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New Skills Program Provides Firm Foundation

by Carl Melctosh

Marshall-Wythe revealed its much-anticipated new Legal Skills program this semester during orientation week. More than just a name change, Legal Skills is a four-semester course that wholly incorporates Legal Research and Writing, Legal Profession, and Lawyering Process, as well as aspects of Trial Advocacy, Appellate Advocacy, and Trial Practice. Also included is a remedial English skills component defined by a diagnostic test administered during orientation.

THE LAW FIRM MODEL

The cornerstone of the new Legal Skills program is the law firm model. Each firm comprises a faculty partner, a third-year partner, and approximately one dozen first-year junior associates who will become second-year associates next year. The associates deal with five clients during their four semesters with the firm. Two of these clients will have cases that begin with an initial interview and take two years to develop through negotiation to trial and appeal. In this manner the associates track cases from reception to completion, and each associate must deal with more than one client at all times.

“Law is both a profession and a business. This raises internal contradictions and ethical questions. By using the law firm model, we can raise the same ethical considerations, it is simply a useful model, nothing more.”

-Professor Frederic Lederer

The new Legal Skills program departs from an existing one. Professor Lederer explained that anonymous grading for most exercises is not realistic because of the highly personal, collegial-type instruction of the law firm model.

Students receive one credit hour for each semester they are a junior partner of the program, two for the second and third semesters, and three for the final semester. The grading system for all four semesters is Pass/Fail/Honors, with the standard for the Honors distinction as yet undefined by “extraordinary accomplishment.” Like obscenity, the faculty will know it when they see it. The fourth-semester ethics exam is, however, both fully graded and fully anonymous.

Lights out for Elvis Fans

by Karin Horvatt

Elvis has disappeared. Until this crack reporter began asking questions, his disappearance was a mystery. Frightened people speculated in whispers: was it a drug overdose— or was it only supposed to look like a drug overdose? Maybe he is coming back. Was it the CIA? Or was it, saner minds reasoned, the desperate work of a covetous, spiteful fan, embittered by the prospects of a job earning a mere $20,000 a year, starting plus benefits, with only the gray, bleak, endless future looming ahead of him, and no hope of bettering himself? People, it was the Nicaraguan Death Squads of good taste. "I was the person who got rid of [Elvis]," Dean Connie Galloway said with that gray, faceless Soviet Death Squad look. "I've been urged to do that for many years by Professor Rendleman," but she did not remove him immediately because "I make it a practice never to do anything Professor Rendleman asks." Then she continued, "The more of the blame you put on Professor Rendleman, the better. Noting that he was reaccused recently no longer on the faculty (The Administration tells us he has left for another school), make of that what you will," Galloway said, "I'm not stupid.

Indeed, the thing was done over the summer, after the conclusion of the bar review courses, when there would be fewer law students around to hear his pathetic cries of help. Galloway asked Ray Nugent, the SBA president under whose leadership the lamp appeared, if the lamp was bought using SBA money. He said it wasn't. Dean Galloway then asked him, "Would you object to its removal?"—using the assassin's trick of referring to his helpless victim as "it." "Nah," Nugent replied. "So I took it out and disposed of it." Two weeks

Jon Hudson, crazed with grief over the loss of his leader, questioned the morning cleaning crew on the morning of September 1st. Sheila and Ruth told him, "They left a note saying to throw it away. But we didn't do it. We took it to the administration department and they threw it [in the trash]." Then we carried it away," Ruth said. "They got rid of it because they said it wasn't working," added Sheila.

Dean Galloway said that "it was pointed out to SBA president Jeff Lowe that they [Elvis lamps] could be gotten cheap at the Pottery. A new lamp would be allowed to remain until "everyone had left," presumably, "everyone" meaning the class of 1991. Elvis came in with the class of 1986. "He appeared one fall morning and was positioned in the lobby. There next appeared a painted version of Prince," said Professor Lederer. "Then later that disappeared—but I had nothing to do with that." The class of 1986, Galloway said, "was able to remove the pink flamingos over the summer—but the ground was too hard." Furthermore, she continued, "I was only going to 'borrow' these to put in the lawn of a friend as a joke." So we see that the Death Squads, faceless slaves to their Soviet Death Squad masters, may have a sense of humor. Of a sort.

Now with his disappearance, the whole student body is agitated. In fact, there have been ugly goings-on in the Student Lounge. Elvis has been replaced by a black velvet Elvis poster. Those of us who covertly thought that Elvis in his lamp incarnation was not Elvis at his best, with fervently at every sight of him in his black velvet poster incarnation, for the reappearance of the Elvis lamp, others share the view of this crack reporter: "I don't think that [the poster] is covered by the first amendment," Rodney Smolla is reported to have said. "Ugh," someone else said more succinctly. "There has been a grass roots policy statement," says Jon Hudson with revolutionary fervor. "We want Elvis back!"
The Empire Strikes Back
School Responds to Prof's Lawsuit

by Gerry Gray & Steve Medry

Characterizing former M-W prof. J. Bernard Corr as a "disgraced law professor with an undependable scholarly publication," attorneys for the College moved Aug. 4 for summary judgment in Corr's tenure suit. Affidavits by Dean Sullivan and M-W Prof. Glenn Coven describe and convicted ecstatic over Dunn's denial of tenure and claiming their decisions rested "solely on perceived inadequacies in Corr's scholarship and governance abilities." Corr's case, which went from 1980 until he was denied tenure in 1985, the decision prompted student opposition, including a 200-signature protest petitioning the denial, and letters of support from many alumni and a杨幂 member. She's currently teaching law at the University of Virginia last year, this is her first full-time appointment in Virginia faculty this fall. She's currently teaching civil procedure with 15 years of experience, and I've always felt that law students were creative, enthusiastic, and very intelligent, and I thought that...[teaching] would give me an opportunity to work with future lawyers and to have some role in the future of the legal profession." With that motivation as her guide, Margaret Spencer joined the Marshall-Wythe faculty this fall. She's currently teaching civil procedure and trial advocacy and will add administrative advocacy to her schedule in the spring.

