UNION STRIKES CW

by Peter Kay

On December 21, contract negotiations between the unionized workers of Colonial Williamsburg and the Colonial Williamsburg Hotel Properties, Inc. (CWHPi) ceased. Neither party has returned to the bargaining table. The CW employees continue to work without a contract, which expired at the beginning of the year. Although a strike appears not to be imminent, the union has engaged in "informational picketing" and has encouraged the boycott of Colonial Williamsburg events.

THE BAR & BIOETHICS: STUDENT SYMPOSIUM

by Jeff Crabill

The student division of the Bill of Rights Institute plans to mix game shows, talk shows and a little L.A. Law to create a winning formula for this weekend's Bioethics Symposium. In just the second year of holding the Symposium, the Institute has attracted some of the top ethical, medical and legal experts in the field, and this year's press coverage could include The National Geographic.

Symposium activities will start with a game show Friday night at the Grad Thing, then mock trials Saturday morning and a panel discussion in the afternoon. The Symposium was totally organized by students, with Professor Rod Smolla as advisor. Starting at 7:30 p.m., Friday night Smolla will host the Institute's version of the Family Feud and MTV's Remote Control game shows. Game show coordinators Robert Ulmer, Donna White and Keith Davis hope the games will bring bioethics issues out in the open and create interest in the remainder of the program. Then, Saturday morning at 10:00 in the McGlothlin Moot Court Room, law student volunteers will argue two bioethics cases that have recently been argued in state courts.

The first case involves John Moore, a pass patient at the UCLA Medical Center who wants to cash in on a multi-billion dollar cell line that doctors created from his white blood cells. The case comes from the California Supreme Court's 1990 term. Twelve year old Jean Pierre Bossez's chances of survival from leukemia potentially depended upon the outcome of the second case to be argued. He and his father hoped that a suit filed in December of 1990 would make Bozee's half siblings undergo testing and possibly a bone marrow harvesting procedure in order to treat Bozee's leukemia. Unfortunately, Bozee died before the decision was reached.

A tentative list of judges includes Marshall-Wythe law professors Lynda Butler and Neal Devins, College of William and Mary religion professor Hans Tiefel, second year University of Maryland medical student Angela Brown, Marshall-Wythe students Melanie Michaelson, Scott Ulmer, and Neal Devins, College of William and Mary religion professor Hans Tiefel.

Moot Court Sweeps Nationals

by Dave Edwards

Marshall-Wythe's national Moot Court team of Monica Taylor, Ann Mayhew, and Steve Nachman swept the National Tournament in New York last week to restore William and Mary to the coveted position of National Moot Court champion. The team won first place overall and "best brief" award, and Monica Taylor earned the distinction of "best oralist." The National Moot Court tournament, which is sponsored by the American College of Trial Lawyers and the New York City Bar Association, is considered the most prestigious of moot court tournaments. The last such "triple sweep" at Nationals by Marshall-Wythe occurred in 1989 at the hands of Elizabeth Deusinger, Michael McAuliffe, and Joe Gerbasi.

The National competition began with twenty-eight teams representing the first and second place winners in nationwide regional competitions. The Marshall-Wythe team reached the finals after a succession of wins against such teams as Case Western, University of Georgia, and Baylor. The final round allowed Nachman, Taylor, and Mayhew to defeat yet another team to the University of North Carolina. The UNC team had met it's final round defeat by the trio in regional competition in Richmond, after edging out William and Mary's team of Tamara Maddox, Jeff Euchler, and Sabrina Johnson in the previous round.

Nachman, Taylor, and Mayhew returned with seven trophies, a cash prize earmarked for the Moot Court program, the right to one year's free use of a WESTLAW computer for Moot Court, and a four day, all-expenses-paid trip to the American College of Trial Lawyer's Convention in Hawaii. The trio expressed their thanks and appreciation to all of the faculty who helped judge practice rounds, and especially to Judy Ledbetter, Moot Court's faculty advisor.

