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The Official Engagement Issue

The Advocate
Marshall-Wythe School of Law

Vol. XXI, No. 4
October 19, 1989

Academic Support Program Enhanced
But Questions Arise

by Will Murphy with assistance from Tamara Maddox

In a beefed-up version of similar programs offered in the past, Marshall-Wythe's Academic Support Program teaches essential law school skills to selected first-years. Thanks to a grant from the State Council on Higher Education, the program starts earlier in the school year, employs more people and does not put extra burdens on professors. The push for the program came from the students if contacted professors. The push for the program employed more people and does two and a half hours. Teaching Friday night is not put extra burdens on assistants do not keep office hours, but are expected to help students if contacted informally. They will also look at and comment on outlines prepared by their students if asked to do so.

According to Theophrise Twitty, the Coordinator of the program, the emphasis is on skills, such as legal writing and analysis. Professors have given lectures to these students when asked to do so, although this has been infrequent. The program potentially is open to all students. Admission is offered to those who are experiencing academic difficulties or lacking skills needed for legal study and analysis. Although a student receives an invitation to join, Twitty emphasized that the program is totally voluntary. Students who are currently invited but will decline having the opportunity to join based on the first Legal Skills memo and diagnostic test.

Admissions Office and interviews with the students. Next semester, after exam results are known, additional students will be invited to join. Twitty said the program, which currently serves about 20 students, can accommodate 25 to 30. When asked why all 1Ls were not invited to join the program, Twitty cited budgetary constraints. He also said that, "If the concern is that there is an unfair advantage, I would take issue with that." He said that students in the program do not have access to any special materials and that they do their own work, preparing their own briefs and outlines. He stressed that the program was not designed for students whose academic difficulties were due to insufficient effort. Professor Butler commented that many of the skills emphasized in the program are taught to all students through Legal Skills.

Among first-years, rumors abound concerning the criteria for admission to the program and who is in it. The thrust of the program's success is offerred to those who are doing well in gaining entrance. Twitty, who stated that he had not heard of any such controversy, stated that race is not a factor in his decision to admit students to the program. This statement was also corroborated by Professor Lynda Butler, the student coordinator for the program.

The Grad Thing
by Debbi Rauanheimo

Bad Blood between the graduate students and law students has arisen over the idea of a happy hour, which was designed to unite the disciplines. "The great impression of graduate students is that it should be renamed 'The Law Thing,'" said Physics graduate student Mike Widkowski, and he is not alone. A few weeks ago, a "Grad Student Only" happy hour was sponsored by a small group of disgruntled graduate students. Approximately forty people attended, and the attempt has not been repeated. SBA President Ritchie Long was dismayed by the separation. "The whole thrust of what I am trying to do this year is to bring the graduate schools together."

"The main graduate student concern," says Widkowski, "is that it is such a law-dominated event. It is run by law students, publicized well in the law school, and well-attended by law students." Charles Fincher has informed the Graduate Student Association that he will accept their suggestions for a program to make it more integrated. Matthew Ward, president of the GSA, has accepted the offer and suggests some graduate students may come to help pour beer and collect money. "It's not a law thing," says Master's Coordinator, George Leedom, is concerned that the "anti-Grad Thing" movement will undermine the whole concept of the event. He states, "Dude, in two years, you will understand what I mean when I bring the graduate schools together. Since we lost the Grad House, we don't have a graduate student facility." George extends a hearty welcome to graduate students as received $10,690 while the GSA received $750 in the 1989-1990 budget. "A lot of graduate students blame the law students because they feel money is siphoned off to the SBA. I think the SBA is very well organized, and as such is better equipped to ask for and utilize the funds effectively." Widkowski and Ward agree that the GSA has numerous problems which result in a lack of organization and unity. The GSA has made a promise to promote the event, because Grad Thing posters were geared primarily to law students, Leedom says it would be too difficult to be a happy hour for everyone to get together. Since we lost the Grad House, we don't have a graduate student facility."

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Professor Susan Grover, who helped to procure the grant for the program, said, "I feel that we have an open door policy." When Twitty was asked if the racial mix of the students in the program and the program at large resembled that of the first-year class as a whole, he replied, "No comment," and added, "It's relevant." Butler, who ran last year's program, stated that there were several white students involved last year, but would not answer questions about the racial composition of the group in this year's program.

