



PUBLISHED BY THE STUDENT BAR ASSOCIATION

The Cecil

First Edition

FALL 2014

IL of a Playbook: What McClurg Didn't Tell You

By John McNeil

You'd be hard-pressed to find a student who managed to achieve first-year success without having read Professor McClurg's *IL of a Ride*. The book is loaded with great advice, and reading it has no doubt prepared you for your inaugural year of legal study. But are you okay with just being prepared? Don't you think a prudent student like yourself should be *overly* prepared? If you just shouted "No!" followed by "Yes!" then you're on the right track, and should also stop answering rhetorical questions because it's very off-putting. The following is somewhat of a supplement to the good professor's book – an extra harness for the IL ride, if you will.

Peer network

Law school is a lot easier when you surround yourself with the smartest people in the class. Think of it as a group project – the dumber your group is, the more work you have to do. But sneak your way into the smart crowd and you're looking at a study-free 4.0. The only problem is, smart people tend to exclusively hang out with other smart people. That just means you're going to have to fake it for a while (and hope that the group you're trying to infiltrate isn't full of dumb people playing smart). I'd recommend learning a few bigger words and throwing them around. Or maybe memorizing the answers to today's *Jeopardy!* and having your peers over for a competition that hopefully doesn't involve you shouting out the answers before Trebek finishes asking them.

Check the end of the case

Now here's one I wish someone had told me sooner – like, before I wasted my entire first year actually reading all of the cases. It took me so much time to read each case, in fact, that I never managed to make it to the end of a single assignment. Had I done so, I would've realized THE ANSWERS ARE AT THE END OF THE CASE. That's right, you can thumb through all of that malarkey in the middle, right to the last sentence where the court's like, "by the way, we affirm."

Sleep with your book open on top of your face

Osmosis...



Upcoming School Events

September 13 Join PALS at the Benjamin L. Hooks Central Library from 9:30 pm - 12:30 pm to shadow an attorney at the MALS legal clinic. Brunch at R.P. Tracks and the Cooper Young festival to follow

September 15 PALS monthly member meeting featuring reps from several legal service organizations who will be providing details about pro bono opportunities. Room TBA, at noon with food

September 18 SBA teams up with MBA to present the ethics panel with some of the area's most well-respected judges and attorneys. From 12 - 3:15 in Wade with food

Don't blink

Kenny Chesney nailed this one. The average person blinks about 15 to 20 times per minute, meaning you spend over half of every day (roughly) with your eyes closed. Imagine how productive you'd be if you could kick this dark habit. Ha! *Dark habit.* I'm sorry. A quick trip to Yahoo! Answers reveals the secret to never blinking. According to Dylan, a 7th grader who almost won his middle school staring competition, the trick is to stare at an object in the distance and make up a story about that object. So, if you spend your entire day creating fictional narratives about far away objects, you will probably definitely notice a spike in productivity.

Rattle your classmates

This is law school, people, law school. You can't treat this like the real world. No one gets voted off of the Real World. It's more like Big Brother or Survivor – you know, one of the shows where victory depends on your ability to manipulate the other competitors. You should aim to come off as likeable and caring. But underneath, you've got to be cold and calculated – a sociopathic monster, constantly plotting ways to mentally, academically, and emotionally destroy your peers. Never miss an opportunity to spout off some random page numbers when someone asks you what the reading assignment is. And each time you leave a room, be sure to excuse yourself by letting everyone know that you're "going to finish that Civ Pro project – the one due tomorrow."