The winning team of Ann Mayhew, Steve Nachman, and Monica Taylor were honored by the Moot Court Bar at a reception celebrating their victory.
To the Editor,

If you are willing to read yet another letter concerning the status of those who lead alternate lifestyles at M-W and the College in general, please continue. The perspective offered here is not, however, that of a member of the law school community who is well known in our community for his views on the topic. In a recent letter to the student, a student stated that it was impossible that there was only one gay student at this law school. That's right; this author is one other person in this community who experiences an attraction to members of the same sex.

The fact that many of you just now skipped to the end of this letter to learn who signed it is exactly the phenomenon that I wish to keep my identity to myself. I am nowhere near an expert on the issues that come up in this area, but I know, if only from my own situation, that it can take many years before people begin to sort out the meaning of a same sex attraction, and also, that it's not going to go away. For me, and I imagine others in my circumstances, those years were spent developing an increased awareness of reactions to matter and new varied kinds of discrimination. Most everything, I heard caused me to ignore an important aspect of my existence, and to learn not to say anything, to anyone, ever. I am not blaming society for not being ready for the enjoyment of the ten years; I made my own decisions although I always sort of wondered how I should reason, hoping it could be forever. I have learned that that is impossible. It should not exist, but the world is not ready yet to surround anyone that are different and react in different ways to situations and issues in their lives. I am unlike the well known individual in law today because I doubt I would ever choose to be so public about myself unless I had an opposite sex attraction or a same sex attraction. Yet, from another perspective this person isn't really a complete difference from others in the school who can talk about their romantic interests, whether merely a beginning attraction or a full fledged relationship, except that this person must have the courage to face ridicule, insults or even possible assault for making the same statement others make without fear.

The issue of graffiti is one example of the two different levels of hurt going on here. The juvenile to scribble a name on a wall and associate that person with certain acts or personality traits. At the same time, such inscriptions usually are not taking a dig at what a person is and most people don't believe what is said. I have had such childish words off, at worst, with a chuckle. Isn't the difference that it's when some artist is making a racial slur? It must be true that most students would be offended to learn that many of the members of our community were being stared on bathroom walls because of their race. Doesn't the same logic apply to those of a "minority" sexual orientation? At one level, victims of a certain kind of public insult should recognize that it's merely childish game playing with no real underlying message other than derision and humor. At another level, however, certain kinds of humor speak to fundamental prejudices in our society. Victims of this kind of humor, written on a wall, or expressed in the most veiled of references on the job, in the classroom or even in the family, are being hit by a type of sympathy. Better yet, if each time you were about to make some comment or scribble some phrase, you thought about who you might be hurting, you might just stop.

Many of those who are different are powerless to hide those differences from the world, but some of us can and have chosen to do so because of the messages the world sends us. Think for a minute, because for many who are reading this, we are a family member, a best friend, a sports team member, a working group member, and/or relate to you in a variety of ways. I choose to focus on the good qualities you possess and maintain the relationships, but also very hurt each you refer in derogatory terms to those who have feelings that could very well be my own.

I guess I owe a word of thanks to those who are open about who they are and in so doing begin to cause others to open their minds to differences, or at least to tolerate them in some fashion. Perhaps some day I will have achieved a degree of self-acceptance that will allow me to do the same for others. I will probably also remember those who insulted and hurt me by their comments, even though "they never knew." If even only one person has been hurt by what you have said in school, think how many others you may have hurt in other places at other times. Maybe some day you'll learn about me and think the lessons we live in tend to get stuffy and you may be surprised at what emerges.

Name withheld upon request

by Elizabeth Hallock

The Twentieth Annual Spong Invitational Moot Court Tournament will be held at Marshall-Wythe on February 22nd and 23rd. The Spong Tournament, hosted by the Moot Court Board, is the only Moot Court Invitational in Virginia. This year eighteen teams from around the country will be participating. Schools competing in the tournament include Duke, Loyola, University of Maine and University of Southern California. Although I argue before panels comprised of judges from the Virginia Supreme Court, the United States Court of Appeals and several Federal District Courts.

The Spong Tournament is named after William B. Spong, Jr., former Dean of Marshall-Wythe from 1976 to 1985. Dean Spong was a member of the Virginia General Assembly for twelve years and a member of the United States Senate from 1966 to 1972. In addition to his many accomplishments, he served as President of Old Dominion University. In gratitude for his contributions to the Tournament's success, the Moot Court Board renamed what was formerly the Marshall-Wythe Invitational as the William B. Spong, Jr. Invitational Moot Court Tournament.

