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Marsball-Wythe School of Law

AMICUS @ CURIAE

Williamsburg, Virginia



Assistant Prof. John Pagan (Left): His More Hirsute Days

Lawyers See Changes In Future Practice

Three lawyers from northern Virginia and Norfolk predicted change in the legal profession during the time that most present Marshall-Wythe graduates will be practicing. Technological changes - from the use of video tapes for depositions to the use of computers for the billing of clients - and change within the legal profession itself, probably through the practice of certifying lawyers in various specialties, were two of the areas that are certain to change in the typical private practice in the near future, the lawyers

The three lawyers spoke at two seminars sponsored by the law school on Feb. 9 and Feb. 16. The three were Michael E. Kris, an attorney with Danzansky, Dickey, Tydings, Quint and Gordon of Washington, D.C.; Richard H. Lewis, now with Brault, Lewis, Geschickter and Palmer of Fairfax; and William T. Prince, an attorney with Williams, Worrell, Kelley and Greer of Norfolk.

The next visiting lawyers program will be held March 15 at 10 a m in the Alumni House

"Specialization is inevitable," Kris said. The former clerk with U.S. Eastern District Court judge Robert H. Merhige, Jr., said that some sort of certification will probably be placed on attorneys in the near future and that the major obstacle to such a program at the moment is a resistance from the presently practicing

Prince, a former president of the Virginia Bar Association, agreed that attorneys in the future would have to specialize and "perhaps be certified" in their practices. Quoting from an article in the National Law Journal, Prince predicted a number of changes in the legal profession in the near future, including:

-A greater number of lawyers, but the rate of new lawyers entering the practice will slow down.

-About 40 to 50 percent of the practicing lawyers being

-A system of licensed paralegals who would specialize in real estate, collections, domestic relations, and other areas.

The use of pre-paid legal services.

-A growth of small claims courts in which lawyers would be prohibited from practicing.

-A change in legal education to two years of general classwork and two years of specialization or residency.

-More advertising of legal services

-More largè, national law firms.

-More use of computers in the practice of law.

Lewis agreed with many of these predictions. He said that he sees an increase in the use of pre-paid, group legal plans comparable to pre-paid medical plans. He said he was also worried about the increasing cost of legal services and predicted that something would be done to decrease this cost. One method that could be used, he said, would be to allow video tapes of depositions. This would

Pagan Returns After Harvard, Clerkships

by Anne Preston Rose

Some of his students call him "the Ayatollah," and the desk assistants in the library frequently refuse to recognize his youthful face as that of a faculty member. Assistant Prof. John Pagan is a unique addition to the Marshall-Wythe staff.

Pagan is no stranger to Williamsburg. He did his undergraduate work at William and Mary, majoring in history. He spent his junior year at Exeter, and he graduated in 1973. Pagan was William and Mary's first Marshall Scholar, and from 1973-75 he was at Merton College, Oxford, again earning a degree in history.

After Oxford, Pagan moved to Cambridge, Mass., and Harvard Law School, where he says he received "a good education." However, Harvard "was large," and he wishes it had been "more personal." Pagan definitely prefers Marshall-Wythe. "It's more friendly, there's a sense of community, you get to know people — there are good relations and no distance," he

Harvard, Pagan says, "had an atmosphere of pressure which was all-pervasive. You felt like you had to study all the time." Pagan feels that by going to Harvard he had to make some unpleasant tradeoffs receiving his legal education, trade-offs he doesn't feel are required at Marshall-Wythe.

'Here, you can get a good education and still be a human being.'

Though Pagan feels it is hard to compare law schools, he did say of Harvard that "there are better ways to educate lawyers."

The author of One L, Scott Turow, was one of Pagan's classmates at Harvard. Pagan says that while the book is accurate," the "factually emotional reactions "exaggerated." Pagan says that Turow, who represents himself in One L as tentative, suicidal, and unsure of himself, is in reality "extremely articulate, confident and smart.'

According to Pagan, Turow says that today he would write a different book. One L was written the semester after first year, "before some of the bitterness had dissipated." Pagan says that One L did not exaggerate the sarcastic methods employed by some of

the Harvard faculty. Some of them, Pagan says, "malevolently use the Socratic method."

Pagan feels that this viciousness is not present in his colleagues. "Here there is no sadism because there's no

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M-W Finals For ABA Counseling Contest Are Set

Two Marshall-Wythe students will be participating in the 1980 Client Counseling Competition sponsored by the American Bar Association-Law Student Division.

An intra-school competition will be held Thursday, Feb. 28, at 7 p.m. in the legal aid clinic on Richmond Road to determine who will be representing Marshall-Wythe in the regional competition on March 8 in Morgantown, W.Va., according to Associate Professor John

Marshall-Wythe students did well in last year's competition. Joe McCarthy and Bob Wooldridge, both now graduated, won the regional competition and an all-expense paid trip to San Diego for the final, national competition.

This year's finals will be held in Macon, Ga. Funds have already been approved for the regional competition Morgantown.

Levy has urged many students to try out for the regional match. "For many people, this is the only time when they'll be able to have objective and somewhat feedback on their interviewing," he said. "It's usually done in the privacy of the office.

The topic of this year's competition is the counseling of widows and widowers. There is "some concern with the substantive law" involved, Levy said, but most of the concern is with the counseling techniques used by the participants.

The counseling is done in groups of two people, and part of the score is based on how well the two work together, Levy

Levy said that the judges of the competition are two lawyers usually one practicing attorney and one law professor - and a layman who is an expert in counseling. "We'll try to duplicate that" for the intraschool competition here, he said.