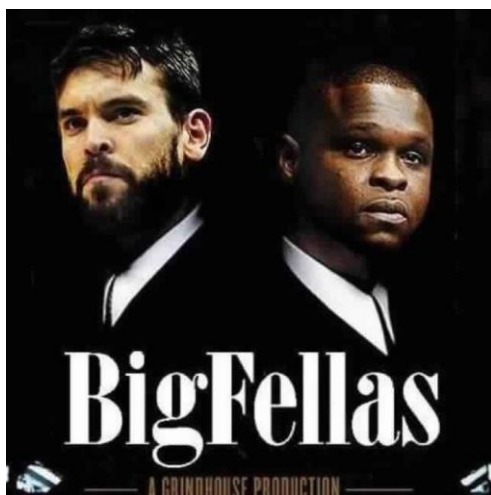
Hire an assistant

The federal government didn't give you all of that free money so you can let it sit in the bank all semester. You have an obligation to put that cash towards your educational development. And what better way to further your education than by hiring a personal assistant? You're practically an attorney by now. And the one thing every successful attorney has is an assistant to do all of the busy work so he can focus on more important things like having his picture taken in front of a shelf of books he's never read. Luckily, finding a well-educated assistant should be fairly easy, considering the high number of recent law grads willing to work for leftover sandwiches.

Don't forget to smile

Seriously guys, underneath all of the horror stories and seemingly endless amount of work, this is actually a lot of fun. Remember, you're paying a lot of money to be here. You might as well enjoy it. I think you'll find that most of your classmates are just as weird as you, and chances are, you'll make some life-long friends. The faculty and staff are great and always willing to help. Even the 2 and 3Ls aren't as cynical as they may seem. Welcome to the Cecil C., and best of luck to you all.

It's Almost Here . . .



Wednesday / Oct 29 / FedEx Forum

September 18 PALS presents Project Homeless Connect, a great opportunity to assist attorneys at the civil legal clinic. Shifts are from 8:30 - 11am, 11am - 2pm, and 2 - 4:30pm. Sign up on the PALS TWEN page or email Tucker Marshburn (tmrshbrn@memphis.edu)

September 20 SBA presents the Memphis Law Golf Tournament at North Creek Golf Club. \$50 gets you 18 holes, food, drink, balls, bev cart, and a bag of swag. \$15 gets you lunch, beverages, and college football in the clubhouse. 9am tee-time.

September 24 The Federal Bar Association presents United States District Judge John T. Fowlkes in Wade at noon with food

September 24 Help BLSA save lives at their blood drive. Lifeblood will be set up in the student lounge all day. Delicious food will be provided to donors

September 25 The Federalist Society presents Dr. Roger Pilon to speak on "The U.S. Constitution: From Limited Government to Leviathan" in the Historic Courtroom at noon with food

September 30 Law Review and the SBA present Professor Linda Black's Faculty Research Presentation on alienation of affection in Wade at noon with food

October 21 The Federalist Society hosts a Death Penalty Debate with Professor John Stinneford in Wade at noon with food

October 24 SBA presents the baddest Barrister's Ball in history, at the world famous Cadre Building

October 28 The Federalist Society hosts Josh Blackman's presentation, "1st Amendment, 2nd Amendment, and 3D Printed Guns" in Wade at 5:30pm

Legal Eats

By Preston Battle

won't surprise you that the first installment of the "Legal Eats" food column is dedicated to my favorite plate lunch destination in the world, The Little Tea Shop. Just as Bardog is the watering hole for law students, The Little Tea Shop has served as the water cooler (sub iced tea for PBR) for Memphis lawyers for almost as long as Lewis Donelson has been alive (one of the Tea Shop's biggest patrons and a legal legend). One step into the vintage lunch room and you feel right at home amongst the pictures of friends and family,



Tigers and Grizzlies memorabilia, and proclamations from various politicians showering praise on the Memphis landmark. You might even find a picture of Professor Kiel and his daughter at the back of the restaurant.

Suhair Lauck ("Miss Sue") is about to enter her 33rd year at the helm of the The Little Tea Shop, which she and her late husband (and Memphis native) Jimmy Lauck bought together. Miss Sue greets you as you walk in and beckons you to a table with either Miss Liz, Miss Bebe, or Omar as your server. Miss Sue's personality sets the tone for her staff; every person who works there is wonderful, attentive, and kind. There are

If you've had a conversation with me for longer than two minutes, it

one-paged printed menus on the table, and the menu changes daily. The Little Tea Shop dishes out Southern classics like fried chicken, Hoppin' John, (black-eyed peas with rice and onion), and seafood gumbo, but Miss Sue sticks to her Palestinian roots with menu items like couscous with salmon and Moroccan chicken. However, unlike most Southern "home cookin'" eateries, you won't find pork in any dish at The Little Teashop, but Miss Sue and her staff more than make up for it.

