



## Contemporary Legal Issues

22, 30-minute programs

Closed Captioned

### **AWARDS:**

2004 Hometown Video Winner for Talk Show

2004 Communicator Award – Honorable Mention

2004 W.A.V.E. (Western Access Videos Excellence) Award of Distinction

2005 Accolade Competition – Honorable Mention

2005 Communicator Award – Crystal Award of Excellence

2005 Communicator Award – Honorable Mention

2006 Aegis Award - Winner

Contemporary legal issues will be explored by leading experts in the field via TV broadcasts. Meetings should be conducted for the purpose of further developing legal issues and completing a research project. Research projects are recommended for submittal to AAFPE for publication in the American Association for Paralegal Education Law Journal. This capstone course focuses on advanced legal writing, analysis, and research. Students will be able to: demonstrate the use of legal research tools; demonstrate knowledge of briefing and synthesizing case briefs and authorities; develop the ability to analyze complex areas of the law and apply to findings to fact situations; and prepare a research plan and list of authorities.

### **PROGRAM DESCRIPTIONS**

Program #501

#### **Cyber Law**

##### **Cyber Court, the Court of Next Resort**

This program discusses the background and history of Cybercourts; why there is a need for International Cybercourt; the jurisdictional concerns; minimum contacts rule and how it applies to Internet cases; how personal jurisdiction is established; and advantages and disadvantages of Cybercourt Central. Examples of disputes suitable for Cybercourt are provided. Another example discussed is the landmark case, Zippo Manufacturing Co. v. Zippo.com.

Program #502

#### **Employment Law**

##### **Mandatory Employment Arbitration Agreements**

A panel discusses the background and history of Arbitration in employment law; specifically Federal Arbitration Act 1925 and California Arbitration Statute (1927, 1961); how Arbitration works: the advantages and disadvantages - time, cost, privacy, no jury trial, limited discovery and appeals; how an Arbitrator is selected; collective bargaining issues; union/management relationships; resolution of grievances/quid pro quo for a no-strike clause; the EEOC's position on mandatory arbitration agreements; SAIC's application model; and the validity of the agreements and the requirements to enforce arbitration agreements. One example given is Alexander v. Gardner-Denver.

Program #503

**Constitutional Law**

**The Right to Counsel**

Guests are the Hon. Victor Ramirez, who just recently retired from the Superior Court, Richard Layon, a criminal defense attorney, and past president of the North County Bar Association, and Steven Carroll, the Public Defender for San Diego County. The distinguished panel will help with understanding what the 6th amendment right to counsel means - and does not mean. In the aftermath of the Westerfield trial, the defense team and Steven Feldman in particular, were vilified for their aggressive defense of David Westerfield, who now faces the death penalty for the murder of Danielle Van Dam.

Program #506

**Constitutional Law**

**First Amendment Jurisprudence and the Courts**

A panel covers the rules for cameras in the courtroom in the aftermath of the O.J. and Westerfield trials; the role of the newspaper reporter and how it is different from the eye of the camera; the impact on the criminal justice system after so many high profile trials, competing interests and issues; balancing the competing interests; and the balance test used in 1<sup>st</sup> Amendment Jurisprudence. Madison as the author of the Bill of Rights, considered the 1<sup>st</sup> Amendment to be the “most valuable amendment on the whole list.”

Program #507

**Constitutional Law**

**The USA Patriot Act**

A panel describes the background, major provisions, and the significance to the average American of the USA Patriot Act. Discussion the act being a dangerous over-stepping by the government, or a necessary reaction to fight the war on terrorism takes place; and the impact on the “war” against terrorism, and does the act bring violence to our individual rights and liberties. The Patriot Act II is described and there is discussion about it restoring individual rights or further diminishing rights and liberties.

Program #508

**The United States Attorney**

**Carol C. Lam**

Carol C. Lam discusses her journey to becoming the U.S. Attorney and describes the organizational structure of the office of the U.S. Attorney and its mission, employees and location. She shares her major goals and priorities - mainly white collar crimes. Carol C. Lam talks about the \$90 billion cost to the U.S., health care, and the \$400 billion cost for fraud and abuse. She specifically speaks about the white collar crimes in San Diego and gives a profile of a white-collar crime offender.

