College of William & Mary Law School William & Mary Law School Scholarship Repository

Student Newspaper (Amicus, Advocate...)

Archives and Law School History

1985

The Advocate (Vol. 17, Issue 4)

Repository Citation

"The Advocate (Vol. 17, Issue 4)" (1985). Student Newspaper (Amicus, Advocate...). 92. https://scholarship.law.wm.edu/newspapers/92

 $Copyright\ c\ 1985\ by\ the\ authors.\ This\ article\ is\ brought\ to\ you\ by\ the\ William\ \&\ Mary\ Law\ School\ Scholarship\ Repository.\ https://scholarship.law.wm.edu/newspapers$

Havocate Marshall-Wythe School of Law

AMERICA'S OLDEST LAW SCHOOL FOUNDED 1779

Volume XVII, Number Four

Durrette, Baliles Debate Here Tomorrow

By JERRY KILGORE

The candidates for Governor of Virginia will participate in a televised debate on Friday, October 4 from 5 p.m. in the Marshall-Wythe Moot Court

The campaign staffs of Gerald Baliles, Democratic nominee for Governor, and Wyatt Durrette, Republican nominee, met on Tues-

day to discuss the format of the debate. Each candidate will give an opening lasting four minutes and field questions from a panel of three journalists and a moderator The candidates will conclude with a four-minute closing. A coin toss determined that Durrette will close first and Balilies will follow

Law, the Editorial Pages of the Daily Press and the Times Herald, and the Hampton Roads Jaycees are co-sponsoring the debate. The debate is the second of four televised debates, the first having been held in Northern Virginia. WHRO television and Newport News Cablevision are coproducing the debate. WHRO will broadcast the debate on Friday night at 7 p.m. Newport News Cablevision will then make the tape available for broadcast between Friday at 7 p.m. and Tuesday, October 8 at 12 midnight. After midnight Tuesday, the tape

broadcast. The panel of four include three

will no longer be available for

The Marshall-Wythe School of Fredericksburg journalist. Joel Rubin of WAVY-TV will serve as moderator. The questioning panel includes Ernie Gates, Editorial Page Editor of the Daily Press, Gordon C. Morse, Associate Editor of the Norfolk/Virginia Pilot, and Edward Jones, Editorial Editor of the Fredericksburg Free Lance Star. Gates will begin the questioning; Morse and Jones will follow.

A limited number of tickets are available to see the debate live. The sponsors allocated 29 tickets to the law school, 20 tickets to members of the press, 29 tickets to the Jaycees, 3 tickets to the Daily Press and three tickets to WHRO.

Timothy Sullivan, Dean of Marshall-Wythe Law School, stated that sponsors are studying Tidewater journalists and a the feasibility of transmitting signals from the Moot Court Room to the other M-W classrooms. This would allow more students to watch the live debate. WHRO will meet at the law school on Wednesday to discuss the possibility.

Sullivan also explained the decision to host the debate in the Moot Court Room rather than a larger place like Phi Beta Kappa Hall. Those planning the debate preferred the smaller audience since it was a television event, Sullivan said..

The debate may prove to be very exciting. In their last appearance together, each candidate sharply criticized the other. Durrette strongly criticized Baliles for distorting his record after Baliles accused Durnette of "flipflopping" on the issues.

False Alarm



Alison Bradner '86 studies on the patio during a shockingly sunny Friday (note the tape on the windows). Photo by Andrea Caruso.

Summer in England: The Exeter Program

By LIZ KAUFFMAN '87

The University of Exeter in southern England welcomed 19 Marshall-Wythe students to its 1985 summer law program. Students earned up to seven credit hours from an extensive course

malpractice, intellectual property, insurance, international law, international business transactions, **European Economic Community** law, remedies, and the English legal system. Both American and British professors taught classes.

The program also offered oneweek clerkships with British solicitors, giving American students the unusual chance to work in a British law firm. The highlights, however, were weekend trips to such places as Wales, Scotland, Ireland, London, and Amsterdam. Program director Emeric Fisher organized numerous outings and quest lectures for the students, including a trip to London. This is Liz Kaufman's account of her Exeter summer. For information on next summer's Exeter program, contact Prof. Fischer. -Ed.

Our plane safely at Gatwick Airport outside of London. So far, so good. No bomb threats or hijackers to add unwelcome drama to our summer! We wound our way through the customs line.

'Any vegetable matter?"

"No. "Any illegal drugs or weapons?"

"You're a student?"

"Yes."

