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The Docket

William & Mary Law School
Volume 20 Edition 14
March 18, 2005

- **Newsworthy Notes**
 - Birth/Wedding Notices
- **Calendar**
 - Lectures/Forums
 - Head Start
 - PSF
 - Volunteer Opportunities
- **Need to Know**
 - Admissions
 - Virginia Bar
 - Registrar
- **Office of Career Services**
 - Upcoming Programs
 - Hot Jobs
 - Funding Sources for Summer Work
 - Announcements
 - Summer Housing
 - Writing Competitions

NEWSWORTHY NEWS

CONGRATULATIONS to **Stacy Haney** (3L) and her husband, **Gary**, on the birth of their daughter, **MARY ELOISE HANEY**, who was born on March 5. She weighed 8 pounds 15 ounces and was 20 inches long.

CONGRATULATIONS to **Virginia Vile** (3L) and **Keith Wesolowski** ('03) who were married in the Wren Chapel on March 5.

POSTING OF LITERATURES - A reminder that signs may be posted to the bulletin boards in the Student Lounge and the Administration Bulletin Board by the elevator (across from room 119). Signs, notices and fliers are not to be posted to doors, walls or windows. Signs advertising an event may be posted to the front doors **on the day of the event only and only with the permission of the Administration**. All events registered via Gloria Todd will also appear on the Lobby Plasma.

MARK YOUR CALENDAR

Women's Rights and Islamic Family Law in Afghanistan" by Judge Marzia Basel - The Islamic Law Seminar, ILS, and the William and Mary Journal of Women and the Law presents: "Women's Rights and Islamic Family Law in Afghanistan" by Judge Marzia Basel **March 18, 1:00-3:00 p.m., room 141**. Judge Basel served as a judge in Afghanistan from 1985 to 1996. Under Taliban rule, she operated a home school for women out of her house. Since the Taliban's overthrow, Judge Basel has returned to the judiciary and also served as a member of the Afghan Constitution Commission, a member of the Special Independent Emergency Loya Jirga Commission, Assistant to the Special Representative of the UNDP Mission to Afghanistan for the Establishment of an Independent Afghan Judicial Commission, Program Officer of the Gender Justice Program for UNIFEM Afghanistan, and Project Officer of the Juvenile Justice and Legal Protection Project for UNICEF Afghanistan. She is currently Director of the Afghan Women Judges Association.

Luz Nagle, a 1995 graduate of the Law School and former Columbian judge, and professor of international criminal law at Stetson University College of Law, will present a lecture titled "Criminalization of Landmine Use by Illegal Armed Groups and International Law" on **Monday, March 21 at 3:30 p.m. in room 119**. The talk is part of the Distinguished Lecture Series sponsored by the new Human Rights and National Security Law Program.

The Federalist Society presents Mr. Clark Neily of the Institute for Justice - On **Tuesday March 22, from 1:00-2:00 p.m. in room 119** the Federalist Society will present Mr. Clark Neily of The Institute for Justice. He will deliver a lunch lecture entitled: "Second class rights, Second Class Citizens: How the Supreme Court's Refusal to Enforce Economic Liberties and Private Property Rights Hurts the Poor." Lunch will be served! For more information, contact kecamp@wm.edu.

The Satellite Broadcasting and Communications Association (SBCA) is hosting the **Media Law Forum** on **Tuesday, March 22**, at the National Press Club in Washington, DC. Featured debate is "Media and the 1st Amendment: Consumer Discretion vs. Government Protection." Free registration before March 18. For more information, go to www.sbca.com.

Mark A. Lemley, the Neukom Professor of Law at Stanford Law School, will speak on **Wednesday, March 23**, on "Patenting Nanotechnology" as part of the George Wythe Lecture series. The lecture, which will be held at **3:30 p.m. in room 124** at the Law School, is free and the public is welcome to attend. During his lecture, Lemley will discuss the increasing number of patents in nanotechnology – the science and technology of building electronic circuits and devices from single atoms and molecules.

