Att. Gen. Miller Highlights Eventful Orientation

By Mark Tunnell

Believing that a good introduction to their new surroundings is essential for entering students, the SBA Orientation Committee, chairwomened by SBA Vice-President, Daralyn Gordon, began to plan last spring for the arrival of the law class of 1976 and worked throughout the summer on their program. By all accounts, the Committee was very successful in giving the first year students an overview of what studying law at Marshall-Wythe will be like.

After the welcoming remarks of President Graves and Dean Whyte last Tuesday, Jim Murray, President of the SBA, spoke to the new class about functions and benefits of his organization. George Campbell then gave a picture of the Honor Code and Judicial Council. At the coffee-break which followed on the terrace of the Campus Center, almost every faculty member was on hand to meet and mix with the students, a result of the Committee’s efforts to obtain more faculty participation.

The highlight of the day was the address by Virginia Attorney-General Andrew P. Miller entitled “Integrity and the Law.” Miller focused his remarks, subsequently covered in the news-media around the state, on the present “shadow over the legal profession” which has arisen as a result of the Watergate affair. He submitted that it was up to all in the legal profession, whether attorney, court official, or student, to strive to remove this shadow through long hours devoted to restoring public confidence.

Nonetheless, Miller stated, young people should not be disheartened from entering the law; it is “still one of man’s noblest and, at the same time, most useful professions.” The class then divided itself among 22 second year sponsors.

In the afternoon, Dean Williamson spoke on the subject of case-briefing, soon to become all too familiar to his listeners. And in the evening, a wine and cheese party was held for the first year students and faculty amidst the pleasant background of the Wren courtyard and its fire places, serviced by costumed attendants courtesy of Colonial Williamsburg.

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On Wednesday Dean Sullivan presented remarks on “An Approach to Legal Study,” after which the new class was introduced to the materials in the law library by Bob Doyle, Editor of the Law Review, who helped to make it less of a maze. Lastly, an open house was held as introduction to some 15 organizations of the school.

It was, to be sure, as thorough and as pleasant as relates to a formidable career as human planning may conceive, and due recognition must be given to those who gave so much of their time to make the transition easier for the new class; those who were sponsors for the orientation groups were Gary Peet, Malcolm Parks, Carl Harder, Mike Glass, Barbara Kamp, Jim Rattray, Sue Knapp, Mike Basorky, Frib Bergman, Bill Miller, Scott Ritchie, John Fletcher, Jim Geddes, Mark Laine, Charles Pompey, Maggie Potts, Lou Campbell, Bob Fitzgerald, Ann Perinchief, David Joans, Rob Sichta, and Randy Palamar. The library tour guides were Ann Perinchief, Randy Palamar, Keve Barry, Carl Harder, Lou Campbell, Maggie Potts, Sue Knapp, Louise Moore, Rod Meade, Gary Ewing, and Scott Ritchie.

Serving at the luncheon were able helpers Dinah Edelman, Sharon Coles, Charlie Burr, Ross Lloyd, Nettie Bailes, Bill Miller, Jim Murray, and Barbara Kamp. For assistance above and beyond the call of duty are to be commended Malcolm Parks, Jim Rattray, Gary Peet, Barbara Kamp, Dean Sullivan, and Mrs. Perbes and her retinue.

Murray Outlines SBA Plans

By Jim Murray

Among all of the other familiar signs of fall you will note that the SBA has begun its annual drive to urge its members to pay their dues. It would be easy to promise radical changes and new great things for the SBA, but the fact remains that the SBA is merely a service organization which is intended to provide services very necessary to a law school. A great number of these services will remain unchanged from past years. The SBA bar is again being operated by the SBA, and the speakers of particular interest to SBA social functions, such as the past Sunday’s picnic and beer party, are again being organized. Likewise sponsorship of student groups and activities such as Moot Court, The Environmental Law Group, Legislative Research Council, and Women Law Students Group will continue.

