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1988

## The Advocate (Vol. 19, Issue 10)

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### Repository Citation

"The Advocate (Vol. 19, Issue 10)" (1988). *Student Newspaper (Amicus, Advocate...)*. 165.  
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# The Advocate



Marshall-Wythe School of Law

Volume XIX, Number 10

Thursday, March 24, 1988

Eight Pages

## Faculty Interaction A Role In Departures

By Phillip Steele

Departing professors have nothing but praise for the students at Marshall-Wythe, but several described intra-faculty and faculty-administration relations as in need of improvement.

Prof. Doug Rendleman, after visiting at Washington and Lee last fall, will head the Frances Lewis Law Center there. While stressing that he did not look to move on but was recruited, one aspect of his new school that he liked was that "faculty members are better friends. There is more of a willingness to disagree and still be friends."

He also said academic freedom, collegial governance and student-faculty rapport are better at W & L.

A "deterioration in faculty collegiality" also was noted by Head Librarian Ed Edmonds, who is leaving for Loyola in New Orleans. That deterioration is "a necessary result of a tenure struggle," referring to former Prof. Bernard Corr, "but [you don't want a situation where decisions are made based on association rather than the issue. You have to be able to put differences aside to move the institution forward]."

Prof. Gene Nichol agrees with Edmonds in one respect—tenure battles breed dissension, he says after like experiences at several other law schools. But he said the riff is "temporary. I have no doubt that by next year this place will be perfectly cordial." Nichol will be dealing with faculty relations among other tasks in his future job as Dean of the law school at the University of Colorado.

Dean Timothy Sullivan also saw disagreement as normal. "Inevitably, individual faculty members disagree on policy issues. My experience has been that the faculty works together as a group very well."

Prof. Judy Ledbetter took a somewhat different tack than Sullivan, saying that "the faculty is stronger individually than it is collectively." She said Marshall-Wythe would be ranked higher if other aspects of the school were of the caliber of the student body.

Both Rendleman and Edmonds said one of the law school's main tasks is to develop a faculty that is regarded as well nationally as are its students. Edmonds put entering Marshall-Wythe students in the top 25 percent

academically. Prof. B. Glenn George said Marshall-Wythe students are unusual in their willingness to study hard all three years. She said colleagues at other schools have complained that after first year, "the students just won't work."

Nichol agreed with their comments on students, while saying that "no one would say the faculty is in the top 30 in terms of scholarly productivity." He said its student body "gives the school a chance to become one of the best law schools in the country. We are making the move in that direction, and you cannot say that about many law schools."

The only way to achieve national status in Nichol's opinion is "publication and scholarship." Edmonds agreed with that, but cautioned that an emphasis on scholarship could be detrimental on the ability of students to interact with faculty.

Edmonds also said there was a good consensus for moving from a regional law school to one of national stature. But once the school was poised to reach that goal, "it became more than an intellectual discussion; it was more personalized and that has slowed down the school's momentum," he said.

The law school's ability to raise money, an improvement Ed-

monds sees, should also help it address a shortcoming. He said pro-

didn't accept." Now, he said, the school's increased reputation and

*"...you don't want a situation where decisions are made based on association rather than the issue. You have to be able to put differences aside to move the institution forward."*

*-Head Librarian Ed Edmonds*

fessors need better access to computer facilities, noting that some have spent their own money to improve office computers.

George said one area the school should continue to improve in is the representation of minorities in the student body and on the faculty. "That kind of diversity is important to any law school," she said.

One improvement that has helped in the recruitment of new professors is the increased salary levels at Marshall-Wythe, according to Nichol. He was offered a position here six years ago while at West Virginia University, "but the pay scale was so out of line I

better funding have led to offers going to professors who "would not have been attraction to William and Mary five or ten years ago."

Sullivan said all offers have been made except for Mike Hillinger and Edmonds, and the only step left is Board of Visitors' approval. He said all those offered and accepting positions were first choices. "Looking at the group, it's been the best recruiting year in my 15 years of association with the law school," he said.

Although some cited points of dissatisfaction, all professors said

## Moot Court Teams Rule

By Mary Munson

Two Marshall-Wythe teams won first and second places at the regional tournament of the 1988 National Appellate Advocacy Competition at George Mason University last weekend. In addition, team members took three of the top eight individual awards. This unprecedented sweep of the top honors will enable M-W to send both teams to the final round of the tournament held in Toronto this August.

The team which won first place consisted of John Hayes, Bruce McDougal, and Tara Riley. Susan Walker, Brendan McCarthy, and Jim Lady made up the second team. All members are second-years. Lady received the Second Best Advocate award, while Riley and McDougal were bestowed with third- and fifth-best awards, respectively. These champion teams, which had never argued one another until the final round of this tournament, differed by a mere eight points [out of 2000 awarded] in the final tally.

Ten teams from seven area law schools participated. A preliminary round on Friday

night was followed by four more arguments Saturday as each team successfully advanced.

Team members were jubilant. "It was really exciting," commented Walker, "a weekend full of adrenalin." McDougal remarked, "I was terrified going into the first round, but realized as we began to argue that we had prepared so well, we were ready for any questions. The win is a compliment to the Moot Court Board and its volunteers for the work they did."

Most of the participants echoed McDougal's sentiments, attributing their success to the rigorous schedule of practice arguments set up by the Moot Court Board. McCarthy was able to recall only one question asked in the tournament which had not been covered by one of their practice panels.

In addition to team accomplishments, McCarthy proudly declared himself the winner of the "All Tournament Best Bailiff Award." His performance as timekeeper in the rounds he did not argue was reportedly stellar. Hayes was also highly praised for

his clever timekeeping abilities despite a controversial call in a round with American University.

The teams were surprised and pleased at meeting each other in the final round. "It took a lot of pressure off of us, knowing that we were both already going to Toronto," recalled Riley. "We almost decided to skip the final round," quipped McCarthy, "and planned to tell the judges that we had settled the case out of court."

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MARK RABY

Professor Fred Lederer did his famous Eddy Isler ('87) impression at last year's Libel Night. This year's event will be held Monday, March 28 at 7:30 p.m. in the Campus Center Ballroom. Admission is \$1.00 and refreshments will be available. (Will the Dean dare come?)

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# INTERALIA

## Let Her Stay

Although the official status is "undecided," there is a good chance that Professor Judith Ledbetter's tenure at Marshall-Wythe will end this semester. Ledbetter wants to stay—she had wanted to teach here for some time—but her visiting professorship contract expires at year's end and has not yet been renewed. Letting her go would be a serious mistake.

Ledbetter is one of the most dedicated and tireless teachers left at Marshall-Wythe. She spares no effort in outlining the material, giving review sessions, and devising new ways to make difficult topics digestible. She is also uncommonly approachable, more than willing to spend time answering questions both on and off duty, at school or at home. There were problems her first semester here, as there are with almost all professors teaching for the first time, but since then she has been steadily improving. She is already an asset to the school, and likely to be more so in the years to come.

