosecutors must be familiar with immigration law, in order to predict the possible immigration consequences of a criminal conviction. In addition, the Supreme Court's later decisions in *Moncreiffe v. Holder* and *Descamps v. United States* have overturned the way in which criminal convictions are analyzed in the immigration context.

Both of these developments have been very important in the cases we handle in the Immigration Appellate Practice Clinic here at Santa Clara.

## JUSTICE SOTOMAYOR VISITS SJSU

By Katrina Swanson  
For The Advocate

Justice Sotomayor spoke at San Jose State University on Monday, October 20th, sharing stories about her life and her experiences on the Supreme Court. She was interviewed by Berkeley Law Professor, Melissa Murray, who clerked for Sotomayor on the Second Circuit Court of Appeals.

Murray shared that her interview for the clerkship position was odd because it involved questions about her upbringing, family, and goals. Sotomayor explained that she gets so many applications that "I pick on the basis of: are they good people...and do they want to do good things?"

Sotomayor's emphasis on people was palpable in her manner on stage, graciousness to students, and the way she spoke highly of her friends and family. The thing she says that she hates the most is when someone says "I did it by myself." She said she almost denied the nomination for the High Court, but was inspired by the unanimous urgings from her friends and family. "Even knowing that a friend loves you - that's help." She thinks of networking as making friends because "every person in the world has good things about them."



Writing *My Beloved World* started as a form of therapy for the Justice during her first year on the bench, seeking a way to compromise her newfound position with her humble beginnings. She says she didn't believe Obama was even going to nominate her, saying "any sane President wouldn't have nominated someone as controversial as me. I'm glad our president isn't sane!" When Obama called her to say he was nominating her for the bench, she was so moved that she began to cry - a rare thing for the strong Justice. She says she still has to pinch herself

whenever she's in the White House, thinking she may wake up from a dream.

Sotomayor shared her thoughts on her *Schuetz* dissent on affirmative action. At first she thought that reading a dissent from the bench was just asking for attention, but the *Schuetz* case was so important to her that she changed her mind, reading her dissent to ensure that the issue got reported. She said that racism isn't over, which received a loud applause from the audience. "It's embedded in our society. Intentional and unintentional, economic

differences aren't happenstance." She was later approached by someone who thanked her for reading the dissent urging, "don't stop dissenting," a sentiment Sotomayor intends to follow.

Her advice to would-be lawyers is to have some idealism "because that's what we do, we help people." She said she gained an appreciation for all people as she worked on the district attorney. She also said that no TV show or movie accurately represents what real lawyering is. Professor Murray asked her about the show "How to Get Away With Murder", to which Sotomayor responded that she thought the professor in the show wasn't instilling the compassion that she hopes to see in lawyers.

Sotomayor ended her talk explaining her sense of disbelief of being on the high Court. She points to writing her book and her relationship with her family in keeping her grounded through her first year on the bench. "Asking myself 'Am I really here?', I've done so much of that! But then you come back and you know why I named my book *My Beloved World*."

Sotomayor's talk was live streamed by SJSU. A recording is online at <http://youtu.be/ml8YjF2W65U>.



# PATENT LITIGATION: WHO ARE THESE NON-PRACTICING ENTITIES

By Jodi Benassi  
IP Editor

This series began by defining “patent trolls” as non-practicing entities (NPEs) who assert patents, but don’t create any products themselves. We should understand just who commonly falls under the definition of NPE before examining the impact of the America Invents Act (AIA) in patent litigation, specifically the effects of the anti-joinder provision and inter partes reviews.

## Academia, non-profit

In pursuit of knowledge and profit, universities typically license technology that has been derived by faculty and student research. Over the past thirty years the number of patents obtained by universities has grown sixteen-fold. Prompted by the Bayh-Dole Act, which encouraged university patenting of federally funded inventions, monetizing patents is now a significant contributor to some university profits. For example, earlier this year Carnegie Mellon obtained a \$1.5 billion dollar judgment against Marvell for infringing on its hard-disk patents.