The major change which should be apparent to most students is in the Professional Affairs Programs, directed by Bob Sichta. Arrangements are currently under way for at least two, and possibly three, nationally prominent speakers to visit William and Mary in programs sponsored by the SBA. One of the programs tentatively calls for a major liberal v. conservative confrontation which should surpass and improve upon the Buckley-Clark debate of last spring. These large programs will be supplemented with monthly law student activities.

New SBA programs currently being explored include the expansion of law student parking facilities, with revival of last spring’s ill-fated Baptist Church function, the SBA panel on the American Bar Association, given to one school in each of the thirteen circuits or regions for performance in Law Day activities; the National Law Day Award; and an award for the best Student Bar Project, which last year was the Moot Court competition.

Law School Receives Awards From ABA

By Mike Geffen

The William and Mary chapter of the Law Student Division of the American Bar Association was presented by the ABA with five awards for excellence in various fields of programming and membership during the past academic year. The awards include the Membership award for student participation at Marshall-Wythe of nearly 85 percent; the Circuit Award, given to one school in each of the thirteen circuits or regions for outstanding Law Day activities; the National Law Day Award; and an award for the best Student Bar Project, which last year was the Moot Court competition.
Editorials

Amicus Goals

As we begin a new year together, we, the staff of the Amicus, wish to thank the student body for the support and interest which they have shown throughout the past year, and to assure them that we will endeavor to continue presenting issues of importance in the coming year.

Some things will be changed and some will remain the same.

First, we are looking forward to increased faculty participation; faculty members have been invited to contribute opinion and analysis. We feel that in this way faculty-student communication will be improved.

Second, in order to further the interests of the law school in general, we have increased and improved the law school's publications, especially activities which previously have been underrepresented in our pages.

Finally, in the past, we will continue to be open to all opinions and to welcome the efforts of anyone with something to contribute, criticize, or defend.

Fourth, in conclusion, we will continue to be a forum for discussion and, hopefully, change within the law school. You, the students, have indicated that you feel this function is important, and with your continued support, and hopefully increased participation, the Amicus will continue to serve the law school community.

Orientation Program

It seems at times that significant presentations within the law school materialize due to the unseen hand of an ethereal participant. Of course few events occur without extensive preparation; the first orientation program this year was a good case in point. To prepare two days of events which will acquaint incoming students with the law school is an enormous task, one which requires a summer of planning and precision and requires the efforts of the SBA, the primary organization in charge of this effort, the Amicus's orientation committee, and to the students of Marshall-Wythe, that first year orientation—once an administrative function—has reached a high level of achievement this year.

Amicus Relocation?

The Amicus staff was surprised to find upon returning from summer vacation that its office had been converted into an annex to the library, namely it now contains the entire secondary collections area of the library.

No notice was given to the Amicus either before or during this changeover, nor have any contingency plans been offered for a possible relocation of the Amicus.

While this news may not seen of great importance to some, there are certain factors which may change their opinions. Firstly, we feel that the Amicus staff should be the only forum for discussion of many issues of importance which would not be taken up by any other forum. Can you imagine the Amicus no longer a forum for the campaigning against the unfair Law Review grading system or the Colonial Lawyer covering the Barrister's Ball appropriation?

A second factor is that student contributions are necessary to the continued operation. We cannot represent the entire student body unless we are in close contact with them. We rely upon students dropping in with hints on current happenings. This would not continue if we were to be relocated in another building.

Another factor to be considered is the practicality of the use of the Amicus office as an International Law resource room. Although a large number of materials on International Law which the library now has, but, worse, Mr. Whitehead admitted in conversation that many new books and especially periodicals will be arriving continually so that the Amicus office, which is already inadequate for the library's purpose will be hopelessly inadequate in a short time. In addition, many valuable tax materials which were formerly stored in the office have been disposed of; no provision has been made for their storage. Prof. Fischer has cited the need for proper storage of these relatively delicate and irreplaceable materials, which he believes to be the only unique publication for which the school is known.