Anyone interested participating in the competition should contact Levy by Monday,

usage of its authority to sit in banks. Prince warned that young lawyers should not go into a practice certain of what they want to do with their lives. "I don't think you can ever chart a course and follow it," he said. "I don't think you can ever say 'I'm going to specialize in X.'

In keeping with this belief, Prince did not attempt to predict

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Michael E. Kris of Washington, D.C.

allow clients and attorneys alike to avoid situations like those he has been involved in where three attorneys were used to take a single deposition.

On a more local concern, Lewis also said he thought something would be done soon about the workload of the Virginia Supreme Court, either installation of an intermediate appellate court or an increase in the size of the Supreme Court with greater

the type of law he would go into

Editorial SBA and Apathy

According to the minutes of its Jan. 22 meeting, members of the Board of Directors of the Student Bar Association (SBA) discussed, apparently with straight faces, the reasons why so much apathy exists toward the SBA. The minutes do not reflect any conclusion, but they show that several suggestions were entertained to combat the apathy. Among the suggestions were:

—Questionnaires to students asking for suggestions of what they would like to see the SBA accomplish.

-Posting the social calendar early each semester.

—Posting an agenda before each SBA meeting to keep students informed of the topics that the SBA will discuss and to encourage student participation.

—Posting SBA minutes on the student bulletin board as well as on the SBA bulletin board.

—Articles or a column in the school newspaper about SBA meetings and activities.

Any or all of these suggestions would be a step in the right direction, and we are pleased to note that the least imposing of the suggestions has already been implemented. No student has to go out of his or her way — meaning a trip to the bulletin board next to the SBA office — to read about what occurred at the last Board of Directors meeting. The minutes are now being thumbtacked to the student bulletin board as well, right under the "for sale" signs and the announcement of the next sorority party.

But none of the suggestions tackle the major problem faced by the SBA: Why don't students care about what the

organization does?

It is easy to give a quick and perhaps cheap answer. One problem is that if anyone wants to get involved in SBA activities it certainly does not hurt if that person is a friend of either the president or vice-president of the organization. A look at the membership of the Judicial Council or the heads of the several committees supports this contention.

But, as noted, this answer is both quick and cheap. The real reason students are apathetic about the SBA is that no one, least of all the members of the Board of Directors, has any idea about what the SBA is.

Students have certainly had contact with the organization. It sponsors orientation, throws a couple of parties a year, and handles at least some of the details of graduation. But if students felt that the group was something more than a midwife, court jester, and coroner, they might be more willing to take an active role in participating in the group.

As it is, the SBA and the student body are caught in a vicious circle. Students will not participate unless they can be certain that their participation will mean something, and board members, without any malicious intent, get feedback about SBA activities from only those they otherwise associate with.

Something must be done to break this circle of apathy. Although we applaud some of the steps proposed by the Board of Directors to combat the apathy, none of these steps by themselves will be enough. Last semester, for example, this newspaper gave a good deal of coverage to a matter that should be of great concern to all students, a proposal for revamping the scheduling of classes. Only three percent of the student body took the time to complete and return the questionnaire about the class scheduling prepared by the SBA and run in the newspaper.

One modest proposal is that the SBA follow its own constitution. According to Article VI of the constitution, at least two general membership meetings are to be held each school year, one to approve the budget and one to receive nominations for the elected offices of the SBA. Although all meetings of the Board of Directors are open to the student body, all members of the SBA (all law students) may attend and vote at general membership meetings. These votes, presumably, are binding on the Board of Directors.

Assume that a general membership meeting is held this spring to approve the SBA budget. Assume, also, that the members of one organization that receives its funding from the SBA attend in full force, vote their organization whatever funds are available, and decide to fund only minimally any other group that requests money. One organization could easily control all funding.

The response to the SBA during the next academic year would be a bit stronger than it has been during this academic year. Students, for the first time, would have an appreciation of some of the power that the SBA can wield.

This proposal is a drastic step, but it is one that is suggested, if not mandated, by the SBA constitution. And it is one that is certain to reach the concern that the Board of Directors has expressed about apathy and the SBA.

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THE

Stickman

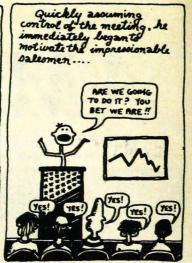
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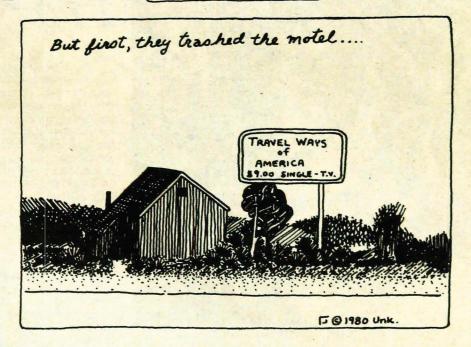
-INTELIGENCE HELD HOSTAGE
"I drink when I have occasion, and sometimes when I have no occasion."

-Sticknyw circa 1957 overlab by Carvates

Driven to a fremzy
by politice, Stickman
trached his noom,...

PUNK
LIVES
Then ran madly to the
conference room, where a
middle dictrict cales
meeting was taking place.





Letters to the Editor

Sue Us Once . . .

I wish to express a concern for those who have been mentioned in "So Sue Us" and also possess a human trait referred to as "having feelings," a trait that the column often fails to recognize. If you happen to be one of the column's chosen regulars, e.g., Bill Meili, Keith Wilhelm, or other commonly mentioned "close friends" of the authors, you've got it made. But when law students pick up the Amicus and turn to read "So Sue Us" first, it's not for the more pleasant amenities of their "close friends" but for the callous scuttlebutt about fellow law students.