Because decisions of this type, like many decisions in this school, are shrouded in secrecy, students must speculate as to what the problem, if any, is. Scholarship is a likely candidate. Coming from the Department of Justice, Ledbetter has not published. She has written an article, gave a faculty colloquium on it last fall, and will continue to write in the future, but perhaps that is not enough for a school struggling to improve its reputation before the next Gorman report. Students are not privy to all the information necessary to make such judgments, but we are experts on who the good teachers are. Ledbetter gets A's for effort, dedication, accessibility, and general teaching ability.

Almost a third of the faculty is leaving this semester, and several others are planning leaves of absence for next year. Surely the faculty can find a place for Professor Ledbetter, if not in Constitutional Law then in Legal Writing or some other spot. The Faculty Appointments Committee, in particular, should give every consideration to doing so. At a time when we are losing so many qualified and dedicated faculty members, it makes sense to hold onto the ones we have.

—S.J.M.

# Dancing, Dining and Debauchery: Barristers' 1988

A Social Review by Allison and Tom Kohler

By 9:30 a line had formed and the crowd was breathless with anticipation—anxiously awaiting entry into the wickedly preppy wonderland of what was once Trinkle Hall. The 1988 Barristers' Ball had begun. As the partygoers entered the pink and green paradise that could have been designed by Lisa Birnbaum herself, they were greeted by the charming Mara Clariette. Mara was truly the belle of the ball in a cloud of 1950's pink net selected from a chic vintage clothing boutique on the West Coast. Also welcoming guests were Lisa Ng and her ample bosom, and dapper in his campus police uniform, Sergeant Sanders.

All of Marshall Wythe society was in attendance for this annual soiree. Among the more important attendees were: SBA president Leigh Ann Holt, dressed in a tailored suit of winter white, and escorted by notorious god-squader Phil Lingafelt; and Ken Gresham, Manhattan Assistant District Attorney escorting New York socialite Miss Maggie Francois.

Rock & roll again reared its ugly head at the Ball. All but one of the members of the world famous Wailing Cats were present. Lead singer Chip Turner was accompanied by Grad Thing coordinator Barb Pawlak, who was wearing a demure pink frock. Bass guitarist, Bo, in a conservative grey suit, made a brief appearance with date, Patti.

As a prelude to the official festivities, many individuals had dinner engagements. Williamsburg's most famous dining establishment, The Trellis, was a favored spot. Ray Suttle, future congressman from Virginia's first district, and his date Jennifer Aley of Denver (who does actually exist), with Eric Cantor and Jennifer David enjoyed the garden room there. The verbose Mr. Suttle pronounced the meal "very good." Lynn Strobel, Jamie Reavis and approximately 36 other law students had a not so romantic dinner at

Talafarro's Kitchen. For a lucky few the prominent Williamsburg hostess Miss Joy Lee Price held a dinner in her home. Angie Farley and Dave Matisse, Mark Pearson and unnamed undergraduate, Barb Pawlak and Chip Turner, Jeff Lowe—stag and on the move, and Kevin Osborne and Tracy of Richmond, Virginia were treated to scrumptuous Italian cuisine. Ed Shaughnessy and date Paige Eldridge also hosted a pre-Ball dinner. The party had a trendy "Pot Luck" theme and the menu included turkey, jambalaya, artichokes, shrimp, and broccoli. Sarah Sullivan, one of Ed's guests was escorted to the Ball by Larry Schimmel; she was a vision in a iridescent blue and black taffeta dress with a deep plunging neckline.

Speaking of visions, Mr. Mister was seen prancing in a turquoise bow tie. Other fashion highlights and notable personalities were Laura Garrett, former UVA cheerleader, seen in a little black number with a peplum. Sarah Slosser, Cheri Hodges and Deana Buck also sported pepla. Sarah and her date Jeff Brandon danced divinely. Jeff wore white canvas deck shoes with a traditional black tuxedo. Bob Eveleigh was mistaken for Prince Andrew in his dashing double-breasted suit; his date, Cheshire I'Anson donned a black bustier dress with silver appointments. Toya Cook impressed in a four hundred dollar mini dress a la Binns, featuring an ostrich plume skirt. John Short squired Lynn Wolfe, she in a black sequined dress with silver and black applique. John was later seen doing the hokey pokey.

In one of the more entertaining episodes of the evening Cathy Wirth attempted to chug a bottle of champagne and subsequently spit it on Chris James, who was with long-time flame, Gina. Gina was stunning in a black velvet dress with a lovely decolletage and seed pearl necklace. Elizabeth Campbell was resplen-

dent in a gold floral print lame' dress. The beautiful fabric for Liz's dress was selected from the haute couture collection at Fabrics Unique in Lightfoot. Dave Hammer appeared to escort a girl sporting a pink brides maid dress. Another matrimonial marvel was the white net bridal garment of some sort purloined from the wardrobe room of "Peggy Sue Got Married." Diminutive Shannon Denman flitted in a body-skimming black jersey dress with a turtle neck accented by a single strand of pearls.

Although most guests had dined elsewhere before the main event, there was a sumptuous array of snacklets available for those who might still be craving a nibble. From the canapes with such exotic fillings as egg salad and P.B. & J., to the more mundane pate and crudite, the buffet table was buckling with bounty. The lavish display of hors d'oeuvres was highlighted by the family-size squeeze bottle of French's mustard. Also not to be missed were the mouth-watering Andes mints, refreshing finale for a fine buffet.

With the obvious exception of Greg Hare, who was pissed-off at something, everyone had a superior time. The Kuglers and Sargises danced all night long. Mrs. Sargis wore a red strapless dress and Mrs. Kugler a gold camisole with a black shirt. Barb Pawlak, while appearing to be dancing with Jeff Lowe climbed on Wailing Cat Eddie McNelis and then danced with John Short. Jeff Lowe was later seen dancing with Herb Jones. Lee Bender, in the usual green plaid sports coat, harassed everyone with his camera as we have all come to expect. Jeff Yeats strutted in wearing his cowboy hat but not his boots. Despite all of this merrymaking the climax of the evening for everyone was the frequently upraised skirt of Miss Pawlak and the display of her frilly panties.