We do not object to sharing space; last year we shared the office with the environmental law group, a good deal of tax materials, and a seminar. In view of the space limitations imposed upon us, we are willing to compromise. But is it necessary that the Law Review editor have a third floor office to himself, when the Amicus may be forced out of the building for lack of space?

June Graduates May Take February Virginia Bar

The following memorandum was sent by SBA President Jim Monroe to the students of the Class of 1974 immediately prior to graduation day of spring exams, May 28th.

The memorandum indicates that for the first time the entire student body and the faculty members have been included in the law school's permanent examination schedule. In response to the memorandum and other student inquiries, the SBA has rescheduled two third year examination schedules for the spring of this year. The new schedule conforms with the rules. It should be noted at the outset, however, that this is contingent upon the continuation of the current rules of the Virginia Board of Bar Examiners. These rules require that the current schedule be the only forum for discussion of many issues of importance which will not be taken up by any other forum. Can you imagine the Amicus no longer a forum for the campaigning against the unfair Law Review grading system or the Colonial Lawyer covering the Barrister's Ball appropriation?

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Graduates May Take February Bar

Continued from page 2.

the exam. This argument presumes that the faculty holds an in loco parasitic position in its relationship with the students. The Class of 1974 has an average age of over 30 years, more than 60 percent of the class are married, many have families and many are former military officers. To imply that the faculty must make a study decision based on the assumption that these students are not yet capable of allocating their study time in a way that benefits both parties' intelligence and maturity, and it belies the School's endorsement of these students as qualified to practice law upon graduation, a few short months later. A primary requisite of a lawyer is responsibility, and if indeed the faculty holds any proprietary concern for the students, this is an excellent opportunity to give the students more personal responsibility.

The students request that they simply be given the opportunity to take the February Bar exam. It will then be the choice of each individual student who has been accepted into the exam whether or not to take it. As for the argument that those who have already taken the exam might become complacent, I would submit that exactly the opposite would happen. The Rules state: "No applicant will be issued a license to practice law in this state until he has received a degree or a certificate of successful completion from an approved law school." Any student who has been through the exam once and who knows that he must graduate before he can take the exam again, even though he passed the first time, could hardly be complacent about it.

Finally, the procedures would be very similar to that followed for a number of years with the January graduates who have taken the December Bar prior to graduation without adverse consequences.

In conclusion, the Student Bar Association respectfully requests that the faculty rescind the two third year exams presently scheduled for Monday, May 27, 1974. This will enable the students who wish to take those two courses to take the February Bar examination with the rest of their classmates who are presently eligible to take the Bar examination prior to graduation.

Randy Eley Elected National ABA Rep.

By Greg Penmije

Marshall-Wythe attained a measure of recognition this summer when third year student Randy Eley was elected to a national office in the Law Student Division of the American Bar Association. Eley scored an impressive victory over six opponents as delegates from every law school in the country elected him Law Student Division Delegate to the ABA by giving him a majority vote on the first ballot. The election, along with the elections of five other officers, took place at the annual Law Student Division Convention in Washington, D.C., at the Statler-Hilton Hotel during the week beginning August 8th. Getting elected was an exercise in exhaustion, reported Eley. The first two and one-half days were spent meeting and talking individually to the law school delegates and their alternates. Following this came Eley's nomination by Duquesne University's delegate and an acceptance of the nomination speech before the entire House of Delegates. After the speeches came the rigorous "round-robin," where the delegates broke into their thirteen circuits and each candidate met with each circuit for exactly twenty minutes. During this time each candidate was to speak of his plans for office but in fact was often interrupted by a barrage of questions. In view of his first ballot victory, Randy apparently withstood the pressure well.