Although Professor Spencer served as an adjunct professor at the University of Virginia last year, this is her first full-time appointment at the University of Virginia. Sullivan and M-W Profs. Glenn Coven, Prof. Richard Williamson, Chair of the Senatorial Faculty Committee, and the faculty and recommended him for tenure. The recommendation was officially made in January, 1985, to July 1987. As Assistant Attorney General, she was one of 12 professors to represent the Commonwealth of Virginia in criminal cases before federal and state appellate courts. She also co-authored the Appellate Division's Citation and Style Manual and spoke before state and local bar associations. Her achievements rest soley on perceived inadequacies in Corr's scholarship and governance abilities.

Coven, Sullivan and Verkuil all cited poor scholarship as a reason for denying Corr tenure. Coven called Corr's work "shallow, unpersuasive, and pretentious." Outside reviews of Corr's articles sought by the FSC echoed their doubts. The motion for summary judgment quoted an evaluation by Prof. Aaron Twerski of Holstra University School of Law. "Coven wrote that two of Corr's articles "fail below the standard of acceptable scholarship," Coven omitted the "work of leading scholars...directly on point" as well as "[leading cases on all fours]." Prof. Peter Hay, Dean of the University of Illinois School of Law, found "misconceptions" and "a certain lack of depth" in the article he critiqued.

At least two other professors, however, wrote favorable comments on Corr's work. Coven claimed that those evaluations were omitted from his personnel file by Sullivan when Sullivan sent the file to College Provost Schiavetti for review. Under faculty tenure procedures, the FSC report is followed by the Dean's independent recommendation to the Provost. The faculty member under review may appeal the Provost's decision to the President of the College. Sullivan said he sent a box containing "everything I had relating to Corr's tenure application" to the Provost's office.

"To my knowledge," Sullivan said, "I sent both letters in the box to the Provost's office." However, Sullivan said the box of materials was not catalogued. President Verkuil's final decision on the matter backed Sullivan's claim. "While the file is unusually detailed," Verkuil wrote, "it appears it did not in fact contain the two letters you cited. I am satisfied that these letters were omitted due to the informal nature of the file collection process and not to any intentional act.

Continued on Page Nine

THE ADVOCATE
Thursday, September 8, 1988

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Parking Gets Scarcer, More Expensive

by Steve Mister

For the second year in a row, parking fees at William and Mary doubled, jumping from $32 in the 1986-87 school year to $64 this fall. At the same time, the size of the first year class grew to 197, while the administration allocated an additional 14 spaces to faculty/staff use.

New regulations on the main campus prohibit Day Student parking in all lots except William & Mary Hall. A shuttle bus circles the campus every ten minutes to carry students to classes, the library, and administrative offices in the middle of campus.

Director of Parking Services, Thea Stanton, justifies the dramatic rise in fees because of a state law passed in 1987 which requires auxiliary services at the College, like parking, to be self-supporting. "If used to be I could just call up Building and Grounds when we needed a pothole repaired or new lines painted. I can't do that anymore," Stanton explained.

To arrive at the $48 fee, Stanton and other administrators forecast the anticipated costs of maintenance, improvements, salaries and other expenses and projected the number of decals that would be purchased. "The alternative is to try to give a lot more tickets," she commented.

Ticket prices for most offenses did not increase, but the fine for failure to have a parking decal did rise from $10 to $35.

Money for Maintenance Needed

Part of the financial problem, according to Stanton, is the drastic need for immediate repairs. "The lack of spaces and the poor condition of the existing lots is the result of years and years of deferred maintenance," Stanton said. Now someone has to fund it.

Parking at Nearby Schools

In comparison to neighboring colleges, students at William and Mary are neither in the best nor the worst of situations.

At the University of Virginia, law students compete in a lottery each year for the 236 spaces at the law school. Lottery winners are permitted to purchase monthly stickers at $60. Once students have won the lottery, they are ineligible to compete in future years.

Losing students in the UVA lottery must find parking in an overflow lot 4 1/2 miles from the law school and either walk or catch a shuttle bus to the building. Overflow parking permits cost $2.00 per month.

Student parking stickers at the University of Richmond cost $50 a year. Because the law school is located on the main campus, law students may park in any commuter lot on campus.

Students at Old Dominion University in Norfolk pay $50 a semester for a sticker. According to Tom Kahler, Director of Parking Services at ODU, the sticker is no more than "a license to hang," because there is a three to one ratio of students to spaces at the largely commuter campus.

George Mason Law School charges $55.00 a year for its parking sticker. Students and faculty compete equally for spaces, but officials there say there's rarely a time that the lot is full—it's mostly a matter of getting closest to the door. This fall, George Mason has instituted dual stickers that restrict parking to Day or Evening classes. Students attending both divisions must receive special permits to park during the evening hours.

Georgetown Law Center, located near Capitol Hill in Washington, D.C. issues a student decal for $15 a year, but that only entitles students to park in one of the 140 spaces in the university's garage. Parking costs $2.25 a day, an additional $9.00 at night, and Georgetown students often arrive on campus between 6:30 and 7:00 a.m. to get a space.

Paving and painting are not cheap either. Stanton estimated that the gravel for the overflow lot at the law school cost $4,500. Concrete bumpers for each space, which have not yet been installed, will cost $10 each. Stanton said labor added another $50 to the

ministators reach a final decision about the new dorm construction. Although many students have grumbled about the new price, Stanton says she has received "minimal" complaints from those who have purchased stickers. "No one has been irate or rude or

mean," she said. Stanton insists the increase is not aimed at deterring students from driving to school.

"Students will find the money," Stanton said. A survey several years ago indicated that parking was not at elastic demand curve; students who need to drive will pay whatever is required, according to Stanton.