Professor William Van Alstyne, our Lee Professor of Law, and one of the nation's foremost constitutional law scholars, will deliver this year's St. George Tucker Lecture. Titled "Competing Visions of the Constitution: Opportunists and Obligationists," the talk will be presented on **Thursday, March 24, at 3:00 p.m. in room 119**. His lecture will be an appraisal of those who sit on the U.S. Supreme court and their predecessors. The justices, he asserts, can be roughly placed within one or the other of two broad

groups, "opportunists" or "obligationists," depending largely upon the vision they have of the Constitution, and of their own role as justices.

Madeline Morris, Professor of Law at Duke and Advisor to the Prosecutor, Special Court for Sierra Leone, will lecture on "Law and Force in the Prevention of Atrocity" on **Tuesday, March 29 at 7:00 p.m. in room 119.**

Head Start Book and Supply Drive – Just a short time left to assist with this project. If you have questions, please contact Dean Roberts, an SBA Representative, or Professor John Levy, who volunteers weekly at Head Start. Thank you in advance for any contribution you can make to this worthy cause.

PSF Singer Songwriter Showcase: Part Deux –

When: **Friday, March 18**

Where: Casa de Kevin "Wilkie" Wilkes, Joshua Snyder, Andrew "Drew" Louis, and the infamous Eric "The Captain" Leppo.

Time: Doors open at 8:00 p.m. Music will start shortly thereafter

Cost: \$8.00

Needed: Rock Star Law School Peers

Please Contact: Justin Michael Laughter at jmlaug@wm.edu, if you would like to play or would like more details. Please contact as soon as possible because there are a limited amount of spaces.

Ali's Run - Bone Marrow Drive 5K - Come out and run or walk 5K with members of the entire campus and the community to benefit the Bone Marrow Drive on **March 19**. All participants will receive a t-shirt, and awards will be presented to the quickest finishers. Early registration is only \$15, and registration on the day of the race is \$20. Contact Maren Schmidt (jmschm@wm.edu) or Kate Miller (csmil2@wm.edu) for more details.

Honor Council - The Student Bar Association requests applications for Law School Honor Council Justices for the 2005-2006 academic year from current 1L and 2L students. Five Justices will be chosen from each class, along with an additional Chief Justice. Questions about the Honor Council, or the positions available, may be directed to Meg Bisk, mebisk@wm.edu or Theo Lu, tsluxx@wm.edu (current Honor Council Chief Justice). Applications may be picked up on the SBA Office door. Please return your completed application by **Monday, March 21** at noon and sign up for a 15-minute interview slot. Interviews will be held Tuesday, March 22 and Thursday, March 24 from 5:30-9:30 p.m.

Joint JD/MBA Information Session - An info session for those interested in the joint JD/MBA program will be held **Thursday, March 24**, at 5:00 p.m. in room 239 at the law school. A panel of joint JD/MBA students will be there to answer any questions. The deadline for law students to apply for the MBA program is May 31. All 1L and 2L law students are eligible to apply. If you are interested in coming please click on this link to RSVP:

<http://events.embark.com/event/cwm/mba/Recruit/RegisterAndReserve.asp?FORMSTATE=1&EVID=26572> The information session will last about an hour. Snacks and

refreshments will be provided. If you have any questions contact Matt White at mswhi2@wm.edu.

Children's Advocacy Law Society Officer Elections - Officer elections for the Children's Advocacy Law Society will be held at the meeting on **Thursday, March 24** at 1:00 p.m. in room 124. Questions? Email chadls@wm.edu. Thanks!

Volunteer Opportunity: Make PB&Js! - Saturday, March 26, come help prepare and deliver bag lunches to community children whose families are impacted by seasonal unemployment. 240+ lunches are made and delivered each Saturday. Prepare and pack lunches starting at 9:00 a.m. at Williamsburg United Methodist Church. Deploy to deliver lunches at 10:00 a.m. You'll be done by 11:00 a.m. E-mail Stephanie at slspir@wm.edu if you are interested in helping out.