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## The Advocate

Marshall-Wythe School of Law

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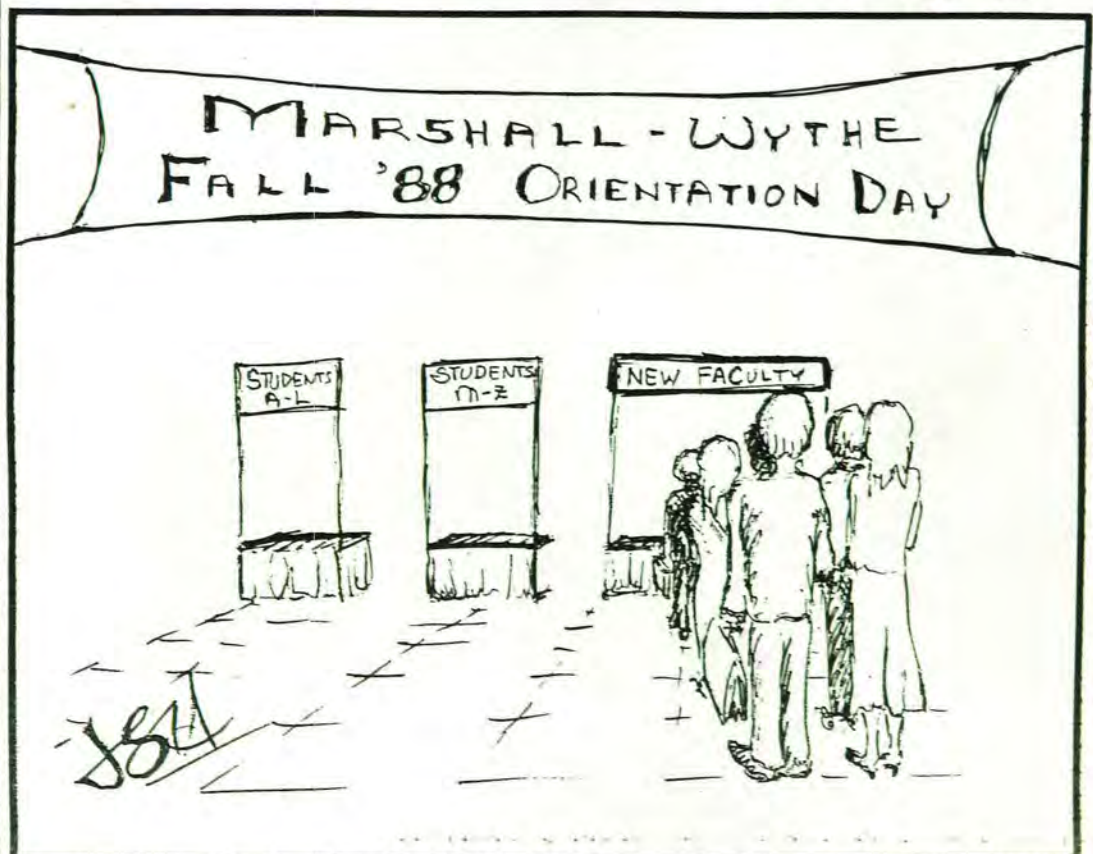
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Published every other Thursday during the academic year except during exam and vacation periods. Funded in part by the Publications Council of the College of William and Mary.

Opinions expressed in this newspaper do not necessarily represent those of the entire editorial board or of the students, faculty or administration of the Marshall-Wythe School of Law.

Letters to the Editor should be typed at double-spaced on 8½x11 paper. The deadline for inclusion in the Thursday edition is Monday at 5 p.m. The Advocate reserves the right to edit submissions for reasons of space and clarity.

Printed by the Virginia Gazette.





# Dysphasia

By Jeff

And now for the homestretch — chasing that golden promise of summer, a vision growing ever larger at the end of the tunnel... I'm ready to talk Nag's Head now, more than willing to consider a week in the sea breeze, slathered inside and out with my favorite thirst-quencher and sun screen: Moosehead Beer. Sort of a personal absolution-on-the-beach.

\*\*\*\*\*

Mayb I'm geting ahead of myself. There are several milestones yet to be reached. First, of course, are the NC-doubleA's, a three-weekend frenzy of vicarious athleticism.

Unfortunately late for the pool, but just in time for the games that really count, I offer my own Final-Four picks. In the Southeast, home of my heart, O.U. will outrun anyone they meet before Kansas City. In the Midwest, Purdue is the safe bet, Vandy, my sentimental pick. Richmond would be the great Cinderella story out of the East, if only they didn't have to contend with Temple's destiny. Out West the choice is tough, but Dean Smith could take any of those teams to K.C. I think he'll take the one e brought.

Coinciding with the championship basketball game, the second milestone, Opening Day, begins professional baseball's seven-month run. Due to my peculiar affinities in this area, I offer no pre-season picks, secure in the knowledge that it will be a wildly successful season if the Rangers break .500.

Then there's that rather elusive

milestone — the summer job. A slippery concept, one upon which no sane man would make book, or hazard even idle speculation.

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"In the gray area, there are no bright lines." Ken Hale said it, Tim Leary heard it, and I believe it.

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**"In the gray area, there are no bright lines." Ken Hale said it, Tim Leary heard it, and I believe it.**

Despite the fact it snowed on the first day of Spring this year, I'm convinced the season has arrived. The Burpee Seed Catalogue was delivered recently, bearing tales of square tomatoes and yellow strawberries, arousing thoughts of cantaloupe for breakfast and fresh lettuce for less than a buck a head.

About the same time, I went out to vote and noticed all the dormant-looking motels and fast-food joints sprucing up for the influx of well-scrubbed pilgrims visiting the shrine of early American civilization. I wonder how many of them are disappointed by the six miles of savage retail madness that modern civilization has wrought along Route 60 West.

The most certain sign of Spring, however, is the return of the tanned, the burned, and the broke from Florida. No sunburn reported among those who stayed in the 'Burg, but the diligent and the

resourceful managed a great "Spring Break '88" just the same.

\*\*\*\*\*

Yet another migration which merits notice is the rising tide of exiting faculty. On the surface, one might assume this is the reason

Mr. Gorman libeled our fair school with his latest report. I choose not to impute the merry pollster with such advance knowledge. Instead, I see it as a stunning tribute to the endearing character of our graduating class. Such loyalty from professors is nothing less than astounding, and I think it's very touchy-feely of you.

\*\*\*\*\*

On a more sardonic note, Libel Night is Monday night. I understand many of the various class wits, composers, graffiti artists, musicians, and singers of bawdy songs are running behind in grabbing a spot on the stage. Hurry folks, this is your only legitimate shot of the year at your most loved and/or loathed professors and/or fellow students.

\*\*\*\*\*

And now a few words on our upcoming political races... considering that Gerry probably won't print a word of it.

## FROM THE RIGHT

By Mike Davidson

### Drug Wars

**DATELINE AMERICA:** American forces again launched a series of offensives against drug forces located both here and abroad. The latest overseas attack was aimed at Panamanian drug lord Manuel Antonio Noriega. In a region of the world in which most democratic governments are under siege by drug forces, Panama is the first country to completely fall to the drug lords. Recent American actions include the continued recognition of Panamanian President Eric Arturo Delvalle (removed as President after attempting to oust Noriega), economic pressure including the freezing of all Panamanian assets in the U.S., and military maneuvers by the U.S. Southern Command.

On the home front, First Lady Nancy Reagan's "Just Say No" campaign was launched recently in the latest effort to slow the downward spiral which characterizes the domestic anti-drug effort. Despite the \$21.54 billion dollars expended by the Reagan administration for combatting drugs, the home front has suffered a steady series of losses both on the streets and in the courts. Last year alone, American collaborators spent more than \$140 billion to buy some 178 tons of cocaine, 12 tons of heroin, and 60,000 tons of marijuana. The nation loses over \$60 billion annually in drug-related lost employment, prison and other justice expenses, and treatment programs.