The case to be argued this year involves negligence claim of an injured examiner against the producer and star of a work-out video tape. Jeff Elder (3L), who created the problem for this year's competition, explains that there are two issues involving the scope of First Amendment protection for speech. The first question is whether the First Amendment bars a claim in
THE LAST WORD ON BOIES

by Wendy Watson

It is now almost two and one half months after SBA President David Boies’ 90 day “trial run” ended (November 24, 1990), and still the controversy rages over whether Boies should resign, as per his campaign promise, or whether his programs in the six proposed projects is sufficient to warrant his remaining in office. In a recent interview, Boies outlined the steps he has taken in fulfilling each of the six promises.

Better Parties: Boies claims that this year’s Fall From Grace drew a larger crowd than last year’s. Further, he predicts that it will be an open bar, hors d’oeuvres, and a return to the original Virginia Room locale (in deference to the twenty-fifth anniversary of the event) will make this year’s Barrister’s Ball a greater success than last’s. Boies also indicated that a new event, a more casual end-of-the-year fee, was in the works.

Boies pointed out, creating better parties is “just a matter of paying attention to details.” He suggested that he has specifically targeted to the fulfillment of this campaign promise: “I’m a good party.”

Extended Library Hours: According to Boies, Professor Heller extended library hours last semester by beginning the library’s exam schedule 10 days early. Boies says that similar measures will be taken this term, and perhaps the exam schedule will begin even earlier. Boies indicated that Professor Heller has expressed a willingness to work on a “reasonable request” so the SBA might make with regard to library hours.

Professor James Heller, Director of the Law Library, confirmed that Boies came to him late last semester and “requested that something be done.” In response, Professor Heller began the extended exam schedule a week early. There was no discussion in last semester’s meeting of extending hours again this semester, and Heller said he has only met with Boies “just that one time.” Nevertheless, Professor Heller said that the library could and most likely would begin the exam schedule early again. He suggested beginning the day after the last day of classes as was done last term.

3. More Real Estate Law Classes: Boies explained that the motivation behind this promise was two-fold. First, he felt that Marshall-Wythe’s curriculum, with its heavy emphasis on Constitutional and Bill of Rights issues, was in need of some diversification. Second, he believes that a working knowledge of at least the basics elements of real estate law is essential for a “good general business practice.”

Boies admitted that, ideally, he would like to have more for-credit real estate classes added to the curriculum, but he pointed out that recent state budget cuts have conspired against his efforts to achieve that goal. According to Dean Sullivan, he and Boies discussed the possibilities of expanding the Real Estate curriculum, and Sullivan agreed that, with the budget as tight as it is, new classes would be impossible.

Instead, Boies has had to settle for an increased class enrollment allowance for Modern Finance. Last year the class was limited to 40 people; this year the limit was raised to 75 students. Boies claims that “every third year who wanted in, got in.”

Connie Galloway, Dean of Administration, said that the primary factor in increasing the enrollment of the course was the change in professors. The instructor this past fall, Professor Vakos, was willing to increase enrollment to fill the classroom. Galloway stated that, in deciding to ask Professor Vakos to increase enrollment, the administration was “aware of [Boies’] concerns – as a reflection of a situation that concerned the students.” Dean Galloway never spoke to David Boies regarding the issue.

In addition to formal classes, Boies said that he has gotten a “firm commitment” from one local practitioner (whose name he declined to disclose) to conduct a seminar on real estate closings. Boies says he is trying to arrange other similar seminars to coordinate with the closings seminar, in the hopes of ultimately organizing a day-long program. As a result, Boies could not offer even a tentative time-frame for the closings seminar.

4. Published Teacher Evaluations: Despite a low return rate, the SBA published the results of its teacher evaluation survey for the first year classes in the first issue of the Antics Curiae (Thursday, Feb. 7, 1991 - p. 15).