Last year, 48 spaces at the law school were allocated to faculty and staff. Thirty-three faculty are teaching courses this semester, although all of them are rarely at school at the same time. Approximately 36 staff people also work in the law school but flex-time hours stagger their need for parking.

After the new allocation of spaces, there are 62 faculty spaces and 162 student spaces. This year's law school enrollment is 533, according to Dean of Admissions Faye Shealy. Even including the approximately 45 spaces created by the gravel over walk lot, the student to space ratio is more than 2.5 to 1.

Numerous observations of the parking lot during times of peak student use last week repeatedly revealed a number of faculty spaces not in use. Parking Services Director Stanton says her staff will continue to monitor the situation and may recommend a reallocation.

Galloway said she has no immediate plans to turn any of the spaces back to students. "Perhaps after patterns settle in, we'll see about temporarily making special provision," she said.

SBA Rep Expresses Student Concerns

Becky Blair Student Bar Association Third-year Representative spoke with Parking Service Director Stanton regarding the Motor Vehicle Regulations which state that enforcement of Faculty/Staff spaces stays in effect until 8:00 p.m. Stanton assured Blair that the booklet is incorrect and that students would be permitted to park in faculty spaces after 4:00 p.m.

Blair also contacted Parking Services to express concern about the lack of lighting and emergency phones in the parking lot. Currently, the spotlights in front of the building are rarely on at night and the only emergency phone is located too far away to be accessible in an emergency, Blair said.

"A lot of people study late and when you walk outside it's pitch black right in front of the lobby," she said. "After midnight the doors lock behind you. Someone could be waiting in the bushes and you'd have no way to call for help." Blair noted.

Can you spot the $48 student parking space in this picture?
The Policy, in Examination

It is the recollection of a large number of upperclass students that, at some time in the recent past, law students had access to exam schedules when they were planning a semester's schedule. When exactly this privilege of information was taken away from law students is trifling. Why this privilege should be available to them is a more important concern.

A student should be able to select classes with the knowledge of how a certain collection of courses will affect his exam schedule and should be able to schedule exams according to personal preference. Comparable law schools in Virginia permit students to have some say in their exam schedules: Washington & Lee gives students a choice of two time slots to take a course's final exam, and the University of Virginia permits students to make up their own exam schedules, subject to a few restrictions.

A more compelling reason than freedom of choice or allowing students to choose classes with knowledge of the exam schedule is, at least during the first semester, religion. Hanukkah and Christmas are primary religious holidays for most students and the Advocate believes that students should be permitted to schedule their classes—and their exams to accommodate their need to observe these holidays and to be with family during this season.

The administration of Marshall-Wythe may have a valid policy reason, not yet articulated before the law school community, for this administrative change. Nonetheless, the Advocate maintains that religion and family are compelling reasons why law students this semester should have known their exam schedules during, and not after, the add-drop period.

King of the Mountain

It's impossible to hear all the talk about the Elvis lamp which used to grace our student lounge without cracking at least an inward smile. It might just be, lack of responsiveness to student opinion, and a some say, it would students. Students have asked faculty and administrators and that's about the lamp; they've heard some snappy comebacks, in the black velvet.

The Administration's removal of the Elvis lamp seems to be the latest, silliest example of what The Advocate has been criticizing for the last year: secrecy, a lack of responsiveness to student opinion, and a mother-knows-best attitude. While the student body was away for the summer, the Administration removed a lamp to the student body from a prior class without consulting the students. Students have asked faculty and administrators about the lamp; they've heard some snappy comebacks, and that's O.K., but that's all they've heard. One would think that, if there were any area over which students had some say, it would be the decor of the student lounge.

It would be nice to be asked about such matters. It would be even nicer to be listened to. At the very least, it would have been nice if they had just told us to move the lamp out, so we could hold on to it until we found somewhere to put it.

Students familiar with the monument to tackiness can feel amused by this tempest in a teapot, or glad to see the tacky thing gone, or annoyed by the Administration's silliness. Students familiar with the Administration should not be surprised.

Letters to The Editors

Banks Speaks Out . . .

Against Selassie

Dear Dean Sullivan,

I am writing to inform you about the conduct of Associate Professor Selassie for whom I worked as a research assistant from June 27th to July 21st.

Sincerely,
Sinclair Banks

Slips Shelved

On returning to Marshall-Wythe this fall many people noted the disappearance of various personal and porcelain facsimilies of persons. When the dust settles, take a moment to mourn the demise of another Marshall-Wythe institution, the shelf slip.

Shelf slips worked perfect in theory. When a student took a book off the library stacks, they would mark down on a yellow piece of paper their name, the book, and the shelf number where the book lay, almost always unopened, and proceed to get some perceived enlightenment from it. Legend has it that failure to shelf-slip a book was an honor code violation.

Over the summer the library administration decided that too many people were disregarding the shelf-slip system and stopped printing the slips. This editorial passes up a free shot at the failure of the honor code to make the system work. The fact that shelf-slip didn't work means that students are not respecting fellow students, and that goes beyond honor.

The decision to stop making shelf-slips available may have shattered some myths about the superior character of the Marshall-Wythe student body, but it was a draconian measure. There are not 500 plus discourteous students in this school, and by removing the shelf slips the library is making it harder for students who chose to be considerate to do so.

Sincerely,
Sinclair Thomas Banks
Neophobic
by Jeff Yeats

Can you see it? Just peeking over the horizon, away off to the west, sneaking up from behind me. It’s hard to spot but with concentration and perseverance I catch a glimpse once in white. I don’t try very often because it’s kind of scary.

This thing has been stalking me for two years, now. I built a good lead during the first year, but I’ve been losing ground ever since and it’s beginning to look inevitable. One day when I’m not looking there will come a tap on my shoulder, I will turn around and stare is the face, already in its grasp. I will be.. Respectable.

