

# Humphreys College

## Newsletter



SEPTEMBER 2009

SUMMER QUARTER

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## HUMPHREYS COLLEGE SCHOLARSHIPS AWARDED

By Lisa Kooren

This summer Humphreys College was pleased to reinstate the Humphreys College Scholarships. The applications became available May 20, 2009. Many students from all majors, including students from the Master of Arts degree program, provided applications and essays to the Scholarship Committee. Overall, there were a great many deserving students who provided excellent essays for the committee. It was a difficult decision, and the following students were chosen to receive scholarships this year:

Kate Garrison ▪ *John R. Humphreys Jr. Memorial Scholarship* ▪ \$500  
 Tanya Bennett ▪ *Gladys Humphreys Memorial Scholarship* ▪ \$500  
 Perla Tzintzun-Garibay ▪ *Ardith Harrison Memorial Scholarship* ▪ \$500  
 Ivory Witherspoon ▪ *Len Sipe Scholarship* ▪ \$250  
 Barbara Penn ▪ *Bockman Scholarship* ▪ \$250  
 Fay Adams ▪ *Revo Sommersill Accounting Scholarship* ▪ \$550  
 Kyla Mickelson ▪ *Maria Stahl Court Reporting* ▪ \$250  
*Faculty Scholarships* ▪ \$500

- Andrea Coon
- Tracy Ellison
- Katie Gordon
- Barbara King
- Suzanne Lewis
- Rhonda Wyatt

Humphreys College is planning to have these scholarships available each year. In order to apply, make sure your Humphreys College email address is active, and that you check it regularly, as important information will be emailed to all students. The scholarship application for the 2010-2011 school year will be made available by June 1, 2010. The deadline for all applications and essays is July 1, 2010. Interested students are encouraged to read all of the requirements for each scholarship, as all students may be eligible for more than one scholarship and are welcome to apply for as many as they believe they are eligible for. We look forward to reading the essays of next year's candidates and awarding a deserving group of students scholarships.

FROM THE LIBERAL ARTS DEPARTMENT...

## NEWS AND ANNOUNCEMENTS

By Cynthia S. Becerra, Chair  
 Contributing Writer: Richard Chabot

### GENERAL EDUCATION: WHAT'S IN IT FOR YOU?

By Richard Chabot



You must wonder why we make you take this stuff, pay to attend classes and practice skills that seem repetitive, boring, and unrelated to the real life you lead, or hope to start living, after you graduate. Believe me when I say

many of your instructors occasionally have similar feelings, knowing that students at Humphreys are often full-time parents, go to full-time jobs, and may even be trying to experience a social life apart from the classes they take here. We do feel for you as you wilt at the thought of taking yet one more “core” class that is “good for you.” Yet as we assign you an argument set forth by Aristotle or require you to debate the presence of *Gemeinschaft* in modern urban areas, and even as we advise you to take an upper-division course on Shakespeare while urging you to take that college math course, we do so knowing that what you walk away with under that cap and gown will last all your lives and well into your employment future. Aristotle? Algebra? How so?

You’ve heard it before: a well-rounded, truly coherent core curriculum is necessary to maintain one’s place in an ever evolving workforce and unifies through education a wide and diverse populace. This is repeated in a newly released national study of colleges and universities undertaken by The American Council of Trustees and Alumni. This study found that America’s colleges are watering down core requirements and allowing students to graduate with little to no understanding of basic math, economics, literature, or science, not to mention being able to read and write a coherent sentence. While graduating seniors may be skilled in a subject, they are not knowledgeable or capable of critically analyzing and passing on what it is they do know. After looking at the core

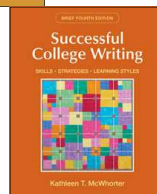
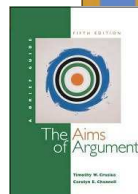
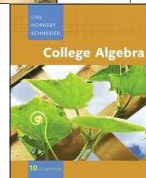
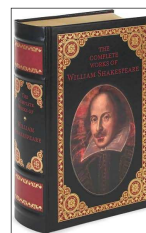
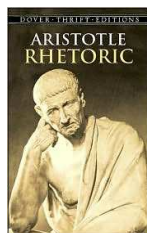
curriculum of our nation’s best colleges, the authors of the study rebelled. They argued that a good college should have a core curriculum that provides “familiarity with the most influential events, ideas, and works [and] provides context for thinking critically about the more narrow, specialized topics students will encounter as upperclassmen. In short, a well-crafted core curriculum is challenging, content-rich, and coherent.”

Sound boring? Way back in my day, there was a running joke about new experimental colleges that gave credit for basket weaving. Now colleges across the nation offer hundreds of different courses that count for literature or math or science requirements without actually teaching the basics of those subjects. How about the impact of Bob Dylan on modern literature, or the relevance of rap music to the modern economy? Sounds more interesting than what Humphreys has to offer, yet without any application of concepts that can provide a long-term understanding of the life you will lead in the future.

Most workers don’t stay in the same job their entire lives, most in America moving and changing employment options more than twice a decade. The study I’ve referred to recognizes this and points out (for all college deans to see) that a standard core curriculum will better equip graduates with the flexible critical and analytical skills necessary to adapt to a changing job market. Employers have long noted that they can train a well-educated mind, but that someone well skilled but narrow in scope will be of less long-term value within the workplace.