According to the Antics publication, results for second and third year professors will be published in the next edition. Boies said that he had no real inclination of publishing the results independently, but rather the Antics approached him asking for the results and he agreed to give them out.

Boies said that the turnout for fall term warrants soliciting the evaluations again, but that if response does not improve he does not foresee them becoming a tradition. He also warned against giving this

continued on page eight

THE TRADITION CONTINUES

BILL OF RIGHTS BIOETHICS SYMPOSIUM

continued from Page One

Conover and Kelley O’Brien. Dr. Joel Svedlow will lead presentations following the arguments on the legal dilemmas resulting from new technologies. Besides organizing the mock trials, Jan Brown, Nick Murphy and Wendy Watson researched and wrote the briefs that will be used for the mock trials.

This leads into the main event of the symposium: the panel discussion on the current and future dilemmas relating to frozen embryos at 1:30 p.m. in Room 119. Will Stoycos, John Talley and Kevin Olivera have assembled experts from the ethical, medical and legal professions including Angela Brown, Thomas Hubbard, M.D. (Pediatrics, Eastern Virginia Medical School), Mary Kay Dineen, M.D. and Stewart Wetherell, M.D. (Gynecology and Infertility). Michael J. Gerhardt (Marshall-Wythe law professor), Howard W. Jones, Jr., M.D. and Hans Tiebel. The Symposium will conclude with a reception at 3:00 in the Student Lounge of the law school.

Mike Schulz and Dennis Buchholz oversaw this year’s symposium. Schulz emphasized that the program was created by the students for the students. “The quality of the program has exceeded my fondest hopes,” Schulz said. “We have brought in so many good people and the work the committees have done is phenomenal.” The group plans to meet during March to come up with a topic for next year’s symposium.

ACOUSTIC ENTERTAINMENT (most) MONDAYS

LIVE BANDS EVERY TUESDAY NIGHT

10 pm - 1:30 am

765 SCOTLAND STREET

AT WILLIAM AND MARY’S CARY FIELD

10% discount on all food, all the time
to W & M students, staff, and faculty

OPEN FOR LUNCH

11:30 am - 2 am

GREEN HEALS

CAFÉ

 freshmen. The Advocat

Page Three
PSF SENDS STUDENTS TO ATTORNEY GENERAL'S OFFICE

by Gerard Marks

This past summer I worked for the criminal litigation section of the Office of the Attorney General in Virginia. The criminal litigation section represents the state in criminal appeals and habeas corpus proceedings. Due to severe budgetary constraints, Virginia was unable to fund its Attorney General's Office interning program during 1990. Thanks to the Public Service Fund, however, I was able to work for the Attorney General and participate in and observe the criminal justice process.

In my role as a summer intern, I assisted in drafting pleadings, interviewing affiliates and researching numerous issues. My most interesting experience involved a complicated murder case in the Virginia Court of Appeals. I performed all of the necessary research and wrote the first draft of the brief.

The Public Service Fund is completely student run and funded. Only through the generous contributions of law students and community members can PSF continue to provide stipends to students who want to work in public service. The practice of law is a vocation which carries with it certain unique duties and responsibilities. Among these is the duty to protect and foster the rights of individuals and the common ends of society. Every law student should support the Public Service Fund.

On my first day at the Office of the Attorney General, division assignments were given out, and only one thought went through my mind: "Please don't put me in the Tax Department." As fate would have it, I spent the next ten weeks... IN THE TAX DEPARTMENT! "Did you think this into existence?" I asked myself. "No matter, there's nothing you can do now." I gathered my belongings and followed my supervisor to an impending judge. The attorneys in the Tax Department like to think of it as the Finance Division, but you know what they say about the rose.

The summer would start out shaky, or so I thought. Although I had taken Federal Income Tax at Marshall-Wythe, I had no idea how to approach corporate tax. The very idea of corporate tax made me nauseous. What a way to spend the summer, born out of my mind.