Sure Joan and Pam have a "right" to publish their column. Larry Flynt has a right to publish Hustler. But, as Fred Schauer says, porno is not communication; it's a sex aid. Fred, have you read "So Sue Us"? Now I know "So Sue Us" is not really pornography, but as far as I'm concerned much of what's written in the column is of questionable merit which has hurt the feelings and pride of a number of Marshall-Wythe students. Perhaps we should read more critically and begin to realize that "So Sue Us" is not just a "friendly gossip column."

Sue Us Again . . .

MARK KUEHN

False, perjured, and malicious fiend!

Know you by these presents that it has come fairly and truly to my knowledge and belief that you did knowingly, willingly, intentionally and meaningfully commit trespass vi et armis against my person, causing to me, my intimates, heirs, acquaintances and delights untold harm in that my repute has been shattered in magno parte, my name slandered most deliberately, and my person is now but a mere shadow, and umbra minissima in minissimis, of the grandeur, glory, and publick bulwark and sound protection of its quondam stature, in that:

It is reported that you are the author and circulator, if indeed not the very auctor verissimus in totis rebus, of a malicious, libelous, and slanderous tale printed recently in the very foulest of publick rags, the falsely named Amicus Curiae, a periodical condemned by the knowing and the upright for its notorious associations with reprobates and scalliwags of the ilk of the justly reviled Stickman, a journal scurrilous as it is false, a veritable sink of filth, hatred, and in truth the mouthpiece of the fiend incarnate, a lying story in which you had the gall and malice to deliberately and with knowing forethought and willful hatred. tossing aside with thoughtless disregard the stern warning of Epicurus' disciple that certam natura finem omnibus rebus habita, the perjured tale that my monicker and Christian name is Mark, when it is full and patently known to all and sundry and most particularly to the various estates publick and politic of the fair and most benign Republick of Williamsburg, a gentle burgh, though named and Christened after a

foul Dutch adventurer, usurper, and quasi-patricide, that I do most nobly and well style myself Marc, a name noted generally and universally for its ancient antecedents and heritage.

In recognition of your most foul deed and in further spirit of this age of slavish consideration to the whims of the second, I have most generously determined it best to leave this matter from the law courts, with concomitant blather, folderol, foolishness and satanic pandering therein, and have felt it worthy of my station and yours to offer you recompense on the field of honor, thus preserving this noble and ancient tradition and, indeed and in anima fidissima, extending it in the interest of the sexual equality that is much bandied about in this recent age of the Demiurge, while yet saving my honour from your ill-conceived comment.

If you will appoint your seconds, they may confabulate at their pleasure with mine. As the aggrieved party, I offer you the choice either of wet noodles at fifty paces or of soggy breadsticks at fifteen cubits, the affair to remain intact and unresolved until honour is truly and fully served.

MARC JAMES
SMALL, also known as
the Irontongue,
Parvus, The One and
Only, Freemaster of
the King Canute
Society and occasional
Student of what the
uninformed mistakenly
believe, fide bona, to be
the Law.

-DBK

Lawyers v. Journalists: A View From the Newsman's Side

Reuven Frank, former president of NBC News, was executive producer of the network's "Weekend" series. This article is adapted from remarks Frank gave when accepting the 1979 Sacred Cat Award from the Milwaukee Press Club.

This article first appeared in the September issue of The Quill, a magazine published by the Society of Professional Journalists, Sigma Delta Chi. Copyright 1979 by The Society of Professional Journalists, Sigma Delta Chi.

By Reuven Frank

Freedom of the press is threatened by lawyers. You have heard Professor Kingsfield tell his young law students that they have come to him with thier skulls full of mush, and if they survive they will leave thinking like lawyers.

Believing in the adversary system is what thinking like

lawyers means. The adversary system postulates that truth, and therefore justice, is best derived through controversy and debate, that each side - that is, each side of two - will marshal its best evidence and argument, and that a judge or jury can then determine truth and separate right from wrong.

I think the adversary system is the reason the law business and the news business in this country are on a collision course.

Lawyers do not understand what we do, because they do not think as we do. Their thinking is organized, ritualized and bipolar. Ours is disorganized, individual and multipolar. When a reporter goes forth on a story, he has no idea of what he will find, and only a general idea of what he is looking for. He does not - or at least he should not - be seeking only such information as buttresses a conclusion he has already reached. Within limitations of reason and budget

he will go anywhere and talk to anyone for information of any kind. You can see the difference when you realize that if his story becomes part of a trial, his notes may be supoenaed by both sides, each looking for something else. This difference between lawyers and journalists is crucial because journalists are under the power of lawyers, not vice versa.

The best example I know governs broadcasting. Broadcasting operates under the fairness doctrine, the obligation to present different sides of an issue. This is a lawyer's formulation, sensible only to those who think in terms of adversary and advocate.

One news program I was associated with was ordered to present a rebuttal even thoughneither we nor the people who ordered it could find anyone willing to offer an opposing view. But if you believe wht public is well-served if extreme and irrational statements are made

on both sides, without reporters checking facts, if truth becomes manifest when Lavrenti Beria debates Paul Joseph Goebbels, then rebuttal is always in order. If you believe there is no such thing as simple curiosity, nothing is worth reporting unless it can be debated.

In the same light, fair trial will always win over free press, not because it is nobler in concept,



or more central to the workings of democracy, but because whenever the choice has to be made it will be made by a judge. And, don't forget, a judge was first a lawyer.