Some complain that the Humphreys course catalogue has limited offerings and is old fashioned, and that’s just what this 2009 study is recommending. We make you take the basics,

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and sometimes it seems like forever before you can achieve that associate degree and move on to some more interesting upper-division classes, but in the end the skills and general knowledge you pick up will im-

prove both your later college work and your ability to get around in the real world of work. Aristotle? Well, maybe you won't be debating him with your boss next year, but your ability to do so will certainly help you write a research report and analyze demographic data as you prepare for your next promotion.

## EUNICE KENNEDY SHRIVER: A TRUE INSPIRATION

By Cynthia Becerra

*"A champion for people with intellectual disabilities."*

~ President Barack Obama



On August 11, 2009, Eunice Kennedy Shriver—sister to the late President John F. Kennedy and mother of California's First Lady, Maria Shriver Schwarzenegger—died at 88 after suffering a stroke. Many will remember her as the sister to one of our most well-known presidents or as a member of the Kennedy clan; however, my family and I will always be reminded of what she did for the mentally disabled. For in 1962 she gave a Kennedy face to the image of the mentally retarded—her sister Rosmary's; in my family it was my uncle Manuel's. By identifying the Kennedys with this disability, Ms. Shriver did what Michael J. Fox has done for Parkinson's disease, what Magic Johnson has done for AIDS, and what Christopher Reeve did for paraplegics—humanize it.

Because of her compassion for those with intellectual challenges, she created the Special Olympics, which essentially began in her Maryland backyard, in 1968. Today the organization, which provides youth the opportunities to participate in annual sports events, serves over three million children in 180 countries. But the attention these events have given to the image of the mentally retarded in a positive light has been transformative.

Although she was born into a family of wealth and privilege, she strove to serve the mentally disabled through improved treatment and to support research into the prevention of mental retardation through the Joseph P. Kennedy Foundation. A recipient of numerous honors, among them the Presidential Medal of Freedom in 1984, she believed in the potential of those with intellectual disabilities as "capable of becoming useful citizens with the help of special education and rehabilitation."



Her "unbridled faith," according to her son Timothy, chairman of the Special Olympics, not only helped the children but also their families, their communities, and our society gain a better understanding of the mentally retarded. Like her sister Rosemary my uncle was too old to benefit from the Special Olympics. However, he did prove to us that he was capable of so much more than many thought during the mid decades of the 20<sup>th</sup> century. Although he did not ever run a relay or jump a hurdle, he did milk cows and care for livestock on my grandfather's small dairy. Unfortunately, he also faced teasing, strange looks at the grocery store and even contempt from some of our neighbors and even friends. Some said that they believed that institutionalization was always best. But like Ms. Shriver, my family believed differently. Uncle Manuel went with us everywhere despite the looks and the unsolicited comments. My grandfather had only one rule for his grandchildren and his eldest son: as long as you behaved properly, you could go with him anywhere.

Like Ms. Shriver who was inspired by her sister Rosemary's struggles, I too was inspired by my uncle's attempts to read. Before school, I would go over reading and basic math with him. He tried, most of the time, but often he did so just to please me. I am not sure, honestly, if I had any impact. But just seeing his efforts, in part, motivated me to become a teacher; for to recognize and foster the potential of a human being is one of the most worthwhile goals of anyone's life. To appreciate the legacy that Eunice Shriver Kennedy has left, just visualize the triumph on a child's face who has just finished the race, surrounded by family, friends, neighbors, and coaches, when few thought it was possible.



*Prof. Cynthia Becerra is the Chair of the Liberal Arts Department and the Associate Dean for Undergraduate Assessment and Retention.*

**MEET YOUR TEACHER...****LIFE IS NOT ALWAYS FAIR****Stephen Choi, Criminal Justice Program Coordinator**

*After attending San Joaquin Delta College's Police Academy in 1994, he gained his AA in General Studies from Modesto Junior College, and his BA in Psychology from Chapman University. Finally, he earned his Juris Doctorate from the Humphreys College Laurence Drivon School of Law. This summer, **Stephen Choi** was hired to be the Criminal Justice Program Coordinator at Humphreys College. He is still in law enforcement as his police department's firearms, defensive tactics, chemical agent, and impact weapons instructor.*

**What led you to the field of Criminal Justice?**

"I know it sounds corny, but I truly like helping people. There are not many jobs in the world where someone could have a direct positive influence on someone's life. Law enforcement is one of those jobs where you can help on a daily basis."

**Do you have a role model?**

"My father is my role model. He was born to two Korean immigrants on a Hawaii sugar plantation during the Great Depression. They escaped Korea before it became a Japanese colony. My father worked the sugar cane fields and became a master cane cutter supporting his siblings after the death of my grandmother and stroke of my grandfather. He did not finish high school until he was in his thirties, when he moved to San Francisco. With a high-school education, he and my mother raised two sons and a daughter. He was the one who taught me that hard work, perseverance, and education will open doors for me, our family, and our country's future."