Program #601

**Constitutional Law**

**First Amendment Jurisprudence and Religion**

A distinguished panel covers the background and history of the 1<sup>st</sup> Amendment; Jefferson’s “Wall of separation” Religion as a fundamental right; the establishment clause; the “Lemon Test” and how the court balances the state’s interest; the balancing test used in 1<sup>st</sup> Amendment Jurisprudence; recent court challenges – i.e.

the Girl Scout's and the Mt. Soledad cases; why the "Ten Commandments" removal from the Alabama Supreme Court important; and is the "Pledge" advancing religion.

Program #602

**Immigration Law**

**The Consequences of Illegal Immigration**

A panel discussion about the background and history of illegal immigration; the economic, political, legal issues, absences of a clear policy; a Proposed Legislative Scheme to Solve the Mexican Immigration Problem, Bettwy, San Diego International Law Journal, USD, School of Law; President Bush's immigration plan, specifically how it will work, what is the projected cost and who pays; the possible impact on California as it relates to schools, hospitals, driver licenses; how the new immigration policy impacts undocumented workers already in the U.S.; and how to deal with illegal aliens who already have deportation orders or warrants for their arrest – the "Clear Act".

Program #603

**Labor Relations Law**

**The Strike and other Weapons of Bargaining**

A panel discussion about the background and history of the labor movement in the U.S.; the percentage of workers today working under a collective bargaining agreement; description of a recent strike/lock out involving the United Food and Commercial Workers Union and the major retail grocery store; collective bargaining issues, costs; strikes being used to further negotiations; and covers the goals of the grocery chains and union; and their final outcome.

Program #604

**Intellectual Property**

**Copyright and all that Jazz!**

The panel guests cover the background and history of copyright law, the various rights and limitations relevant to copyrighted materials; a video clip of students discussing downloading music with a Contemporary Legal Issues producer; a typical college student thoughts about downloading music; what precipitated the government's recent indictment; rights of record companies and performers; "fair use" exception; and cutting edge new issues for copyright protection regarding the Internet.

Program #605

**Constitutional Law**

**Brown v. The Board of Education**

Guest panel discusses the journey by the Court in deciding Brown (*The Civil Rights Cases and Plessy v. Ferguson*); covers separate but equal doctrine; the Equal Protection Clause and its role of the 14<sup>th</sup> Amendment in deciding Brown; the May 17, 1954 Brown Decision bringing an end to *De Jure* segregation; Chief Justice Warren declaring the end of "separate but equal doctrine"; the Brown implementation and the formula for ending segregation – "all deliberate speed"; President Eisenhower intervening with Federal troops; and the role the federal courts play.

Program #606

**Criminal Law**

**A Cold Case**

A panel discussion about the background and history of the investigation; the victims; describes the circumstances relating to the murders, time, and place; describes who Federico Gonzalez was; the process that lead to the arrest of the defendant; the trial and description of the challenges of prosecuting a 20 year old murder; the role scientific evidence played in the conviction of Gonzalez; and the importance of bring closure for the families of the victims, the police, prosecutor and society.

Program #608

**Domestic Law**

**Same Sex Marriages**

A diverse panel discussion of the background and history of marriage – the legal and religious definition; the change in the definition of marriage bringing a catastrophic change to family and society; the percentage of gay Americans and why the issue of marriage is important to them; the support for gay marriages, unions and partnerships; benefits being available through a civil union or domestic partnership law being sufficient in addressing the needs of the gay community; equal protection and equal marriage rights; and the impact on organized religion if same sex marriages are universally recognized.