Although the courts have indicted Noriega and secured the extradition of Colombian cocaine distributor Marcos Cadavid, a recent 9th-Circuit decision struck down the Federal Railroad Administration's rule requiring train crews to be tested for drugs after

serious accidents. The court did so despite the recent Amtrak disaster. Obviously, the court did not have to witness the loading of the mangled passengers' corpses into body bags for shipment to their families. The failure of courts to dispense severe penalties also contributes to the problems.

Casualty reports just released indicate that drug-related homicides have dramatically increased even though the overall national murder rate has declined. Over 70% of the killings in the D.C. area this year alone were drug-related, with the vast majority of them remaining unsolved. The number of cocaine-related hospital emergencies increased by 167% from 1983 to 1986, and the number of annual cocaine-related deaths increased 124% during the same period.

American law enforcement officials have been handcuffed in their ability to react to the crisis. Drug-force soldiers are better armed and supported than are local police forces. The Coast Guard, America's first line of defense in the drug war, has been financially gutted, resulting in a halving of Caribbean anti-drug smuggling patrols.

From all indications, the war against drugs is in a downward spiral. The lack of a cohesive national and international policy, coupled with domestic budget cuts, inadequate judicial support, fifth columnists, and the ever-dwindling group of naive advocates for decriminalizing drugs, further exacerbates the spiral. Absent aggressive governmental action and domestic grassroots support, the war against drugs will be lost. This time, no will attempt to herald the defeat as "Peace with Honor".

## BABY BARRISTERS

By Will Murphy

### Law Vampires

Deep in your heart, you know that they're out there. Much as you dread the thought, you must face the fact that some of your classmates are among — the law vampires. These dreaded creatures of the night don't need sleep, have no life outside of law school, and have written and memorized 650-page outlines. How can you compete with these remorseless monsters?

Nothing is more frightening than the unknown. With that in mind, I have compiled some information on the Lords of the Library.

The law vampire resembles the standard vampire in a number of features. Both are vulnerable to sunlight, although the law vampire can withstand its rays for up to 15 minutes. (1)

Like the generic vampire, the law vampire does not need to sleep. This is his greatest power, for it gives him extra hours in which to study undisturbed. Also, his night vision is so acute that he can read without artificial light: moonlight is sufficient.

The law vampire resembles a typical vampire in that it does not require anything which we would call food. Just as a vampire drinks only blood, a law vampire can get everything it needs from the substances which are dispensed from vending machines.

A non-law vampire (vampirus generis vulgaris) can be kept at bay by a cross or cloves of garlic.

These items will not hold back a law vampire (vampirus res ipsa non fit injuria quantum meruit mens rea et al). (2) Laughter, however, is unsettling to the law vampire and conversation about something other than law school or the law will drive the monster away.

While vampirus generis must rest on the soil of his grave, the law vampire needs only a brief "nap" in the tax stacks or similar desolate and depressing locale. (Note that he is not really sleeping. This is just the appearance. He is actually mulling over policy arguments.) If this is not possible, he will simply rest his head on a casebook or, better yet, a treatise.

What is important to you is how to identify and destroy a law vampire. A regular vampire can be identified by his pallor, scorn for all living things, and apparent fondness for sucking blood from the necks of nubile young women. The law vampire can be identified by his pallor, scorn for all living things, and apparent fondness for sucking the black-letter law from the text of dusty old casebooks. (3) Also, any person claiming a date of birth of 350 years ago should be viewed with suspicion as should anyone in the top 15% of the class.

There are a few ways to destroy a vampire. A vampirus generis can be killed by a stake through the heart. Doing this to a law vampire will only cause him to launch into a discussion of battery and

other intentional torts. (4) Immersion in running water will destroy a common vampire. Dunking a law vampire only annoys him.

There is no known way to destroy a law vampire, but there is a way to render him powerless. There are magic tomes which, if used in the proper ratio to your casebooks, will render you safe from the Count of Contracts a.k.a. Tyrant of Torts, Sultan of Civ. Pro., Prince of Property, King of Con. Law. Look for the writings of the great hunter of law undead, Emmanuel.

#1. A Minnesota law vampire reportedly survived for 35 minutes outside on a partially overcast day. A Yugoslavian law vampire was seen moving about for almost two hours before he found a cave in which to hide. Supposedly, a California vampire, known in modern times only as "Dude", stayed out all summer by bathing in SPF 57 suntan oil.

2. Dude reputedly had a fondness for garlic tofu. At least one eyewitness reported that he had a cross on one of the gold chains he wore around his neck.

3. Dude was known to have a penchant for su..., for nubile young men.

4. Dude was so assaulted, but his retort dealt with the destruction of chattels, as his \$150 t-shirt was ruined.



RANDY REPCHECK

Newly-elected SBA President Jeff Lowe aglow in his victory. Elections for the remaining SBA offices for next year will be held Tuesday, March 29. Don't forget to vote.



## Departures

Continued from Page One  
they had difficulty making their decision to leave.

Edmonds and Nichol said the Williamsburg community was an anchor—Edmonds because of children and Nichol because of the non-urban atmosphere.

Rendleman expressed satisfaction at "growing up with the territory." He was here through the expansion of the student body, the move to the new building and the improvement of the whole university.

He said he feels the law center at W & L will afford an opportunity to contribute more to the field of law, and he liked the idea of working with Randy Bezanson, incoming dean and fellow Iowa law graduate.

Nichol said although Boulder, Colorado is "my favorite place in the world" he almost turned down the offer because of the opportunity the Bill of Rights Institute gave him for study and communication with scholars across the country.

George said she will always remember her first teaching position. "My first class was at 8:00. I didn't expect any students to show up or have done the reading. They did both." She expects to teach half-time at Colorado and perhaps a course at Denver on labor law—her specialty in a Los

Angeles firm before coming to William and Mary. She is "looking forward to moving to a town with more than one movie theatre and a more interesting concept of restaurants than pancake houses."

Edmonds liked the idea of moving to a bigger library with a larger staff and potential for tenure. Here, there was no increase in state funding for library material in the last fiscal year, no increase in staff for ten years while moving to a larger library with more students, and his position is administrative.

Still, he also was proud of being at William and Mary during a period of dynamic growth for the law school.

For the Hillingers, the decision involved "re-uniting with one family and parting from another." Her family is from Boston, and she has accepted a position at Boston College law school. He has no definite plans. Mike Hillinger said "no one should interpret our move as directed against Dean Sullivan. We believe he has done a good job."

Ledbetter, after two years as a visitor coming from the Department of Justice, said that although not officially notified she believes she will not be offered a tenure-track position. She has no definite plans.

## ABA Moot Court Teams Win

Continued from Page One

was worthwhile. According to Riley, "it gives you a good opportunity to meet with, and impress, judges and attorneys. The exposure is valuable; I had an attorney come up, request a resume, and ask me to call his firm." Final Round judges included Virginia Supreme Court Justices Carrico and Whiting.

For a post-tournament celebration, five of the six participants spent some time in Jim Lady's hot tub, according to Bruce McDougal. "Together, of course," he added, "Remember that we are a team."

