

citizen-soldier

Lessons of 1L year valuable preparation for law student's duties in Iraq

by Sonya Bice, 2L

When U.S. soldiers on patrol in Ad Dujayl, due north of Baghdad, kick in the door of the wrong house in the middle of the night, the aggrieved Iraqi family files its claim for damages with Marquette Law School student Sergeant Mick Gall.

"I get those people paid to fix the door and anything else that was broken. I like being able to do that," Gall writes in an interview by e-mail. "How many other occupation forces in the history of the world paid for the stuff they broke?"

As the paralegal for the Eau Claire-based 1-128th Infantry, Gall, who completed his 1L year before being deployed, investigates claims and recommends compensation from a fund maintained for that purpose by his commander.

Gall's fellow soldiers at Forward Operating Base O'Ryan have trained Iraqi soldiers and worked to install water purification systems in the surrounding villages. Gall said they also caught one man notorious for leading a brutal crackdown in the town in 1982; the crackdown had followed an assassination attempt against Saddam Hussein by a group of locals as his convoy traveled through. The first charges issued against Hussein by the Iraqi Special Tribunal are for the resulting atrocities: 15 summary executions and 143 death sentences, as well as the imprisonment of more than 1,000 people without charges and without trials.

As for his job, Gall says the claims investigation is the most interesting part. There are two kinds of claims: the ones he enjoys



Sgt. Mick Gall is the paralegal of the 128th Infantry, the first Wisconsin National Guard combat arms unit to be operationally deployed since World War II.

approving and the ones he enjoys denying. Once word got around that cash was available for damages, he says, “people came out of the woodwork.” One man submitted a sort of emotional distress claim—on behalf of his bees. He maintained that U.S. helicopters were scaring the creatures so badly that they

were unable to produce honey. That claim, Gall notes dryly, “was denied.”

Others try too hard. One claim included a stack of statements compiled by the Iraqi police, whose “investigations,” Gall says, often consist of no more than what people tell them. Each

A Reflection on Others' Interruption of Law School for Tours of Duty in Iraq

by Shanna Laura Conner, L'05

During my orientation to law school, I heard about the importance of service work and giving back to the community. Many students volunteer hours doing legal work to qualify as part of the Pro Bono Society upon graduation. But some students go beyond the call of duty to serve in Milwaukee and have taken their call to service to another level.

First Lieutenant Walter Neda, L'04, and Sergeant Robert Palmer, 3L, were called to active duty in early 2003 while both were still students at Marquette Law School. Second Lieutenant Kyle Hartman, 2L, received his commission in May 2004 through the Marquette ROTC and completed training as a military police officer in Ft. Leonard Wood, Missouri. He is awaiting deployment.

Neda's unit, the 724th Engineer Battalion, worked to repair roads and schools. The unit left from Fort McCoy, Wisconsin, and arrived in Iraq in late May 2003. One of the unit's major projects was to repair a key 30-mile stretch of dirt road in southern Iraq to facilitate access to Baghdad. Neda later worked as well with the U.S. Army Corps of Engineers.

He returned to the United States in April 2004. Neda has come home from war once before, having served in the Gulf War in the early 1990s as a member of the Marines. Since his return, he has spent time with his family, including his five children, in Green Bay. Neda commented that the Law School helped in his transition back to the classroom, and he credited Associate Dean for Administration Bonnie Thomson with helping him get his schedule in order to graduate in December 2004.

Robert Palmer's unit, the 432nd Civil Affairs Battalion out of Green Bay, arrived in Iraq in April 2003. His unit was charged with

helping to reestablish the court system. Most judges had been appointed under Saddam Hussein, and the United States was working to replace them. While appointing judges, Palmer encountered resistance when he tried to appoint a woman to a court. Although women are permitted to attend law school, many Iraqis believe that a woman can be a judge only in children's court.

Palmer also helped establish a legal aid society, hiring underused Iraqi lawyers—mostly young, recent law school graduates—to provide free legal advice to disadvantaged citizens. Iraqis often face unresolved legal issues because of missing or destroyed legal documents. Unfortunately, the society's funding was later cut, forcing it to close.

Palmer returned to the United States in April 2004, and, after a camping trip out west, resumed his law studies; he will graduate at the end of this year. He hopes to be accepted to the Army JAG Corps with a direct commission and to practice law as an active-duty JAG officer.

Kyle Hartman, whose planned rotation to Iraq in February was unexpectedly cancelled, currently plans to graduate in December 2006. He, too, noted the lengths to which Dean Thomson and Law School faculty went to accommodate him when he returned from officer training and resumed his studies two weeks into a semester.

When reflecting on these men's service, I am humbled by what they have done for this country. All of these men reflect Marquette values. They accept duty and service willingly; let them stand out as examples of Marquette who serve their fellow man. •

Shanna Laura Conner, L'05, is a first lieutenant in the United States Army JAG Corps.

“What is really helpful is just the logical process you learn as a 1L. When a soldier comes in and is going through a divorce, he’s having an emotional response to that, and it just all seems like a huge nut roll to him,” Gall says. “As a 1L, I learned how to break that down into components and separate out the issues until you can say, ‘OK, as I see it, you have three problems: A, B, and C. To address A, we need to’ Once you do that, you can develop plans of action for the soldier to solve the problems.”

successive statement claimed higher levels of damage from a claimed raid, starting with the allegation that Coalition Forces (CF) had put hoods on the man’s family and taken its car, and progressing to a statement that CF had put hoods on everyone’s heads, let dogs bite them, smashed their furniture, taken one car, and put sugar in the gas tanks of all the other cars.

And then there was the man who ambushed a CF patrol with an AK-47, escaped from the subsequent gun battle and raid, and later showed up at the base complaining that he had been shot and demanding compensation—a scenario that actually unfolds with some regularity. Gall’s investigation quickly tied the man to the previous incident, in which neighbors had identified him by name to U.S. soldiers and said they had seen him escape, dragging the gun and trailing blood. After connecting the dots, Gall took the man and his sons to be interrogated. “We finally cut the guys loose,” he said. “We told them that there’s no way in hell we’ll pay them cash for shooting at us. And we told them that if we get shot at, we shoot back, and he’s lucky he’s alive.”

In addition to his claims work, Gall also administers disciplinary actions known as Article 15’s and conducts investigations of vehicle accidents, firefights, and, most routinely, improperly clearing weapons. (Upon returning to base after a patrol, each soldier must empty his or her weapon and, as an extra precaution, shoot into a barrel of dirt. An improperly cleared weapon actually fires at that point.)

“When you have literally hundreds of soldiers clearing their weapons every day as they come from missions, one is bound to go off from time to time, so those are most of my investigations. They’re easy—the cause is almost always ‘not paying attention to detail.’”

Gall said the practice that first-year law students get in analyzing fact patterns and sorting the relevant from the irrelevant has been a daily benefit in his job.

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“That comes in handy everywhere. In investigations it’s handy because I help the investigating officer (IO) determine cause and effect. The IO usually needs to come up with a fix for the problem, and he can’t come up with an effective one until he knows what caused it.”

Growing up, Gall says, he was always interested in following his father and uncles into the military, and he confesses to “a somewhat romantic idea of the ‘citizen-soldier’ that the National Guard represents.”

After finishing his role as soldier in December 2005, Gall plans to return to that of citizen, complete his law studies, and work in real estate law or entertainment law.

“I wanted to be an attorney by the time I turned 30,” he says. “I’m 28 now, and I don’t think I’ll make it, but it’ll be close.” •