As one of two LSD delegates to the ABA, Randy will attend as a voting delegate the ABA mid-winter meeting in Houston and the ABA Annual Convention in Honolulu next August. His duties will include introducing LSD resolutions to the various ABA Sections and on the floor of the House of Delegates. He will also coordinate the work of the LSD liaisons to the different ABA Sections. Randy also has the distinction of being the LSD's liaison to the White House and hopes to be making a trip to Washington, D.C., in the near future.

As for the year ahead, the LSD delegate said he would like to get more law students serving on the large number of ABA Section committees, see the LSD more active on the local level, and explore alternative means of funding clinical legal programs. He also would like to see special interest groups (such as environmental law groups) working more closely with LSD-ABA committees and is hoping to begin a prolonged effort to have the ABA revise the Model Student Practice Act it adopted several years ago.

Thunderchickens Look Awesome

By Jim Fitchet

With the thrills and chills of another W&M Intramural Football Season less than a week away, the Thunderchickens are optimistic about the prospects. The Thunderchickens, last year's Hawks, are anxious to improve on last season's 5-1-2 record. Fungus will be a largely veteran squad, with no recognizable weak links.

Although the Thunderchickens and Fungus are admittedly tough acts to follow, the Law School has hopes that the 1st Year class will at least field a squad. How about it, boys?
Murray Essay Places In National Competition

James B. Murray Jr., a third-year student at Marshall-Wythe, captured second place in a national law essay competition sponsored by the American Bar Association. Murray received the $500 cash award, and was one of the keynote speakers at the annual convention held at Miami Beach, Fla., in July. Professor Joe A. Morphy of Marshall-Wythe State University, one of the judges in the essay competition, described Murray's paper as one of the most original he has ever read.

The winning essay analyzed Article 11 of the new Virginia State Constitution, which stipulates that all state government action be taken with consideration of the environment. In the essay Murray urged that it be up to the environmentally-minded lawmakers to make sure that Article 11 and similar provisions in other states serve as more than mere policy statements. The existence of the Article does not, in itself, assure Virginians of ecologically sound land planning any more than would the creation of a statewide planning authority, Murray explained. Rather, "the onus will fall on the environmentally-conscious lawyer to see that the spirit of the legislation -- like the Virginia Wetlands Act and proposed statewide planning ordinances -- is respected, and that the policy in the article is observed in the daily operations of government." Murray predicted that the article of the new Virginia Constitution, functioning with the environment probably will not be used directly in a suit to stop an improper use, "but rather tangentially, as part of a suit." He added, "The government is going to put up a power plant and a citizen is going to come back with a land use objection. Perhaps one day it (the constitutional provision) will be used alone after it receives recognition from the courts."

In his speech to 200 members of the Environmental Law section of the ATLA, Murray urged environmental lawyers to press for passage of constitutional amendments similar to, or stronger than, Article 11 in other states. Virginia is one of only seven states with a constitutional amendment or newly-revised constitutional provision calling for environmental protection. Murray pointed out that most people tend to underestimate the importance of constitutional amendment seeming to be a more policy approach. Even such weak provisions can be used as a foundation for future, meaningful governmental action.

Between 4000 and 5000 papers were entered in the 1978 environmental law essay competition, and 96 law schools had school winners entered in the national contest. From these 96, seven national winners were selected, each receiving a $500 cash award. The top three national winners received a trip to the convention at Miami Beach.

The Gripes of Roth

Now that you have four important cases to read, you look in the catalog for the Oshkosh reporter for the state of Z. It tells you to go to the top bleacher of William and Mary Hall where the books are stacked. Once there, you are guided by a ten-foot soda can over to the appropriate shelf. Then a 250-pound capital J comes to your aid and sits down with you to help you translate the language on the printed page. Then a 46-year-old professor buzzed in a white coat with periods all over it opens the window for you, and you jump yourself to the hyphen cackling of 52 letters of the alphabet and eight punctuation marks. Your tombstone will read: "I'd rather be than in the law library."