To my surprise, working in the Tax Department was not what I had anticipated. Shortly after my first assignment, my fear subsided, and I began to gear up for the weeks ahead. The Tax Department was no big enigma. I spent a lot of my time deciphering the Virginia Code, looking up Attorney General opinions, and researching and writing memoranda. I worked on numerous projects including First Amendment issues in sales taxation, the negative commerce clause and its meaning and application in several recent United States Supreme Court decisions, the taxation of interstate trucking, and the intergovernmental immunity principle. I worked on a trial level case involving industrial sales and use taxes, and an appellate brief involving statutory construction and constitutional issues related to the state taxation of multistate businesses.

There were times during the summer when there would be breaks in the work. Brown bag lunches were scheduled during with the Deputy Attorney General, the Attorney General herself, and various judges. In addition, we took field trips to the State Penitentiary and Forensics Laboratories, both of which were very interesting.

As a summer job I would recommend a position in the Attorney General's Office to any second year law student. Unfortunately, because of budget cuts the Office will make only a few offers, if any, for permanent employment, so this is not an employment option for third year students. The Attorney General's Office is definitely a place I would consider working at some point in the future. The attorneys were supportive and there was a lot of camaraderie. I had supervision if I needed it, but for the part, I was able to work at my own pace.

All in all, my summer was enjoyable, and I learned a lot. If this summer taught me anything, it taught me that there is more to life than criminal law, which is all I was seeing with my tunnel vision. I'm not saying that I now plan to become a tax attorney, but at least I will no longer laugh at such an idea.

FEELING SAFE?

Have you ever checked the locks in your apartment and wondered whether they were sturdy enough to prevent a break-in? Or walked alone at night and felt a little nervous? Or perhaps discovered money or other valuables, missing from your backpack? The Security Committee has been addressing these and other safety concerns at the law school. As part of our efforts to address student concerns covering these and other safety issues at the law school, the Whistle Stop Program, which is being implemented at the suggestion of the Graduate Student Association, will also be explained at this time.

The handling of past security problems, including obscene phone calls, thefts, and the presence of a male intruder in the women's bathroom, have been addressed by individual members of the law school community and members of the administration. The Campus Security Committee has been established to provide students with a forum for addressing security concerns. If you are interested in joining the Committee, please contact one of the committee representatives.

representatives Ellen Chapin (2L), Natalie Guterman (2L) and Kate Atkins (2L) will be available, along with Barrymore, to address student concerns about security issues at the law school. The Whistle Stop Program, which is being implemented at the suggestion of the Graduate Student Association, will also be explained at this time.

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BULLETIN BOARD

BLSA

Black History Month Committee

presents

EYES ON THE PRIZE
A CIVIL RIGHTS DOCUMENTARY

Wed., Feb. 19 - "Ain't Scared of Your Jails"
Wed., Feb. 26 - "Bridge to Freedom"
7-9 pm, Room 119
A discussion will follow each showing

Commencement Committee has announced a competition to select the Student Speaker for the 1991 Commencement Exercises. The person selected will represent all graduates at Commencement. Any person, graduate or undergraduate, receiving a degree this May is eligible. For more information, call W. Samuel Sadler (extension 11236). Deadline for application is Tuesday, March 12.

COMMUNITY WRITERS SERIES

Poetry and Fiction Readings

February 19
Sam Kashner
William Clark
Christopher Vitiello

Admission Open to the Public
Williamsburg Regional Library
7-8:30 pm - Room B

"There is no way to know what is going to happen with these things."
Prof. Rodney Smolla

New York Stage and Film Company read a play by Prof. Smolla, Flxnt and Brimstone, as part of the company's Monday Night Playwright's series, last Monday in New York. Flxnt and Brimstone dramatizes the legal and cultural battles fought during Jerry Falwell's suit against Larry Flynt. Flxnt and Brimstone is Smolla's first play.

"CONGRATULATIONS!!"

The Administrative Law Review is pleased to announce staff selections from the class of 1992:

Michael Funk
Elizabeth Hallock
Jeffrey Huber
Nancy Killian
Peter Liaskos
John Maxwell
Ann Rogers

SPEAK UP!!