"You're sure you have no illegal vegetables?'

"Positive."

Next stop, baggage claim! We waited for our suitcases to emerge from the jumbled mass of bags. As we stood in the crowd, we heard something different. Suddenly, we were the ones with an accent. Onward! We found our way to the train, and eventually, to Exeter University. The rooms seemed small, but the staff had thoughtfully provided each student with a

list, including classes in medical lamp, desk, and coffee mug (for tea, of course). By now, my back had informed me that I had overpacked-something I encourage all of next year's Exeter students to avoid! You can always buy clothes over there or use the dorm's laundry facilities. Sweaters, in particular, are a good buy in England and Scotland. After recovering from mild jet lag, we explored the local town center. We discovered a beach only eight miles away and saw the first cathedral of our trip. We carefully investigated each pub, rating them by comparing dart boards and the price of Guinness. Recommended brew? Most of us favored Guinness, or Old Peculier. Those of us who explored Scotland can vouch for Bellehaven as well!

Boldly, we ventured to London where the rudeness of underground workers is unparalleled. We quickly learned to stay away from rip-off Bureau de Changes and outrageously-priced hotels. We also learned to inquire about the breakfast to be served at that day's bed-and-breakfast, as it ranges from stale bread and tea to a full breakfast with ham and eggs! As your traveling dollars dwindle, these things became rather important.

Consulting the map for our next trip, we decided a trip to Wales in a rented car was the way to go. Welsh roads are rightfully legendary for resembling sheep paths. They wind and twist through mountains with sheer drops. Breath-taking but a bit nervewracking for the unlucky driver! We visited castle after castle along the coast and indulged in "cream teas" in the afternoon, wishing during the whole trip that we had more time to hike, fish, and photograph. The solution is to get

Twistin' the Night Away







Marshall-Wythe's annual autumn anarchy, the "Fall From Grace," gives everybody a chance to dress up, drink up, and blow off steam. Over 250 students, professors, spouses and dates attended this year's bash. Photos by Lee Bender.

The

A student-edited newspaper, founded in 1969 as successor to the Amicus Curiae, serving the students, faculty and staff of the Marshall-Wythe School

Williamsburg Freezes Over

"Hell Freezes Over," read the headline on last week's Flat Hat editorial. What happened? Had Bruce Springsteen agreed to perform at William and Mary Hall? Had the Soviets accepted Reagan's "Star Wars" initiative?

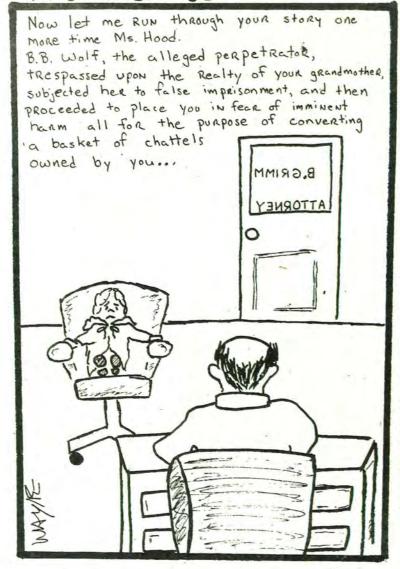
Not quite, but something almost as surprising happened. Anticipating an onslaught from Hurricane Gloria, William and Mary cancelled classes last Friday. As we all now know, Williamsburg did not receive the 100-mile-an-hour winds some had forecast, but the story could easily have ended differently. Canceling classes was a wise, prudent and laudable move.

Readers who were here last year have less-than-fond memories of one January day when Williamsburg froze over. Temperatures reached record lows. The deep snow lay over slick ice. Many motorists, including this writer, had accidents. Yet the College didn't cancel classes that Monday. In fact, last Friday marks the first time in years that inclement weather has closed classes.

The decision to close classes is made - apparently very reluctantly - on the main campus, where most undergraduates live. They can walk to class. Most law students must commute at least two miles to get to school. We realize that at urban law schools like George Mason, George town and George Washington one must commute for up to an hour to get to class; if we had wanted to commute that far we would have gone there. Many law professors cancel their classes when Old Man Winter strikes, a policy we endorse without reservation.

Here's some advice. Now is not too early to make sure your car is in good shape for winter. Compared to, say, Minnesota, Tidewater Virginia doesn't get much snow, but what we do get can be treacherous. Be ready for bad weather; you may have to drive in it. (J.O.A.)