Respectability is a familiar concept, though not one with which I regularly associate. Nor does others tend to so associate me. In fact, some of us aren’t it’s a good idea that I develop a relationship with respectability. And if I become an attorney, I’ll have to admit to respectability.

A certain number of my friends are taking this all wrong. They think I can now come sweeping in to whatever venue they call home and defend them from their own poor judgment and bad habits.

Other acquaintances will view my graduation from this ancient institution as an abject affair. Most of these have been victimized by attorneys in the past. The remaining few just hold to fast to strict value systems and therefore live apart from most people, myself included, as a matter of principle. (Not to mention self-preservation.)

My usual tax and estate counseling and my cousins look forward to free divorces and tax deals.

When he sees me pick up the sheepskin, my brother will decide that this must be easy. He’ll bust the LSAT wide open, take a scholarship to Stanford, grade on to Law Review, write about Law Review just for fun, win the moot Court tournament, graduate number one in the class and turn down an endowed professorship for a job defending the Little Sisters of the Poor. 

Facts, as they often do, may disappoint all of these people. I do not have the chanceable ability to graduate first in my family. I thought I was going to get an undergraduate degree in a year and a half and I thought I was going to graduate with an LLB degree. I was wrong on both accounts.

I told my parents I would go to law school because I’ve been in love with the law since I was a boy. There is nothing very special about me. I don’t have any particularly good qualities. I am not bright or unusual in any way. I am simply a normal person and I have some good qualities, as well as some not-so-good qualities.

Williamson followed me into the lobby and repeated his point about my needing his permission to use the library. I told him that he was not going to be cross-examined by me, and told me to get out of his office. I was in the area accosted to Gloria Todd’s desk and rear- mummery for a moment so I wouldn’t have time to return to lunch; I needed to talk to her about an unrelated matter. Vice Dean Williamson and me were later and I left him to get other business he had done. The time was and I said I was waiting to see Gloria Todd. He said that I would have to get her opinion before I could talk to her about my and any business I might have in the administrative office area. I had a date outside the lobby and sat down waiting for Gloria to return. Vice Dean

Rightly Speaking
The Closing of the
M-W Mind
by Gerard E. Toohy, Jr.

I was quite prepared to use my first letter to the Advocate to Michael Dukakis. Thankfully, I can write that Mr. Dukakis’ campaign should be about as effective as he is tall—not very. There is, however, something much more dangerous to our country that needs addressing: moral relativism.

It was with heart-rending sadness that I read this line in my Legal Profession book: “Assuming: that we can all agree that child pornography represents immoral personal activity... The question was whether or not the leader of a child pornography ring could be, notwithstanding his moral depravity, a good attorney. What is so distressing is that this is the book that is supposed to help teach me to be an ethical attorney. Are the authors of our text so scared that they may irrevocably offend the sensibilities of the liberal who would quarrel George Bush understands that the liberal encroachment upon freedom is wrong? If it is an objective moral truth that the sexual exploitation of children through pornography represents immoral personal activity?”

Ah, but the real problem here is that liberals are still with such reckless abandon by liberals:

“You should keep an open mind.” This value-laden advice is useless when people mean: “morality is a relative thing.” The conservative is repulsed by such notions. The liberal may have to suffer moral idiots, thinking that there is an exception to every rule—nebulous realizing that the statement itself suffers from an inherently fatal flaw. The conser-

Letters to the Editor
Against Williamson

Dean Sullivan, I am writing to inform you about the conduct of Vice Dean Williamson on July 22nd 1988.

I want to see him to ask if he intended to reply to a letter I had written to him dated February 23, 1988; I have received no reply to the letter. The letter presented a complaint about question number two on the Associate Bar complaint about question number two on the associate Bar's complaints exam of December, 1987. The complaint was that the question was unfair, as premised upon an intellectually unrespectable interpretation of section 8:4 of the Revised Model Business Corporation Act. Vice Dean Williamson said that he had sent a copy of the complaint to the Board of Governors. When I asked him about the substance of his reply, he also asked me if I would send him a copy. He said he would send me one.

When discussing the substance of his reply, he asked me a simple question, looking for a simple yes or no answer. He became exasperated. He said that he was not going to be cross-examined by me, and told me to get out of his office. I was in the area where I was supposed to see Gloria Todd’s desk and rear- mummery for a moment so I wouldn’t have time to return to lunch; I needed to talk to her about an unrelated matter. Vice Dean Williamson and me were later and I left him to get other business he had done. The time was and I said I was waiting to see Gloria Todd. He said that I would have to get her opinion before I could talk to her about my and any business I might have in the administrative office area. I had a date outside the lobby and sat down waiting for Gloria to return. Vice Dean

The King Lives

Dear Editor:

Like most people upon returning to the land, I was able to see my friends again and renew acquaintances but, to my chagrin, one noted friend was not. One of my school was missing: the Elvis Lamp with the faux-pearl necklace. 

The Lamp broke the sterile surface of law-school decorum by presenting us with a question which reminded us each that we are a lit- tle imperfect. A school in which eggs can go unchecked, it reminded us that imperfections, as long as they are not destructive, should be tolerated.

In addition, the lamp was something you laughed about when you were lying in the lounge. It helped to break the ice and some of the snobbishness that accompanied the room. Everyone could laugh about the lamp while offending and degrading.

Finally, if Dean Galloway gets her way, this change will be only the first of a many that will limit our move to get rid of the four-footed penguin in Dean Timothy Continuous on Page Eight
All Dressed Up — No Place to Sit
by Steven Minter

With interview season set to begin next week, the newly-constructed interview suite awaits interviewers and students—except that the furniture has not yet arrived. Originally anticipating its arrival in June, administrators of the law school are starting to speculate on the delivery date of the new furniture.

"Right now, my level of optimism is low. We'd like to think it will arrive by October," Associate Dean for Administration Connie Kaplan.