Texas Hold 'Em Poker Tournament - Win a Trip to Las Vegas!!! The Second Annual Texas Hold 'Em Poker Tournament will be held on **Saturday, March 26** in the law school lobby. The entry fee gets you a stack of chips, beer, and snacks, and re-buys will be available. This year the top prize is a three-day, two-night trip for two to the Rio in Las Vegas! Other great prizes for at least all participants who make it to the final table. All proceeds benefit the Bone Marrow Drive, so come out and show off your Hold 'Em skills on March 26. For more information, contact Josh Baker (jebak2@wm.edu) or Patrick Speice (pfspei@wm.edu).

BLSA Movie Night - BLSA will be hosting a "Movie Night" on Tuesday, **March 29** in **room 133 between 7:30-10:00 p.m.** The feature will be "Super Size Me" directed by Morgan Spurlock. This movie takes a hilarious and often terrifying look at the effects of fast food on the human body. With two out of three Americans overweight, where does the personal responsibility end and the corporate responsibility begin? Refreshments will be served and an open discussion will follow.

Moot Court Honor Society and Women's Association - The 12th Annual National Women Law Students' Association (NWLSA) Conference and 8th Annual Sojourner Truth Moot Court Competition, will be hosted by Syracuse University College of Law in Syracuse, New York from **April 7-9, 2005**. If you need more specific details, please go to NWLSA's website at www.nwlsa.com. In addition, the Sojourner Truth Moot Court Competition will be held at the NWLSA Conference. More information on the problem, rules, and team registration fees and deadlines will soon be posted on NWLSA's website as well. For more information on the Competition, feel free to contact Kori Medow, Director of Moot Court at kamedow@syr.edu.

More PSF Dates to Keep in Mind - April 8 - Date Auction; Mr. Marshall-Wythe (70's-80's style!) - date TBA. If you or someone you know has access to items that would be appropriate for the Date Auction silent auction (beach houses, airline tickets, or anything cool your friends would want to buy) please contact Emily Meyer at ejcrom@wm.edu.

NEED TO KNOW INFO

Housing Opportunities -The Admission Office would appreciate hearing from students who know of apartments and housing opportunities that will become available this

summer. If you are moving from a desirable location or are looking for roommates for next year, please stop by with the particulars or e-mail the information to lawadm@wm.edu. Your information will be distributed to new admits on April 2. Thanks for your help!

Student Financial Aid - Attention All 1Ls and 2Ls: Information was placed in your hanging files on January 19 regarding financial aid for the 2005/06 academic year. If you did not receive this information, additional copies are available from Faye Shealy (Office #105). The FAFSA is required for educational loans and need-based financial aid. Note that March 1 is the deadline for returning William & Mary students to file the FAFSA. You may locate the required form by going to fafsa.ed.gov.

A representative from the William & Mary Office of Student Financial Aid will be available to meet with law students regarding proper filing of the FAFSA, lender terms, loan application procedures, etc. Please contact the Financial Aid Office by calling 221-2426 if you wish to schedule an appointment.

Photos For Publication - We are seeking photos of publishable quality to represent life at William & Mary Law School for upcoming publications. Please review your law school experiences captured on film and route those suitable for print to Jaime Welch-Donahue (jpwelc@wm.edu) or Faye Shealy (ffshea@wm.edu) or drop by Faye's Office (Room 105). We are seeking diverse settings and smiling faces both at the Law School and activities in Williamsburg - don't forget Barrister's Ball! Thanks in advance for contributions submitted for printing and distribution in response to this request.

Virginia Bar - Applications are available only via the web site <http://www.vbbe.state.va.us/forms.html>. The application is due May 10th for the July exam. Those considering taking the Virginia Bar Exam are reminded that the MPRE is now required for admission to the Virginia Bar. Virginia Certificates of Education and fingerprint cards are available from Chris Creech at the Law School Reception. Fingerprinting for bar applications can be scheduled through Chris Creech for appointments with Campus Police. Fingerprinting can be processed at locations other than Campus Police.

MPRE - Application is available via the web site <http://www.ncbex.org/mpre.htm>. Next exams dates: August 12, 2005 and November 4, 2005.