If you've never eaten at The Little Tea Shop, you have to order the Lacy Special. The Lacy features soft chicken breast nestled between the Tea Shop's famously addictive corn sticks and covered in gravy. Get the Lacy with a side of turnip greens and prepare to experience a revelation. Of course, don't eat it right before you go to a boring class because you might not survive it. The real way to go is to get a three or four vegetable plate—they might be called "side plates" now, but I maintain that macaroni and cheese is still a vegetable. Fried okra days (Tuesday and Friday) are my personal favorites, but their turnip greens, black-eyed peas, and eggplant creole are delicious. And if you and your friends have room for desert, do yourselves a favor and share a frozen pecan ball covered in hot fudge. I may never understand the mythical connection between the plate lunch and the lawyer, but one thing is certain, they all eat at The Little Tea Shop.



The Lacy Special

What is "The Cecil?"

Why, thank you for asking. The Cecil is a campus-wide Newsletter published by the Student Bar Association with the goal of informing you of upcoming events and providing an informal setting for students, faculty, and staff to express themselves.

If you'd like to contribute, please send your idea to CecilNewsletter@gmail.com. Again, while we are not at all desperate for writers, if you'd like to contribute an article, poem, haiku, or picture of your newborn child making an adorable face, for the love of God, please send us an email. Want to write a movie review? Send us an email. Have a unique opinion on a legal or political issue? Send an email. Part of the 2% of people who actually understood *The Leftovers* season finale and want to explain it to the rest of us? Send an email. Want to be The Cecil's exclusive writer for the Grizz and get press passes and phone numbers for all of the players? Just send us an email! (Kidding about those press passes and #'s, obviously).



As some of you know, our very own Adam Selvidge was in a terrible auto wreck a few weeks ago. Not only did he break around 327 bones, but he likely dashed his lifelong dream of becoming the first J.D. to make the NASCAR circuit. Adam is one of the most fun people on the planet to hang out with. If you see him around, please give him a hug and some cranberry juice (he knows what to do with it). Also, if you opt for the hug, maybe put some deodorant on, because if you smell bad, he'll let you know about it. Forever. From all of us at the Cecil C., we wish you a tantastic recovery, Adam, and, if applicable, a hefty personal injury settlement.



CRUMP OF THE MONTH

Each issue, we'll be recognizing a Cecil C. student who emerges from the casebooks and does something truly spectacular – something they didn't have to do but did anyway because they are awesome.

This week's winner is none other than 3L Marcy Walker, who not only agreed to have three trash cans of ice water dumped onto her kind head, but also pledged to help the SBA match each professors' donation to ALS with a donation of her own.

And some of you are no doubt thinking, "well, if I *had* the money, I'd do something like that, too." Don't kid yourself. If someone handed you a thousand bucks right now, you'd spend most it at Bardog and waste the rest, you heathen.

Thank you Marcy, for contributing to a great cause, and also for making the rest of us feel slightly inadequate about our day-to-day financial decisions.

If you'd like to tell us about a student who did something awesome, please send your nomination to CecilNewsletter@gmail.com.



Ramblings of the Disillusioned 2L ... Or Sound Advice to the 1L

by Vance Montgomery

As I sit down to take my mid-afternoon tea, an Earl Grey blend, I suddenly have the urge to put pen to paper, or fingers to keys as it were, or is, in these more modern times. The low hum of the television fills the otherwise silent room with distraction – something about Putin taking over the world, Obama supplying bombs to the various terror regimes, ISIS today, and the long-overdue "Wearable Tech" our omniscient overlords at Apple have benevolently dropped from their iCloud like manna on a long walk—noise mainly. Outside, there is an air of uneasiness after a mob of adolescents attacked several folks down at the neighborhood grocery. It's funny how easily the ghosts of a bygone era can be stirred from their shallow, muddy graves. But that is not the focus of this piece and certainly not an appropriate topic for whatever rag is going to actually print this article. No, instead I'm going to try to properly welcome in the new crop of excited scholars to the Cecil C. Humphreys School of Law. Inside these hallowed halls, the outside world doesn't matter. This law school is your cocoon and just like the classic motion picture, you can feel as young as you'd like once you take a dip inside these warm, safe waters.