**How would you characterize your teaching style?**

"I am enrolled in several adult teaching concept classes with the ultimate goal of becoming a master police instructor. I have been integrating the latest teaching methods at Humphreys. One of them is R.I.D.E.M., which stands for:

<b>Relevance</b>	Connect the student to the material
<b>Involvement</b>	Class participation through hands-on learning
<b>Discovery</b>	The "Ah ha" moment
<b>Experience</b>	Using the student's prior knowledge as a springboard for learning
<b>Modeling</b>	I will show you what I want accomplished by doing it

Each of my courses will include all five R.I.D.E.M. elements. I truly believe that in order to learn, the student must internalize and experience the subject matter."

**What do you do for fun?**

"I love spending time with my family and walking my dogs."

**Your favorite book, movie, TV show?**

"As a kid, I read every single Sherlock Holmes story. I was fascinated how Holmes used the power of deduction to solve crimes. My favorite movie has to be *Casablanca*. What a glorious movie. My favorite TV show has to be anything on the History or Discovery Channel."

**What is your life credo?**

"My life's credo comes from my father: *Life is not always fair. It does not matter how many times you have fallen down, but it is how fast you pick yourself up that counts.* I truly live this way."

**Your favorite quote?**

"Last year, I attended a course taught by Gil Hansen of the Iowa Law Enforcement Academy. Gil attributed this quote to Winston Churchill: *Rule #1: Young men and women die in war. Rule #2: You can't change rule #1. Rule #3: Somebody has to walk the point.*"



FROM THE COURT REPORTING DEPARTMENT...

## NEWS AND ANNOUNCEMENTS

By Kay Reindl, Chair  
Contributing Writer: Kyla Mickelson

### COURT REPORTERS BOARD OF CALIFORNIA SCHEDULES COMPLIANCE REVIEW VISIT TO HUMPHREYS COLLEGE



The Court Reporting Department was recently informed that the CRB of California would be conducting a compliance review visitation on October 28. This review is a part of the Board's school oversight responsibilities which it exercises over its approved programs. Currently there are 14 schools with approved programs in the state of California. In order to become an approved program, it must meet the regulations as set forth in the Business and Professions (B&P) Codes 8016, 8017, 8020, and 8027 (d). Additionally, if at any time the program is found to be out of compliance with these provisions, it may be subject to losing its approved status.

In 2007, the CRB implemented a new two-phase compliance review process geared to increase accountability and communication. All approved programs at that time completed *Phase 1* by October 2007, which required submission of documentation on faculty qualifications, distance instruction, and academic and classroom requirements. The on-site visitation is *Phase 2*. This will be the Board's first visitation to Humphreys under the new two-phase process.

The intent of *Phase 2* is to increase communication among schools, students, and the CRB, as well as verify information provided during *Phase 1* of the review. The visit will include an administrator orientation session, file and instructional material review, and student interviews. Areas to be reviewed will include positive daily attendance records, student disclosure information, academic and skill development progress, qualifier exams, and availability of library and equipment resources.

As a part of the site visit, the CRB will expect to interview at least 15 court reporting students at various speed levels. This is strictly on a volunteer basis. If you are interested in volunteering, please see Kay Reindl, who will provide you with the list of eight Board questions. The visit should prove to be an informative and educational experience for all involved.

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### ADVANTAGES AND DISADVANTAGES OF BACKUP AUDIO MEDIA

By Kyla Mickelson, Court Reporting Student

*The following essay was written by court reporting student Kyla Mickelson. It was chosen as the winning submission for the 2009 George & Maria Stahl Court Reporting Scholarship. The essays are anonymously submitted to the Court Reporting Department faculty. This year's topic was, Identify and Discuss the Advantages and Disadvantages of Backup Audio Media (BAM). Congratulations, Kyla!*

Constantly evolving and improving technology has afforded court reporters with tools such as sophisticated stenographic writers, Computer-Aided Translation (CAT) software, and high-quality Backup Audio Media capabilities to assist them in making the most accurate record as possible. The use of Backup Audio Media is a controversial issue in the court reporting community.

Backup Audio Media, or BAM, is the use of an audio recording of proceedings created by the court reporter. These recordings can be made using the reporter's Audiosync, which is internally built into his or her stenographic writer or CAT software, or an external device such as a tape or digital recorder.

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The advantages include the use of the recording as an editing tool for the reporter and/or scopist or proofreader. Checking the transcript against the audio can help to clarify proper punctuation and unfamiliar or technical terminology. Additionally, BAM can be used to confirm a witness's misspelling of a name or resolve a dispute when a party challenges the veracity of the reporter's certified verbatim transcript.

With this technology, reporters have the option of including synchronized audio with the written transcript as a value-added service they can provide to attorneys for an additional charge.

In addition to the benefits of Backup Audio Media, there are potential repercussions and ethical dilemmas which also stem from its use. One major concern is that reporters may rely on the BAM when the parties talk too rapidly or over each other instead of stopping the proceedings to ensure the ability to make an accurate record. As with all modern technology, BAM has the potential to fail and no reporter should ever rely on the audio to make the record.