The odds of two teams from the same school being in the finals is roughly akin to the changes of "Miss Texas" winning the "Miss USA" honors four times in a row. Did any of the other participants feel that the contest was rigged? "I don't think so," offered Walker, "everyone was very friendly." The judges of the final round were not even aware that the teams knew each other until the winners were announced at the post-competition banquet.

Despite the weeks of preparation and future time commitments, the participants all felt that their Moot Court experience,

### MOOT COURT TEAMS THAT HAVE ARGUED SINCE THE LAST ISSUE:

**JESSUP** (International Law): Argued at Catholic University in Washington, D.C. on March 5-6. Won BEST BRIEF.

Randy Bowen  
Jack Dougherty  
David Sump  
Debbie Waters

**FORDHAM** (Securities Law): Argued in New York City on March 17-19. Team A made it to the quarterfinals.

Team A Kathy Burroughs  
Connie Hiatt  
Sue Stoney  
Team B Bob Eveleigh  
Maggie Francois  
Leo Rogers

**CARDOZA** (Communications Law): Argued in New York City on March 17-19.

Nadya Chang  
Phil Lingafelt  
Brian Jackson

ABA Teams argued at George Mason University on March 17-18.

## SBA Constitution Changes Proposed

by Stephen G. Lee

The Constitution and By-Laws Committee of the SBA has drafted and will propose five amendments to the constitution and by-laws. Three of the amendments would alter the constitution, one would alter the by-laws, and the other could change either.

One of the biggest changes would be an amendment of the bylaws establishing a removal procedure for committee chairpersons. First, the amendment requires a motion for removal, with cause shown, by a member of the executive board. Such a member must allege nonfeasance, malfeasance, or misfeasance as the cause for removal. After the motion passes, the executive board can hold no hearing on the matter sooner than its next regularly scheduled meeting. Furthermore, the executive board must publicize the hearing.

The chairperson subject to removal has several options and some control over the process. He or she may request a closed hearing, a closed vote, and with one week's notice may have the chief justice of the judicial council preside over the hearing.

However, Amy Larson, chairperson of the Constitution and By-laws committee, stresses that because the president has the power of appointment, the president also will have more control over removal. If the president agrees with the removal motion, a simple majority of the executive board can oust the chairperson. Otherwise, two-thirds of the board must vote him or her out. Larson says these policies underlie this amendment proposal: the process should require a good reason to be shown before removal occurs, and unless the chairperson wants it closed to protect his or her privacy, the hearing should be open to all students.

The final amendment, which the committee has yet to draft, would affect the treasurer's office. One of two alternatives will be drafted. The preferable one, according to Larson, would establish an assistant treasurer's office, held by a first or second year. When the elected treasurer stepped down, the assistant treasurer would ascend to the treasurer's position. The second alternative would prevent third years from being treasurer.

Larson, having been treasurer, feels the position demands a great deal of work and skill. She feels no person can effectively fill the position without training or without someone around with previous experience to help the new treasurer. But, because the second alternative would preclude third years from holding office, she feels the first option would be preferable. The first option also provides the treasurer with a needed assistant.

Larson does not know if these amendments will pass. "Voter apathy will be a big problem in getting them passed in the referendum," she said. The vote will probably occur within 4 weeks but not until after SBA elections. Therefore, Larson feels people may not have the same interest in voting because their friends will not be up for an office.

These proposed amendments have barely started in the amendment process. Next, the amendments to the by-laws must be passed by the executive board of the SBA and would go into effect immediately. The constitutional amendments will be sent to a referendum, if they are approved by the executive board or 50 students sign each of them. The referendum must take place within 4 weeks, and the board must give notice of the referendum at least two weeks before they hold it. An amendment cannot pass unless 50% plus 1 of the

students vote on it and 2/3 of these voters support it.

One proposed amendment to the Constitution would add to the duties of the Judicial Council. First, the council would have to draft rules and procedures regulating the judicial process. According to Constitution and By-Laws Committee member Will Murphy, this would include issues like how to present evidence, pleading, the time allowed for a ruling, how the hearing itself is run, and other judicial procedures. The goal of these amendments is to prevent possible arbitrariness and ambiguity in the process of judicial trials which

might arise absent clear guidelines.

Other parts of this proposed amendment would require the judicial council to keep a copy of these rules and make a copy available to students upon request. Also, the Judicial Council could not activate rule changes until the following academic year, thus protecting a person at trial from losing a possibly valid case because of a change in the rules.

Two proposed amendments would change election procedures. One constitutional amendment would require any rules governing elections to be in the constitution or by-laws. If the

rule did not exist in one of these documents, it could not affect elections. The other proposal, which might amend either the by-laws or constitution, would make campaign communications and posters to the same rules applicable to personal and organizational flyers and posters. For example, the Judicial Council could not sanction a political poster unless it would sanction a similar personal poster. This amendment would remove content-based restrictions on communications. The above three proposed amendments arose as a direct result of the Will Murphy campaign poster controversy.

## Old Boy Network Panel



Professors Judith Ledbetter, Glenn George, Ingrid Hillinger and Jayne Barnard participated in the panel discussion on "Beating the Old Boy Network" held February 24.



# First Annual Brush With Fame Results!

## "BREAST WITH FLAME" AWARD

"I served 'Breast of Chicken Shirley' to Hal Gurnee's son in my home."  
—Laurie Patarini

## SPECIAL AWARD FOR GROUP BRUSH

"The ladies and gents in the Mental Health Law seminar had their cushy chairs stolen by the Democratic presidential candidates."  
—(submitted anonymously)

## "BASH WITH FAME" AWARD

"I met Dennis Conner in Hawaii just before he was to go to Australia and sail (and win) the America's Cup. My friend and I were to interview him for a magazine article. He said, 'No,' and my friend slammed Conner's office door on him as we quickly left the training compound."  
—Paul Consbruck

## BEST WRITER'S EMBELLISHMENT

"I was sitting in a bar in Boca Raton, Florida, with Tom Stahl during Spring Break. Bernie Kosar was at the next table. As soon as he spied us, he walked over and sat down. He bought us a few rounds and we talked for a while. He then invited us over to his townhouse, where a party was in full swing. There were celebrities everywhere. Tom and I mingled for a while before picking up some fabulous babes and going to the nearest hotel to 'relax.'"  
—Joe "Pinocchio" Gerbasi

## HONORABLE MENTIONS

"I was kept waiting 45 minutes for an interview with a law firm in Hawaii because Jack Lord and a woman in a large magenta hat were talking to my interviewer."  
—Jackie Waymack

"I know Andy King, bass player for The Hooters. I used to mow the grass at the house he lived in."  
—Bo Sweeney

"I was asked out for drinks with a mutual friend by Lawrence Taylor."  
—Janet McGee

"I brushed with Richard Moll, who plays Bull on Nightcourt. I saw him in front of the Supreme Court building on a PDP trip two years ago. Of course, I just happened to have my camera and as I approached Bull, who was dressed up in his bailiff uniform as he was being photographed for PM

Magazine, I said to him, 'Hey, you must be the Supreme Bailiff here at the Supreme Court.' He said, 'I like that - I am.' Then I had his photographer take a picture of me, the Bull, and a buddy of mine. The Bull is huge and a real nice guy."  
—Lee Bender