Because first-years have not yet taken exams, there is no objective measure of the program's success. However, a source familiar with the operation of the program believed that the students are benefiting.

First-year students interested in the program should contact Mr. Twitty through his mailbox in the faculty mailroom.
**Letter to the Editor:**

The effects reached beyond the parties involved in the deal. Riotous looting in darkened streets so let us learn a lesson from the world beyond.

A few days ago, I was glad to read your editorial on public service support. The five Public Service Fund Scholarship recipients - Caroline LaCeur, Thierry Tron, Peter Allen, Laure Gross and Lisa Leber - wrote Advocate articles to alert students to the type of rewarding public interest jobs available.

It is true that the law school experience creates an aversion bias favoring employment in large private firms. However, the Marshall-Wythe community, including the five OCPP and students, consistently works hard to fight that bias. Dean Sullivan and Associate Dean Gallion recently single-handedly won the OCPA "[Interest on Lawyer Trust Accounts]" the five Virginia law students. This means that three Marshall-Wythe and 12 other Virginia law students have remarked on Horwatt and would be less inclined to attend the job fair. 

I am surprised by the lack of reaction by the student body. Does the lack of response indicate that the results of the poll will be the same? We fought against police brutality. We fought for peace in Vietnam. Why not smile fighting for peace in the classroom? The Advocate reserves the right to edit submissions for reasons of space and clarity. Printed by the Virginia Gazette.

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**Letters to the Editor: The Advocate**

**Lee**

**Reemphasizes Public Service Support**

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Policy Mastered

by Jarrell Wright

Plans are underway to initiate a Master of Public Policy program at the College by the fall semester of 1991. The law school will be actively involved in the program, which will be a two-year course of study combining the quantitative analysis of the political and legal environment in which public policy is made. Similar programs are in place at Duke, Michigan, Harvard and Princeton, but the William and Mary program will be the only one like it in the state. According to David Finifter, Professor of Public Policy, the program will have two unique points. First, he stressed that students will have a significant background in law. "Second, the program will focus on analysis rather than administration of public policy," Devins said.

Devins said the program will include four classes taught by law school faculty. Beginning in 1992 these classes will be open to law students not enrolled in the program. Devins spoke highly of the proposed program, emphasizing that it will provide an enriched curriculum. "It will give law students a chance to interact with specialists from other disciplines who see things in a different way. This interaction will be beneficial both to groups of students, and to the professors as well," Devins said.

One stated purpose of the program is to take advantage of Williamsburg's attractiveness as a site for public policy conferences. Most of the programs which have come to Williamsburg in the past "have had nothing to do with the school, the faculty or the students," said Finifter, who hopes that a program of this sort will encourage more such programs to come to Williamsburg, and to facilitate student and faculty involvement with them.

However, the program must be approved before it becomes a reality. The Graduate Committee of Arts and Sciences, the Faculty of Arts and Science, the Board of Visitors, and the State Council for Higher Education will consider the proposal at different times during the coming year before lending their approval. Finifter acknowledged that the approval process is a long one, but he remains optimistic and stresses, "we are making progress."

"Fall"ing at the Royce

by Steffi Garrett

"It's delightful, it's delicious, it's de-lovely." Cole Porter could have been describing Marshall-Wythe's social event of the season: Fall from Grace. On Saturday, October 21, from 9 PM to 1 AM (not including pre- and post-affairs) the Royce Hotel will be the venue for this lavish semi-formal. There will be a DJ, free beer, cash bar, cheese trays, veggies, chips by the pound (or kilo for you metric whizzes), and even a security guard. Tickets are $10 per person or $5 per half-person (ask Middlebrook -- I don't get it either), and are on sale through Friday at 2 PM.

Until this fall, the event was generally held on campus.

Fall From Grace moves off campus to convenient hotel location.

When the Grad House was taken away last year, law students were promised they would be accommodated for such social goings-ons. This, however, did not happen. Although the extravaganza is the last night of the World Series, "If the Cubs aren't playing, who cares?" Middlebrook correctly observes. "It was great fun, but it was just one of those things." Fall from Grace will more than likely be just that.