Distribution of the audio recording creates other dilemmas. The risk of confidential or off-the-record conversations inadvertently recorded ending up on a recording provided to opposing counsel, for example, is a significant concern. Those reporters who choose to use BAM strictly as a tool to assist in editing may encounter an attorney who insists that the recording be made available for inclusion with the transcript.

Concerns with the employment of BAM have prompted the Court Reporters Board of California and the National Court Reporters Association to develop guidelines for its use consistent with the profession's established legal and ethical obligations. The decision to utilize BAM remains at the reporter's individual discretion. Adherence to the Court Reporters Board of California's Best Practices for the Use of BAM and NCRA's Code of Professional Ethics, General Guidelines, Section VII, is essential to maintain the integrity of the record when a reporter decides to take advantage of the benefits of BAM technology.



Kyla Mickelson

FROM THE BUSINESS DEPARTMENT...

## GOOGLE IT. OR SHOULD YOU BING IT?

By Jason Wolins, Chair



By Scott Eells, Bloomberg News

Have you seen all of those television ads for Bing?

What is going on? Well, Microsoft is trying to get you to use its Bing search alternative. Since Google is so pervasive, Microsoft has put on a heavy advertising campaign to get you to switch.

That may be difficult, since it is probably safe to say people think that Google does a good job. But remember, Google was not the first search engine—it had to get people to change their previous search habits.

So, which is better? Personal technology writer Edward C. Baig tried to answer that question in "Google vs. Bing: Bing holds its own in search off," in *USA TODAY*, 2 July 2009. He did several tests and reported the following:

**Aesthetics.** Bing beats Google. Google's home page is minimalist—basic white with the Google logo, search button, and certain links (Images, Video, Maps, News, Shopping, Gmail, and more).

In contrast, Bing's home page has a colorful picture that changes daily. For instance, I checked on Labor Day, September 7, and Bing had a picture of a drilling rig worker suspended in air by a chain. It had the caption, "A worker returns to earth after lubricating the top of a drilling rig—Joel Sartore/Getty Images." You could click various spots on the photo and get "factoids," such as "The idea of only working eight hours a day was once consid-

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ered dangerously radical. It even sparked a riot. . .” Another click on the factoid linked to a Wikipedia article on the 1886 Haymarket Riot in Chicago.

**Fast, comprehensive, and relevant results.** Both are good. This is an acknowledged Google strength. Since we are probably familiar with Google information searches, let’s focus on what Bing brings to the table.

Mr. Baig thinks Bing “. . . more than holds its own, . . . especially in . . . travel, health, finding local businesses and shopping. . . .”

For instance, he typed “New York Mets” into the Bing search box, and the team’s most recent scores and upcoming schedule appeared. His similar Google search displayed the last game’s score and when the next game was scheduled.

On September 7, 2009, I did a similar search on both Google and Bing but had a slightly different result. Similar to his outcome, Bing displayed the score of the last two games and Google showed only the last game. However, in my search, both displayed several upcoming games—Bing showed the next four and Google the next three.

Bing also provided me an easier path to this information. With only one click, it showed these items on its own page, with the notation “Statistics provided by STATS, Inc.” In Google, I had to click on an extra link (two total clicks) to the Mets’ home page.

Mr. Baig also typed a company name into Bing, and the company’s customer service telephone number appeared near the top. These phone numbers were not as easily found on Google.

He was right. I tested this by typing “Citibank” into both the Google and Bing search boxes. On Bing, the second result (noted as the “Best match”) prominently listed (800) 374-9700 as the customer service number.

Google did not list this number. However, it provided something else that really was helpful: The fifth result showed the Google maps location and local phone numbers for three branches in the Sacramento region, with the one-click ability to get similar information for many more locations. (I did the search on a computer in Sacramento, so Google somehow automatically must have known I was located there.) I then manually changed the location to Stockton and had a slightly different result. It listed two immediate Stockton area Citibank locations (one in Stockton, one in Manteca), but only had the local phone number for the Manteca location.

I also did another test. The left side of Bing’s home page has a list of links—Images, Videos, Shopping, News, Maps, Travel. I tried clicking on “Travel,” which linked to a Bing travel page where you can get Orbitz-sponsored information on flights, hotels, cruises, and vacations. It also had articles on “travel topics.” I clicked on the featured article (it was the only one that had a picture!!!), “College towns worth traveling to.” After another link click, I was at a slide show, “Travel to America’s Best College Towns.”

The slide show consisted of what it considered the 13 “best” college towns, each with a picture and critique. For your information, two are in California: San Diego and Berkeley. Some other notables were Boston and, where I went to graduate business school, Chicago. For others, I will let you try it!

I did encounter a slight negative, however. Once I completed the slide show, I could not figure out how to return easily to the Bing home page. I did not notice a “home” button, and pushing the back arrow just led me to the previous slide—remember, there were 13 of them. I ended up completely having to close the browser tab and start all over by re-entering “bing.com” in my Internet Explorer address bar.