The Legal Side



The Crank Column

Comparable Worth

Godley's and Creme's award winning video for the song 'Cry" is evidence of the sheer power of the human face to evoke and display emotion. The faces of the Ethiopian famine victims, mournfully staring out from the television screen, were powerful appeals for help. There are other faces. There are the faces of the Pentagon brass, men in polyester suits, plastic shoes, and blowdried hair, who make a living trying to figure out how to get more "bang for the buck." There is Robert Jastrow, staring out of the pages of Omni's September issue.

Robert Jastrov is a professor of Earth science at Dartmouth College, but more importantly he is a public defender of Reagan's Star Wars proposal, or SDI, as it is commonly called. In his book How to Make Nuclear War Obsolete, he predicts that star-war defenses will be built by both major powers and that this will lead to mutual "builddown." Nice touch, that.

If you feel like this is heady stuff, you can turn to what the lawyering business calls "expert testimony." The Union of Concerned Scientists has published a book debunking Star Wars. Freeman Dyson, a physicistconsultant to the DoD, has a book out called Weapons and Hope that' also points out the drawbacks of SDI. Jastrow is the state's witness, and his job is to debunk the debunkers. In the meantime, the R&D program, with a budget envisioned at \$26 billion over the next five years, is funding research into electromagnetic rail guns, charged-particle beams, chemical and X-ray laser beams. Why does the American public support this?

My grandfather retired from the Newport News Shipyard, and really did not understand why I declined to attend the recent christening there of another nuclear submarine. In Tidewater, big government is big business. When I tried to explain how I felt about arms expenditures, my grandmother, still sharp as a tack at 84, explained to me her view of the Soviet threat. It astounded me that she had a coherent view.

That, like nothing else, brought home to me the success of the information machine (I hesitate to use the term propaganda here without pausing to define my terms) that is in full-scale operation. As an Air Force intelliger ce officer, I watched the briefing teams head over to the Lions Club luncheons, the local schools, and the civic groups, to give carefully declassified and colorfully illustrated briefings on the Soviet threat. I won't say that the briefings stepped up whenever funding proposals were in the air, but it has occurred to me. (That's a conclusion, counselor.)

A few years back, before the current defense buildup the orchestrated deluge of articles on the sad state of our military force built public support for the current military budget. Sitting on an Army post in Germany just a few miles from the East German border, I read in my Stars and Stripes (yes, folks, it lives) daily accounts of American military shortcomings and shortfalls. Now that the DoD is bulging with bucks, we just hear about defense contractor scandals and bargaining chips. The next weapon is the one that will make war obsolete.

by Pat Parke '88 We also read, though, about the homeless and starving. And if you see those weapons as how we protect the haves from the hove-nots, you realize that nuclear weapons are not the only weapons in our arsenal. A society desperately trying to maintain an outmoded status quo uses whatever comes to hand - in whatever guise will serve to camoflauge its true intent.

These are weapons of the spirit. Our "Judeo-Christian" heritage is Note the strident righteousness and the utter lack of Christian charity and brotherhood. A "right-to-life" movement that really seeks to keep women in place. A "quotas are bad" reading from the Justice Department that

dismantles our gains we've made in civil rights. Jeanne Kirkpatrick complained in an editorial yesterday about American lawyers appearing at the World Court to help Nicaragua state its case against American support for the contras. She questions their loyalty. Patriotism is also a weapon. Do you ask yourself if there is a way out of our dilemma that does not invoke force as the final arbiter? Is it naivete to hope that law can provide the remedies we seek?

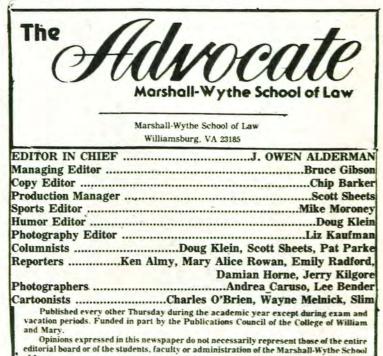
I keep coming back to those faces. Ethopian children starving to death in the dirt. And the ironic symmetry of Live Aid and Farm Aid. I want my MTV.

Cartoon Places in National Contest



Marshall-Wythe t-shirt into Farm Fresh

This cartoon from the March 21, 1985 Advocate received an Honorable Mention for Editorial Cartoons on Broader Aspects of the Law in The ABA-LSD's national law student newspaper contest.



Printed by the Virginia Gazette.