Among the top five NPEs and a leader among universities in patent assertion, is the Wisconsin Alumni Research Foundation (WARF), a private, non-profit patent and licensing organization for the University of Wisconsin. WARF manages a portfolio of more than 1,500 patents developed by UW Madison researchers which it commercializes

through technology transfers, licensing, and patent litigation. Similar to for-profit NPEs, WARF develops no products on its own and focuses solely on the exploitation of its patents.

## Private, for-profit patent aggregators

Capitalizing on patents has inherent inefficiencies which create opportunities for intermediaries to directly facilitate the sale or licensing of patents through litigation or the threat of litigation. Patents are generally difficult to value because of the interdependencies on other patents and the direct relationship to the owner’s overall portfolio. Since smaller inventors lack the leverage of a large portfolio and have limited financial resources and legal expertise, there is a lower probability that they can bargain effectively to monetize their patents. Patent owners also have a difficult time finding actual infringers of their patents, especially when these products are complex and rely on fast-changing technology. These market factors create an opportunity for the patent aggregator middleman.

A dominant member among patent aggregators is Intellectual Ventures (IV), whose practice consists of sophisticated corporate transactions and litigation matters pursuant to its 70,000 “intellectual assets” which generate annual revenues in excess of \$3 billion dollars, arguably one of the largest domestic portfolios. IV obtained its assets through purchases from individual inventors and companies,

as well as through its own RD Lab. More recently it has crowd sourced ideas through a network of 25,000 independent inventors. These inventors submit concepts to IV and earn royalties when those concepts reach market. Like WARF, it makes no products, and although it does conduct its own research, the majority of its business is focused on asserting acquired patents from individual inventors, businesses, governments, research laboratories, and universities.

## Private, for-profit manufacturing and technology development companies

The very real threat of substantial damages or injunctions, which could lead to a partial or total shutdown of businesses, has led to an extremely high willingness to pay for intellectual property. There is an increasing push to assert ownership in intellectual property of broad technologies. One example of this is Rockstar Consortium, made up of some very successful and respected organizations including, Apple, Microsoft, RIM, Ericsson, and Sony. Collectively these companies invested \$4.5 billion dollars in the bankruptcy sale of Nortel Networks patent portfolio, consisting of approximately 6,000 assets related to a broad array of networking, communications, and internet technologies. The consortium has filed several suits against handset manufacturers whose phones operate on Google’s Android operating system.

Google responded first by buying over 1,000 patents from IBM and then by acquiring Motorola Mobility and its 17,000 patents for \$12.5 billion dollars. Microsoft purchased 925 patents from AOL for \$1.1 billion and then sold off a portion to Facebook for \$550 million. Almost every major technology company is involved in ongoing patent battles which play a key role in convincing companies of the value of each other’s patent portfolios.

Some for-profit companies choose not to pursue the manufacturing and sales of their inventions. Instead, these organizations develop underlying advanced technologies and license their inventions to others who can use them to deliver better products. Interdigital Designs is illustrative of a research and design company that develops and licenses patents for 2G, 3G, and 4G related products from mobile devices to semiconductors, but does not manufacture products based on their designs. These organizations focus almost exclusively on the licensing of their patents to manufacturing companies.

The anti-joinder provisions of the AIA and inter parte reviews impact these NPEs in varying degrees depending on the party’s propensity to file suit against multiple defendant and the strength of the patent. In the second part of this article we will look at how these different types of NPEs have adjusted to the new rules set forth in the AIA and what to look forward to in 2015.

## “CITIZENFOUR” REVIEW

By Sona Makker  
Privacy Editor

When *the Guardian* first leaked the story about the National Security Agency’s surveillance programs, I was sitting in a conference room at one of the largest privacy conferences in the world. I couldn’t help but laugh at the irony. I was surrounded by some of the world’s leading experts in this field who have written texts and treatises on the current state of privacy law in this country. Surveillance wasn’t on the agenda for this conference, but of course, since that day, government surveillance has remained at the top of the public’s agenda.

To some, the man behind the NSA revelations, Edward Snowden, is a hero; to others he is a traitor. Whatever you may believe, I recommend seeing Laura Poitras’ latest documentary-- “[Citizenfour](#)”-- that follows the story of the NSA whistleblower Edward Snowden during the moments leading up *the Guardian* story that exposed the U.S. government’s secret collection of Verizon cellphone data.