Fair Notice

The Symposium Section of the Student Division of the Institute of Bill of Rights Law will hold a general meeting on Tuesday, October 31, at 7:30 p.m. in Room 119. All are welcome to attend this discussion of the Division's plans for a Symposium of issues involved in drug-testing programs.

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On the Fence

By Karin Horwatt

On my way in here I heard two tourists who were exclaiming how pretty the birds sounded and this sent me off about something I really would like to get off my chest. I would like some fearless reader to tell me why people think it is at all well-adjusted to think birds sound pretty and, along the same lines, to go around expressing it in public. I mean, we think of birds in this Romantic sense, and when we hear them chirping, we generally think of this as a good thing. I think this is weird. And because I have a column in the Advocate, I get to tell you why this is weird.

Why do we like bird-chirping? Is it just because a bunch of eighteenth-century passatorialists (and perverts, if you count Rousseau) thought back-so-nature was A Good Thing, and that included birds? Because, despite all our pretentious and arrogant scrappings to the Great God Science (whom most people have never met and do not know how to worship properly, anyway), we are pretty much a Romantic culture. Whatever the reason, wherever we are outdoors and we hear birds chirping, we think, "Gee, how peaceful and beautiful that the birds are singing." And then we get into a good mood. But why do we deserve this?

Have you ever really listened to bird chirping? Has a biologist ever told you what bird-chirping really does? There is no creativity involved, no high sentiment, no grand tradition passed orally from bird to bird from time immemorial. It is all genetic. Birds learn one bird-phrase per circumference, which they repeat like broken records. And what they are saying, in bird talk, is not very elevated, either: When you hear the birds chirping gaily at the edge of the forest abutting our gravel parking lot far, far away, what you are really hearing is, "Get your butt off my property." Or, perhaps, "Hey, look, there are some of those fine green bugs on that dead rabbit!" Or, "Look, it's a cat. Run away!" As I said, not very elevated.

And then look at birds. Gross. They are more closely related to reptiles than to mammals, and most of them have less personality than a lizard on a slow day. Unless they are pests, who eat roses and steal bright things, birds look like the thugs of the bird world. And they are covered with parasites (no, not the thugs - well, probably are, too - the birds), hundreds and hundreds of little itchy bugs.

On the other hand, speaking of bugs, has anyone ever listened to insects? I mean, insects are repulsive, but at least they are honest about it, and no one writes, "Hail to thee blithe spirit, long-suffering insect, that sits on your shoulder and chirps to you about a cockroach, or says, "Quoth the katydid, nevermore!" Bugs are just quietly disgusting, and are actually much more blithe about crawling into your picnic sandwich than the birds are about flying into your sliding glass door. In the meantime, the sounds that insects make at the edge of a forest on a summer night are much more worthy of celebration in verse than the god-awful chirping of a cardinal, which sounds like a chorus of ants, and ends with strange alarm going off, over and over again. Insects in the woods also sound more like what J. music ignoramus, think of as music. At least, it sounds like a chorus to me, and at least bugs answer each other. (No, I am not making that up. Go out and listen tonight. It will be a good justification for bagging tomorrow's reading.)

If I sound more peevish than usual, it is because I am in the same boat as most second years and some third years; I worked at a place last summer that gives no offers, and so I have spent lots more time than I would like to admit on trains to New York. Last year there were few Friday classes, which left jobless types like you and me the option of voyaging out of town for callbacks and making classes. Would it not truly eliminate the dilemma of call-back versus class attendance?

And while we are on the subject, I am doing a feature story next issue in the Advocate and you are encouraged to interview fellow students who may have accepted fair contribution is welcome to make submissions in my story. (The interview itself does not have to be about being a law student - even though it may be.)

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Rightly Speaking
by Gerard E. Toohey, Jr.

Sex, Lies and Politics

There is an old adage that politics makes strange bedfellows, but the politicking of our day has had very little to do with the making of bedfellows and much more to do about unearthing them. The politics of scandal have emerged like a snake in the Garden of Eden. On This Week With David Brinkley the question was raised -- once again -- as to whether the sex lives of our public and political figures are relevant to their positions.