In the meantime, Galloway has arranged to rent furniture to accommodate the 23 interviewers who are to arrive at Marshall-Wythe this week, according to Associate Dean of Placement Robert Kaplan.

Galloway attributes part of the delay to the "labyrinth of approvals for the purchasing process," but she adds that the latest holdup is not the fault of the College. According to Galloway, the architect began the procurement process "in plenty of time for arrival of the furniture for fall."

A committee composed of Galloway, Kaplan, former librarian Ed Edmonds, and Professor Trotter Hardy chose the style and color of the furniture last March. Galloway said last week that attempts to track down the order made by Magson-Guernsey, the architectural firm for the project, indicate that a backlog in production at the manufacturer is responsible for holding up shipment.

"Obviously, it's terribly frustrating," an exasperated Dean Kaplan admits. "We've pushed the state purchasing system as far as we can go. Now all we can do is wait." It's a bird! It's a plane! No, it's "Super Shamrock!"

Fair Notice

Tubes

The TUBING TRIP on the James River is scheduled for Saturday, Sept. 17. Sign up and information is in the lobby from 11:00-1:00. We need to reserve our tubes, so the last day to sign up is FRIDAY, SEPT. 9. It only costs $8.00, and inner tubes are supplied. It is a two-hour float downriver, sponsored by the Environmental Law Society.

Greetings

The Office of Career Planning and Placement still needs second and third-year students to help greet employers in the mornings. The commitment of time is minimal: 15 to 30 minutes. Please see Linda Spandling in order to sign up.

Moot Court Team? There will be an Environmental Law Moot Court Tournament in February. The brief will be due in December. If you are interested in being on the team, leave a note with Mary Mumson by Sept. 16.

Moortask Force

INTERESTED IN BEING ON A MOOT COURT TEAM? There will be an Environmental Law Moot Court Tournament in February. The brief will be due in December. If you are interested in being on the team, leave a note with Mary Mumson by Sept. 16.

Law Notes

THE WILLIAM AND MARY LAW REVIEW is now considering student notes for publication in Volume 30. Issue 3 and 4. Students enrolled in seminars or independent legal writing are particularly encouraged to submit papers. The deadline for submissions for Issue 3 is October 24. Interested students should contact Neal McBrayre for additional information.

Task Force

THE LAW STUDENT PROGRAM of the WILLIAMSBURG TASK FORCE on BATTERED WOMEN will hold a meeting September 18 at 3:30 p.m. for students who have completed training. The meeting will be to discuss volunteer scheduling, changes in the handbook, and receiving credit for work. Place of the meeting will be posted. Please contact Jacquie Waymack (3L) for more information.

You Name It!

It's a bird! It's a plane! No, it's "Super Shamrock!"

What is that jade-green mobile dangling from the corner of the student lounge?

Always in search of the truth as well as a few laughs, the Editorial Staff of The Advocate, in conjunction with K-Tel Records, announces the "YOU NAME IT" contest to determine the nature of the bulbous green post-expressionist sculptural wonder which appeared in the lounge at the start of this year. All you need do is submit your personal interpretation of what you think Big Green really is, and you may win a free copy of the Advocate, personally autographed by Jeff Yeats (he's Irish). Some answers which have been suggested are:

Panelists Discuss Their Practice

by Stephen Lee

Last Tuesday, OCPP sponsored a program on legal practice in various mid-sized cities. Through the programs, Dean Kaplan sought "to get students to look outside Virginia and not focus just on Richmond and Norfolk." The program consisted of a panel of four speakers who gave 10-minute talks and also fielded questions. These panelists were William and Mary alumni practicing law in different cities.

The panelists related some similar experiences. For example, they found their current jobs with law firms in cities to which they had no ties. Ann Foster had spent all of her life before her second year in Virginia and had planned to stay in Virginia. However, as she became interested in corporate law, she looked to Delaware and eventually secured a position with Richards, Layton, and Finger in Wilmington. Barb Pawlak, a recent Marshall-Wythe graduate, found a position in Indianapolis, with Ice, Miller, Donadio, and Ryan. But, she said, "I had no connection with the city." What she terms a gut reaction to her interview and callback, plus her desire to locate in the Midwest, made her accept the offer.

Although originally from Washington, D.C., Ray Stoner, another M-W alumnus, now works for Eckert, Seamans, Cherin, and Mellott in Pittsburgh, Pa. He noted, "I had never been ... [to Pittsburgh] until I went for my interview."

Each panelist took some time to describe the positive qualities of his or her city. Greg Presnell, with the firm of Ackerman, Senterfitt, and Eidson in Orlando, Fl., stressed that his city has good professional opportunities because of its recent growth and has a nice location and climate conducive to outdoor sports.

Foster said, "The lifestyle of Wilmington is like that of a Southern city." By this she meant a comfortable suburban home only five minutes from downtown and that a person could easily live on a farm. She also stressed that Wilmington offered the convenience and the cultural life of a major city because of its proximity to cities like Philadelphia, Baltimore, and Washington. "Here, you can do what you would do in New York, without having to live there," she said.

Pawlak described Indianapolis as a place that was very easy to get around in because of the absence of traffic. She also felt that the city no longer matched its blue-collar image.

Each panelist took the opportunity to plug his or her firm. For Foster, the firm of Richards, Layton, and Finger was special because of its size—67 attorneys—and because of its dynamic work. "The excitement doesn't wear off," she said. "Everyday I can look in the Wall Street Journal and find something [in which] I was involved." Furthermore, she said, "The senior lawyers were taught themselves [when they first started here] and they are willing to help others."

Pawlak felt that Ice, Miller, Donadio, and Ryan had much to offer. "They have a really excellent program for first-years. They are very committed to promoting from within the firm. Also, after hiring you, for the first three years they don't take billable hours into account because they realize this is a learning period."

Presnell stressed, "Our firm is the youngest large law firm in the U.S. It is part of a young, vibrant community."