The Commencement Committee has announced a competition to select the Student Speaker for the 1991 Commencement Exercises. The person selected will represent all graduates at Commencement. Any person, graduate or undergraduate, receiving a degree this May is eligible. For more information, call W. Samuel Sadler (extension 11236). Deadline for application is Tuesday, March 12.
As the overall slump in the economy creates an increasingly scarce range of job opportunities, Dean Kaplan and the Office of Career Planning and Placement are working to counteract the negative effects on law students here at Marshall-Wythe. The depressed market prompted Dean Kaplan to pursue creative tactics to "enhance student marketing of themselves." One such tactic was the recent Mock Interviewing Program, which allowed first year students to sign up for a half hour mock interview with a volunteer from the Alumni Association.

The program included a complete simulation of an on-campus interview, beginning with the posing of time slots on the OCPP bulletin board. Students are expected to show up at their scheduled times and proceed through a realistic interview that covers many of the basic questions encountered in first interviews. At the conclusion of the interview, the student receives a critique of his or her performance.

Dean Kaplan explained that the main focus of the program was to give students confidence. "Many [first-year] students have never interviewed at all," Kaplan commented. First year participant Tom Book agreed. "Prior to [the mock interview], I'd never been interviewed by anyone. While I was in undergraduate school, [I didn't interview because] I knew I'd be going on to further education." Kaplan noted that another advantage was "to force [students] to articulate responses to questions." For example, Book was asked by his interviewer, a sole practitioner from Norge, Virginia, why he would be interested in living in Norge. Book's reply: "Because I'd be interested in living in a small town." Asked whether he was in fact particularly interested in going to a small town, Book responded: "No, I lied." In discussing this difficulty with his interviewer during the critique, Book received the valuable information that interviewers expect some tailoring of responses to suit their particular firms. This type of "immediate, specific feedback" was the final reason Kaplan proposed the program. The program was very well received. Extended only to first years, approximately 75 members of that class participated. Evaluation forms have been returned by nearly half of the participants. These students offered some suggestions, but appeared unanimous in their appreciation. Based on Kaplan's remarks, their evaluations seem to echo Book's opinion of the program. "Overall I liked it because it set me at ease quite a bit. Before, I didn't know what to expect. The whole deal really relaxed me and prepared me for the real interviews to come." The magnitude of the response pleased Dean Kaplan. "When I mentioned this to colleagues of mine at other schools, they said: 'Who's going to show up on a Saturday?!!' Clearly, a number of students preferred the helpful experience to sleeping in. Kaplan emphasized 'I've come to expect unanimity of law school opinion on anything, so I was literally amazed to get such a unanimously positive response and feedback on the program.'

When asked why second and third year students were not invited to participate, Kaplan explained: "My sense was that by the time spring semester rolled around, they would have as much experience as they wanted." Kaplan also mentioned that the content of the mock interviews was necessarily generic. "There's no way to match large groups of students with specifics in terms of what type of practice that student is interested in. My sense with an upper class student is that it would be more effective to do a mock interview with me." Kaplan notes that he is available for such interviews on an ongoing basis, and that although "it can be an unsettling experience for a student," he feels this type of tailored interview is a valuable way to discover weaknesses and improve interviewing skills. Book recommended the experience to other students, noting that "[interviewing is like law school: the more experience you have, the better you do.]"

Kaplan already has plans for other programs designed to help counteract students' difficulties in searching for jobs. OCPP is sponsoring a panel to be held February 25 that will discuss working on Capitol Hill. OCPP is also in the process of constructing a panel to discuss non-traditional careers, which is tentatively scheduled for late March. In the meantime, Kaplan reminds students to submit their entries for the traditional "Platinum Plunger Award" for the best rejection letter of the year.
ALCES BOOSTS COMMERCIAL LAW

by Katie Finley

Professor Peter Alces will become a member of the Marshall-Wythe faculty in the 1991-92 academic year. Presently a visiting professor of law from the University of Alabama School of Law, he recently accepted a permanent faculty position. Specializing in commercial law, Alces teaches Debtor-Creditor, Sales, and Payment Systems. Next year he will also teach International Business Transactions.

Even as a law student, Alces knew he wanted to teach. He enjoys the give and take with students and answering tough questions. He finds that William and Mary offers the high quality of students that he prefers to teach. In his opinion, Marshall-Wythe is definitely one of the top law schools in the country. What makes it better than most is that it aspires to keep improving to be the best and has earned increasing national recognition. Several students have stopped by his office to discuss class materials or career interests and he hopes to get to know many more of the students.

