



# The Litigator

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3rd Meeting

## **I**nterpreting the Constitution in Contemporary Times Rebecca Caruso

If you would like to contribute to our next issue of **The Litigator** please email us your article by **October 14!** You can write about anything law related such as the LSAT, your internship experience at a court or law firm, the law school application process etc. You get **5 points** for submitting an article.

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As a political major, my intellectual interests have long been centered on issues of law and the rights of the individual in the legal system. Since the creation of the U.S. Constitution, there has been debate over its application in everyday life. The Eighth Amendment continues to pose a dilemma in the creation and execution of new laws that concern the prosecution and sentencing of criminals. This amendment prohibits the federal government from inflicting cruel and unusual punishment; stating that, “excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.” The Fourteenth Amendment incorporates this requirement for the states.

The term “cruel and unusual punishment” has been used to depict many facets of the corrections system, such as executions, but there is one aspect which has recently grabbed the attention of the media and government officials. This is the issue of whether “cruel and unusual punishment” could apply to prison overcrowding. The overcrowding cri-

sis is due to multiple “get tough” laws, such as three-strike laws, harsher drug laws, and an increase in life sentences without the possibility of parole. Both state and federal prisons are overcrowded, but state legislatures and Congress refuse to revise the laws which are causing the problem, so the overcrowding continues. The U.S. Supreme Court is starting to take action.

In May 2011, the Supreme Court ordered California to reduce its prison population by more than 30,000 in-

mates, ruling that the overcrowded prisons violate the Eighth Amendment’s ban on cruel and unusual punishment. This situation is not limited to California; the states of Louisiana, Illinois, Iowa, Maine, and Pennsylvania all have laws which cause the overcrowding of prisons. None of these states offer the possibility of parole for those serving life terms, and this usually extends to their juvenile prisoners as well. By imposing life sentences without the possibility of parole, the number of older con-



victs is increasing, along with the cost of housing the aging inmates because greater health needs burden the system with greater costs.

Nevertheless, the situation is more complicated than solely focusing on the economic cost for taxpayers. The option to release older convicts is not always advisable either, because many of the older convicts committed violent crimes such as murder, rape, robbery or kidnapping. Many voters would be more willing to be lenient with nonviolent offenders than the violent criminals. Most people tend to support even harsher sentences for sex offenses and other violent crimes. Therefore, one option

could be to reinstitute the possibility of parole for those sentenced to a life term, but only for nonviolent offenders. Reversing some of the get tough laws, and relying instead on rehabilitative avenues like treatment for drug offenders, could safely reduce the prison population.

Although many scholars and government officials disagree, the overcrowding of prisons is becoming dangerous and cannot be ignored. The situation seems to be a continuation of the conflict between the rights of the individual and the common good. The “get tough” laws have failed



to deter offenders from committing crimes, and have only served to place a greater burden on U.S. taxpayers. The three strikes laws,

harsh drug laws, sentencing guidelines, and mandatory minimums have tipped the scales toward the common good over the rights of the individual. While figuring in the common good is necessary, it is also imperative for lawmakers to keep a balance between the rights of the individual and the common good, to keep the public safe while still upholding the principles that created this country.

## My Internship at the White House Executive Office of the President

Vanessa Miller

Eliminate the rigorous heat, crowded subway and streets, and you have yourself a beautiful and intelligent city to have a summer internship in. I was a Research Intern at the White House Executive Office of the President, Office of National Drug Control Policy working under Deputy Associate Director Terry Zobeck and Senior Policy Advisor Dr. Michael Cala in the Office of Research and Data Analysis in Washington, D.C. this past summer - try saying that five times. My six weeks in the nation's capital allowed me to explore my potential future academic opportunities as I explored

such a remarkable city.

Conducting research has always been a top interest for my line of study, specifically because I am attempting to combine my borderline obsession for philosophy and love for criminological research via the law's application. What do I mean? I find that what moral philosophy attempts to get at (what is right and what is wrong) is closely related to how law comes about, especially through ethical studies in criminological research. Complicated, but I find it fascinating.

The connections I made in the research community on a federal level and the exposure I re-

ceived in the field surpassed my expectations and I became very humbled because of it. The dedication and pure intelligence engraved in every co-worker I worked alongside served as a constant token of what teamwork really is. So, how is one to attain such an awesome internship? Simple. I've made my own “words of advice” list since there is no one direct way of getting accepted as an Intern. Also, remember being an intern is a coveted position and although the title “intern” may lose its charm after a few days of hard work, but the satisfaction is directly and indirectly impacting.

**1. START EARLY!** If you are looking for a governmental summer internship (this applies to Fall and Spring as well), most agencies request your application be submitted 8 to 10 months prior to your arrival. The application itself is a long and sometimes tedious

**"If you are looking to intern with a non-governmental agency, such as a law firm or private corporation, applications may be asked to be submitted 2 to 3 months prior to your arrival."**

one, but background checks take months in advanced to be completed. Agencies like the FBI or the CIA might even request your application be submitted up to a year in advanced due to the rigorous nature of the application process - which, you are not permitted to discuss with anyone. However, if you are looking to intern with a non-governmental agency, such as a law firm or private corporation, applications may be asked to be submitted 2 to 3 months prior to your arrival. Regardless of your choice of internship, research all of your opportunities early! Sometimes finding the right internship(s) is harder than getting accepted.