During the trial of Dr. Mario Jascalevich, when the notes of New York Times reporter Myron Farber were being subpoenaed, I met two New Jersey judges of middle-level status at social occasions. None of us had anything to do with the case, but all of us were following it humbgrily. You may remember how complicated the case became when it was learned that Farber had contracted for a book and that his editor knew more than Farber was willing to tell in court. Both judges were gleeful. So much for reporters' confidentiality, they crowed. Farber was just out for money. Farber, meanwhile, was already in jail for contempt of court. I know enough about the Bergen County jail to believe that no intelligent human being goes there for money. But here was a judge of a fairly high court of the state of New Jersey doubting and ridiculing the constitutional reasons Farber gave for refusing to let lawyers paw through his notes.

A lot of newsmen around town who stopped their intense support were reacting to the public relations aspects of the case, and not to the case itself. They, of all people, should have known better. Farber's notes, if they were like yours or mine, were full of things that were nobody's business but his. They were not adversary material because his sources were not forewarned that they were supplying adversary material. He went to jail because the notes were his business. The lawyers wanted him in jail for reasons of their business. It's not the same business.

Theodore H. White wrote on the Farber case: :: A good reporter is a cross between a beggar and a detective, a wheedler and a prosecutor. This is how he collects facts. But the essence of his trade is to know how to sift out of rumor, gossip and hearsay the essential facts and then to arrange those facts so that a story comes out as close to the truth as he can make it. . . Recently I have had the experience of trying to weave some of my old reporter's notes into a book. I found in those notes so many falsehoods, so many wild conversations, so many confidences of prople who trusted me, that I am appalled by how much harm could be squeezed out of them by a smart lawyer, a smart politician, a smart propagandist."

All the frontiers of reporting news touch the legal system these days. And the lawyers and judges who control our future increasingly think of us as a species of nuisance. Journalists are supposed to be outsiders strangers, in the sense that Camus used the word. We operate best when we operate outside systems, not against them. The reporter is the last existential man. What seems new to me is a conflict between two methods of thinking. The conflict is not ideological. A lawyer for the civil liberties union has as much trouble understanding what we do as a lawyer who has become a bank president. And that is why Farber went to jail.

In the history of this republic, many judges have gone to jail, but I know of none who went there on a matter of principle.

On the Lighter Side . . .

Supreme Court Decision Results In Massive Recall of Students

Editor's note: The following article appeared in a slightly different form in the 1977 April Fool's issue of the Amicus Curiae. We are reprinting it for a number of reasons. First of all, it's funny. Secondly, it shows how far Marshall-Wythe, which is now preparing to move into its new building, has come in just three years. And finally, we are hoping it will whet your appetite for this type of humor and get you writing your own copy for this year's April Fool's issue.

That's right, folks. If the response is large enough we'll be coming your way in six short weeks with our own brand of sophmoric humor. Get out your propeller beanies, sharpen your crayons, and write.

What other achievement can we leave for the soon-to-be Marshall-Wythe students to emulate?

The Marshall-Wythe School of Law of the College of William and Mary today announced a massive recall of all the lawyers it has produced in the last three years.

The recall was the first such general recall to date and comes in the wake of a landmark decision of the U.S. Supreme Court in Quick v. Dead, 426 U.S. -(1980). Other major producers of lawyers, most notably the University of Virginia, have made selective recalls in the past few months to correct certain defects in their products for reasons such as lack of responsiveness and horns that never cease tooting. Marshall-Wythe however, is the first to recall an entire year's production; it has in fact recalled three years' worth of products.

Although Dean William B. Spong, Jr., would offer nothing more in the way of explanation than the usual pieties about the

public being in no danger than is expected of any large corporate manager, it seemed clear to this observer that the recall stems from the aforementioned Supreme Court case.

Quick v. Dead involved a suit for damages by Rufus Q. Quick against his lawyer Renfro T. Dead a recent grad of Marshall-Wythe and naming as codefendants Dead's law firm and Marshall-Wythe itself. Damages were sustained by Quick when Dead allowed a statute to run erroneously believing that the judge would give him an "incomplete." Dead professed astonishment at the tolling of the statute saying: "Gee, in law school I never had to have anything in on time."

Quick speedily acquired a new lawyer, unbeknownst to him also a Marshall-Wythe product. This new lawyer had been hypnotized and made half-crazy by a course he had taken in Products Liability. As a result of this dementia, Quick's new lawyer filed suit using a products liability theory. (It should be noted that due to his infirmity he does everything, including the drafting of wills, on products liability theory.)

Contrary to all vaticinations the court bought this harebrained theory. Furthermore, on the basis of testimony that a national quality control team from ABA had cited Marshall-Wythe for defects in its plant and poor maintenance of its production machinery for the last three years running, the school was held liable for defects of design and workmanship proximately causing the plaintiffs injuries.

A spokesman from the SBA was quoted as saying, "It's true they don't produce the big high quality lawyer here—not cadillacs like at UVA— but even a pickup should be built with

machinery whose palms are well greased." I wouldn't trust their product to hold up under ordinary wear and tear and the high cost of maintaining their products in working order makes them prohibitively expensive.

Spokesman for the school said all of the recalled products would be inspected for lassitude, ineptness, ratiocinative abilities and literacy. The cost of correcting these defects was said to be too high to warrant the expenditure of such large funds but that it was expected that they could be salvaged by making them law professors. Asked whether this wasn't the reason they were put in their current predicament, the spokesman would offer no comment.