Meet the New Faculty

By MARY ALICE ROWAN '86

Just who are those fresh faces coming out of the Administration Offices, visiting the coffee bar, or hanging out in the second-floor lounge? They're the new members of Marshall-Wythe's faculty. Here are profiles of four of them.

Jayne W. Barnard, Associate Professor of Law.



Jayne Barnard trusts her instincts, which have influenced her to embark on four challenging and successful careers. Graduating from the University of Illinois of Illinois with a B.A. in journalism, Prof. Barnard began her first career as press secretary for thenfreshman Senator Adlai Stevenson. The time was the peak of the Vietnam War, and Prof. Barnard found it exciting to be "part of the process." She then became a partner in a major Chicago law firm, where she met her husband. While Prof. Barnard was engaged in an exciting, high-powered law practice, the mayor of Chicago offered her an opportunity to help reform city politics. She spent the next two years as Deputy Corporation Counsel for the City of Chicago.

Her decision to leave the mayor's administration for life at Marshall-Wythe was difficult, but Prof. Barnard trusted her instincts and found "It worked out wonderfully." She is taken with Marshall-Wythe's faculty, students and location. Her husband, an avid hunter and fisherman, has "fallen in love" with the area. The couple lives in New Kent County, and they find the area accessible to both culture and outdoor sports. All of their three children are in college.

Prof. Barnard is concerned that the legal profession is potentially inhumane to those who practice. Her goal as a professor is to make learning "as civilized as possible."

Professor of Law in the Institute of Bill of Rights Law.



Kent Greenawalt recalls that his, father, who was active in civil rights and church-state issues, influenced his career as a lawyer and a professor. His father passed away recently, but Prof. Greenawalt continues to distinguish the family name. Prof. Greenawalt received his A.B. from Swarthmore, his B. Phil from Oxford and his LL.B. from Columbia. Among his many other accomplishments, Prof. Greenawalt gave the Cutler Lecture here at Marshall-Wythe several years ago.

Prof. Greenawalt grew up in the New York City suburbs, where he lives with his wife and three sons. He feels that it's good for his children to be out of the city for a while, and enjoys the friendly atmosphere of Williamsburg. He runs marathon races, and plays basketball with the other faculty members. Prof. Greenawalt distinguishes himself in another way-he says that he has "the worst car in the parking lot-a '72 Chevy with substantial dents."

David H. Coar, Visiting Associate Professor of law.



David Coar believes that law school gives students a unique opportunity to think in detail. "The attitudes you take out of law school

R. Kent Greenawalt, Visiting Lee practice," he states. "Your conceptions about law will determine how you research and prepare issues.

> Prof. Coar grew up in Birmingham, Alabama. He received his B.A. from Syracuse, his J.D. from Loyola and his LL.M. from Harvard. As a Carnegie Foundation intern, he returned home to Alabama to practice civil rights and corporate law. He was the U.S. trustee in bankruptcy for the Northern District of Illinois from 1979 to 1982, a "terrific" ex-perience during which he tried to resolve the many administrative problems of a new program.

Now on leave from DePaul University, Prof. Coar is "having a great time" teaching legal profession. The students "take pleasure in challenging me," he says, and he "tries to shake some of their assumptions." Prof. Coar and his wife have three children, and he finds that he is a "typical parent, driving his children to Little League games and swim team." Between trips with the kids to Busch Gardens and Water Country U.S.A., Prof. Coar finds time for reading and photography.

Barbara Hodson, Head of Circulation.



Barbara Hodson and her daughter are pursuing a dream. Pioneers headed in the opposite direction, the Hodsons recently moved from their home in Davenport, Iowa to settle in Virginia. "It was a risk and a gamble to pull up stakes and move to the East Coast," Ms. Hodson states, "but we haven't regretted it one bit." She finds the East Coast is more exciting than Iowa, and she enjoys the ocean, the mountains and the culture. Nevertheless, she misses her family and friends in the Midwest.

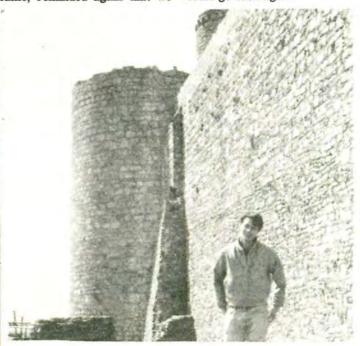
Ms. Hodson says she is a "late bloomer," and is headed back to college after 20 years. She enjoys her job as head of library circulation, and is impressed with the calibre of the student assistants. "They are always willing to help me and are very cooperative," she

Exeter

a railpass and go over a month

early if possible. As we finally packed our bags for home, we all wished we could see more (Amsterdam! Ireland! Paris!). Nevertheless, home we came, reminded again that we packed too much. As we walked through the airport, we heard the familiar mumbling "I'll never bring this much again. My back!" Now, of course, most of us have developed our photos and wish we could go back again!