The majority of the film takes place in a hotel room in Hong Kong. Snowden contacted Poitras through encrypted channels. Only after a series of anonymous e-mail exchanges did the two finally trust that the other was really who they said they were-- “assume your adversary is capable of 3 billion guesses per second,” he wrote her. Poitras and Snowden were eventually joined by

*Guardian* reporter, Glen Greenwald, who Snowden contacted under the pseudonym Citizenfour. Snowden guides the journalists through the piles and piles of NSA documents as they strategize how to publish and inform the American public about the government snooping programs, including Verizon, AT&T, and other telecom companies sharing phone records to the NSA, FBI access to data from private web

were published in *the Guardian* and Poitras’ in the *Washington Post*, the three sat together and watched as the media reacted and the story unfolded on TV. “We are building the biggest weapon for oppression in the history of mankind,” said Snowden.

The film also contextualizes the leaks, providing background on the extent of government surveillance. Poitras interviewed William Binney, a former

during one of their meetings in the hotel. It was a routine test, but Snowden questions whether or not someone staged it. The timing, “seems fishy,” he says. Is the room bugged? As the viewer you start to question whether it was actually a test too, but then you ask yourself “is that even possible?” It seems so outlandish, straight out of a scene of 24 or something. With that, Poitras effectively prompts the viewer to think that the whole thing, the snooping, the surveillance, it all seems outlandish, but clearly, the evidence proves otherwise.

I am optimistic that the law can serve as a powerful counterweight to curbing mass surveillance, but this cannot happen without continued public pressure. The Internet is changing how we live and how we interact with our social institutions. Institutions—how we structure our everyday lives and how we produce social order—are not written in stone, but are mutable and capable of evolving alongside our own evolution as social beings. This evolution is dependent upon the will and foresight of those who are willing to speak up. “Citizenfour” puts a human face to Snowden and Poitras does so without painting him as a hero or a villain, but just as a twenty-something concerned citizen that many can relate to. “This is the first time people can see who Snowden really is,” said Glenn Greenwald after the film’s premiere. “You can decide what you think about him.”



companies like Yahoo and Google, and the PRISM program that authorized the collection of e-mail, text messages, voicemails, of both foreigners and US citizens. Snowden appears to be very calm and quiet as he unveils all of this. He worried that “personality journalism” would end up making the story about him, rather than the substance of his revelations. When Greenwald’s stories

NSA employee who also blew the whistle -- “a week after 9/11, they began actively spying on everyone in this country,” he says. She also includes CSPAN footage of former NSA chief Keith Alexander who flatly denied any kind of snooping programs to Congress.

There is a perfect scene (almost too perfect) where Poitras films Snowden’s reaction to a fire alarm that went off



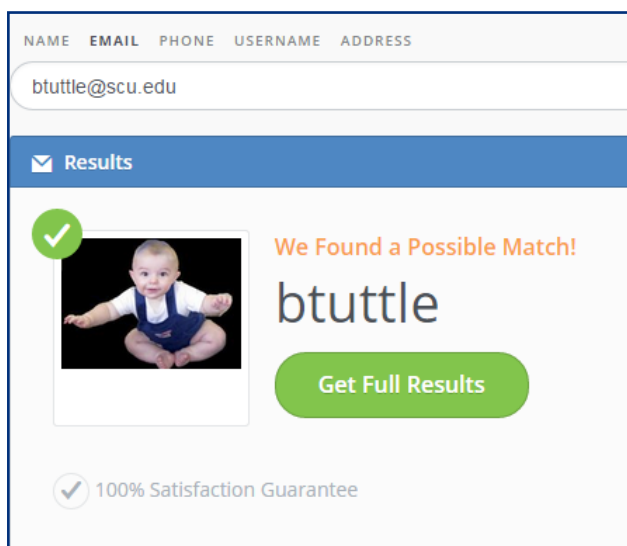
# INTERNET PRIVACY CASE COULD BE HEADED TO SUPREME COURT

By Brent Tuttle  
Managing Editor

Internet privacy litigation is an active and evolving field of the law. At present there is a very interesting case that has petitioned for writ of certiorari and is currently awaiting reply from the Solicitor General. The case is [Robins v. Spokeo, Inc., 742 F.3d 409 \(9th Cir. 2014\)](#).