AMICUS CURIAE



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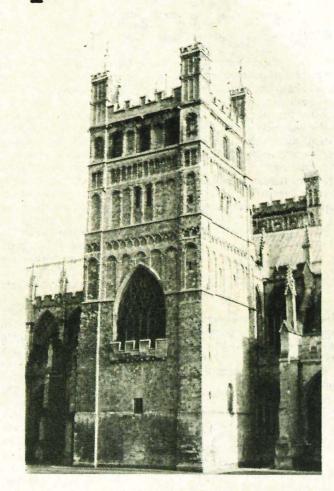
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Opinions expressed in this newspaper do not necessarily represent those of the editorial board. The editorial board reserves the right to edit all copy for space and policy considerations. Letters to the editor and other submissions are encouraged.

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Spend a Summer in Exeter



The language of England is, well, different. Until the Britishers learn to speak English, anyone taking a summer trip to Exeter will have to learn the unique language of that country. A partial vocabulary list is presented for your use.

Flats: Dorms. You'll each get a single room complete with sink and daily maid service. The dorms are located close to the dining hall and are a ten minute walk from town.

Kippers: A type of fish served for breakfast along with rolls and jam, fried bread, and mushrooms.

Berkshire: Pronounced BARK-sheer by English Professor Bridge who teaches international law in the nearby law building where your classes will be held in the mornings.

Ploughman: An interesting combination of meat pate, cheese, and salad served at lunch, ad nauseum.

Dear: The English word for expensive. You will quickly learn the meaning of this word as you explore Exeter's many shops. The china, prints, and jewelery may be purchased more cheaply than in the States, but remember that you can only take so much through customs.

Exeter Cathedral: Thirteenth-century cathedral in the center of town where you'll see charming little boys from the cathedral school in grey shorts and navy blazers. You might even get to see Prince Charles, who visited the cathedral while law students were there last summer.

Cream Tea: A Devon delight! Tea is served with scones, jam, and clotted cream. This is a positively addictive 3:30 p.m. habit.

Turk's Head Inn: An alternative to the cafeteria for dinner. Charles Dickens frequented this restaurant and pub way back when. You can get a great sirloin steak here and jacketed potatoes (that's baked, to you and me).

Ewe Bar: The scene of many a late night sing-a-long. Here you can buy Scrumpy (a potent cider) and pasties (Cornish meat pies).

Note:

Fries are chips and chips are crisps.

Cookies are biscuits and biscuits are scones.

Chinese pancake rolls are eggrolls.

Tomato sauce is catsup.

The underground is the subway and the subway is the underpass.

But half the fun of going to Exeter is experiencing the culture for yourself. Have a great time!

Today is the last day for applications for scholarships to the Marshall-Wythe and University of Exeter Fourteenth Annual Summer School of Law in England.

Marshall-Wythe students are eligible to compete for four \$1,000 scholarships to be awarded solely on the basis of academic achievement. Local students can also compete with any other students attending the summer school program for five full tuition and five partial \$250 scholarships.

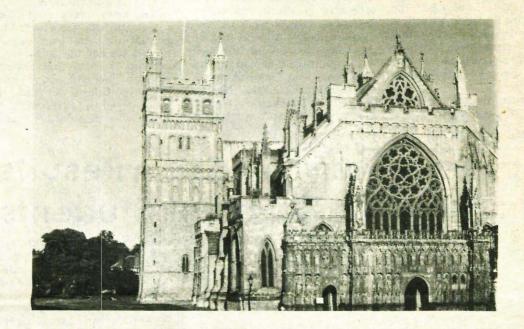
The program, scheduled for between July 6 and Aug. 12, 1980, is open to any student in good standing at any law school approved by the American Bar Association, any student accepted to such a school, and any law school graduate.

For the first time this year, the program will include a limited number of legal clerking positions in British law offices. Students will also visit the Inns of Court and the High Court of Justice in London.

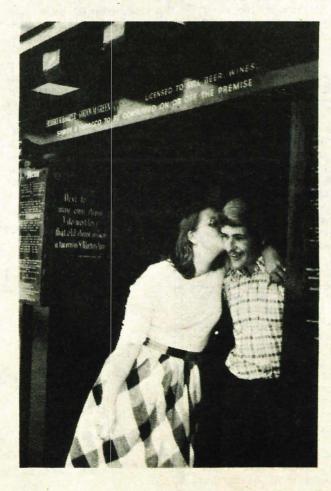
Professors Lynda L. Butler, John E. Donaldson, William F. Swindler, and Walter L. Williams, Jr., of Marshall-Wythe will join several British professors in teaching courses in immigration law, comparative constitutional law, international law of the seas, trusts and estates, international law of the environment, employment discrimination, English legal systems and legal history, European community law, international business transactions, and introduction to civil law.

All other applications other than for financial assistance are due by March 15.

For further information, pick up a copy of this year's brochure from the law school office or contact Prof. Emeric Fischer, the program's director.



Stories by Pam Owen, Joan Withka, and David Kirby



Photos by Tom Scarr





William T. Prince of Norfolk

'Bretheren' Is Topic Of Mar. 13 Meeting

The William and Mary Law Review will sponsor a forum discussion of the controversial best-seller, The Bretheren, on March 13 at 7:30 p.m. in the moot courtroom.

Three faculty members and two journalists will participate in a discussion led by Ralph Santos focusing primarily on the treatment of the Supreme Court in The Bretheren. The discussion will explore also the nature of the Court decision-making process and the appropriate stance of the news media in reporting on legal issues.

The panel members will

include Robert Mason, former editor of the Norfolk Virginian Pilot, Ray McAllister, specialist in legal coverage at the Richmond Times-Dispatch, and Professors Frederick F. Schauer, William F. Swindler, and Richard A. Williamson.

Questions will be fielded from the audience.

All members of the Marshall-Wythe and college community are invited to attend and participate in the discussion and to join the panelists for refreshments in the lobby immediately following the discussion.