Alces is also impressed by the interest in commercial law here. His addition to the faculty will enable the law school to offer a wider range of commercial law classes to complement those taught by Professors Selassie and Barnard. In addition to its diversity and different areas of interest, Alces has found the entire faculty to be friendly and supportive.

In 1980, Alces received his J.D. from the University of Illinois where Professor Paul LeBel was his Appellate Advocacy teaching assistant. He had applied and been accepted to Marshall-Wythe but decided to accept a scholarship to Illinois. He then practiced commercial law in Chicago before teaching at the University of Texas Graduate School of Business. For the past seven years, he has been a member of the law school faculty at Alabama. Since 1981 he has published many articles and contributed to several commercial law casebooks and treatises.

Alces' wife and two young daughters have adjusted well to life in Williamsburg. They have visited several of the colonial sites and bought their season passes to Busch Gardens. Several friends and relatives who never made it to Tuscaloosa, Alabama have already expressed an interest in coming to visit them here. The family plans to buy a house in Williamsburg very soon. Professor Alces is pleased with the good public relations the non-profit foundation itself has been running at an operating surplus. Pointing to these statistics, Klime says that CWHP can afford to contribute more to its employees.

Continued from Page One

differently: “People who work hard deserve more pay,” Louer contends that the union has rebuffed its offer on the merit pay issue because to accept it, the union would concede decision-making power on the issue of pay to management. Concerning the non-merit pay raises, Louer states that management simply wants to align the pay scale with current market for hotel employees.

Union literature stresses that the average annual income for employees in the bargaining unit in 1989 was $8,957, well below the poverty line of $12,675. Klime adds that management’s position on merit bonuses is a smokescreen: “Of course, it’s impossible to disagree with the statement that people who perform their jobs well should be rewarded. The issue is whether our people can earn enough to live on. Think about a maid who makes $7,500 a year and whose retirement pension is $60 a month. It’s about dignity.”

Health Benefits

The union seeks to reduce the percentage of health care insurance premiums its members pay to about twenty-five percent, with CWHPI covering the difference. Employees currently foot about one third of the health bill. Union literature states that the prohibitive $1300 yearly cost for family health insurance coverage explains why forty-seven percent of union employees opt out of the program, exposing themselves to catastrophic risks in cases of medical emergencies.

Although CWHPI refuses to concede on the health insurance premiums issue, management is offering a ‘keypere” prescription card which allows employees to pay no more than $3 for generic drugs and $8 for name-brand drugs. In the alternative, employees may opt into a scaled down health insurance program. Louer claims that CWHPI “simply cannot afford” to fund health insurance at the level demanded by the union.

Economic Environment

Louver points to the current recession and spate of recent hotel bankruptcies as a reason for management’s unwillingness to meet union demands for increased pay and health benefits: “We must remain competitive in the tourism field, both inside and outside of Williamsburg.”

Additionally, the Colonial Williamsburg Foundation, which operates the educational programs, runs at a yearly deficit of $30 Million.

Workers cite by union literature show that the CW Foundation’s gross revenues in 1989 were $119.4 Million, fifty-four percent of which was produced by hotel and restaurant operations, while revenues credited by union literature that the CW Foundation’s gross revenues in 1989 were $119.4 Million, fifty-four percent of which was produced by hotel and restaurant operations, while

CW STRIKE

The Advocate
February 14, 1991

Good Music
Great Prices

MOVIE RENTALS 69¢ (Tiltes Change Daily)
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Shields Tavern in its representation. Louer adds that there has been insufficient interest among the employees to vote on the issue. Shields is a target of picketing employees.

Informational Pickets

Despite occasional complaints from CW visitors, the leafleting and picketing activities of the union have been peaceful. Klime says that the union will intensify its activities in the spring, when more tourists arrive. The union hopes to communicate its message and publicize the nature of its dispute with management. Picketers have handed out leaflets on Duke of Gloucester street, picketed outside of Shields, and demonstrated outside of the Williamsburg Lodge during the Virginia Bar Association convention, which Justice Sandra Day O’Connor attended. Klime adds that the union will not picket the Barrister’s Ball: “I don’t want to make any enemies.”