First, an historical note: sexual scandals are not all that new, although in the 1980's they have been reported with greater coverage and persistence than in prior years. During Andrew Jackson's election to the presidency, his wife was viciously attacked for cuckoldry. Prior to marrying Jackson she had been married, and that marriage had not been legally terminated. Then in another presidential campaign later in the decade, it was uncovered that Grover Cleveland had fathered a child sometime in his wayward youth. The information was poorly timed, and Cleveland's quick admission saved his campaign. For the most part, though, a politician's private life was kept private -- even by the invading press corps. It was not common knowledge to the voters of their day that Warren Harding, FDR, Ike, JFK and LBJ all had extramarital affairs. It was certainly not known that when JFK was president prostitutes visited the White House.

These things were known to the members of the press corps. Most, like Russell Baker, believed this kind of behavior was irrelevant to the issues of the day. It must be recognized, at least in part, that to the reporters of a prior day this appeared to be unmanly gossip.

Reporters were basically all men, and it was considered a violation of the code to print the sordid details of another man's life. There are very few good things -- if any -- that I give credit to the woman's movement for, but this is one of them. To woman reporters, the hypocrisy of these men who were using their positions to obtain favors was blasphemy. The winds and mud of those good old days were gone.

Also, with the advance of the woman's movement came working mothers, and, to a great degree, the erosion of the traditional notion of family. Family itself is now a political entity. The woman's movement has been involved in several lawsuits. It was the woman's movement, for example, that forced an investigation when the Nautilus Club offered its facilities to the press corps.

Also, with the advance of the woman's movement came working mothers, and, to a great degree, the erosion of the traditional notion of family. Family itself is now a political entity. The woman's movement has been involved in several lawsuits. It was the woman's movement, for example, that forced an investigation when the Nautilus Club offered its facilities to the press corps.

As the summer of 1989 came to an end, the reality of the pending return to Williamsburg set in. For some, the destruction and extent of damage done to their bodies over the summer was evident by a simple glance in the mirror. Thank God Nautilus would be waiting to help them get rid of all those unwanted pounds and pollutants absorbed during the summer months! There would be aerobics, Nautilus equipment, and free weights to take care of all the unwanted additions to our bodies. Wrong!

During the summer while most students were away, the Nautilus facility on Monticello Avenue was closed without warning to its hundreds of members. All that was left was a notice taped to the door:

"Due to circumstances beyond our control, we will be closed temporarily while we relocate and reorganize our facility. We thank you in advance for your patience and apologize for any inconvenience. We will reopen for workouts in just a few or two weeks. Until then you may use our affiliated facilities."

Unfortunately, the closest facility is in Newport News. A "very convenient" location indeed, especially for students who have nothing else better to do then travel sixty minutes to and from Nautilus in Newport News.

The present owner of the Nautilus fitness center is John Combs, who is currently involved in several lawsuits. According to Mr. Combs, the trouble began when he purchased the franchise from Merril B. Smith, on February 21. Mr. Smith was having financial troubles at the time, which may have prompted him to sell the franchise. Mr. Combs said "everything looked fine on paper," until it was discovered that the previous owner had sold numerous bad contracts to members who were not making their payments for various reasons. It was this lack of positive cash flow which gave rise to the closing of the facility. The previous owner was not available for comment and, according to Mr. Combs, has left town.

Apparently, the Nautilus Fitness center was in default on their lease to Federal Realty, the Bethesda-based owners of the shopping center. Mr. Combs also did not know that the previous owner had not paid rent in nine months and Federal Realty simply exercised their legal options and closed the premises.

Presently, Federal Realty has a suit pending against Mr. Combs, the current owner, and Mr. Smith, the original owner. In addition, Mr. Combs has filed suit against Mr. Smith.

Refunds Available

After speaking with Mr. Combs, it appears that the facility will not be opening in the near future as first claimed on the sign. All is not lost, however. Members do have a way to get their money back.

In 1984 legislation was enacted in Virginia which was designed to protect the public when health spas or clubs closed or went bankrupt. Any health spa offering memberships of more than three months in duration was required by law to register with the Department of Agriculture and Consumer Services and post a bond or letter of credit. Such a bond was obtained from the Dominion Bank on March 13 in the amount of $10,000. Members are entitled to proportionate refunds after an investigation is completed by the Division of Consumer Affairs.