Visiting Attorneys Speak To Law School Students

Continued from page one

today if he was just starting out. However, he did venture a guess at the type of lawyer he would hope to be. Within ten years of beginning a practice, he said that any lawyer should have a reputation for truthfulness, promptness, courtesy, preparedness, ethics, and quality work.

A lawyer should also be prepared to devote a fair share of his time to people who can pay little or nothing for his services and be comfortable with handling unpopular causes, Prince said.

Of all this, Prince said one should "try to do it without being pompous. Pomposity has its own reward."

All three of the lawyers called for attorneys to get involved in community work. Lewis urged lawyers to get involved in school activities through speeches to high schools on Law Day and through teaching courses on "law for the layman" at community colleges. Kris said lawyers should be more ready to teach in law schools and get involved in the American Bar Association (ABA) and the Young Lawyers section of the ABA

This community work has its own rewards in terms of the number of new clients it can bring to a firm, Kris said. Social work in politics, the Red Cross, and so forth can lead to more contacts for the firm, he said. All three agreed that law

schools are doing a good job in educating new lawyers to prepare for practice. The new lawyers are "brighter now" and "better equipped" than they were when he graduated, Prince said. But Prince played down the importance of clinical education experience gained while in law school. "I don't think you have to know what you're doing when you start practicing," he said. What can be learned in clinical education while in law school is

"too easy to pick up when you're practicing," he said.

Kris agreed with this, saying that law schools now are equipping good students with the basics. The new lawyers need a lot of additional training, he said, but this can be gotten only through experience. He recommended a judicial clerkship as a good way of learning these basics.

If a new attorney is not certain of the type of law he wants to practice upon graduation, Prince recommended a general, private practice as a method of beginning. Someone interested in criminal law should begin at the commonwealth attorney's office, he said.

Lewis, in hiring new attorneys, said that he looks for people who want to do trial work. It is difficult to tell in advance who will be a good trial lawyer, but Lewis said that he approaches the task of hiring new lawyers in a very loose fashion through interviews, a luncheon date, and details about the attorney's personal life.

Kris employs what he calls the "Dallas Cowboys approach": he looks for graduating students who are good in a number of areas of law. Most of the attorneys his firm hires have been clerks with the firm between their second and third years in law school, he said.

Neither Kris nor Lewis seemed overly concerned with grades earned while in law school. Lewis said the grades were not important, and Kris

"I don't think incompetency is a major problem, but it exists."

said that of those students who apply to his firm the grades "are all the same."

Prince said he looks for "brains" in young associates. Lawyers who are hired for his firm are expected to do both litigation and general office practice. Lewis, with his heavy load of litigation, likes to get new associates practicing "almost immediately" on small, judgetried trials.

One other consideration that is important in determining who to hire for his firm, Kris said, is an ability to get along with the present firm members. This is one of the reasons why some of the present associates at his firm were not offered partnerships last year, he said. Kris said he also considered

writing ability important in deciding who to hire.

Once lawyers are out of school and practicing, Prince said he favored continuing legal education for attorneys. He is opposed mandatory continuing legal education for two reasons - sitting in a classroom does not really help, and the logistics of requiring all attorneys to attend such classes are "impossible" - but he thinks that an examination and certain prerequisites should be required before an attorney is permitted to hold himself out as a specialist, he said.

Lewis recently left a larger firm to open a small law firm and said that many young lawyers are coming into Fairfax now to do the same.

Pagan Returns To Williamsburg As Teacher

Continued from page one

egotism," he says.

Pagan participated in Moot Court for two of his Harvard years. His most memorable oral argument was before Supreme Court Justice Thurgood Marshall. His partner was Sheila Kuehl, who had played Zelda on the "Dobie Gillis" television series, and the morning after their argument she was flying to Hollywood to film a "Dobie Gillis" reunion.

Pagan worked for a law firm in London in the summer of 1978. The cases were sometimes confusingly international. Once the American law firm based in London represented a Portuguese citizen in a medical malpractice suit against a South African doctor.

Before joining the faculty of Marshall-Wythe, Pagan clerked for Ninth Circuit Judge Ozell Trask, working in Phoenix and San Francisco. Clerking was "an interesting experience," he says. Pagan's main project was "a case just unfavorably commented on in the Harvard Law Review."

Pagan's wife Cheryl teaches sixth grade. They met here as undergraduates and were married in Wren Chapel. Pagan says that "if a marriage can survive law school, it can survive anything!"

Pagan says he "wasn't nervous at all" about teaching. He is very happy here at Marshall-Wythe and only has one complaint. "We need more racquetball courts!"

Women and the Law

White Talks at Conference

Student Bar Association President Bessida White will be serving on two panels at the National Conference on Women and the Law to be held Feb. 28 through Mar. 2 in San Francisco.

White will be discussing property settlements on a panel entitled "Overview and Divorce." On a panel entitled "Names," she will be discussing the legal implications of

choosing and changing names for women and children.

White will also be talking about property settlements here at the Mary and William Women's Law Society's Third Annual Conference on Women and the Law on Mar. 22.

Joyce Melvin, a December graduate of Marshall-Wythe, will also be attending the San Francisco conference.