Transcripts - For those who require official transcripts ... forms for ordering an official transcript are available from Dean Jackson or at Blow Hall in the Office of the University Registrar or at the web site: <http://www.wm.edu/registrar/forms/transcript/Official%20Transcript%20Request.pdf>.

There is a \$5.00 dollar charge for each transcript requested. Transcript requests are handled through the University Registrar and in the order received. A request may take up to 14 working days for receipt, so **PLAN AHEAD!**

Check your transcript carefully for errors – is a grade for a non-law class other than "P"? Do you have all the credits you should have for law review/journal or moot court? Do

you still have an "I"? These are items that are more easily cared for sooner rather than later. See Dean Jackson if corrections need to be made!

Registration - Fall 2005 registration will occur March 28, 8:00 a.m.-9:00 p.m. for all rising 3L students. Fall 2005 registration will occur March 29, 8:00 a.m.-9:00 p.m. for all rising 2L students. Registration is web-based via Banner Self-Service. Forms for independent work (independent writing or research; directed reading; and externship experiences) are due prior to being registered in these courses. Students interested in taking non-law courses should complete the appropriate paperwork before the end of the spring 2005 semester. These forms also are due prior to being registered in the course.

Exam Code Numbers - Spring 2005 exam code numbers were sent to each student via email. Please see Dean Jackson or Gloria Todd if you did not receive this email.

Class Ranks - Cumulative class ranks and rank GPA were sent to all 2L and 3L students via email. Please see Dean Jackson if you did not receive this email. First-year students and transfer students are ranked only after the completion of their first full-year of law school at William & Mary.

OFFICE OF CAREER SERVICES

World Wide Web Site of the Week - The Law Library Reference staff publishes a series of **Career Guides** to help you choose your legal career path. Guides are available on 15 topics: Alternative Careers, Communications, Criminal, Environmental, Family and Domestic Relations, Health Care, Intellectual Property, In-House Corporate, International, Judicial Clerkships, Labor and Employment, Securities, Solo Practice, Sports and Entertainment, and Tax Law. www.wm.edu/law/lawlibrary/research/careerguides/index.shtml

UPCOMING PROGRAMS

OCS Express - Got a quick question about your job search? Want help finding the perfect opening for your cover letter? Want to see some of the latest job search resources? On **Monday, March 21, from 12:00-2:00**, OCS staff will be on hand in the lobby to answer students' questions about any job search topic. Feel free to stop by the table on your way to or from class.

Lunch with Lawyers: Prosecution Careers - Interested in keeping our citizens safe from criminals? Learn about careers in prosecution from a Senior Assistant Attorney General for Virginia (Chief of the Computer Crimes Unit), an Assistant Commonwealth's Attorney for Williamsburg/James City County, and an Assistant U.S. Attorney for the Eastern District of Virginia. **Wednesday, March 23, 12:50 p.m. in room 133**. If you're interested in attending, RSVP to Dean Lewis (bdlewi@wm.edu) by noon on Monday, March 21.

Post-Graduate Public Service Fellowships for 2Ls - If you are interested in obtaining a public service fellowship upon graduation, this program will be invaluable to you. Kelly Gastley (3-L), recipient of an Independence Foundation fellowship, will speak from

recent experience about securing fellowship funding and acing the application process, and alumna Judi Conti ('94), Co-Founder and Director for Legal Services & Administration of the D.C. Employment Justice Center, will share her extensive knowledge about fellowship opportunities for law graduates. The program will be held on **Thursday, March 24 at 1:00 in the Dean's Conference Room**. Space is very limited for this program and registration will be awarded on a first-come first-served basis. Please RSVP to Ramona Sein (rjsein@wm.edu) by Monday, March 21 if you will attend.

HOT JOBS

Summer Research Positions with Faculty Members - OCS has surveyed professors about their hiring plans for summer 2005. A chart summarizing their needs and hiring procedures was e-mailed to all 1-Ls and 2-Ls, and a copy is posted in OCS.