"Sold hot dogs at a Grateful Dead concert. (I owned the hot dog stand.)"  
—Pat Miller

"[A] good friend of mine and I went to the Williamsburg Inn for a nice dinner... I looked around the room and saw former Chief Justice Warren Burger sitting at the next table... I turned to look at the former Chief Justice, only to watch him pick up his soup bowl and drink from it!"  
—Tara Riley

## Grand Prize Winner

"I once stood in line behind Brian Keith at a pharmacy while we were both waiting to purchase mildly embarrassing personal hygiene products."  
—Jon Hudson

## First Runner Up

"While working at the Old Hardware Store restaurant in Charlottesville, I waited on Jerry Falwell and his wife and son, who was a law student at U.Va. Jerry was a big eater: he had a cheeseburger and, for dessert, an apple dumpling with two scoops of ice cream. He was a good tipper."  
—Don Boyle

## Second Runner Up

"I met Wink Martindale at his club—Wink Martindale's in Memphis—and he kissed my cheek."  
—Elizabeth Deininger

## Third Runner Up

"Carlos Fuentes (he's the contemporary Mexican author) told me I looked like Cybil Shephard. I met him at a reception after a poetry reading."  
—Jackie Waymack

## COURTROOM SHOCK Cinderella Loses to Evil Stepmother

By Jon Hudson

Last Thursday, in a Moot Courtroom packed with a knowledgeable audience of sixth-grade students participating in the PRISM Program, the notorious case of Grimm v. Grimm reached trial. When all the dust cleared Lucinda (Cinderella) Grimm was found liable to her stepmother Fifi Grimm for libelous statements published in her book, *Cinders in my Eyes: Tales of a Stepmother's Abuse*.

Seldom has such a sympathetic plaintiff struggled so valiantly. Rarely has there been a clearer case for equitable vindication in the face of morally outrageous conduct. Never has a verdict been more surprising to judge, litigants or onlookers.

Judge Lederer's flamboyant but effective handling of the furious pace of the litigation was a credit to his Solomonic skills, while the decision itself will undoubtedly stand as a landmark in libel jurisprudence for years to come.

### STUNNING TESTIMONY!

The Prince's inartful statements that Cinderella lied to him (carefully elicited by the plaintiff's attorney, M. Hillinger, Esq.) drew gasps of disbelief from the defendant as well as the

crowd. Cinderella limited her reply to merely pointing out the Prince's well-known lack of mental capacity, and asserting that she had finally become bored. Their romance, for all of its storybook qualities, is DEFINITELY over!

There were also intimations of a rift between Cinderella and her Fairy Godmother, but most observers considered that the poor old dear had certainly been under a lot of strain lately.

### SURPRISE WITNESS!

Sue Winchell, Cinderella's attorney, pulled a courtroom coup worthy of Perry Mason. Gretel, her final witness, surprised everyone by identifying Fifi Grimm as the wicked witch. Sadly, this unsubstantiated bombshell had little effect, and Gretel followed her trail of M&Ms back to obscurity.

### SHOCKING VERDICT!

After deliberating a full 60 seconds, the jury of 6th-graders returned a verdict of LIABLE for LIBEL, and on a show of hands assessed damages at 100,000 golden ducats. Cinderella says she will appeal.

### DRAMATIS PERSONAE:

Cinderella—Melanie Tatum  
Fifi Grimm—Mary Swartz  
Prince Charming—Rob Nagle  
Fairy Godmother—Caryn Lederer  
Gretel—Alyssa Lederer

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# SBA PLATFORMS

The Advocate solicited statements from all of the SBA candidates for the offices of Vice President, Secretary, Treasurer and Class Representative and the following individuals' statements were received:

## Vice President

### Austin

**EXPERIENCE:** Marshall-Wythe School of Law: S.B.A. Treasurer 1987-88 University of Virginia: Alpha Chi Omega Sorority House Manager, Chairperson (various committees) Inter-Sorority Council Chairperson, Representative Dorm Activities Chairperson Youth Group: Chapter President, Vice-President, Treasurer, Past Pres.

**OBJECTIVES:** continue and increase the role of Vice-President as liaison between the SBA Executive Board and SBA Committees; enlarge on activities/programs for first-year students at the Orientation; try to increase the number/amount of community service activities in which the SBA becomes involved; increase attendance and participating by all students in SBA meetings, committees and activities.

**PROMISE:** I promise to devote my energy, enthusiasm and experience to the position of SBA Vice-President to fairly represent all members of the student body of Marshall-Wythe. In that capacity, I will remain open-minded and try to fulfill the requests/demands of as many students and committees as is possible, while implementing as many proposed activities and other ideas as possible. I want to represent you!!

### Treasurer Hamilton

My name is Cheryl Hamilton and I am running for SBA treasurer. I want to help the student have more input in SBA business. As Claire Bruni says: "I don't have any idea where the our money is, or how much we have." Tom Stahl also believes in full disclosure. He was overheard to say, "I'm voting for Cheryl Hamilton."

### Amspacher

There are several reasons why I think I would make a good treasurer for the SBA.

#### EXPERIENCE

As a former president of the Boston University College of Communication Student Government Association, I know exactly how important the position of treasurer is to an effective organization. The position requires responsibility and organizational skills, traits I displayed in orchestrating the first-ever publishing of course and teacher evaluations for the college.

Working for student organizations and the college's administration, I had to be able to develop and follow several budgets of varying sizes and purposes. As secretary, I developed skills in record keeping.

I also have relevant experience from the job I held before coming to law school. I planned and tracked expenditures and proposed revisions to the company's \$500,000 advertising budget.

As a member of the SBA Constitution and Bylaws committee, I know how the SBA is structured and understand how it functions.

### Yeats

Jeff Yeats is running for Vice-President of the Student Bar Association because he wants the job. That is the simple statement. For those who insist on a more intricate explanation I will, of course, digress.

On paper, the job of Vice-President is coordination. The Vice-President is responsible for organizing Orientation, coordinating committee action and administration of faculty evaluations. That is the official definition and everyone in this race is capable of fulfilling those duties.

I am not running on any burning agenda of unvindicated moral wrongs. My purpose is to see that the organization functions smoothly, that it attain positive goals for the school and be responsive to its student constituency. That is my platform. My promise is to do my best to see that it happens just that way. If you can support that, I will appreciate your vote.

### Finkelstein

I am running for Vice-President because I feel that I am qualified and am able to carry out the duties effectively. My experience includes: 1st year S.B.A. representative, currently, a National Officer in Phi Sigma Pi National Honor Fraternity, Vice-President of Student Services at Millersville University, Student Senator, and Parliamentarian. I have worked with the S.B.A. constitution and policies, and am well versed in using Robert's Rules of Order. If elected I would see that the S.B.A. Board Meetings are run fairly, get what done that has to be done, and make sure that your money is spent wisely. No Posters, no games, and I hope that you will vote for me on Tuesday.