## The bottom line

### Google

www.google.com

★★★½ (Out of four)

**Pro:** Fast, comprehensive — you rarely go wrong with a Google search.

**Con:** Some powerful search tools are buried.

### Microsoft Bing

www.bing.com

★★★½ (Out of four)

**Pro:** Attractive. Gives you a lot of information without the need for you to navigate elsewhere. Plays videos inside Bing. Excellent on travel resources. Good on presenting related searches. Has cash-back discount shopping program when you buy through a link.

**Con:** Not as comprehensive as Google on some searches. Not as strong as Google on news. Occasional video glitches.

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Edward C. Baig also tested some other sample queries on both Google and Bing—"Cataracts," "Hilton, Paris," "Michael Jackson," and "Ford Fusion." Check out his article for the results.

His "bottom line": He gave both search engines 3½ stars out of four and listed his opinion of the pros and cons of each—look at his "The bottom line" box reprinted in this article.

Here's a thought. For a thorough search, use both Google and Bing, as well as other search engines, for your inquiries.

Good luck with your research!



### Business Department Career Information Night

On September 9, the Business Department held a career information night. Jason Wolins put on a PowerPoint presentation showing the different careers for both Accounting and Business Administration students, course requirements for each program, and recent curriculum changes. Many instructors also sat as a panel to answer questions from the attendees. Next time, how about all Business Department students attending?

## FROM THE EARLY CHILDHOOD EDUCATION DEPARTMENT...

### NEWS AND ANNOUNCEMENTS

By Pam Wood, Chair

#### "Family Day at the Park"

Our Early Childhood Education Department will be represented by instructors and students at this year's annual "Family Day at the Park." Please stop by our Humphreys College table and see what we have planned for the day! Remember to mark your calendar for Saturday, September 19, and plan to attend this "free" event that will be held at University Park in Stockton. Your entire family will enjoy the day which will include: kids' art projects, a book fair, storytelling, live music, food, and lots of fun!



FREE Event!  
*The Record's* Literacy & Book Fair  
 Family Day at the Park

Saturday, Sept. 19  
 9:30 AM - 3:00 PM

University Park  
 Magnolia & California Streets - Stockton  
 San Joaquin A+ Fun Run at 7:45 AM  
 Don't Miss the Mascot Parade at 9:30 AM

"We hope to see you there!"





FROM THE LIBRARY AND LEARNING CENTER...

## HOW TO SUCCEED IN COLLEGE

*In Stockton...*

- The Winter Quarter program was opened by **Associate Dean Cynthia Becerra**, accompanied by **Santa Lopez-Minatre**, **Lisa Kooren**, and **Stanislav Perkner**, who conducted the new student orientation.
- Various issues of students' academic progress were addressed in ten workshops explaining the elements of research for both traditional and online courses, note-taking techniques, MLA and APA-style documentation, and the specific learning techniques applicable to electronic instruction. **Richard Hunt** introduced students to the rules of the EBSCO, Wil-



son Web, and Pro-Quest database searches. **Jim DeCosta** engaged them in a conversation about his own path toward the mastery of online instruction.

- To explore "the frontier of knowledge," **Linda Rahmoller** talked about the latest research in Adult Education. The job search advisory workshop, conducted regularly by **Lisa Kooren**, raised the question "How to cope with difficult people." Another session offered an opportunity to meet the newly appointed coordinator of the Criminal Justice courses **Stephen Choi**. In one of the closing sessions, **Stanislav Perkner** shared his ideas about classroom etiquette and online netiquette.

## ACADEMIC COUNCIL EDUCATIONAL EFFECTIVENESS WORKSHOP EVOLUTION AND LAW ENFORCEMENT IMPLICATIONS OF MORTGAGE FRAUD

By Jason Wolins, Academic Council Secretary

Mortgage fraud! We hear those two words often. But what does mortgage fraud mean and how did our nation get to the point where mortgage fraud had such a major role in our country's—and the world's—economic troubles during the past year?

On August 26, Kevin Baker, Supervisory Special Agent, Financial Crime Squad, FBI Sacramento, was the guest speaker at the Humphreys College Academic Council Educational Effectiveness Workshop. He gave his perspective on how our nation got to the point where credit markets became "locked up" in the past year and the implications of mortgage fraud. He noted that the California Central Valley is "ground zero" for mortgage fraud in the United States and has the third-worst crime problem in the country.

This excellent presentation put the current mortgage situation in perspective and gave a glimpse into what may occur in the future.

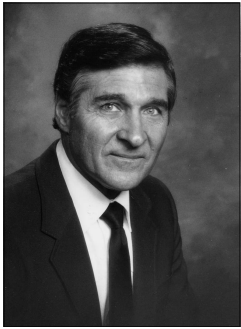
His presentation focused on several topics:

- Mortgage-related definitions, including mortgage fraud
- The mortgage process today
- The catalysts to current mortgage fraud issues
- Federal Reserve Chairman Alan Greenspan's and the Fed's actions
- How the stage was set for the mortgage crisis
- The creation of alternative mortgage products and their relationships with mortgage fraud
- How the problem was masked in 2004-2005
- The resulting tightening of credit, housing slow-down, and unraveling of mortgage fraud
- Mortgage fraud reporting
- National and local foreclosure rates
- Trends, such as banks holding, instead of selling, toxic ("legacy," in bank terminology) loans and impending commercial loan problems
- The FBI regional mortgage fraud strategy
- Corporate fraud
- Both existing loan origination process schemes and emerging schemes