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75 Items
Belgium waffles
10 assorted pastries

5.50 ADULTS

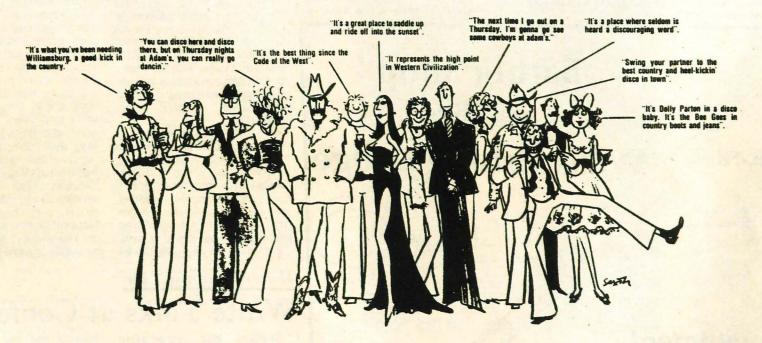
5 fresh fruits

Assorted hot entrees
with scrambled eggs
and
standing round roast

29 item salad bar

4.50 CHILDREN

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By Pam and Joan

So Sue Us . . .

Valentine's Day was a special event at Marshall-Wythe. Renee Bowditch started Col. Walck's heart throbbing when she walked into his Torts with a dozen yellow roses! But much to the Col.'s disappointment, they weren't for him.

However, one professor did get a Valentine's surprise. John Donaldson received a singing telegram in Tax. What was his response to the tuxedoed lad who sang "You are My Sunshine?" "Um, thank you very much. Now if you'll turn with me to Section 162 of the Code..."

Later that evening a group of hearty law students went to Adams' for Rodeo Night. They filled up on tacos and ribs, but they must have had some liquid refreshment. Otherwise, why would Pam Elliott have been running around the empty dance floor to the tune of "Rocky Top"?

We hear Dave Fenig and Mark Smith had quite a party Saturday night. Randy Carlson was there in total disregard of the Mann act. He transported Mary Washington girls outside of the Fredericksburg and Charlottesville city limits. One co-ed reportedly had Brian Jones cornered. But what we want to know is, where was Chip White?

We don't know the answer to that, but we do know that he'll be at the PAD Beach Party on Sat., Feb. 23. The beach party will be in lieu of Toga II, so save your sheets and grab your beach wear. Dan Henderson has promised to come in his black bikini, but bathing suits are not required. After all, not everyone's a perfect "10" like Dan.

The party will be at the Little Theater, from 9-1. come on out. You won't get a tan, but you will get a lei.

Happy birthday to Cindi Cobbs, Mike Holm, Brian Jones, Steve Salbu, and Sue Satkowski

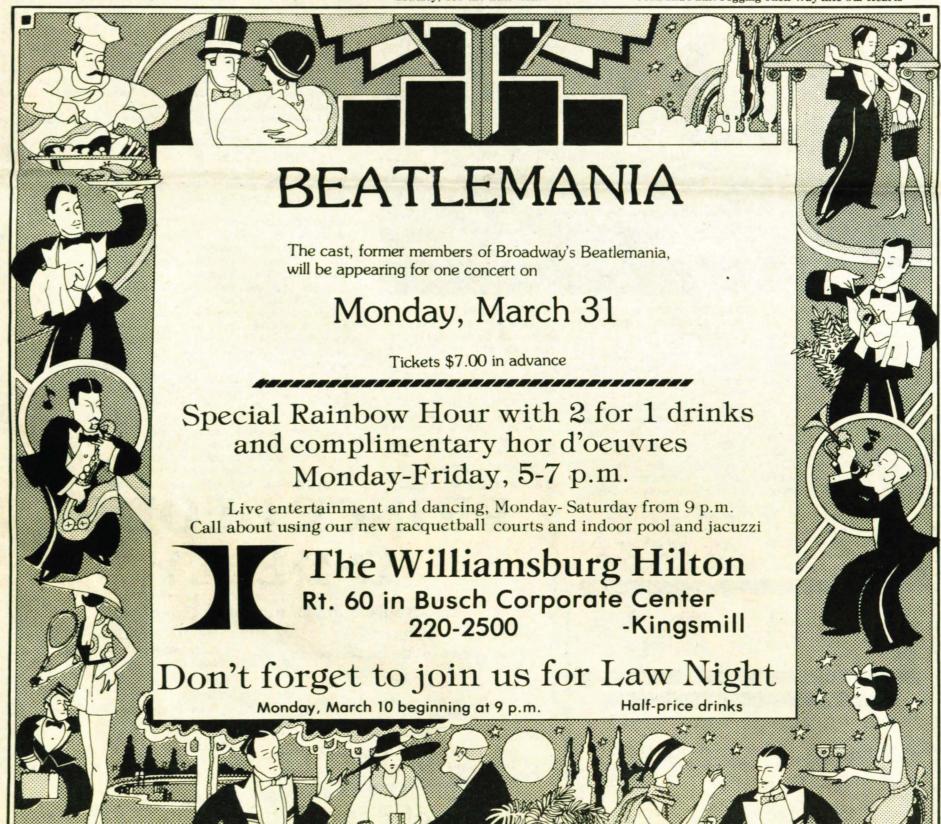
Everyone's looking forward to spring break. However, there's something to look forward to when we get back. Monday, Mar. 10, the Hilton will sponsor Law Night II, with half price drinks, a band, and hors d'oeuvres from 9-1:30. If you didn't make it last time, here's your chance to see what you missed.

Speaking of things you shouldn't miss, the 1980 Barrister's Bash will be held Friday, Mar. 21, from 9-1 in the Campus Center Ballroom. Beverages, hors d'oeuvres, and a band will be provided. The dress is semi-formal (no, you don't have to rent a tux or run out and buy a gown). So plan to come out and have a terrific evening. More details after spring break.

For the hot scoop on Eleanor Bradley, see the next issue.



Joan and Pam: Jogging Their Way Into Our Hearts



Morrison's Magical Mystery Tour

by Mary Jane Morrison The sign says, "We will prosecute all violators." That has an ominous ring to it. Violators of what? The who of the "we" is clear enough. I am in the Richmond Greyhound bus station at 7:30 a.m.