I am currently the Publicity Chairperson for Law Students Involved in the Community. I was involved in the fabulously successful Dinner Date Auction last month, making preparations and soliciting the help of local merchants. I have also been integral in planning the upcoming Bacchus Bash for which I am responsible for the 132 pounds of Jello mix, and next year's Human Sacrifice for Charity (nominations are still being accepted for Sacrifice).

#### SKILLS

The most important skill I can bring to this job is that I am very organized and...blah blah blah...similar horseshit that you don't care about.

I have ideas of my own for the SBA, (is there some reason we don't have our own intermediate range missile with silo?) and I think that's important. But more importantly, I realize that the success of a lot of SBA programs depends on the treasurer being available to do her job and otherwise act as if she knows and cares what's going on.

Finally, the only important part of this, I can balance my checkbook.

## Representative

### Mulroy

There's a lot to the SBA that's routine--parties, the coffee machine, asking for a few more square inches of parking space. That's all important, and I think I can do that. There's also a lot of substantive reform, like what's currently going on in the Constitution and By-Laws Committee, that needs to be more emphasized. I'd appreciate the chance to do both, and also the chance to talk about it further in person with people before the election. As Woody Allen put it, I'm not trying to achieve immortality through my work. I'm trying to achieve immortality through not dying.

Vote early and vote often.

### Fincher

Greetings, My name is Charles Fincher, and I am currently running for second-year class representative. As Frank and Ed would say: "I need your support. Thank You."

### Murphy

It has been my experience that one gets a truer reflection of an individual by asking those around him than by asking the individual himself. For that reason, all I will tell you myself is that I have held positions similar to the one I am running for, that I would be ferocious in defense of your interests and that I like cranberry sauce. Not the jelly crap -- the stuff with whole berries in it.

For the rest of my statement, I have allowed an underground network here at Marshall-Wythe to supply their impressions of me on my behalf. If after reading this you have questions you would like me to answer just drop them in my file and I will get back to you by the next day.

From the Home Office in Tempe, Arizona

TOP TEN REASONS WHY  
WILL MURPHY  
SHOULD BE YOUR SECOND  
YEAR REPRESENTATIVE

10. It's better than having him as treasurer where he could write checks to Libertarian causes.

9. SBA meetings will give him something new to crabass about.

8. He laughs at Steve Lee's jokes.

7. He is gonna PUMP! -- you up!

6. It will give everyone something new to write to the Advocate about.

5. He does too like Tad Pethybridge.

4. It is a constitution we are expounding.

3. He doesn't believe in sissypants government subsidies.

2. He finally learned how to tie a necktie -- no more clip-ons.

1. With his private arsenal, he can hold the Williamsburg police at bay while the rest of us engage in college hijinks.

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This first-year foursome of Jeanne Swanick, Tom Sotelo, Gerard Toohey and Claire Bruni stopped for a few at an Alumni House cocktail party before proceeding to Barrister's Ball.

## Wanted

### Typist

### Copy Editors

### Circulation Manager

Drop a note in Room 238 for information



# SPEAKING OF SPORTS

By Larry Schimmels

March is upon us. Once again I don my soothsayer cap to predict who, unlike Caesar, will cherish the Ides of March.

In the Midwest regional, the favorite has to be Purdue. Although the Big Eight is a tough conference this year, neither Kansas nor Kansas State have what it takes to beat Purdue. Vanderbilt played a great game against Pitt, but they too should not be much of a threat. Pitt has proved to be vulnerable all year, and Vanderbilt simply played out of their minds. Of course, "et tu, Purdue" has a nice ring to it.

How 'bout them Spiders? Richmond is on a tear. Unfortunately, they now meet Temple. I am not a Temple fan, and I think it would be great if the Spiders could pull an upset, but I wouldn't put money on it. Also, I agree with Dick Vitale on this one; Richmond beating Indiana was not an upset. It's only an upset if the team that won was not better. Indiana struggled all year and really made the tournament on strength of name. However, there is nothing really wrong with that. After all, that's how most of the Big East made it.

The final of the East Regional should be Temple against Duke. I don't know why, but I like Duke in this one. Temple is not deep, and Duke is well coached and plays defense. However, before I get berated let me say that it's a toss up.

The West Regional matchups include Arizona against Iowa and Michigan versus North Carolina. North Carolina should be favored to win against Michigan, but I don't think they will for no other reason than that I have more affinity for Michigan. At any rate, the winner will in all likelihood meet Arizona. Arizona is solid and well coached. They do have one in-

firmity, and that is that they are from west of the Rockies; lately that has been terminal. However, Arizona is an exception and not the rule, so I look for them to be in Kansas City.

The Southeast Regional is much harder to call because I think all four teams can win it. Villanova and Louisville have done it before with less, Oklahoma is an awesome offensive threat, and Kentucky is Kentucky. However, if Oklahoma can get on track, they should win this regional. None of the other teams have the offensive strength to get in a shootout with the Sooners.

A big surprise to me about this tournament is that there have not been major upsets. All four top seeds are still in the race, and Pittsburgh is the only second seed defeated so far. If anything, the remaining games should be excellent contests.

Another surprise is the relative showing of the different conferences. The Big Eight and the Big Ten each have three teams in the sweet sixteen. While both conferences have good basketball traditions, neither conference has been much of a power lately when it comes tournament time. Could this signal a swing in basketball power away from the likes of the Big East and the Atlantic Coast Conference? Probably not. The ability of one conference to fill the later rounds of the tournament with member teams is more a factor of seeding than anything else. But wouldn't it be fun?

One last comment. From what I have seen, only Georgetown can beat Mike Tyson. Seriously, I'm not sure there is a man alive who can defeat Tyson, and certainly not be knock out. If he does exist, I don't think I want to meet him in a dark alley.

## I.M. Roundup

The basketball playoffs are underway and several Marshall-Wythe teams have made impressive showings. In Men's A league, Soul Rats and Last Gasp each won their first game to move into the second round this week. Round Mound also won their first game but lost in the second round Monday night.

In Men's B league, the list of those advancing into the second round include Lord Porter, featuring professor Ed Edmonds, Bill Frazier's Painting, and Cuning Litigants. Eliminated in the first round were Whining Girlfriends from Hell and Dipsomaniacs.

## Shamrock Runners

First-year Melissa Heydenreich and third-year Charlotte Lamont both completed the grueling Shamrock Marathon held in Virginia Beach this past weekend. Melissa finished the 26.2 mile course with a time of 3:57 and Charlotte with a time of 4:25.

## Softball Season Arrives!



Ken Roberts of Costly Errors hits with authority during the team's forfeit victory Sunday, March 20.

## Kohler's Prom Review

Continued on Page Two

Everyone at the Ball felt safe and well-protected for two reasons. First, the health center now distributes prophylactic phallic thimbles, and second, the military contingent was out in force. Mike Davidson, in his tight-around the torso but ever dashing uniform, Bob Korroch and a third unidentified man with very short hair smoked cigars, providing a natural smoke screen to guard against communist incursion. Lt. Hagan Frank and wife Laura hosted a pre-party. In attendance were Captain Mike and his lovely wife Nancy, who was rumored to have eaten three carrots, six mushrooms, cheese and one quart of vodka. The Franks gave a house tour during which their son Evan was up and about in his sleeper. Randy Bowen seemed very concerned when Greg Paw indicated that Lisa Rogers might be a Soviet agent. She wore a black, lacy shorty-short, but no red was apparent.