## LAW SCHOOL HALL OF FAME: 2009

By Patrick Piggott, Law School Dean

*On Saturday, September 12, the law school hosted its second annual Hall of Fame dinner. Each year, distinguished alumni, professors, and people associated with the success of the Law School will be selected for inclusion in the Hall of Fame. The event took place at the Jerry Medina Courtyard. This year's inductees were:*



**Louis Gianelli** grew up in Stockton, went to high school with Judge Fransen, and entered our Law School in 1958. After two years, he took a good job opportunity with an insurance company in Modesto. In 1970, he returned to Law School and graduated in 1972. He established the Gianelli law firm, representing business clients. Today, it is one of the largest firms in Modesto and employs several Humphreys alumni, notably Anthony Johnston and David Johnston. Mr. Gianelli received many awards from the Modesto community including the 1963 Young Man of the Year. He served as President of the Chamber of Commerce, Lions Club, and the Board of the Stanislaus County Heart Association, Modesto Racquet Club, the Memorial Hospitals Association, and the California Probate Referees Association. He served on the Board of Visitors for the McGeorge Law School. Mr. Gianelli died this year.



**The Honorable David Warner** grew up in Lodi. After gaining a degree in Police Science from Sacramento State, he was one of our early transfer students. Upon completion of Law School in 1975, he became a very active member of the Lodi community. He served as President of the Rotary Club and was elected to the Lodi City Council. He served as Mayor from 1995 to 1996, our first graduate to become Mayor of his town. He was appointed to the San Joaquin County Superior Court in December 1997 by Governor Wilson and has been on the bench since. Beginning January, 2010, Judge Warner will be the Presiding Judge of the San Joaquin County Courts.



**Cruz Portillo.** In 1961, he was the first Hispanic graduate of Humphreys College Law School. He was active in the community and maintained a civil practice for over twenty years. He died several years ago and his complete history was presented at the ceremony. His son is a doctor in Modesto, the physician for members of the Gianelli family. His daughter lives in southern California. Mr. Portillo was married to attorney Audrey Willey. Mr. Portillo was a founder and first President of San Joaquin Lions Club. For over twenty years he served as Legal Consultant to the Mexican Consulate in Sacramento.



**Dr. Richard Nickerson** is the first physician to graduate from our Law School. He completed his study in 1969 with Bob Dalton and Bud Marx. Dr. Nickerson attended UCLA and UC Irvine to become a physician. He practiced in general surgery at all hospitals in Stockton from 1956 to 2006. Along the way, he developed a sense for public service, ran for Congress and served on the City Council for eight years and on the City Planning Commission for eight years. He has been on the San Joaquin County Planning Commission for the past two years. His granddaughter is now a third-year student at Humphreys College Laurence Drivon School of Law.

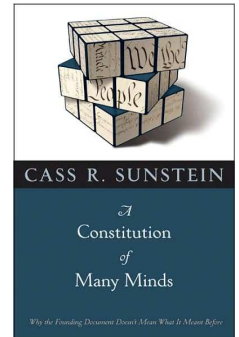
FROM THE NEW BOOKS IN THE LIBRARY...

## CONSTITUTIONAL PRINCIPLES IN RETROSPECTIVE AND PERSPECTIVE: DOES THE FOUNDING DOCUMENT MEAN WHAT IT MEANT BEFORE?

### In the Spotlight: Traditions, Public Opinion, and Foreign Law

The Constitution and its principles are cited by ideologues on both sides of the heated disputes of this summer, whether it be over the “wise Latina” Supreme Court nomination or health care reform. As acclaimed law scholar **Cass R. Sunstein** (Harvard Law School) argues in the preface to his **Constitution of Many Minds** (Princeton, 2009), when Americans think of constitutional law, they tend to focus on the particular controversies of the day.

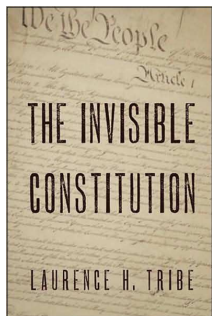
Sunstein sets aside the current issues in order to revisit “some large and enduring issues,” including the roles of traditions, public opinion, and foreign law. In general, he reads the Constitution anew from three intellectually attractive points of view: *traditionalism*, *populism*, and *cosmopolitanism*. He sees a common denominator of the three concepts: “a *many minds argument*... that if many people think something, their view is entitled to consideration and respect.” Sunstein refers to one of the key questions of the ongoing constitutional debates: “If many people have accepted a particular view about some important issue, shouldn’t the Supreme Court, and others thinking about the meaning of the Constitution, consult that view?” Similar questions—at a popular level—were addressed, for example, by James Surowiecki in his *Wisdom of the Crowds: Why the Many Are Smarter Than the Few and How Collective Wisdom Shapes Business, Economies, Societies, and Nations* (2004); illustrative of this effort is Surowiecki’s latest essay addressing “the public’s skittishness” about reforming the health care system (*The New Yorker*, August 30, 2009).