Continued from Page One



Mike George '87 stands in front of Harlech Castle in Wales, one of many sites Exeter students visited.

Toxic Torts

By Doug Klein '87

I knocked on the door of the room when the wall clock showed the precise time for the interview. I tried to go over again ray reasons for wanting to work in Perth Amboy, New Jersey for the firm of Khan, Hun, Hannibal & Horne [1 have always wanted to work in Perth Amboy. In addition, I feel I can make a great contribution to the firm. I see my greatest strength as being).

As the door swung open, I had this feeling the interview wasn't going to be good. Maybe it was the way the two nicely-dressed men inside tossed out a carcass in a three-piece suit. One of them smiled at me, wiped his hand on his pants, and then extended it for me to shake. I shook his hand, remembering that a firm grip is one of the fundamental principles of effective interviewing. The other man motioned for me to sit. We all sat down.

"So, you're Kline," the second one said, misspelling my name. I grinned and nodded yes.

The first one glanced at my resume. "I see here that you're a second-year. What type of law do you want to practice?"

'At this point, I feel it is best to keep my options open as I am continuing to pursue . . . " and so on repeating my schlock answer. I saw the second one start smoking a cigarette, holding it between his thumb and forefinger. The first one smiled as I gave my answer; the second one just gazed at me through thin eyes. . ." And, finally, I find tax to be a most interesting and challenging phase of law."

The second one took a long drag off his cigarette and blew the smoke in my face. "So, what happened to Dmitriov?"

"What?," I said, "I don't understand what you're talking

about. Who's Dmitriov? Did he clerk for your firm last year?

"No more games," No. 2 said,
"Where's Dmitriov."

I took a deep breath. "He's dead. We had no choice. He sold out Marlowe and the Colombian."

The first one smiled at me. "Well, let me tell you about our summer internship program. We will probably hire four summer clerks. Now, we've already extended offers to two, and we will be going to about 30 schools and interviewing at least 20 people at each school. We try to get our summer clerks to experience all aspects of the firm . . . "

I got it now. It was the old game:

good interviewer, bad interviewer.

No. 2 stood up and walked around behind me. I could feel the lit cigerette close to the nape of my neck. "What happened to the microfilm? Does the girl have it?"

"Ah, I see. You're after the microfilm." I scratched my chin and glared up at him. "What's it worth to you?'

No. 2 sat back down again. The first one was about to ask another stupid question, but No. 2 dug his cigarette into the back of the first one's hand. No. 2 said, "We'll let

the girl live." I shook my head. "I don't care about the girl."

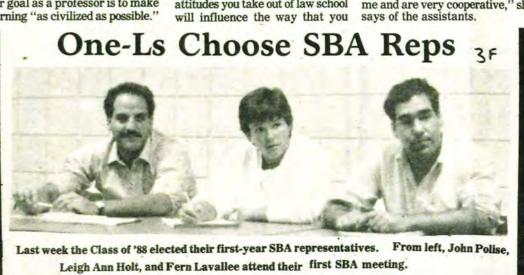
No. 2 looked a bit surprised at this. "What do you want then?"

"A clerkship. Summer. Ten weeks. \$700 a week minimum. Option to become associate. No softball. No title searches. Well?"

No. 2 lit another cigarette. "It can be arranged, Herr Klein." I got up from the table.

The first one stood up and shook my hand and said, "It was delightful meeting you, and could you send in the next suspect-I mean, nice young law student."

Next Week: Mills E. Godwin Jr. goes to Rambo's Frat Party.



Law School Women Boast 2-1 Record







Law School Women scored a 14-1 victory over Grin & Barrett in their most recent game. From left, players include: Dawn Johnston '86; Marie Duesing '87; and Leigh Ann Holt '88.

The most pleasant surprise of the softball season has been the Law School Women, coached by Tom Cook. Three third-years anchor the mostly first-year squad: gazelle-like left-fielder Dawn Johnston, cannon-armed Alison Bradner and scrappy Ellen "I love Pete Rose" Zopff. The team also features slick-fielding first-sacker Marie "I also love the Reds" Duesing '87.

