

# DUE PROCESS

VOLUME I, NUMBER I – NOVEMBER 2008

## NEW ENGLAND LAW NEWS

### *Students Changing History*

In September United States Attorney General Michael Mukasey, in a rare move, overturned a lower court decision in the Matter of A-T-, a case in which a 28-year-old Malian woman was denied asylum in the U.S. The asylum petition was made on the basis of past female genital mutilation (FGM); both the Immigration Judge and the Board of Immigration Appeals denied asylum maintaining that since A-T- had already been subjected to FGM, she could not be subjected to it again. Professor Dina Haynes and six student volunteers from NEL's Immigration Project in the school's Center for Law and Social Responsibility, Erin Brown, Laura Nazzaro, Rochelle Meddoff, Frances Katz, and Ellen Houseal, contested the decision from a medical perspective. They met with prominent area medical professionals, including doctors and psychologists from the Boston Medical Center and the Boston University Refugee Project, to research the arguments and write an amicus brief. The amicus brief argued that considerable ongoing and future harm does continue after FGM, including physical, sexual, and psychological trauma, as well as harm to any future children.

More than 125 prominent medical professionals and medical organizations signed onto the brief, which was filed in the Fourth Circuit Court of Appeals in April 2008. Shortly after, 26 members of Congress, including Senator Kennedy, Kerry, and Clinton, filed a similar amicus brief. Attorney General Mukasey then vacated the original decision, and sent the case back to the immigration court, stating that its decision was "flawed." According to the Justice Department, immigration courts decide about 40,000 cases a year, and an attorney general has issued an opinion on a case only three times in the past three years.

## MARK YOUR CALENDARS!

- **Information Sessions for the Summer Abroad Programs** offered through the **Consortium for Innovative Legal Education (CILE)**, Monday, December 1st, 2008, 12:30PM in Room 305 AND 5:00PM in Room 304
- **Human Trafficking Awareness Event** sponsored by **Women's Law Caucus**, coming February 2009
- **Follies and Roast** sponsored by **Women's Law Caucus**, coming March 2009 at FELT!



**More in Print:**

*A Letter from Dean O'Brien...*

*Students Annihilate the Bar Exam*

*The New England Journal on Criminal and Civil Confinement New Associates*

*The New England Journal of International and Comparative Literature Editors*

*New England Law Review Editorial Board*

▪ **Conference on The Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) and its Optional Protocol, Friday, April 3rd, 2009**

**TAKE AN INTEREST!**

**STUDENT HEALTH**

*Know Yourself*

Irritated with the regular news?  
Think something legal is funny?  
Got something to say?  
We want to hear from you!  
Become a Writer for **Due Process!**

Interested in Photography?  
Take pretty pictures?  
We're **Jealous!**  
Become the Photographer for **Due Process!**  
Contact Rebecca Castaneda at  
Rebecca.L.Castaneda@nesl.edu for more  
details.

**American Civil Liberties Union (ACLU)** is looking for new members to give support and leadership in joining the fight to defend civil liberties!

**New England Law OUTLaws** is calling all artists and designers! They are looking for a t-shirt design to go along with the tagline "Think Outside the Briefs!" Be sure to

Do you feel tired or have trouble sleeping at night? Do you feel more tense or anxious than usual or have difficulty concentrating? Do you have headaches or find yourself getting sick more often than before you began law school? These symptoms are only a few of the most common symptoms of depression and anxiety. If you have experienced any or all of these symptoms or similar manifestations, you are not alone. We spend much of law school competing for grades, interviews and other benchmarks that we are engrained to aspire to. Throughout that time, we may often feel that the stress, weight fluctuations, and possible increase in alcoholism are merely part of the law school experience. What you may not know is that statistically, a large number of law students are suffering from clinical depression or other mental health illness that remains untreated or is unknowingly exacerbated by alcohol or substance abuse. As with any health problem, depression and anxiety can be properly treated when recognized and addressed. Although law school will always be stressful, suffering from depression, anxiety or alcoholism are not prerequisites to practicing law.

Lawyers rank first in incidents of depression when compared to 104 other occupational groups. Practicing lawyers exhibit clinical anxiety, hostility and depression at rates that range from 8 to 15 times the general population. These statistics may not come as a surprise knowing the stresses related to even becoming a lawyer, namely, successfully completing a law school program and passing the Bar Exam. However, it is shocking to know that 20 to 40 percent of law students suffer from clinical depression by the time they graduate. This staggering reality may often lead to substance abuse because law students are unaware of their health issues or simply do not know how to properly cope

submit your drawings to Melissa Masoom at [Rukhsanda.Masoom@nesl.edu](mailto:Rukhsanda.Masoom@nesl.edu)!

**Entertainment Sports Law Society** is looking for new members to come and join in discussing current entertainment and sports law issues! They will be participating in a symposium next semester with big networking possibilities!

with the symptoms, and turn to XYZ as an outlet. True, changing the environment of law school or the rigors of obtaining this degree may be impossible, but recognizing and learning how to handle the experience may prevent further perpetuation or increases in these statistics after graduation... [continued on page 9 in print]

**More in Print:**

*Wine, Cocktail Parties and Character Evidence*  
*Homecooking for the Holidays*

**IN OTHER NEWS**

*Age of Chinese Gymnasts Investigated*

Seventy-three pounds of pure muscle glided gracefully to the gold medal stand in August. The 4'8" gymnast competing for the host country met her competitor, the American, Nastia Liukin, on the awards platform. On the highest of the three steps on the platform she took her place to Liukin's left, to accept her gold medal. The tiny athlete had to look up to smile at her opponent. The crowd looked on as the Chinese national anthem played and the flags of the athletes' nations raised above their heads.

He Kexin of China earned her place in this ceremony with a nearly-flawless performance on the uneven bars, earning a score of 16.725 in the finals. Liukin held her own however, scoring the exact same number of points. After a dramatic tie-breaking decision that placed He in first and Liukin in second place, the world paid attention to the miniature but powerful He. Then it wondered whether it was possible for this tiny, underdeveloped creature to really be 16 years old - the required age to compete in the Olympic Games. "I did think they looked really young to begin with, although gymnasts always seem smaller than others their age," said Sarah Basgaard, a 1L at New England Law.

The controversy surrounding He and two of her teammates on the Chinese artistic gymnastics team may not have eclipsed the success of swimmer Michael Phelps or track star Usain Bolt, but the questions regarding the actual ages of these girls circulated with the fervency of a world worried it may have been duped... [continued on page 6 in print]

**DUE PROCESS  
WOULD LIKE  
TO WISH  
EVERYONE  
GOOD LUCK  
WITH THE  
UPCOMING  
FINALS!**

**QUESTIONS? CONTACT DUE PROCESS EDITOR-IN-CHIEF,  
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