Humphreys students, both graduate and undergraduate, who are willing to challenge themselves in the field of constitutional law, might approach Sunstein’s book as a text deepening their understanding of such well-worn concepts as liberalism, conservatism, populism, and progressivism. Of special value might be Sunstein’s view of public opinion for students taking American Institutions, History of the U.S., and Mass Media and Society. Obviously, the book directly supplements the standard texts used in two courses: Constitutional Law (Law School) and The Supreme Court in American Life – Landmark Cases (Liberal Arts Department).

### Behind the Parchment Copy of the Constitution

As everybody knows, the U.S. Constitution is a tangible, visible document. Yet as renowned legal scholar **Laurence H. Tribe** (Harvard University) shows, what is not written in the Constitution plays a key role in its interpretation. Some of the most heated constitutional disputes; for example, the current debate about the civil-rights aspects of health care or about the Supreme Court justices’ legislative activism, revive those inclusive features.



In **The Invisible Constitution** (Oxford, 2008), Tribe argues that there is an unseen constitution that accompanies the parchment version. It is the visible document’s shadow, its dark matter possessing some of its key meanings and values. As Tribe illustrates, some of our most cherished and widely held beliefs about constitutional rights are not part of the written document; they can only be deduced by piecing together hints and clues from it. Moreover, some passages of the Constitution do not even hold today despite their continuing existence. Amendments may have fundamentally altered what the Constitution originally said about slavery and voting rights, yet the old provisos about each are still in the text, unrevised. Through a variety of historical episodes and key constitutional cases, Tribe demonstrates the invisible constitution’s operative power.

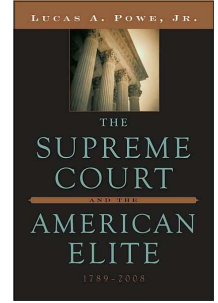
The book might become a good supplementary reading not only for Humphreys’ law school students and faculty but also for future paralegal and criminal justice professionals.

(Continued on page 12)

(Continued from page 11)

### The Supreme Court Demystified

**Lucas A Powe, Jr.**, Professor of Law and Government at the University of Texas, published an interesting history of the highest court of the country, titled **The Supreme Court and the American Elite, 1789-2008** (Harvard, 2009). The book is the result of four decades of study, how historical events and the Court's decisions "should be understood." Many Humphreys students and instructors are aware that "in a typical book on American history, the Supreme Court appears, if at all, as an interruption here and there." We read about the origins of judicial review, stemming from complicated and distant controversies between Thomas Jefferson and the departing Federalists, we learn about the Dred Scott Case as one of the "causes" of the Civil War, about Roosevelt's court-packing effort, the Brown Case, and about *Roe v. Wade*. Powe's book is a successful attempt to situate the Supreme Court and its decisions "within a broad narrative of American history... with the insights of political science." As regards the evergreen controversial issue of the justices' "umpire status" versus proactive role in legislation, revived recently during the Sotomayor Senate hearings, Powe argues that Supreme Court justices are, after all, subject to the same economic, social, and intellectual currents as other upper-middle-class professional elites.



*Note: Constitution Day 2009 will be commemorated on September 17.*

## MLA STANDARDS UPDATED WHAT IS NEW IN THE LATEST EDITION OF THE MLA HANDBOOK FOR WRITERS OF RESEARCH PAPERS

For over thirty years, Humphreys students have turned to the *MLA Handbook for Writers of Research Papers* for guidance. The Handbook explains how to identify a topic and develop it through research, how to work with sources in your writing, gives advice on the mechanics of academic prose, and authoritatively presents MLA documentation style.

Reorganized and revised, the new, seventh edition (2009) evaluates the kinds of research resources available today and demonstrates techniques for finding reliable information online. The seventh edition is the first to include a Web component; every copy comes with an activation code for an accompanying Web site.

Following the advice of instructors, librarians, and scholars, this latest edition introduces student writers to a significant revision of MLA documentation style.

- In the past, listing the medium of publication in the works-cited list was required only for works in media other than print (e.g., publications on CD-ROM, articles in online databases); print was considered the default medium and was therefore not listed. The MLA no longer recognizes a default medium and instead calls for listing the medium of publication in every entry in the list of works cited (print or Web).
- The authors further simplified the guidelines for citing works on the Web. For example, the MLA no longer recommends including URLs in the works-cited-list entries for Web publications. Because issue as well as volume numbers of journals are useful for finding articles in electronic databases, the MLA now requires inclusion of both for every journal article in the list of works cited.
- The Handbook also presents new guidelines for citing forms that are gaining more scholarly attention, such as graphic narratives and digital files. The authors have refined the guidelines for citing works in newspapers and articles in reference works; the refinements appear for the first time in this edition of the Handbook.

Additional updates and revisions appear throughout the Handbook. Chapter 2, for example, gives an expanded discussion of when documentation is *not* needed. Chapter 4, which discusses the format of the research paper, is completely reorganized and revised under the assumption that all students write papers using word-processing software. It presents new instructions for preparing figures, tables, and captions. The appendixes now lead readers to writing guides and specialized style manuals; Humphreys College users will be particularly interested in the disciplines of Law (*The Bluebook*) and Psychology (*APA*).