There are bits of advice that I wish some older, wiser soul had bestowed on me as I entered my law career—practical things like make sure to hide the legal methods materials to get the edge on your classmates. Or create faulty outlines and "accidentally" leave them near the copy machines in early November. Or that once you've finished your first semester, the world will look completely different and the thin veil of feigned human decency will be lifted and the nasty underbelly of civilization will outshine all hope for peace. These tidbits would have been priceless, and the transition made easier, but what is life if not one uninterrupted slip and fall on a recently cleaned, unmarked bathroom floor? Ultimately you live and you learn, and if you do slip you better hope you can pierce the corporate veil and get your hands in the deep pockets. If nothing else, law school teaches pragmatism, and it is pragmatism that makes the world go 'round.

So you'll make some friends and you'll make some enemies. You'll fall in love with one classmate and then fall in love again with another classmate and your assigned seat in Torts will all of a sudden not look so appealing. You will take your finals and have no idea how you did, and you will spend your Christmas vacation abusing Gran-gran's eggnog trying to forget you are in law school in the first place. You will pass finals and everything will be great, or you won't and you'll probably take to the drink and live out your days watching greyhounds run around a dirt track in West Memphis. Regardless, you are here now and nobody can take that away from you. So read your assignments, brief your cases, chain smoke at Bardog in the evenings, frequent the Gold Club when the days grow shorter, and start drafting those faulty outlines—find a balance.

THE CECIL ENQUIRER

Like the Weather, Only Less Reliable

3L yet to win marital argument, wants money back

Luke Pruett enrolled in law school for one reason only. "I just got tired of always losing arguments with my wife. At first, she was really pushing hard for marriage counselling, but honestly, I'd do just about anything to avoid being stuck in a chair while some over-educated individual grills me with a bunch of questions I can't even begin to answer. Plus, who has the money for something like that? I figured I'd just save the hassle and sign up for law school."

Pruett, who's been married to his wife for over 5 years, says he has never won a domestic argument, not even after two years of law school curriculum. He says he plans to file suit against the school for the repayment of his tuition, noting that they have failed to teach him how to handle "rogue litigators" like his wife.

"She doesn't even follow the rules, man. Like the other day, she's going on about, 'all my friends said you're a slob,' and I'm all, 'Hearsay! Hear-freaking-say!' It's like the rules don't apply to her or something. And don't even get me started on how she crumbles up all the motions I file. Last night I spent six hours drafting a subpoena for her to produce some chicken casserole and she tosses it in the trash. It's just unprofessional."

The school may eventually find itself staring at a class action, as fellow third-year students Rob Clapper and Trent Williams are contemplating similar litigation.

Spring curriculum to include TV ad class

The Cecil administration took an innovative step forward last week by announcing the addition of a class geared towards teaching students how to make their own low-budget TV advertisements. "These students are going to come out of here with a big-time advantage," said Lucas Steelberg, the man responsible for teaching the new class. A self-proclaimed creative genius, Steelberg has directed commercials for several law firms in the area.

The new professor was kind enough to share some of the more important dos and don'ts behind making a successful television advertisement. "Lightning bolts are mandatory. You simply cannot make a commercial without them. My students will learn that. Smiling is also off limits. You're not a dadgum dentist. Put your teeth away. Ideally, you want to project a personality somewhere between defeated drill sergeant and rabid pit bull."

Steelberg concluded the interview by stressing the importance of networking. "By the time these students finish class I'll have them hooked up with stuntmen, hair dressers, and a list of the most illiterate actors in town for the client testimonials. Of course, for the final exam they'll be given a phone number and required to turn it into an annoyingly repetitive jingle."

Students take stairs to top floor, still walking

A group of brave students has decided to push their bodies to the limit, embarking on a journey from the Cecil C. basement all the way to the reading room. They departed early Monday morning, and at press time on Wednesday, they were

already midway up the first floor staircase.