Other notables were Deana Buck in a smart black dress with witty accessories, on loan from the Deneka collection. "Wild" Bill Hickock, known in some circles as the "sweater vest," was

typically overdone in tails and a white tie. Faculty present were the Barnards, Lees, Kaplans and Dean & Mr. Shealy. Jon Hill crashed the Ball in jeans and a white jacket, with Jeff Costakes, Chris Hill, and Jon Esposito. While chugging from a bottle of dark rum Anthony Royer, date of Cathi Wirth, disgorged. Tara Riley wore a pink flapper-type dress adorned with silver sequins, which appeared to be borrowed from the Ringling Bros. on their recent visit to Hampton.

Under the direction of Sgt. Sanders the dance ended abruptly at 1:30am inspite of Mara's efforts. One happy note, just before leaving the dance, Mrs. Jones and Mrs. Kohler discovered a pair of black pumps filled with vomit in the ladies' room. The soiled shoes were seen around the law school lobby later that week.

After the dance many went to the Grad House. Charlotte Lamont and her blind date made a brief appearance, fondled and departed. Dave Kozad and his date Kathy were the first to dance. Dave and Ted, date of the perky Shannon, were seen with lipstick on their respective

foreheads. Peppy partier Pam Piscatelli was bitten on the back by a smitten Don Faber. She appeared to love it. Herbert Jones read a magazine. Billy Henderson threw an outrageous after-party as is his custom. Unfortunately, the authors were unable to attend.

Many party-goers went out later for nocturnal noshing. At about 3:00am while eating at Howard Johnson's, the Kohlers and the Joneses saw Brendan McCarthy and Mary Munson and their respective dates enjoying the HoJo specialty, a ham quickie. Mr. Kohler's kilt was not received well by the regular HoJo clientele. One helpful hint: HoJo does not serve burgers after 3:00am.

In summing up the evening, Herbert Jones pointed out that the band didn't really have a sense of identity, and at about 4:00am Mrs. Jones attempted to say something meaningful, but failed.

Conspicuous by their absence that night were third-year representative Steve Frazier and man-about-town Ned Ruffin.

## FAIR NOTICE

### Housing Partners

Housing Partners Project on Friday afternoon of April 1. Time to be announced. We will be removing paneling so that the plumbing may be redone.

### Court Clerks

The General District Court is in need of volunteer file clerks to work Tuesdays or Wednesdays for 3-4 hour blocks of time. If you are interested call Dick Jackson, Clerk of Court at 229-2228.

### College Republicans Elections

ATTENTION, COLLEGE REPUBLICANS:

Elections will be held the first week in April. Anyone interested in running for an office should contact Ray Suttle.

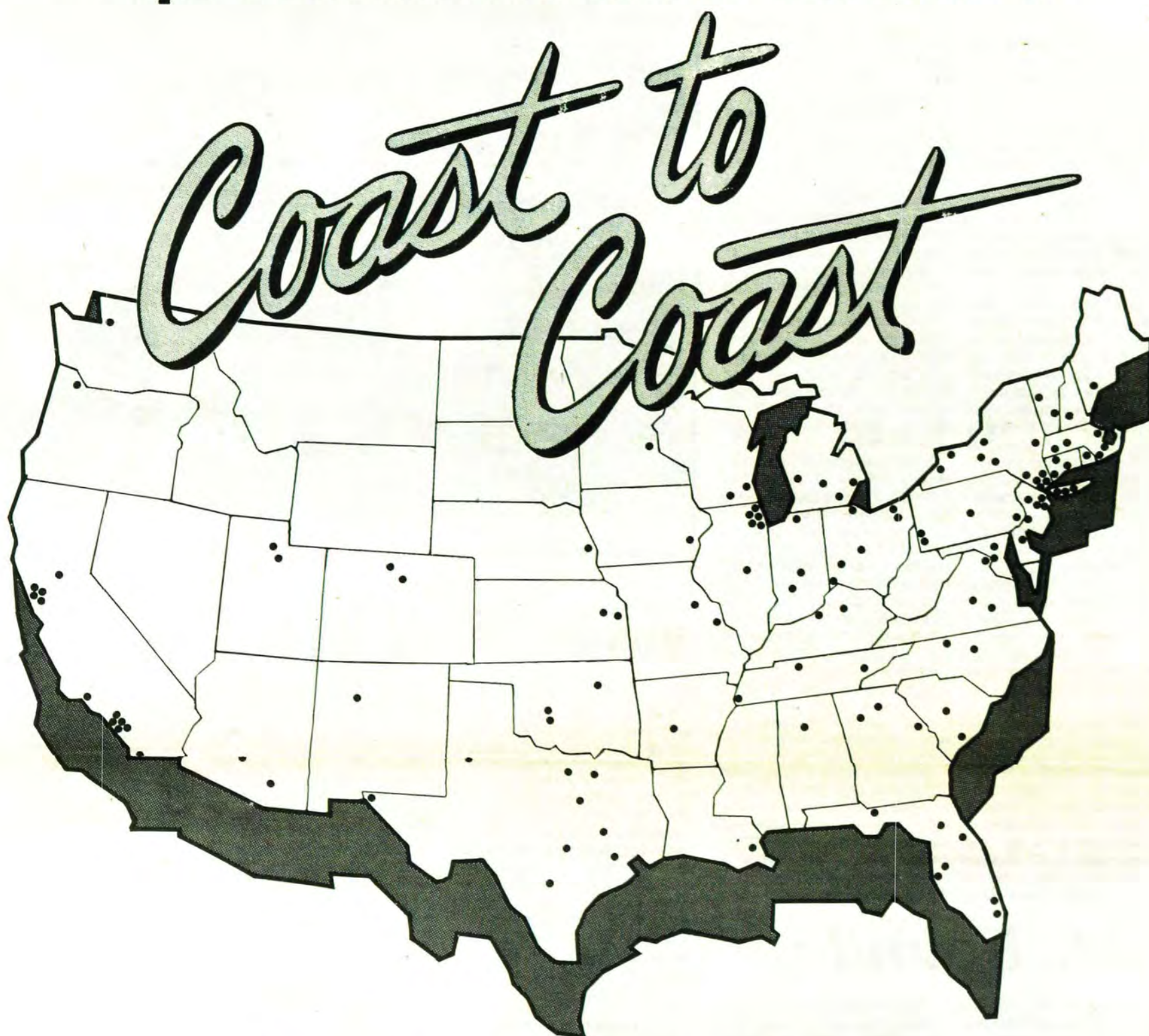
## Another Adieu

Doug Rendleman, Godwin Professor of Law at Marshall-Wythe Law School, College of William and Mary, has accepted a position at Washington and Lee University as Huntley Professor and Director of the Frances Lewis Center.

The Law Center focuses on law-reform scholarship. It sponsors research and publication, colloquia, programs, and faculty research.



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