As of last weekend, Captain Melissa McKeithon's squad had a 2-1 record and has shown great improvement after a late-inning letdown led to a loss in the season opener. More recently, "L.S.W." slapped a 14-1 pummelling on previously undefeated Grin & Barrett. Mara Clariett's hitting and acrobatic outfielding highlighted the game. Cleanup hitter Cathi Wirth continued to receive more walks than offical at-bats as pitchers cringed in the face of the hardhitting shortstop's big stick.

Four Men's Teams Vie for Playoffs

BY MIKE MORONEY '86

The overall W&M softball picture is taking shape, and as the dust clears we see four teams still contending for the Law Division playoff slots.

Ayr Connollyngus remains undefeated, and by virture of their 8-7 come-from-behind victory over the Mud Hens have clinched a playoff spot. Dave Goewey smashed a two-out double to tie the score in the bottom of the seventh inning, setting the stage for Rich Baker to draw Ayr Connollyngus's third walk of the inning to force in the winning run. Derrick Mandel contributed two hits and is batting over .800 for the season. Defensively, the team has gotten stronger every game, and seems to be putting it all together. Captain Tom Sawyer anchors the infield, and Howard Van Dine leads a strong armed outfield. Ayr Connollyngus is 4-0, optimistic and confident about their chances in the upcom-

ing playoffs. Steve Kramer's Self Help is 3-0 and almost a sure bet to reach the playoffs, needing only a split of their remaining games to assure themselves of post-season play. An awesome hitting display powered Self Help to a 13-1 thrashing of Men of Power. Tom Cook crushed a Grand Slam and Steve Kramer went 3 for 3. A much tougher victory was had over the Sixty-Niners, a 3-1 win for Self Help. Scoreless until the fifth inning, Dave Franzen started off a rally with a single. Tom Cook picked up an RBI with a clutch single to the opposite field. Kramer commented "although we weren't hitting well, the Sixty-Niner defense deserves a lot of credit. They played us head to head."

The Mud Hens are 3-1, and very much alive in the playoff chase. Donnie Lascara feels his team is improving all the time, and they are ready for key games coming up against Self Help and the Vermin. A split of those two games should be enough to propel the Hens into the playoffs. Last week the Hens picked up a 9-2 victory against the Pop Torts. Mark Dowd homered and had three RBIs. Trey Resolute went 5 for 8 during the week, including a 2-run homer against Ayr Connollyngus.

The Vermin overcame their season opening loss to reel off three straight victories, once again looking like last year's playoff finalists. A 7-3 win over the Sixty-Niners evened their record, and paved the way for a 9-0 whitewash of Men of Power and a 14-2 thrashing of Torts R Us, leading to a 3-1 record. Asked to explain their success, Jimmy Boyd described the philosophical change which led to better attitudes. Conservative Republican D.J. Hansen insisted on the institution of mandatory urinalysis testing for all players before the games. Boyd took over responsibility, unbeknownst to Hansen made a



Grad Happy Hour, under a variety of aliases, is fast becoming a M-W tradition. Photo by Lee Bender.

slight policy change. Only those players with a minimal amount of blood in their alcohol system were allowed to play. When asked about the unusual nature of such testing, Boyd merely gloats and points to the Vermin's three straight victories, and warns the league that a contract has been negotiated with Busch to carry the Vermin through the playoffs.

Men of Power, after a rollicking start, dropped their last three deci-

sions, scoring only one run in the last two games. Rumors of substance abuse in the MOP clubhouse have surfaced, but Captain Neal J. Cabral "blames the disaster on the fact that the entire team has divorced their wives and started dating Cathy Lee Crosby.' Cabral, however, laughs at adversity. "Ha, Ha, Ha!" has was quoted saying. For more on Men of Power, see the Gossip Column on the Society page.

MAMA MIA'S PIZZA

is looking for students to work as cashiers. Flexible hours. Call 220-3565 from noon-9 p.m. or see Helen Adkins in the Law School Administration Office.



The trials of Law School are many as we at The Write Place are well aware, We'd like to help you with your supply needs. And we think we've got a pretty good case. BRIEFLY:

LEGAL PADS

\$7,95/doz.

FILE FOLDERS PLUS: Regular as well as Continuous Feed Resume paper Brief Cases Writing Instruments

The verdict is in:

YOU are a winner al

The Write Place

Across from the Williamsburg Public Library Weekdays 9-6

THE PIG ROAST

\$5 for All the Chicken and Pork You Can Eat!

Saturday, Oct. 5

Live Bluegrass 2 p.m.-?