**2. GENERAL/TAILORED DOCUMENTS:** When applying to multiple internships (and the average is anywhere between 8 to 12), you should be aware there are some common documents you will be asked for. These include: a

completed application, a resume, a cover letter or statement of purpose, your transcripts, a writing sample, and letters of recommendation. Look familiar? Make sure

these documents are either generally formatted to fit the needs of all your internship applications or they are narrowly tailored to fit the exact requirements of a specific agency or company.

**3. SELLING YOURSELF:** As a potential intern, you need to make sure you show the person reviewing your application how you will benefit the agency or company, rather than it benefiting your future resume. Whether applying to a non-paid or paid internship, your labor will benefit the company's efficiency and productivity - no one is looking to hire someone to sit in front of a computer all day.

**4. BE HONEST!** Don't apply to multiple internships changing your career objectives just to secure a chance at an acceptance. If you don't see yourself working as an intern for an Environmental Law firm, then don't apply. Nothing looks worse than a resume filled with meaningless work. On-

ly apply to internships that you know you can excel at while enjoying your much appreciated effort. Commitment to your internship will be blatantly evident through your work ethic and demeanor. Remember, an internship is meant to gear students towards their future academic or career goals!

All in all, I could go on for hours



about what you should and shouldn't do while applying to internships. I was in your position a year ago and know what it feels like to be confused, rejected, and accepted. Researching internships and compiling an early application packet is the most important factor in this stage of the game if you haven't done so already, so make sure you are well aware of when things are due and what type of intern your agency, corporation, or law firm is looking for. There is no greater feeling than shaking hands with your future employer while they look

## Second Meeting

Jennifer Lee

We discussed the 'softs' portion of 3 Main Parts to a Law School Application: LSAT Score, GPA, Softs.

Softs include elements of your application such as letters of recommendation, resume, and personal statement (which is arguably the part of your applica-

tion that you have the most control over and especially important in admissions decisions). In order to become a competitive applicant, be sure to become involved

and show commitment/dedication to your extracurriculars -- by obtaining officer positions in clubs, having legal intern experience, volunteering and giving back to the community, etc. We discussed possible post bac options such as Teach For America and Peace Corp; how taking time off can be beneficial if it is spent in a meaningful way that makes you a more diverse & dynamic candidate.

Our speaker Attorney Dan Vasquez, Esq. gave a presentation on his experiences prior to

attending UF Levin College of Law, such as time spent as a FL Supreme Court Clerk for Justice Labarga. He is now an attorney at Fine, Farkash & Parlapiano - a personal injury firm.

His "practical [free] advice" includes things college students should know about law school applications: your past can haunt you. Be careful about what you do now because it will affect your legal future, certain conduct/mistakes can prevent you from passing the Bar, and reputation

matters.

His two cents: taking time off can make you a more well-rounded law school student with experience, depending how you spend it. Encourages students to like what they do -- seriously assess WHERE you want to practice and WHAT you want to practice before going into law. Also remember that law is about people! You need to be people-oriented and practical experience now will only benefit you later.

## Sample LSAT Logic Game

[www.griffonprep.com](http://www.griffonprep.com)

Answers: 1) C 2) A 3) B 4) E 5) E 6) G

An advertising executive must schedule the advertising during a particular television show. Seven different consecutive time slots are available for advertisements during a commercial break, and are numbered one through seven in the order that they will be aired. Seven different advertisements – B, C, D, F, H, J, and K – must be aired during the show. Only one advertisement can occupy each time slot.

The assignment of the advertisements to the slots is subject to the following restrictions:

B and D must occupy consecutive time slots.

B must be aired during an earlier time slot than K.

D must be aired during a later time slot than H.

If H does not occupy the fourth time slot, then F must occupy the fourth time slot.

K and J cannot occupy consecutively numbered time slots.

1. Which of the following could be a possible list of the advertisements in the order that they are aired?

- (A) BDFHJCK
- (B) CJBHDKJ
- (C) HBDFJCK
- (D) HDBFKJC
- (E) HJDBFKC

2. If advertisement B is assigned to the third time slot, then which of the following must be true?

- (A) C is assigned to the sixth time slot.
- (B) D is assigned to the first time slot.
- (C) H is assigned to the fourth time slot.
- (D) J is assigned to the fifth time slot.
- (E) K is assigned to the seventh time slot.

3. Which of the following could be true?

- (A) B is assigned to the first time slot.
- (B) D is assigned to the fifth time slot.
- (C) H is assigned to the seventh time slot.
- (D) J is assigned to the sixth time slot.
- (E) K is assigned to the third time slot.

4. If C is assigned to the third time slot, then each of the following could be true EXCEPT:

- (A) B is assigned to the fifth time slot.
- (B) D is assigned to the sixth time slot.
- (C) F is assigned to the fourth time slot.
- (D) J is assigned to the first time slot.
- (E) K is assigned to the second time slot.

5. If H is assigned to the first time slot, then which of the following is a complete and accurate list of all the time slots to which C could be assigned?

- (A) second, fifth, sixth, seventh
- (B) second, fourth, fifth, sixth, seventh
- (C) second, fourth, sixth
- (D) second, third, fifth, sixth, seventh
- (E) second, third, sixth

6. If J is assigned to the seventh slot, then which of the following must be assigned to the fifth slot?

- (A) B
- (B) C
- (C) D
- (D) F
- (E) K

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