Program #701

**Capital Punishment, An Evolving Standard**

The focus is on the Supreme Courts decision to end capital punishment for juvenile offenders. In a 5 to 4 ruling the high court declared that it was unconstitutional to execute minors, concluding that the death penalty for minors is “cruel and unusual punishment”. A distinguished panel will help you understand the rationale enunciated in this decision which further erodes the death penalty and discusses the 8<sup>th</sup> Amendment; “cruel and unusual punishment”; executions of minors and adults since 1976; controversy of Capital Punishment being available; and the application of an international standard to American Law. Guests are: Steven J Carroll, the Public Defender for San Diego County, and Professor Glenn Smith, who teaches constitutional law at California Western School of Law.

Program #702

**Business Law & Ethics**

**If it is Legal, Is it Ethical?**

Enron, MCI, and Tyco have become household words, not because of their products or services, but rather because of their unethical conduct, setting new records in the annals of business: Enron, the 7<sup>th</sup> largest company, goes bankrupt. It is one of the largest bankruptcies ever recorded, devastating their employees, shareholders and community. MCI sets the record for the largest fraud in U. S. History, \$11 Billion dollars, sending the CEO to jail. Tyco gets first prize for the biggest, most lavish birthday party paid for with company money. A distinguished panel of experts will help you understand the ethics of business. Guests are Chuck La Bella, attorney at law, and April Riel, a CPA and, certified fraud examiner.

### **Program #703**

#### **The Terri Schiavo Case**

After 15 years, in a persistent vegetative state, the controversies surrounding the death of Terri Schiavo before her death, remain controverted today, in what has been described as the longest and most litigated right to die case in U. S. History. Notwithstanding the dispute between her parents and husband, the courts and Congress, the law and theology, according to a recent poll, 80% of Americans believe that Terri Schiavo had a right to die, and that she should have been allowed to die with dignity. A distinguished panel of experts will help you understand the compelling issues which arose in this case. Guests are the Most Reverend, Salvatore Cordileone, Auxiliary Bishop of San Diego, Steven Smith, Dean, California Western School of Law, and Richard Sheridan, Senior Vice President, and General Counsel, for Scripps Health.

### **Program #801**

#### **Bar Association of Northern San Diego County, Celebrating 50 Years**

Guests Mary Cataldo, Attorney-at-Law, and James Lund, President of the Bar Association of Northern San Diego County, discuss the history and purpose of the bar, as well as its role within the community and how it benefits the citizens of North County, San Diego.

### **Program #802**

#### **Legal Education, A Dean's Perspective**

Dean Steven Smith joins the discussion on the history of legal education and the role of the American Bar Association as a leader in this area. The status of legal education in the United States and the training behind today's attorneys is discussed. Mr. Smith describes the California Western School of Law, specifically the special programs; Podcast, Criminal Defense, and the California Innocence Project. The future of legal education is also mentioned.

### **Program #803**

#### **Small Claims Court: Mediation of Small Claims**

A panel discusses the background of the Small Claims Court, the process of bringing a small claim, and the role of the Small Claims Advisor. The services of North County Lifeline are explained, as well as dispute resolution programs and mediation.

### **Program #804**

#### **Identity Theft**

Deputy District Attorney Keith Burt talks about the background and facts of identity theft, and how extensive the effects are in California. The four classifications of identity theft are discussed, as well as the consequences of these types of theft for individuals and businesses. Mr. Burt also discusses his project, CATCH, in detail and how it is responding to the identity theft crisis. Tips for preventing identity theft are also mentioned.

### **Program #805**

#### **Mental Health and the Law**

Guest Charles Sevilla, Attorney-at-Law, discusses mental health and the criminal justice system; specifically the 1984 Insanity Defense Reform Act, 18 U.S.C. 17, the prison system's involvement, legal tests for criminal responsibility (M'Naughten rule 8 Eng. Rep. 718 (1843)), and the difference between people who are insane, and those

who are simply criminals. California law regarding diminished capacity is also discussed.

### **Program #806**

#### **Privacy Rights and the Law**

Attorney Robert Levin discusses privacy rights within the workplace, and how employers are monitoring their employees; email, phone conversations, and video surveillance. The Hewlett-Packard privacy scandal is brought up, as the lawsuit against the company was settled the same day Contemporary Legal Issues was taped. Pretexting and anti-hacking in California is also discussed.