"It's important to challenge yourself physically," said an out-of-breath Grant Kehler while reaching for a canteen of water. The group has been training for months now, and if they fail to reach their goal, it won't be for lack of preparedness.

"We have oxygen masks for when we make it to the third-floor staircase," said a sweat-soaked Shrushti Kothari. "It's been leg-day at the gym for the past few months now, which will hopefully decrease the chances of quad explosions. We've also been listening to 'Eye of the Tiger' nonstop"

Proper nourishment shouldn't be a problem for the group either, having loaded up on overpriced Cliff bars from the bookstore before their ascent.

Despite their meticulous planning, a major setback occurred on Tuesday when their Sherpa decided to turn back after a first floor elevator opened unexpectedly.

The students have also been forced to make a number of sacrifices to complete the journey. "We've already missed two of Professor Schaffzin's clicker quizzes, but honestly, those are impossible anyway," remarked Lyle Gruby. The group is hopeful they can reach the summit in time for Friday's property class, however, they've had to limit their supplies, which meant leaving the textbooks behind and opting to travel with an outline that is questionable at best.

Vote Yes on 2

By Alex Hall

Tennesseans will vote on Amendment 2 in the upcoming November election. And if your mind processes anything like mine did a few months ago, you've already lost interest. The word "Amendment" doesn't exactly excite the masses or incite a call to action, but in this instance, apathy is a bad path on which to travel.

Tennessee's current system for selecting its 29 appellate judges is largely defined by a gubernatorial appointment and a retention election. The Governor has a list of nominees, the Governor appoints from that list, and these appointed judges run in a retention election every 8 years. Although this mechanism of election has been humming along for well over 40 years, confidence in the system has slowly eroded due to rumblings of unconstitutionality. Even following assurances from the courts that the system does not violate the state's Constitution, the doubts that do persist suggest a need for resolve. The Legislature's response is Amendment 2.

Amendment 2 does not change appellate judicial elections as much as it adds to it. The proposed system continues to allow the Governor to appoint the most qualified persons as appellate judges, and it continues to protect the right of Tennesseans to vote for the retention or removal of the judges at the end of their respective terms. What it adds is a layer of checks and balances by way of the Legislature's confirmation or rejection of the Governor's judicial appointments.

So why say yes? If Amendment 2 does not pass, the system will revert back to contested elections. Anyone—yes, anyone—can run. And I remind you, these are appellate judges, not trial court judges. That's a scary notion. Judges are a distinct part of our legal system. The role of the judiciary is to be a body of impartial decision-makers, not a body of politicians slugging it out on the campaign trail and winning votes through promises of putting more convicts behind bars. I understand that "justice" is somewhat of a nebulous term, but I'm pretty sure it's the opposite of what I just described. A poll regarding the Texas Supreme Court revealed that 83% of voters thought that campaign contributions influenced judicial decisions. Even more worrisome is the 48% of judges who agreed.

Add to this the fact that a non-vote (voting for a Governor but simply not checking a box for the Amendment) counts as a vote for NO, and also that the YES votes must garner at least 50% plus 1 of the total votes cast in the Governor's race, and you start to realize why this resolution has become a call to action.

For more information, visit www.voteyes2.org.



Meme Contest!

Because you needed another opportunity to procrastinate... Send your best "meme" of a student, faculty, or staff member to CecilNewsletter@gmail.com. The winner will receive a free cup of coffee from the bookstore and a lightly-worn race judicata T-shirt from last year. The winning photo will be published in the next issue of The Cecil. Here's an example to the right (in case you're behind the times and don't know what a "meme" is). And a special thanks to 3L Mark Harrell for his affinity for public napping.



Disclaimer: While the people mentioned in this newsletter are real students, the stories and quotes are not. Each person gave their oral consent before being fictitiously portrayed. If you were mentioned in this publication without your express permission, it was because we made up a name at random and it just happened to be yours. If you would like to seek legal action for these libelous statements, we suggest finding a terrible attorney and a better sense of humor. Also, if you are successful in defeating this air-tight disclaimer, know that everyone who took part in creating this newsletter is completely insolvent and nothing published in the newsletter was done so at the direction or discretion of the Cecil C. administration.