OCS continues to receive numerous listings *daily* for summer and permanent positions. Check the **OCS+ Job Bank** frequently for new listings!

PSLawNet - William & Mary's law school subscribes to the **Public Service Law Network Worldwide**, which gives students special access to a searchable database of thousands of government, public service and pro bono opportunities worldwide. You can find positions in many practice areas, including criminal law, tax law, housing, AIDS/HIV issues, bankruptcy, women's issues, civil liberties, entertainment and more. Hundreds of paid jobs and fellowships are also listed. Just go to www.PSLawNet.org to register and start searching; there is also a handout in OCS with tips for searching the web site. The service is free to W & M students.

FUNDING SOURCES FOR SUMMER WORK

Civil Liberties Fellowship - The **Robert Masur Fellowship in Civil Liberties** is granted annually to a first-year law student undertaking research or an internship in civil rights or civil liberties. The fellowship recipient will receive an honorarium of \$1,000. All applications must be postmarked by May 31, 2005. For more information, see <http://www.nationinstitute.org/awards/masur/>.

Equal Justice Works has announced a funding opportunity for summer interns. The **Summer Corps** is an AmeriCorps-funded program that provides law students with the opportunity to earn a \$1,000 education award voucher for spending their summer in a public interest internship. For more information, log onto www.equaljusticeworks.org, click on "Find an Opportunity" and then "Summer Corps." **Online applications will be taken from March 16-30**. Applications will only be accepted from 1Ls and 2Ls who are from EJW member schools (William & Mary is a member). For the Members Only Content, when prompted choose William & Mary from the drop-down menu and use the William & Mary password: equal2004.

Law School Funding for Summer Jobs in Government and Public Interest - Application materials for the seven law school-funded summer stipends are available in the OCS Applications Cabinet under "William & Mary Summer Public

Interest/Government Fellowships” and on the Career Services Web site. **The deadline for applying for funding is 5:00 p.m. on Thursday, March 24.**

Harvard Law School’s Office of Public Interest Advising annually publishes ***Serving the Public: A Job Search Guide***, which has an entire chapter on sources of **summer funding for public interest internships**. There is a copy with the other public interest resources in OCS.

The Web site for **Public Interest Clearinghouse** (www.pic.org) has a link to “**Other Summer Grants and Fellowships.**”

PSLawNet (see above) posts **National and Regional Summer Funding Sources**.

ANNOUNCEMENTS

Foreign Service Exam - Online registration is now open for the Foreign Service Written Exam, which will be administered on **April 23, 2005**. Registering for the exam is the first step in the process of becoming a Foreign Service Officer for the U.S. Department of State. For information on registration, application process, or the official study guide, see <http://www.careers.state.gov><http://careers.state.gov/officer/join/examinfo.html>. **The registration deadline for the exam is March 23.**

International Law - Approximately 1,200 people from around the world will attend the **American Society of International Law’s 99th Annual Meeting**, to be held in Washington, DC from **March 30 - April 2, 2005**. Students are invited to attend the more than 40 panels and lectures on such topics as human rights, trade, and the implications of the conflict in Iraq. The keynote address will be given by U.S. Supreme Court Justice Ruth Bader Ginsburg; other speakers include Francis Gurry, Justice Michael Kirby, and Lt. Gen. Brent Scowcroft. Student ASIL members may attend for free, while students who are not currently members will receive the added benefit of a one-year membership for their \$30 registration fee. For more information and to register online, visit www.asil.org, or call 202-939-6000.

SUMMER HOUSING

Looking for summer housing outside Williamsburg? Law students seeking summer housing in the cities where they’ll be working are invited to participate in NALP’s free online **National Apartment Exchange**. The site facilitates summer sublets of apartments currently being used by law students in cities across the country who will be in another city for the summer. Just visit www.nalp.org and follow the link to the Apartment Exchange. **The Apartment Exchange will be available through May 15, 2005.**

Other Summer Housing Options - The NALP site listed above is free. Another site that appears to be free is www.craigslist.org. The web site www.sublet.com will, for a fee, give you 90 days of access to listings for sublets available around the country. Before paying the fee, you can see if they have any listings in your target city and what the fee is, which varies depending on the city or region you pick. JDPost lists summer sublets for and by law students. See www.jdpost.com. Another suggestion is to check

colleges and universities in your target city, since they often have housing options available to students for the summer.