A whole generation of normal law-abiding students was raised on Dr. Dewey's decimals, and we still have enough sanity left in us to interpret the Library of Congress' letter patterns. What did we do to deserve this? If research wasn't bad enough before, now it will be a real pain in the colon. ...

JUDICIAL APPELLATE CIRCUIT

(Judge Irving Goldberg's opinion in Donelson v. New Orleans Terminal Company, U.S. Court of Appeals for the Fifth Circuit)

Although the character of the person filing the federal action does not control the issue, we cannot ignore the fact that here it was the Parish officials themselves who invoked the jurisdiction of the federal court... Appellants (the Parish officials themselves) invited the invitations to dance in the federal ballroom, they chose their dancing partners, and at their own request they were assigned a federal judge as their choreographer. Now that the dance is over, appellants find themselves unhappy with the judging of the contest. They urge us to reverse and declare that "Good Night Ladies" should have been played without the partial summary judgment having been granted and without the preliminary injunction having been issued. This we have declined to do, and in so doing we note that this is not The Last Tango for the Parish. Appellants still have an encore to perform and the day in court is not yet over... We hold that the court below properly rendered judgment that the Railroad could not be forced to participate in this state court coalition, which was not brought by the State and which sought to impose safety measures that were not contemplated by the Act, and that the federal court, under the facts of this case, was the sole director of the terrorist exhibition and had the right to effectuate and protect its directional decisions.

By Don Lewy

On Saturday, September 29, 1973 at William and Mary Hall, the Student Association will sponsor the Third Annual William and Mary Conference on Law and Society: The implications of the Supreme Court Decision on Obscenity (Miller v. California). This conference will consist of several panel discussions in the afternoon and one in the evening.

An opening address will be given by Dean William Low, President, on Pornography and Obscenity. Following his remarks will be three afternoon panel discussions each emphasizing areas upon which the Miller v. California decision will have specific impact. These areas will be publishing, motion pictures, and the community.

The publishing panel has been scheduled for 2:30 p.m., and consists of: Heathere Florence, Attorney, Media Coalition; Mr. St. Leger Jr., editor, Metropolis Magazine; Mr. Al Goldstein, Editor, Screw Magazine; Mr. Frank Stockel, Attorney, American Association of Newspaper Publishers; and two others not chosen at this time. Dr. William Savage will moderate.

Next will be the motion picture panel. Appearing on this panel will be: Sidney Shribler, General Counsel, Motion Picture Association; Mr. Ray Straight, author and former press agent to several movies stars including the late B.D. Bayessian and two others. Dr. Albert Haak, Professor, Theatre and Speech Department, will moderate.

Finishing the afternoon will be the community panel consisting of Mr. Herbert Bateman, Atorney and State Senator from Newport News; Dr. Winfred C. Finney, President, President's Commission on Pornography and Obscenity, co-author Hill-Link Beirgbrecht, Dietrich Heider, psychiatrist, Medical Director Human Resources Institute; Mr. Lester V. Moore, Jr., Attorney, Norfolk; Mr. Jacob Priest, free-lance writer, Williamsburg; and one other. The moderator will be Associate Dean Richard Williamson.

The evening session will discuss all three of these areas, and it includes Miss Judith Crist, movie columnist for T.V. Guide; Mr. Russ Meyer, producer; Mr. Gerald Damiano, producer, writer and director of "Deep Throat" and "The Devil In Miss Jones"; Robert K. Dornan, commentator and national spokesman for Citizens for Decent Literature; Miss Elaine Bluthe, Northern California Motion Picture Association; and one other. The moderator has yet to be selected.

Working with the Student Association to prepare this event are the following law students: Robert Copeland, Donald Leyor, Mr. Matthew Weber, Robert Sichta, Steven Watkins, and John Weber.

At this time the S.B.A. is considering possible co-sponsorship of this event with the Student Association.

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