Plaintiff Thomas Robins is a resident of Vienna, Virginia, so he should already have our sympathy. However in all seriousness Mr. Robins has some beef with Spokeo. But before you can understand Mr. Robins' spat with Spokeo, you must first understand what Spokeo does.

[Spokeo](#) is an online data aggregator that compiles consumer records from a wide range of sources and then attempts to organize this information into an accurate form for its users. Individuals or businesses can search for people by name, email, phone, username, or address, all of which will pull up significantly different results. For example, a search of my name will result in no accurate answers. (I "opted out" from this element of Spokeo circa 2010.) The same goes for my personal email, but take a gander at what Spokeo found for when I searched my .scu account:



A search of my cell phone number indicates that I currently live in Newbury Park, CA. I have never lived in Newbury Park and have had the same cell phone number since 2002. Likewise, if you search my current residence you will find that 7 individuals may occupy my one bedroom apartment, none of which are me (or contribute to the rent for that matter). Other information Spokeo searches can pull up include an individual's education level, "economic health," "wealth level," "items sought from websites such as Amazon.com, and music listened to on websites such as Pandora.com." The list is extensive but as my first-hand experience illustrates, Spokeo is a behemoth aggregator of consumer data with considerable flaws in its processes and results.

Thomas Robins asserts that Spokeo maintains an inaccurate profile of him. In particular, the image Spokeo used for Robins' search listing was not in fact Robins. Where have we seen that? Furthermore, Robins asserts that Spokeo incorrectly stated his age, his marital status, that he was employed in a professional or technical field, and that he has children. Most importantly however, Spokeo listed Robins as having a graduate degree, "very strong" economic health, and estimates his wealth level to be in the "Top 10%."

If you have a shard of decency in your body, it need not be stated that listing someone as having a graduate degree with very strong economic health is a crime against humanity. But here's the kicker: Thomas Robins **DOES NOT** have a graduate degree, or very strong economic health or wealth, and at the time his complaint was filed he was **UNEMPLOYED**.

His complaint alleges that in violation of the Fair Credit Reporting Act, Spokeo "has caused ... actual and/or imminent harm by creating, displaying, and marketing inaccurate consumer reporting information about Plaintiff. Specifically, and in light of the fact that Plaintiff remains unemployed. Defendant has caused actual harm to Plaintiff's employment prospects." Additionally, Robins alleges to have "suffered actual harm in the form of anxiety, stress, concern, and/or worry about his diminished employment prospects." Basically, Robins asserts that by Spokeo overstating his education and wealth, it hurt his job search. I

personally do not understand that logic, but as the court commanded, factual allegations in the complaint must be accepted as true. (**Editor's Note:** It appears Robins has found a job since the original complaint was filed, presumably one that does not require a graduate degree and pays a meager salary.)

Out of the gate Spokeo attempted to dismiss the complaint, claiming amongst other things that Robins has not alleged a sufficient injury for Article III standing. In essence, its argument is that a mere injury-in-law or violation of a statute cannot satisfy the "case or controversy" requirement. A plaintiff must have an injury-in-fact. Robins may have hit a hard streak with employment, but is Spokeo's reference to him as a well-off citizen with a graduate degree causing him any harm? Are prospective employers even aware this inaccurate profile exists? The case made it up to the Ninth Circuit, which disagreed with Spokeo's argument.

Presently, [the issue on petition for writ of certiorari](#) is: "Whether Congress may confer Article III standing upon a plaintiff who suffers no concrete harm, and who therefore could not otherwise invoke the jurisdiction of a federal court, by authorizing a private right of action based on a bare violation of a federal statute."