Editor's Note: The Fall 2009 edition of the *Newsletter* will summarize the changes in the updated (sixth) edition of the *Publication Manual of the American Psychological Association* (2010).



## POETRY CORNER

### ABSENCE MAKES THE MIND GROW DEEPER

For days to come now that my wife is gone  
 I'm in the company of my own mind.  
 It does not answer back with such fervor  
 As she does forcing me to remake a thought  
 The moment that it's uttered but it does  
 Echo whatever is dropped in the well  
 Of its walls refining an utterance  
 Into a shape that I hope will endure.  
 For this I can bear and forgive her absence.

~ Michael Duffett

### Heads or Tails

I spin a dime on the table.  
 My palms are laced with sweat like condensation on cold  
 glass.  
 The valley heat turns the room to a sauna.  
 Bottled up in frustration  
 I think of class.  
 Homework will be due.  
 I refuse to move.  
 I am Indecisive.

So

Heads, will be a poet  
 Tails, a columnist.  
 I watch the dime as it spins like the clock.  
 What will I write as a poet?  
 How will I express my thoughts  
 like a masterful artist who paints a portrait  
 or a mechanic who fixes broken machines?  
 How badly will I embarrass myself?  
 If it lands tails,  
 What then?  
 How can I convince others to read what I find boring?  
 My thoughts spin like the dime on the table—  
 heads

~ Blake Alley

### KISMET

The game is over.  
 Fairly played.  
 The result is settled.  
 A debt fully paid.

Would I do it over?  
 Start anew?  
 I should bother.  
 I've no clue.

It's too late now.  
 The game is done.  
 Why brag or worry,  
 About lost or won.

I made mistakes,  
 Here and there.  
 It makes no difference,  
 To deny my fare.

Stars are scarce,  
 To begin again.  
 Little sympathy is given,  
 When one doesn't win.

It's about kismet,  
 The ancients say.  
 Fate determines,  
 Who wins or pays.

~ Wallace F. Caldwell

Note: Wallace F. Caldwell has published five poetic collections: *Images*, *Babbler*, *Happenings*, *Meditations*, and *Impressions*. All of them are available at Humphreys College Library.

## To Be or Not Too Be . . . What's the Difference?

*The following article appeared in the latest issue of the Court Reporters Board Newsletter.*

“Why do court reporters have to learn grammar rules when testimony needs to be recorded verbatim?” This is a common grievance from students struggling to learn the finer points of English in preparation for the CSR exam.

While grammar may seem to be an extraneous qualification for court reporting, it can actually make or break the intended meaning of given testimony. “You certainly can’t change what someone says while testifying,” said CRB Executive Officer Yvonne Fenner, “however, even if you record statements exactly, the wrong placement of a comma could change the entire meaning of a sentence. It is difficult to get punctuation correct if you don’t know about basic sentence structure, thus the emphasis on grammar. Additionally, it’s almost impossible to proofread without an excellent command of the English language.”

Students also often question the importance of CSR vocabulary requirements. Fenner continued, “It is important to comprehend as much of the testimony as possible as it makes reporting an easier task. Even if you can’t remember the precise meaning of a word, prior exposure to it before hearing it in the middle of an oral proceeding will help prevent hesitation that may create an interruption in concentration while writing.”

From a business standpoint, it is also important to remember that recorded testimony is kept along with the name of the court reporter who took it. Those documents are often viewed by numerous people. Producing the highest quality possible will help others see you as a professional, thereby promoting you as a valuable reporter.

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[http://www.courtreportersboard.ca.gov/formspubs/fallnews\\_09.pdf](http://www.courtreportersboard.ca.gov/formspubs/fallnews_09.pdf)

## COMMUNITY HIGHLIGHTS

- **Maria Kelley**, a paralegal major, received a \$3,000 Pershing Square Scholarship in July.
- **Christine Urquidez**, a paralegal major from our Modesto campus, won first place in the Powder Puff Demolition Derby at the 2009 Stanislaus County Fair. She really scored, winning \$500 and a trophy.



- **Andrea Mathis**, a court reporting student, participated in the Amateur Softball Association 18-A National Championship in Las Vegas from July 26 to August 2. Andrea and 74 other umpires were selected from thousands of applicants to participate in the softball championships. Andrea umpired fifteen softball games at the national event.
- **Jose Portillo**, Fraud Division Team Manager for Chase Bank and a Business Administration student at Humphreys College, was the speaker for the September Institute of Managerial Accountants chapter meeting in Modesto. The topic of his presentation was “Check Fraud and Beyond.”

*Humphreys College  
cordially invites you to attend the  
1<sup>st</sup> Annual  
Jerry Medina  
Memorial Scholarship Dinner*

*Olive Garden Italian Restaurant  
2200 Plaza Parkway  
Modesto, CA 95350*

*Saturday, the 3<sup>rd</sup> of October  
6:00 p.m.*

*\$30 per person; \$45 per couple  
Please R.S.V.P. by September 25  
(209) 543-9411*

*This scholarship fund will be of invaluable help  
to deserving high school students transitioning  
to Humphreys College in Modesto.*



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**Humphreys College Newsletter, September 2009**

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