Management regards the pickets as more of a nuisance than as a serious display of union solidarity. If workers here are so unhappy, why do we have so many thirty year employees?” asked Louer, adding that most of the pickets comprise seasonally laid off workers with nothing to do.

Both sides clearly wish to settle this dispute, but in order to do so they must return to the bargaining table. Louer says that the union “knows our phone number” and that management is happy to return to the table if union negotiators recognize that, absent some minor repackaging, the offer of December 21 is “our best and final offer.” Klime says that management pulled out of the negotiations in bad faith and that its current inflexible position will make meaningful negotiations impossible.
The y equated with drugs, hence demand a minimum standard of enormous. The ability to participate in their respective gambling activities. The latest participation in sports depends to other sell a degree upon tocing the hotel that purportedly harbored gambling operations. Paul Houming of the Green Bay Packers was once suspended for a year for his gambling activities, and despite winning the Heisman, is still not in the College Football Hall of Fame. Art Schlei ster was last seen in the Arena Football League, banned from the NFL for his gambling activities. The latest incident, of course, involves Pete Rose, who early last week was banned from the Baseball Hall of Fame.

The Rose situation continues to spark debate about the degree to which the governing bodies of sports should interfere in athletes’ ability to compete and be honored in sports. Should the commissioner of baseball be able to remove a manager of a baseball team? Should the NFL be able to force players to desist in gambling? And should the NBA or TAC be able to pass rules governing behavior off the field or court? Playing sports is not a right that an athlete can assert whenever the ability to play is threatened. Despite the reality that sports is “big business” and that athletes are merely employees of a company, the bottom line is that sports are still a game. Athletes should feel lucky that they are paid money for playing a game, and should feel privileged that they have the talent to play at the professional level.

Though essentially a privilege, the question remains how much Major League baseball should be able to interfere in an individual club on how to run its operations, or how the NBA should be able to tell the owner of a franchise if a player is banned from playing in the league? The answer, I believe, rests with the role of the athlete as a society. Athletes are role models. Granted, most athletes don’t seek to become the center of public attention, but the reverence with which our society holds sports in general and athletes in particular affects role models. With such a position comes, of course, responsibility. The public, and especially kids, look up to and attempt to emulate athletes. These athletes in turn, because of their status as athletes, must accept the responsibilities that are necessarily attached to their popularity.

Granting, as noted before, most athletes don’t purposely seek to become role models, but by choosing the profession of athletics, they must accept the baggage that comes with the profession. Attorneys must deal with stress, physicians must deal with life and death situations. Politicians must deal with constituents. Athletes must deal with an adoring public that hold them on a pedestal. If they cannot cope with that, athletes need to think about a new profession.

Unfortunately, athletes are human beings. They are not completely immune to their personal lives. Despite all the compassion one may feel for an individual, the bottom line remains that gambling, or in doing anything else forbidden by an athletic governing body, leads to failure to live up to his or her responsibilities. At that point, the governing body has a right to interfere.

The case for drugs is easy. Few question whether the NBA, TAC, or the NFL should be able to ban drug offenders like Chris Webber or Michael Ray Richardson. Few question the right of the NFL to ban repeat offenders like Stanley Wilson. A more difficult issue centers on gambling, of which the Pete Rose controversy is an example.

Gambling cannot be equaled of any role model. Hence many feel that an individual’s gambling habits shouldn’t interfere with the right to participate in sports. Gambling, unlike drugs, is not necessarily illegal. When examined in light of an athlete’s responsibility, however, the issue can be resolved as easily for drug offenses.

Gambling, though not necessarily bad, carries numerous negative connotations. The gambling pursued by Pete Rose by their peers involved shady characters, income tax problems, and indebtedness. Such behavior is ill-advised, period. Governing bodies should be able to enforce standards of conduct, and with the stature athletes enjoy in our society. Without this power, the only curb on an individual athlete is the self-policing of the predications of individual owners (hardly comforting in today’s win at all cost society) or the criminal justice system. Neither seems like a promising way to go.

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