As evidence shows, Spokeo is not alone in its train of thought. It has had over ten amicus briefs filed on its behalf, some from the likes of eBay Inc., Facebook, Google, and Yahoo. I can't say I'm shocked by their support. Without clarity on this matter, plaintiffs who have suffered no harm will be able to maintain federal and state causes of action by seeking statutory damages. I know of at least [one class action suit pending against Yahoo](#) that would likely be dismissed if the Supreme Court were to take the case and follow Spokeo's line of reasoning.

This is an important issue for the future of Internet privacy cases and one that I think will inevitably have to be confronted. Internet privacy violations often invoke the saying, "If a tree falls in a forest and no one is around to hear it, does it make a sound?" It turns out plaintiffs don't care if they heard the tree fall, they still want to get paid for it.

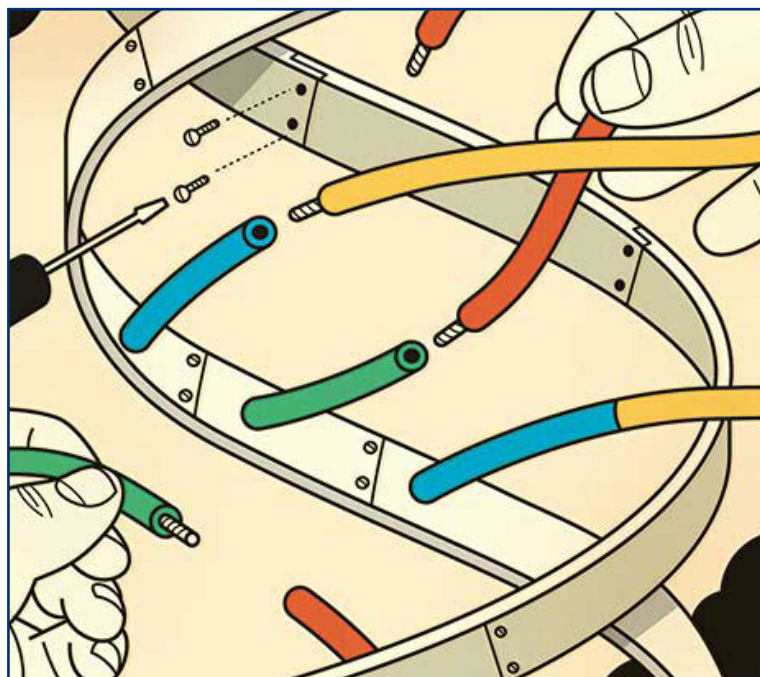
## ProtoCat and the Emergence of Software in Synthetic Biology Continued...

Notwithstanding recent progress, synthetic biology remains primed for effective application in other fields of engineering. Efficiency in engineering is determined by how rapidly one can go around the design-test-build loop. For software, this loop is very quick, sometimes as little as two minutes. In biology, however, this process can take weeks or months because of the sensitive, dynamic nature of biological systems. It simply takes more time for cells to divide and proliferate than for a computer to execute a string of ones and zeroes. As a result, the methods and materials used in synthetic biology must be designed to maximize each individual experiment's chance of success.

To make experimental research more efficient, the synthetic biology community has created two open source software tools. The first is a database of thousands of [biological parts](#) compiled through the IGEN competition. This repository of Biobricks (standardized pieces of DNA that can be joined in different combinations and introduced into a host bacterium so that it will perform a specific task) is populated by submissions from each team attending IGEN. A protocol database called [Open Wetware](#) is the other form of syn bio software support. Open Wetware is a compilation of laboratory procedures and is also managed by the [BioBricks Foundation](#). It was designed to promote established wet lab methods for synthetic biology research.

Despite these software tools, synthetic biology research continues to be frustrating and time intensive. Early empirics suggest that time spent troubleshooting published methods is the main cause of syn bio's lagged progression. According to survey statistics compiled by the University of Michigan Software IGEN team,

50% of synthetic biology lab protocols published in reviewed scientific journals are not functional without some experimentation. Furthermore, half of that 50%



(25% of total) are not workable even after extensive alteration. This lack of robustness undermines the essential purpose of peer-reviewed science and, in addition, compounds the design-build-test inefficiency problem mentioned above. Lab groups seeking to build on previous discoveries are forced to reinvent the wheel (troubleshooting the protocol) just to get the system to function as previously reported. As a result, the process of improving previous concepts is postponed, sometimes indefinitely.