Finally, the panelists had advice for students attempting to decide upon a place to locate as well as an employer. Stoner said, "Keep the perspective that there are many attractive communities to live in and to visit." Presnell advised students first to pick the community, then the law firm. He advised, "Ask yourself, Where do I want to live?" Pick the lifestyle you want, and then you can move about within the community if you pick ed the wrong firm. It is harder to shift locations than firms."
Music Review

Cray's Latest: Beyond the Blues

by Tom Brooke

After the success of "Strong Persuader", one of the most successful "blues" albums of all time (especially the single, "Smokin' Gun"), Robert Cray was faced with a tough challenge. The next release after a strong showing has the potential to make or break a career. Despite a number of records on smaller labels (such as the non-definitive Tomato Records), "Strong Persuader" was the record that moved him out of the juke joints and bars and into Wettstrap and other larger, cleaner venues. "Don't Be Afraid of the Dark" is proof that Robert Cray is not a flash in the pan and that we will be hearing more from him in the future.

Cray had already moved far away from traditional down-and-dirty Chicago or Delta blues on "Strong Persuader". He seemed to be more interested in the smoother, calmer, slicker Memphis sound. This record is another feature of this cut is the jacket. For the story is missing. The use of piano, saxophone, and other horns adds to the full sound already present on most tunes, such as "Actin' This Way" or "Across the Line". Cray's blues is a little too smooth on almost all of the cuts, including "Don't You Even Care?", a song about the callousness of an ex-lover, and "Don't Be Afraid of the Dark", a tale of seduction.

Although this is a great record, it is not "the blues". Robert Cray has moved beyond that narrow definition and he appears to be doing just fine.

For great blues, check out The James Harman Band Those Dangerous Gentlemen and their most recent release, "Extra Nipples", on River Records. Unfortunately, this is not the kind of record you are going to find prominently displayed at the local record store. James Harman and company have been on the west coast bar-band circuit for almost 20 years, pumping out r&b, rockabilly, and the sort of raucous, footstomping music one expects to hear emanating from nasty-looking roadhouses on the wrong side of the tracks.

Harman has included a couple of originals featuring his growing voice and wailing harmonica. Listeners are treated to a boogie-woogie tune by Howlin' Wolf and a swing number by Tampa Red, along with a number of other rolling blues songs. The band can swing through songs like "Party Girl" (about a woman whose mind says yes when her body says no) and they can stroll along with a walking blues cut like "If You Love Your Money". "Hard In Hand" is an uptempo tune about a woman who wants to hold the singer's hand but keeps looking for another man at the same time. A Los Angeles vocal group accompanies on a couple of tunes, including a pretty little doo-wop number, "School Girl".

The James Harman band will never play Wettstrap, William and Mary Hall, or anyplace else with assigned seats. In fact, their bus probably could not make it to the East Coast. However, this is a great rocking blues album which is guaranteed to set your toes tapping and your fingers popping.
Corr, cont'd

Continued from Page Two

The affidavits of Sullivan and Verkull, combined with the brief filed by the defense, bears out the fact that no one letters were sent in the file Sullivan sent to the Provost. Schiavelli reviewed the file and decided to accept Sullivan's recommendation against tenure. Corr appealed to Verkull, calling attention to the absence of the two favorable evaluations. Verkull requested and received from Corr the two letters, reviewed them with Schiavelli and ultimately decided to uphold the denial of tenure.

Procedures Flawed

The defendants argue that review by the Provost and the President cured any procedural defect. Further, they say, Corr's file did contain reports that quote extensively from the two articles, so that the substance of the letters was included.

The Procedural Review Commission (PRC), an advisory group staffed by professors of the whole College, unanimously recommended consideration of the tenure decision because the law school's procedures in the Corr matter had been "seriously flawed." The defendants' brief argues that the PRC "did not understand, in law, the curative effect of the subsequent de novo (from scratch) review of Corr by the Law School faculty upon (Corr's) technical procedural objections."

Personal Conflict

In addition to doubt about Corr's scholarly and faculty governance ability, concerns shared by Dean Sullivan, Corr questioned Corr's teaching ability. After observing Corr teach three classes, Corr wrote: "It was my opinion that, although he was generally evaluated highly by students, Corr did not fill the role of an excellent teacher in the classes I saw."

In December of 1984, before Corr came up for tenure evaluation, the faculty met to decide whether to hire Gene Nichol, who taught at Marshall-Wythe until last year. At that meeting, Corr spoke out against hiring Nichol, asking that Corr be removed. Corr's membranes inappropriate conduct by Nichol first be investigated. According to Corr, Coven became emotionally disturbed over this and was prejudged against Corr from then on. Coven remembers the meeting differently. "I was impatient because another faculty member... took a long time to lecture. While Professor Corr and I differed on the hiring decision eventually made at the meeting, that difference was not considered by me in my consideration of Prof. Corr's application for tenure."

Shortly after that faculty meeting, claims Corr, Coven threatened to falsify his tenure evaluation. Corr did not contact Coven's affidavit denies ever threatening to falsify a tenure evaluation. "The only way I could have falsified my tenure evaluation of Professor Corr would have been to vote in favor of recommending him for tenure. I did not and could not conscientiously do that." Corr also charged that items were included in his file after it should have been closed, and that the Dead failed to reduce all materials regarding Corr to writing so that Corr could respond.

Regarding these and other alleged procedural defects, the defendants' brief responds that, under the law school's reasonable interpretation of the regulations governing tenure decisions, these practices were not improper. Even if there were problematic procedures, the brief adds, they were "technical and corrected," constituting "no real or serious error." Corr's complaint alleged three causes of action. The response argues that Corr's contract claim is based on documents, like procedures governing tenure evaluations, outside Corr's actual employment contract. It dismisses his First Amendment claim on two grounds. First, Corr was not dismissed because of anything he said at Marshall-Wythe. Second, the alleged basis for his dismissal, Corr's rumor-based complaints concerning former M-W Professor Nichol, are not constitutionally protected. Finally, Corr's defamation claim is based on statements of matters which are not actionable.