"This terminal protected by plain clothes security guards and employees who care." The letters are blue on a white background, and the emphasis is red. Above this is another sign that explains what one of the violations is. "NO LOITER-ING." Above that is the clock. Very strategically placed. People making connections and loiterers, both with time on their minds, will consult that clock and note the warnings.

Do they prosecute violators? Perhaps. Butterfly McQueen has charged Greyhound with humiliating her in the D.C. terminal over some such

But one of the other signs in the Richmond terminal says,

the bus words this differently, and adds, "unless prohibited by local law." Before I came to law school I'd have found that sign ambiguous. Does it indicate a complete ban of smoking, or a ban of any bans? For passengers who haven't gone to law school, there's an unambiguous sign saying which places have a complete ban on smoking.

I am on my way to an interview for a summer job. Other people get to fly and have their expenses paid. I take the bus and pay my own way. Still, all things considered, the trip is not any worse yet than UCC at 7:45 on a Friday morning.

With the ever-present feeling that I'll miss more than Sullivan's rousing enthusiasm for the UCC, I've brought along the commercial code nutshell.

"Your Operator -Max Morrison - Safe - Reliable -Courteous." Max is an independent soul. He wears a denim work jacket over his

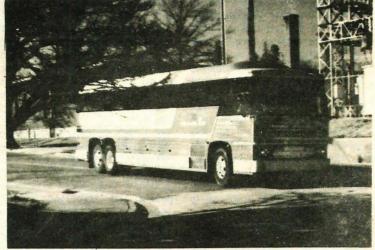
law school to learn to make money.

The day is gray with rain and withered hopes. A small, pale brown roach crawls along the floor of the bus. He has to worry only about Raid. I'm still worried about missing UCC.

Every now and then last fall some interviewer would ask what I planned to do if I couldn't get a job in a law firm when I graduate. I've finally decided how to answer that question. Next time I'm going to say I'll open a law office under their noses and take all their clients. I could be taking applications for summer jobs in a few years.

At 10 a.m. it's raining harder, and we stop. From here there are three buses eastbound, three buses westbound, daily. It's a wide spot on a road for more important things in life.

Max and I are the only people left on the bus-the driver and his passenger. He teases me about running away, wondering



was one of the few women on the plane during working hours. For all that, the bus stations seem to have nothing but men in them. Loitering, probably.

The land we pass now supports only Baptist churches, white pines, and junked cars. Some of the farms have the same kind of sheds I knew as a child in Florida. I've never known what they're called; they have a regular roof line, but one side extends down almost to the ground. They look like small barns with a lean-to attached. My grandfather used to say the roof stopped high enough off the ground for a raccoon to walk in,

I saw a family of raccoons in Williamsburg last summer. There was a papa and, trailing a few yards behind, a mama and three young racoons.

We pass through a large town, or a small city, depending on what you're used to. No loitering at the 7-11. "Mingles disco at the Ramada Inn." (Mingles disco?) It's Athens, Ohio, with less steep hills, or Athens, Georgia, with steeper ones. There's no money here, but there used to be. Four of the largest houses I've seen in Virginia are a block from the bus station.

Now the money seems to be just down the road, outside the town. This is the face of America.

I get where I'm going, and two men from the law firm pick me up. Then the round of interviews starts with each member of the staff in on that Friday. The rain

Everyone is very polite. "Why do you want to work for legal aid?" Well, I don't, really. I just want to find summer work. This looked like a place to consider, for just a summer, to try it on, so to speak. And the notice said this was to be just a summer job, not a step into a post-graduation career. So I figured I could

During the shuffle from one interview to another, I'm moved past a classmate who has driven down for his own interviews for this job.

Tacky. Tacky. Shuffling me past someone from UVa. would have been bad enough, but past a classmate? Where are the employees who care now that I need them?

The rain starts again. At 5 p.m. I am back at the bus station, facing a too long trip home in the dark rain. I almost don't care if I get the job, especially because I'd forgotten it's planes I can read on, not jolting buses. I'm almost sorry I came: I haven't even learned any UCC.

I wonder if Ulysses ever had a day like this.

Editor's note: Ms. Morrison reports that one week later she got a "we regret" letter from the legal aid society. "With any luck, the classmate got the job," she said. "If not, the firm missed two good bets.'



"STOP. Restrooms are locked." Passengers, it seems, can get tokens from the ticket agent to use the restrooms. When I ask for a token, the ticket agent grins broadly, and says, "The bathrooms are unlocked." Perhaps she's one of the employees who cares.

There is also a sign telling the public how to file objections to Greyhound's proposed rate hikes. If anyone objected, he didn't win. The proposed rates went into effect last October, another sign says.

Each announcement of departing buses ends with "We remind you that federal regulations permit cigarette smoking only, and then only in otherwise regulation uniform once we're safely away from the Richmond terminal.

I remember one flight into Europe after several years away. The coastline stretched forever, the sky was pinking from the morning sun, and the fields showed themselves open to horizon's edge. New beginnings, new adventures.

But today I feel cramped. A fall full of interviews at the Alumni House has come down to this. I've been rejected by corporate-minded America and have felt at home with almost only this legal aid firm I'm on my way to visit. I'd thought I'd left the softness of committed aloud if they'd send the posse out for a bus. But two women get on to replace the five who got off, and they don't look like they want to run away.

Max says it's the story of his

By now I'm beginning to wonder if anyone except women travel in this country on a week day on the bus. A few years ago when I was doing a lot of traveling on business by air, I

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