To combat these inefficiencies, a software tool

called [ProtoCat](#) was developed by programmers in collaboration with wet lab scientists at the University of Michigan. Group leader, Josh Abramson, describes ProtoCat as "a type of Wikipedia for Synthetic Biologists with new crowd sourced ranking capabilities." This new software both organizes and ranks the effectiveness of synthetic biology protocols, which improves researchers' access to the best syn bio methods.

Aside from eliminating the need to troubleshoot methods, ProtoCat has the potential to promote efficiency in numerous other areas of web lab synthetic biology research. Vendor information, for example, could be linked directly to the protocols expediting the reagent purchasing process. Additionally, ProtoCat could expand to a mobile platform and allow users to input experiment parameters and equipment into their smart phone to generate a timing sequence for their procedure. Researchers could then track the progression of their experiment remotely while receiving alerts when manual adjustments are required.

Synthetic biology is a technology on the cusp of impacting the world. Its progression will improve global healthcare and reduce modern society's environmental impact. Due to the unique nature of biological systems, synthetic biology has an inefficient disposition. To combat this inefficiency and improve innovation, synthetic biologists have developed standardized, open source software tools. After Biobricks and Open Wetware, ProtoCat is the next step in open source synthetic biology software. By providing a way to rank order procedures based on efficacy, ProtoCat eliminates web lab protocol troubleshooting and allows researchers to focus on bringing synthetic biology to life.