IL Frustration in Peace Corps to the Editor

Habits

Dear Editor,

Interviewers fall into habits. Some, who plan to make each session different from the last, soon weary of fashioning new questions for each of twenty eager law students. Others plan from the beginning to ask every student the same questions. The answers to these two types of interviews largely reflect the strengths of each student, but also the strengths of Marshall-Wythe.

Theirs, the third type, ask, "Why did you come to Marshall-Wythe?" Many students respond that it was news they should choose. "I couldn't get in to U.Va. ..." is a common response. Fewer students take the opportunity to do more with their answers. This is a shame. If such responses are truly prepared, they show a talents and habits.

Now, as future lawyers, we have a responsibility to answer questions truthfully. If Marshall-Wythe was not your first choice, say so. You have a further responsibility, marketable, by your school. Enlarge upon the question. Use it to your advantage and your career. Besides, if you were two years or two years, you can easily find much that makes you proud, much that needs improvement.

Dual loyalties can make life difficult. A law student learns, in part, from your alma mater for what you did there and what it did for you; you also learn what it means to be a lawyer. Marshall-Wythe is a great example by exhibiting a pride of people. Peace live it. To them, Marshall-Wythe is a home. They have a right to represent your school.

Rightly, cont'd

Continued from Page Five

to say that the question of which laws are to be obeyed and which laws are not to be obeyed is not a question to be decided based upon fundamental values. They will be moral and a corresponding moral obligation to obey will follow.

During the Sixties Martin Luther King sought justification by disobeying immoral laws—this was right. TheJim Crow laws of the South provided them the obligation to disobey. When the U.S. Congress violates the principle of freedom by labeling it "illegal" for our President to send arms to the Nicaraguan freedom fighters, they become immoral. I must take a minute to remind the reader that Congress is usually filled with Democrats, who are usually liberal and who usually do not know what the heck they are doing.

The struggle against communism—anywhere—is right. We have a moral duty to support it. Communism may be a cancer in remission, but it is a cancer nonetheless. It may be a cancer back to our original problem, do we really want attorneys with "open minds"? We need dedicated minds. We need right reason.
Moot Court: Looking for a Few Good Men and Women

by Steven Zweig

Despite changes in this year's selection process for moot court teams, Moot Court Chief Justice Bruce McDougal said he expects between 60 and 70 interested second-years to try out when the process begins in late September. This is the first year that second-years will try out for the honor on their own and not as part of a required appellate advocacy course. In previous years, students with the top 30 scores in Appellate Advocacy's Bushrod Tournament were automatically chosen for moot court teams. Now interested second-years will participate in the Bushrod Tournament (named for a former Supreme Court justice and alumna of the College), said McDougal. Outside judges will grade the written briefs, said McDougal. Outside judges will continue to grade the oral arguments.

While McDougal expressed concern that some second-years who might otherwise have succeeded in the compulsory contest might not have enough self-confidence to volunteer, he said he was encouraged by the second-years in the law review write-on board will for their response to the now-independent Bushrod Tournament. "Getting on Moot Court is one of the top two honors of law school," said McDougal. "Being able to make a fine argument and present yourself well are skills you need whether or not you ever go into a courtroom in later practice." These are skills which, he emphasized, Moot Court honks.

According to third-year Michael McAuliffe, who won the Bushrod Tournament last year, one needn't have college debating experience in order to succeed in the tournament. "The issues here are lot more sophisticated. (Problem: The ex-territorial application of the fifth-amendment right against self-incriminating)." The emphasis isn't on speed. Rather, it's a very intellectual, very refined kind of pursuit where attention to detail is important. Here you have to be persuasive, yet balanced," McAuliffe said.

McDougal said the only prerequisite is that you are able to vocalize an argument, which is what the vast majority of law school students have learned to do during or before their attendance here. As in previous years, there will be an oral-argument component and a written-brief component of the Bushrod Tournament. The oral argument will come first. Participants will have two weeks to mail over a problem and prepare their cases before the oral competition, which will last a week. They will then have two weeks to prepare a written brief.

A change this year is that the oral argument will come before submission of the written brief. "Last year if you wrote a strong brief, you advanced, even if you were weak in oral argument," McAuliffe said. As in previous years, performance in oral argument will be weighted more strongly than performance in the written brief.

At the end of the tournament in early November, the Moot Court Board will ask the top 30 scorers to join. Usually, the top six scorers go to the National Moot Court Competition, run by the American College of Trial Lawyers and the Bar Association of New York City. The rest choose teams participating in six other moot court competitions. Each competition has its own emphasis; the Stetson competition features tax questions, for example, and the Jessup teams argue in international law.

While Moot Court established changes in its administrative structure, it was also forced to contemplate changes in its fundraising strategy, McDougal said. Since Moot Court is not funded by the law school, it depends to a large degree on the student activities fund administered by a university-wide Board of Student Affairs. This year, the Board cut those funds in half.

"In the past we've always gotten enough to get by on, but we've always been tight for money," said McDougal. The sharp cut will force Moot Court to expand its program to attract alumni donations started last spring. "We're asking alumni to donate for a targeted purpose. We're very grateful to Dean Sullivan for allowing us to do that. The more money we have, the better we can send our teams," McDougal said, noting that it cost $2,000 to send the ABA teams (six people) to Toronto's national meet in August. One of the two ABA teams sent to Toronto advanced to the quarterfinals of a 20-team national competition, only to lose in the eventual tournament winner, South Texas College of Law. McDougal said he thought South Texas's team was financially supported by its school, which makes it all the more imperative for a complete student-run moot court team like Marshall-Wythe's to raise the necessary funds.