Summer Housing in Washington, DC - Catholic University offers several housing options in residence halls at the campus approximately three miles north of the Capitol. Some are in new apartment-style halls and others are single and double rooms. Phones and 24-hour security are included, and meal plans are available. <http://conferences.cua.edu>

Summer Housing in Atlanta - Emory University offers housing to students working in Atlanta for the summer. See www.emory.edu/sihp/ for get information and download an application. Applications are available now and priority will be given to those submitted before April 15.

Summer Housing in New York City - Furnished apartments are available through NYU School of Law's Summer Living in New York program in Manhattan. For more information, see www.law.nyu.edu/depts/housing .

WRITING COMPETITIONS

Note: Throughout the academic year we receive announcements regarding essay competitions and invitations to submit papers for publication in law reviews and journals. This information is posted on the bulletin board in OCS, with additional information filed in the Applications Cabinet. In addition to the intellectual and often monetary benefits of these contests, the competitions are another way for you to demonstrate your legal writing abilities to prospective employers. Because they are often sponsored by bar associations and other professional groups, they also provide excellent networking opportunities. Keep in mind that faculty members are a good source of ideas and guidance.

Information Technology - The Computer Law Association and the *Marquette Intellectual Property Law Review* are sponsoring the **2005 Information Technology Law Writing Competition**. The top paper relating to information technology law will receive a \$250 award, and two other papers will be honored. Winning submissions will also be considered for publication. **Entries must be sent by April 30, 2005, and received by May 10, 2005.**

What's On The Docket? is a biweekly publication of the William & Mary Law School produced during the academic year. All submissions (in either Microsoft Word or WordPerfect) are due to Cassi Fritzius, (Room 108) or by E-mail (cbfrit@wm.edu) no later than 5:00 p.m. the Wednesday prior to the Friday publication date.

2005 publication schedule

January 7, 21; February 4, 18; March 4, 18; April 1, 15

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White Collar Sentencing After *Booker*

In January, 2005, the U.S. Supreme Court decided in *U.S. v. Booker* that the U.S. Sentencing Guidelines are advisory, not mandatory. That may be good news for some defendants whose sentences were on appeal at the time of the Court's ruling. Or it may be bad news.

One of the defendants who is now likely to be resentenced is Jamie Olis, who was sentenced last year to 24 years in federal prison for his role in a fraudulent accounting scheme at Dynegy, Inc. His appeal was argued in the Fifth Circuit in February. As it now stands, Olis' sentence is the longest sentence ever imposed for securities fraud. But, as we know, Bernie Ebbers is now facing a sentence of up to 80 years.

On Friday, March 25, the Institute of Bill of Rights Law will sponsor a half-day conference on white-collar sentencing after *Booker*. With the Guidelines now advisory, are white-collar sentences likely to look different than they did prior to *Booker*? Shorter? Longer? What can we predict about the sentence for Bernie Ebbers? If convicted, what will be the appropriate sentence for Richard Scrushy? Ken Lay?

Speakers at this program will include:

James E. Felman, Tampa, FL
Defense Attorney
Co-Chair, Practitioners' Advisory Group, U.S. Sentencing Commission, 2000-04

Frank O. Bowman
M. Dale Palmer Professor of Law
Indiana University – Indianapolis
Reporter for the ABA "Justice Kennedy Commission" on Sentencing

Stephanos Bibas
Associate Professor of Law
University of Iowa College of Law

Commentators: Jayne W. Barnard
James Gould Cutler Professor of Law
The College of William & Mary

Howard Zlotnick
Assistant U.S. Attorney
Eastern District of Virginia

The program will be held in Room 133 of the Law School from 9:30 a.m. - 12:30 p.m. Registration is not required.