# FLOPPING GNAWS AWAY AT COMPETITION

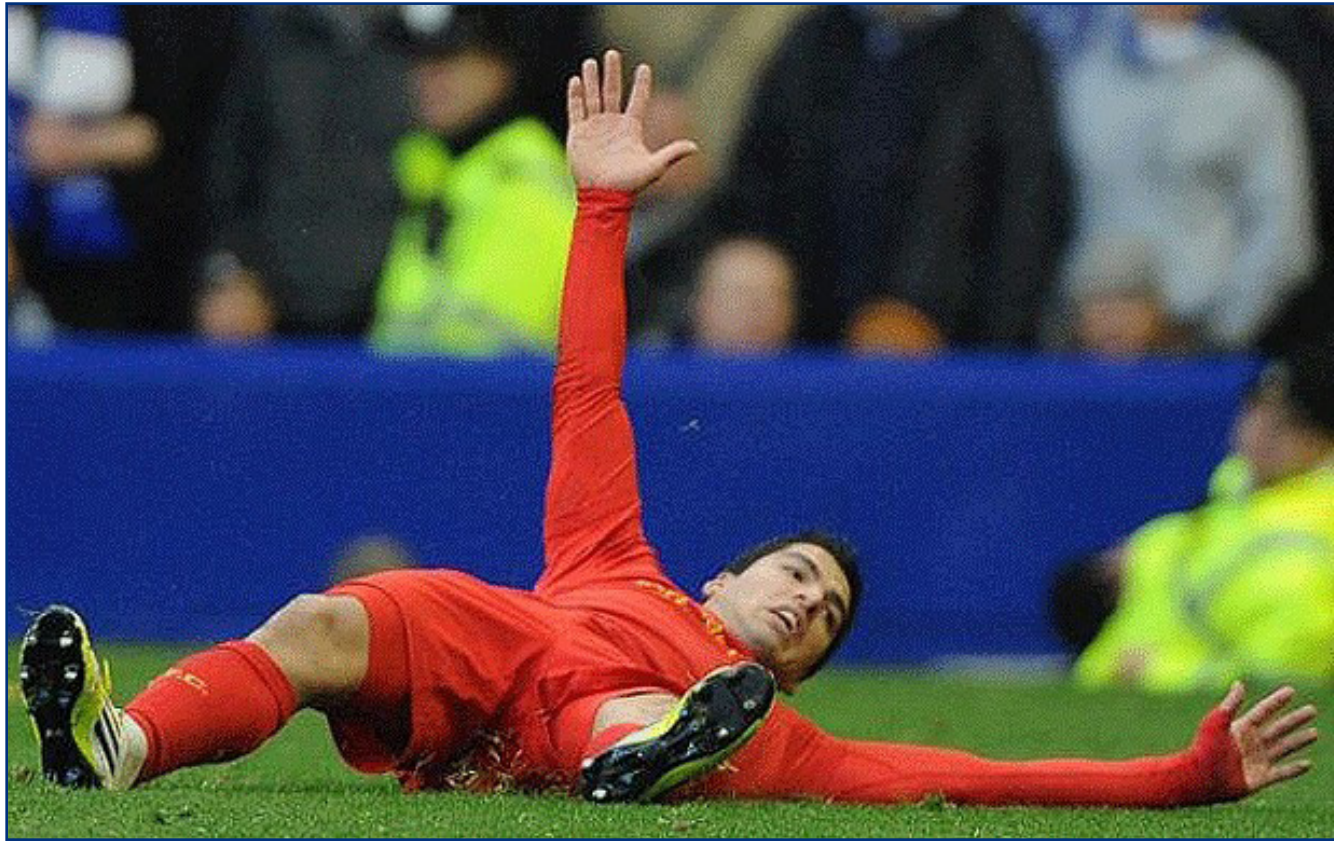
By Jackson Morgus  
Sports Editor

As a sports fan I'm in favor of more or less anything that helps my team win games. When obscure rules go in favor of a team I like, I'm all for enforcement. If they cost my team a game, I'm more likely to let you know that the rule serves no purpose. For the most part, it's gamesmanship when my guy does it, 'cheap' when it's the other team. There is one thing that I can't take though, that brings me shame even when it brings me wins. That one thing is flopping.

I don't know what it is about embellishing a fall that rubs me so wrong. I think it goes back to the playing days when you were taught to skate through a hook or a hold rather than going down, in order to make the play for your team, and hope that the ref could do his job without any extra help. It also probably goes back to the fact that nothing is more infuriating than heading to the box having done nothing wrong, simply because the other guy fooled the man in stripes.

Whatever the reason, if I'm watyoutubeching a Sharks game, and someone in teal feels a stick tap their legs only to go flying, I feel only frustration. I'm not happy with the player for drawing the call, but rather embarrassed that I have aligned my allegiances with that move.

Recently, hockey has put rules in place to punish such dishonorable behavior. You can already get an unsportsmanlike conduct "embellishing" penalty for trying to sell a hook or a trip that didn't happen. The



ref can even call both players if he rules that yeah, you were tripped, but your reaction to the infraction was clearly an Oscar worthy acting job. This year, the league has taken it a step farther, compiling a list of chronic thespians and fining repeat offenders for embellishment. It is a step in the right direction for the league and for the game.

I use hockey as an example because it's what I have the most firsthand experience in, and because I have made more than my fair share of "Canadian National Diving Team" jokes. The fact is that hockey and its tough guy mentality is probably better than most sports when it comes to the problem of embellishment.

Soccer, quite clearly, is the worst. Since the world cup I have begun to follow and enjoy the world's sport more than I ever had before, and while I enjoy it for the most part, the lengths that players go to make it look as if they were fouled is nauseating (don't get me started on the fake injuries. That's some next level stuff

that I will get fired up merely thinking about). Basketball's greatest player is maligned as a "flopper" and "drawing a charge" is an accepted method of defense that involves hitting the deck when the opposing player touches you.

In the last month though, I have seen two striking examples of a dive in a place that I wouldn't expect to: The National Football League. When the Ravens completed a last second Hail Mary to Steve Smith, it was negated and Cincy was given a win when Smith was called for pushing off the defender while the ball was in the air. As a die-hard Boise State fan, I got an uneasy feeling when

a replay revealed that Bengals safety and 2012 Bronco alum George Iloka probably got shoved by Smith, but he did a great job of making sure the ref knew about it. A couple of weeks later, a game winning touchdown for Jimmy Graham and the Saints was wiped out by a PI call drawn when a sniper appeared to take out 49ers defensive back Parrish Cox (replay revealed that there was in fact no gunman in New Orleans, but rather that Cox had flung himself backwards when he realized that Graham had an advantage going up for the ball. The 49ers won in overtime.)