In order to obtain a refund one must first write or call the Division of Consumer Affairs.

Continued on Page Seven
"What I Did This Summer with my PSF Grant"
Focus on Youth Concerns

by Laurel Gross

For as long as I can remember, I have wanted to work with children. Although the profession has changed from time to time throughout the years, when I was in college I decided that I wanted to go to law school and work for children's rights. This summer, I had the opportunity to work with an organization dedicated to this cause.

The Youth Law Center is a private, non-profit public interest law office located in San Francisco. The Center handles cases in a variety of areas concerning children nationwide, including abuse and neglect, health care, foster care, and juvenile justice. Because of my interest in delinquency, I was assigned to work with an attorney specializing in juvenile justice. My work involved researching case law involving conditions of confinement to determine what practices the courts have found to be constitutional. Some of the questionable practices include overcrowding and the use of hard restraints and isolation. In addition to research, my job also entailed drafting discovery requests in a suit against a county and its sheriff which arose when a teenager committed suicide while detained in a county jail.

In addition to the substantive work experience I received, the Center sponsored a series of weekly brown bag luncheons at which they trained us in the various fields of law affecting juveniles. Each attorney led one of the luncheons and discussed current cases in which they were involved. The Employment Law Center, housed in the same building, also sponsored weekly luncheon seminars for all the clerks in the area working in public interest law offices, including Advocates for Children, the ACLU, and Public Advocates. One of the most beneficial aspects of my summer experience was the opportunity to work with professionals who are committed to working for children. I knew from the outset that the Youth Law Center did not have the capacity to hire any new lawyers in the near future, and this knowledge freed me to make the most of my associations with the attorneys in the office by enlisting their advice for future jobs. The attorneys themselves are from various parts of the country and the Center has handled cases across the country, so the connections I made will be valuable in my ongoing search for work in the area of children's rights.

Although I do not know whether my future job will be in the public interest or in a private organization, my summer experience has reinforced my commitment to work on behalf of children.

By Patrick D. Allen

This past summer, I received a William and Mary Public Service Fund stipend to serve as a legal intern for Media Access Project (MAP) in Washington, D.C. The Public Service Fund enables interns to live in the Washington area while serving my internship at MAP, a non-profit law firm which promotes the Public's First Amendment right to receive information. Without PSF's help, Media Access Project would not have been able to pay me for my internship, and I would likely have been forced to find work elsewhere.

First and foremost, I would like to express my sincere gratitude to everyone who contributed generously to the fund, including members of Law Students Involved in the Community who dedicated their time and energy to numerous fundraising efforts. I can say without a moment's hesitation that my experience of the past summer was the most valuable working experience I have ever had. It was, in addition, the first job that I have had that which gave the prospect of coming back to law school some new sparkle. Besides doing a fair amount of the practical stuff, I also had the privilege of attending numerous congressional hearings, the most interesting of which concerned the 'syndication and financial rights battle between the Cable News Network and Hollywood (the fun stuff).'

Again, I would like to thank the Public Service Fund for making this part summer possible. But most importantly, I would like to encourage everyone to give generously again this year, so that other students who are interested in working in the public interest may have that opportunity.

By George Michael Miller

The box office barge at the Grad Thing a few weeks ago actually worked: the International Law Society has dinero now and is finding ways to spend it.

Just a few of the upcoming events for those who are internationally-oriented or otherwise include educational, informational, and downright fun things which might make Williamsburg (the center of Michelle Sedgewick's universe) a little more liveable.

On November 10, the ILS is hosting the First Annual International Wine Tasting Event at Ford's Colony, just outside of our little touristic haven. Tickets are on sale and are going fast for this civilized event featuring the wines of Chile, Germany, France, Italy, Spain (muy bueno!), Australia, New Zealand, and the United States (shouldn't that read Northern California? or am I just a west coast snob?)... Ho...
**Turning Tables: Professors Evaluated**

by Christopher Lande

Associate Professor Lynda Butler and Assistant Professor Neal Devins are currently being considered for promotion. The process of faculty promotion at the law school is part of the college's overall system to ensure high academic standards. The guidelines for review used by the law school must first be approved by a college committee and the Board of Visitors to ensure consistency with other departments.