Circulation Desk Hours

Effective September 11, the Circulation Desk will be open as follows:

- Sunday: 8:00 A.M. - 11:00 P.M.
- Monday-Thursday: 7:30 A.M. - 11:00 P.M.
- Friday: 7:30 A.M. - 9:00 P.M.

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Once again the legal boys and girls of summer were asked to drop their briefs and grab their bats for the annual P.A.D. Softball Classic. As always, this year’s contest pitted the entering 1L’s against Marshall-Wythe’s returning classes. This year, however, the Virginia breeze whispered “upset.”

Behind the complete game performance of pitcher Chris Lande, who lost his bid for a perfect game with one out in the first, the feisty first years extracted a 15-13 victory out of the tenacious veterans. Things looked bleak for the incoming class in the early going. The 2- and 3L’s posted a quick lead and had Mike Tillotson on the mound with his dreaded reverse palm ball. The first years fought back to an 11-8 lead, however, as Tillotson gave way to ace reliever Bob Lewandowski in about the 6th. Lewandowski made a close shot at the win with his team tying it at 13, but gave two too many as the 1L’s took it 15-13.

The upperclassmen opted to remove their catcher and play nine outfielders. Unfortunately for the vets, the defense gamble couldn’t turn the trick. Some fine catches and heads-up fielding were demonstrated by both teams, but error overshadowed any golden-glove efforts by either side. Few could remember how many runs were actually earned, especially deeper into the second leg.

This year’s event was put together by Jeff Middlebrook – Justice of M-W’s P.A.D. Chapter (he got the beer). Jeff’s comment after the game: “We won!” Justice is indeed blind... humm baby.

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Speaking Of Sports

by Larry Schimmels

Well, September is here again. September means many things to me. It means that the Cubs are at least 10 games out with no hope once again. It means that I have begun my twentieth consecutive year in some sort of school. It means that my flow is now reduced to zero. But more importantly, September means that football season is here. Four glorious months of God's gift to American men. It is only fitting that I devote my first column to football, specifically pro football.

NFC EAST: I, for one, am stunned that the people who are supposed to know these things picked the Giants to win this division. Yes, the Redskins do have a tough schedule this year, and yes, they are virtually impossible to repeat in these days of parity, but that doesn't mean that you can count the Superbowl champions out of their own divisional race. Perhaps I am only betraying my intense distaste for anything coming out of New York (or rather, New Jersey), but the Redskins are better than that, and the Giants are not that good.

The Philadelphia Eagles are much improved and will be a force to contend with all season. They now have a very explosive offense because of some key acquisitions. However, I doubt that they have the experience, coaching as well as playing, to challenge seriously the Redskins and Giants this year.

Dallas is hard to figure out. The Cowboys in all probability will not be a major contender, but they could be an effective spoiler. The key for them continues to be the play at quarterback. If Dallas gets some solid play at that position, they will win several games.

Phoenix has nothing, not even a real front office who can at least pretend they know what they're doing, and will be little more than a minor annoyance.

NFC CENTRAL: Many commentators look for this to be a close race this year, mostly because of the improved Vikings. But there are other teams which should also be improved, such as Tampa Bay. They still have a few players away from being a major force, but they could provide some excitement to the black and blue division. The team to beat, however, remains the Bears. Yes, the Vikings are improved. Yes, the Bears lost key players. Yes, the Bears have a question mark (as always) at quarterback. But yes, the Bears will win the division. Until the Vikings can beat the teams they are supposed to beat, and also in Soldier Field, they cannot seriously challenge the Bears.

Detroit and Green Bay will struggle along once again. Green Bay is still looking for the reincarnation of Vince Lombardi, and even if they found it I'm not sure they would know it. Detroit only really needs to get some production out of what they already have, but then that's easy for me to say.

NFC WEST: I cannot imagine that anyone in this division will overtake the 49ers. The race appears to be for second place between New Orleans and the Rams. The Rams should be better now that Everett has had a couple of years. New Orleans just continues to get stronger each year. However, San Francisco remains too versatile both offensively and defensively. The 49ers can do too many things too well for the other teams that have to play them twice. I really believe that the 49ers are even better with Young playing.

Atlanta, despite the team's great picks of the last several years, remains several players short of seriously competing. However, if they play hard and do the things they are capable of doing, they will once again have the number one or two selection in next year's draft.

AFC EAST: The winners of this division will either be Buffalo or Indianapolis. Scary, but true. The Patriots have an outside chance but I don't think they can beat Buffalo. Buffalo looks truly impressive. The Dolphins are only treading water this season, and the Jets continue to backslide. The only thing left to say about this division is that it is the epitome of poor parity in the NFL.

AFC CENTRAL: Cleveland as always is the team to beat this year, however, they do have some stronger competition this season. Pittsburgh is much better simply by getting rid of Mark Malone. Houston played over their heads last year but at least they now know they can win. Cincinnati might finally get back into the groove. This is by far the most even division in pro football. However, if they can keep everybody healthy, especially Bernie Kosar, Cleveland should fend off the other teams one more year.

AFC WEST: The race this year is between three teams: Denver, Seattle, and L.A. Raiders. Denver has been to the last two Superbowls and for that reason alone should be the favorite. Seattle has a very good team and continues to get better. They have a solid defense (something Denver does not always have), and one of the best set of running backs in football. However, with the acquisition of Schroeder, the Raiders are now dangerous. Schroeder was their only offensive weakness last year, and Schroeder fills in nicely. I have to say that the Raiders will win this division.

Kansas City will struggle along much the same way they did last year, winning most of their games but losing the important ones. Finally, San Diego now has Babe Laufenberg, but that's about it. Still, he should be good enough to win a couple of games.

Who do I think will win the Superbowl? That's another column. Please, one thing at a time.

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Exposing Yourself!

If you have an intramural team and would like exposure in the Advocate, write down the name of your team, and a schedule, if available, in the handing file of Larry Schimmels (3L). Be sure to include what sport in which you are participating. There is no need to do this until your team is assembled and the intramural season is near.

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