All of that is to make a pretty simple point. Flopping, diving, embellishing, or whatever else you want to call it should (and usually does) offend our sensibilities as Americans. Let's hope that it is something we see less and less of, not something players start to use more as they search for every advantage that might be available.

## WHAT'S YOUR M-O?

By Nikki Webster  
Senior Editor

It's November and the time to prepare for finals is upon us. Rather than shame or pressure you into hitting the books, I aim to motivate you with this article. Yes, now is the time to think about motivation – Motivation and Optimization.

Let's start with motivation. Why are you at Santa Clara Law? Are you here to: make the grades; make mom or dad proud; fulfill threshold requirements for your career; build the foundation for your career; serve future clients; some other reason? Whether you are here for yourself or for another, if you prepare for exams with a larger goal or audience in mind than simply passing (or acing) your classes for yourself, you will be more motivated to do the work. Information sticks when there is a future need for the information you learn beyond the present need to pass exams.

Law school is an opportunity to build a foundation of legal knowledge. To build a solid foundation, you must anticipate the larger structure it will support. By recognizing a greater need than exam prep, the future impact motivates your efforts.

This leads to optimization. To engineer a strong foundation, you should outfit it with the most effective yet efficient supports available. In

law school, this means acquiring both information and skills.

Information can be acquired in many ways, but transforming information into knowledge is a skill on its own. Perfecting this and other skills developed in law school is arguably more important than acquiring information because you can apply skills to any subject matter, legal or otherwise. So, what skills are attainable through studying law? To answer this, we must consider what tools we use in law school to learn the law.

Some of the common ways we learn the law are reading, outlining, taking practice exams, researching and writing, and occasionally working on group projects.

### Reading:

When we read, we learn to (1) issue spot, (2) find rules, (3) apply the rules, (4) consider public policy, and (5) predict the holding of a fact pattern. These skills broadly apply in any work context. To manage multiple assignments, we must prioritize (1. issue spot); understand client needs (2. rules) and apply them in the context of the law (3. application); make decisions based on client preferences and goals (4. policy); and predict the result (5. holding) in order to effect the most favorable outcome.

### Outlining:

When we outline, we learn to separate the law into elements, factors, or tests,

and to define each segment therein using statutory definitions or common law. In this way, we essentially teach ourselves the composition of a rule. Understanding the composition of a rule and how it fits together enables us to predict how the rule will interact with other laws and facts. If we learn to outline information well, we can apply this skill to acquire knowledge in any subject, such as another field of law or a foreign language. We can also use it to understand the theory behind a wide range of subjects including engineering, cooking, and more. The opportunities for application are limitless.

### Practice Exams:

Taking practice exams is an opportunity to test our knowledge and ability to focus under pressure. In court or the work environment, it is a critical skill to be able to recall the law under a variety of conditions. When we take practice exams, we are not only training for finals; we are training our minds to make stored knowledge and newly acquired information accessible for rapid retrieval and use.

### Researching and Writing:

Generally, researching and writing are time-consuming endeavors. If we acknowledge the expense up front, we might as well invest fully. Though we spend hours upon hours reading case law, we rarely study the types of writings we will produce after law

school: motions, briefs, contracts, etc. Reading these documents provides insight into both the language used to construct legal arguments, and how to write for a purpose other than exams. By reading the briefs or motions in conjunction with an opinion, we learn which arguments are most persuasive. This perspective is invaluable in understanding how to effectuate desired outcomes in exams and in practice.

### Group Projects:

Whether or not group-work is in our futures, we will certainly work with others. Group projects present the opportunity to develop soft skills in the areas of management, delegation, division of labor, and task prioritization. We can practice and perfect how to run efficient meetings, set agendas, and schedule exactly the right number and duration of meetings to timely complete assignments.

Ultimately, we have the power to make this time in our lives about more than just exam preparation. If we choose, we can look beyond this present finite need to develop skills for a continuum of future needs. This perspective gives impact to our efforts in law school to motivate and optimize our learning. Let us make this time about more than just exams; let us make this time about investing in a solid, timeless foundation that will support an array of future endeavors in law and in life.