

Corcoran makes himself heard after resigning

The former ASUO chief justice has zealously responded to criticism

By David Ryan
Oregon Daily Emerald

As the debate over the ASUO special elections raged during winter term, contributors to the ASUO Internet newsgroup decided to have some fun.

If the controversy over the ASUO special elections process were a movie, they asked, what famous actors would portray the major players in the debate?

One 30-year-old third-year law student and former ASUO Constitution Court Chief Justice Joel Corcoran was tagged with Denzel Washington.

Washington tends to play seekers of justice and intelligent, determined men in movies such as "Malcolm X" and "The Siege."

The physical differences between the two notwithstanding — Corcoran is white, bearded and probably not as tall as Washington — one could look at personality traits to see the relevance of the choice.

A model of professionalism

Corcoran became chief justice of the Constitution Court in 1997 to attempt to make the court a model of professionalism in student government. Then, as the court faced student attacks and what Corcoran felt was a misunderstanding of the court's role, Corcoran quit his post to respond to the court's critics.

Corcoran holds a bachelor's degree in biology and a master's degree in genetics from Oregon State University.

Corcoran is, has been or plans to be involved in practically everything a civic-minded student lawyer at the University could be involved in.

"Every activity I do has to have some sort of public service aspect," Corcoran said. "I think not only was I personally put on this earth to serve people, but I think we all should — in some manner — be more concerned about serving others than ourselves."

■ He is president of the Student Bar Association, which is a student governing body at the Uni-

versity law school.

■ He was the 1997-98 editor of The Dissent, the student newspaper at the law school.

■ He worked with the Law and Entrepreneurship Association.

■ He is a member of Delta Lambda Phi, the University's gay service fraternity.

■ He was the 1996 director of OUTLaws, the gay and lesbian law students association, when it fought the Oregon Citizen's Alliance Measure 13 campaign to limit gay rights in Oregon.

Focus of criticism

Out of all the civic organizations he has been involved with, it is Corcoran's former post as the chief justice of the ASUO Constitution Court that has focused the most criticism on him.

Last February, the Constitution Court decided to delay the special elections and block two measures from appearing on the special election ballot. One was a measure to allow students to vote in student elections by way of Duck Web, and the other was a measure to re-establish OSPIRG as a student-supported program.

The special election was first called by the ASUO Executive to amend the ASUO Constitution to give the ASUO Elections Board more power to act on any complaints it receives about how elections are conducted.

Opponents of the special elections claimed the special elections were unconstitutional and the ASUO had abused its power by extending the deadline for ballot measures to be placed on the ballot.

Supporters of the special elections criticized the Constitution Court after it delayed the elections to have time to decide whether the elections were constitutional.

Response requires resignation

Corcoran felt there was so much criticism of the court that on Feb. 28 he resigned his post as chief justice of the Constitution Court to respond to the court's attackers — something a serving justice is forbidden to do.

"There are some very strict rules about judicial conduct," Corcoran said. "A judge cannot go to a political benefit and give a

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Joel Corcoran

Former Constitution Court chief justice

speech endorsing a candidate or a ballot measure, judges cannot accept gifts of a certain amount or they have to disclose gifts of a certain amount."

Corcoran said a rule prohibiting justices from speaking about the process of making their decisions was very important.

"Better ideas get developed," he said. "I could toss out a completely whacked out legal decision, just to try and stimulate a discussion and find out where everybody's coming from."

Real justice

He said he joined the Constitution Court to make it a model for other areas of student government by being professional — acting as much like a real court as possible — trying to treat people who came before the court fairly and equally.

"I think it has worked," Corcoran said. "We received a lot of informal compliments after the elections last year."

Bill Miner, the 1997-98 ASUO President, said several students who had gone before the court came to him praising the court on how it handled its hearings and Corcoran.

"[Vice President Ben Unger and I] appointed him because we felt he was a progressive member of the law school," Miner said. "I've actually gotten a few compliments that he was one of our better appointments."

Decisions, not conduct, questioned

While there is not much criticism of the conduct of the court's hearings, there is of the court's de-

cisions.

Three examples were published as letters to the editor in the Emerald on Feb. 15.

Environmental studies major Erica Boberg wrote: "I don't know much about constitutional mumbo jumbo, but I think I know enough about democracy to see that behind the legal talk, the Constitution Court is trying to playing God."

Another environmental studies major wrote a letter accusing the court of "playing God," while law student Mike Arnold criticized the court for acting as if the University was the real world.

On Feb. 18, Spencer Hamlin, a student senator, criticized the court as "a chicken without any bones."

"So what do we have here?" Hamlin wrote. "A court that won't say why it has stopped our right to the special election ..."

In an interview, Hamlin had better things to say about Corcoran than the conduct of the court.

"I think he was really successful in making the court improve itself," he said. "He took it to another level."

But last year, Hamlin said the court dragged its feet handing out decisions about the 28 elections grievances it received last year.

"What [the justices] said was they were law students and they had exams," he said. "But it crippled student government. I can't really blame the court: we're all students, and we all have tests."

High regard for colleagues

Corcoran said it was letters like the ones that appeared in the Emerald that made him decide to resign his post. He said it was the court's job to review the premise of an election if that election is questioned. He also said he considers the other court justices his friends.

"I think every person I've served with on the court is one of the finest people I've known," he said. "We've all had very angry discussions sometimes, heated discussions, but I never lost respect for any of them. So when I see them attacked like this, in ways that are so blatantly unfair, I get very frustrated. I just

reached a point where I had to step out and respond to this."

Corcoran said it was the court's job to determine if an election was legal or not, when the constitutionality of that election was in doubt.

"If an election is invalid, that would obstruct democracy," he said.

Nobody's basic democratic right was denied either, Corcoran said, it was just delayed a little.

Pressing for change

In addition to being a mouthpiece for the Constitution Court, Corcoran is planning to make some changes to the student legal government.

Corcoran said he wants to expand the judicial branch of the ASUO with something he is creating called the Constitution Court Bar Association. Members of the association would be certified to be knowledgeable about both the ASUO Constitution and past decisions of the Constitution Court. Corcoran said they would help students with questions or petitions about the elections process, saving the Constitution Court some work.

Another idea Corcoran said he thinks is worth considering is an attorney general position in the ASUO. Corcoran said an attorney general would be able to comment on court opinions and educate the student body about pertinent student legal matters.

Overcommitted

However, time is short for Corcoran because he plans to graduate at the end of the school year.

"I am, right now, a little over-committed," he said. "And I do that. I go through a cycle every once in a while where I know I have too much going on."

But Corcoran says he still has time to get together with friends.

"I think it's a matter of managing your time," he said. "I don't sleep. I drink a lot of coffee."

Corcoran plans to graduate this spring and join the Klarquist Sparkman Campbell Leigh & Winston law firm in Portland. The firm deals with patents and copyrights requiring a lawyer with a scientific and legal background.

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