Selected faculty members are reviewed in a multi-step process when being considered for promotion. First, a faculty committee compiles information about the individual being considered, including student opinion, research achievements and service to the college community. Faculty members of the rank for which the individual is being considered vote on the person, then submit a written report to the Provost of the College. The Dean then submits a separate written report to the Provost.

Professor Shaefer, who is not a mere formality. "The Butler and Mr. Devins, noted written report to the Provost. The final decision is usually made by the end of the spring semester.

Professor Shaefer said, "A Professor is usually considered for promotion from Assistant Professor to Associate Professor after three or four years of teaching, but it is not unusual for some members to be considered sooner because the work is additional work experience." If an Assistant Professor is not promoted to Associate professor after six years, the position is generally not retained by the law school.

The law school usually considers a faculty member for permanent status after six years. Professor Shaefer said, "In Virginia, a state college may not offer a Professor 'tenure', but there is a functional equivalent of it." Whether a faculty member receives tenure is only one factor in that person's overall career plan. Faculty members at times pursue job offers from other schools or leave college due to personal or family reasons. In the world of two career families, the prospect of a large metropolitan area can be enticing.

In addition to written comments recently received from students, the faculty committee will also consider the wealth of information provided by student evaluations which are made by students following each course.

**Elder Law: Guarding Seniors**

by George Leedom

Spear-headed by Littleton Tazewell, the Elder Law program in the Community recently instituted Elder Law, a program designed to educate the elderly as to their legal rights and to assist them in protecting and enjoying those rights.

Elder Law hopes to establish a clinical program (similar to P-CAP) which will ultimately provide assistance to the community and its elderly. In addition, Elder Law hopes to establish public guardianship programs with legal services regarding financial, abuse, estate, insurance and other matters. Other law schools around the country have begun similar programs geared toward their particular community's needs. Professor John Donaldson has expressed interest in a class concentrating on laws effecting the elderly.

LSIC's immediate concern is with the problem of guardianship. Ordinarily, when a person becomes incapable of handling their affairs or they become a ward of the state. This process establishes for them a state-appointed guardian.

LSIC hopes to make people aware, however, that there is an alternative to submitting yourself to this random process. LSIC, working in conjunction with the James City County Board of Directors, is working on a program with guardianships, to give people the knowledge of their rights as elderly citizens as well as make the legal system and its students aware of the need for education and assistance to the elderly.

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**Gentlemen, Start Your Coughs**

by Lisa M. Leber

From 6 p.m. October 27 until 6 p.m. Saturday, October 28, the law school community will once again have the opportunity to participate in the annual "Walk-A-Thon," atop the naugahyde comfort of the law school lobby, raising money for local eating establishments. To participate, teams sign up with Alice Twiford (2L) and will work during the summer in types of activities including (but not limited to) playing guitars, singing the blues, viewing videos, and contempting the legal system as it relates to societal expectations of justice and fairness (just kidding).

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**Nautilus**

continued from page 5

and request a complaint form. Consumers may call the Division, which is located in Richmond or write to P.O. Box 1163, Richmond, VA 23209. Complete and return the complaint form, along with a copy of the membership contract from the health spa and proof of payment. If one does not have any of these, the Consumer Affairs office said that "a copy of one's membership card is sufficient". Once received, an investigator will be assigned to the complaint and will determine a further course of action.

According to the Consumer Affairs Office complaints have already been filed and the office is now conducting an investigation. The office would not comment on how far the investigation has proceeded or how long it would take to refund money, if that is the appropriate course of action. Although the investigation has already commenced, it is essential to file your personal complaint in order to get money back. Upon completion of the investigation, the Division of Consumer Affairs will cash the health spa's surety bond and ensure that the amount available and the unused portion of the contract.
Roadhouse Rock & Roll
Releases from Webb Wilder and Beat Farmers

by Tom Brooke

Bar bands. Groups playing traditional blues-based rock and roll, rock-a-billy and good-time, foot-stomping music. In almost every city, good-sized town, and larger university or college, you can find these bands imitating every chord and riff that Chuck Berry, Elvis and other pioneers of rock put on vinyl. These modern day troubadours are often on the verge of financial ruin, traveling in beat-up old vans and using battered second-hand equipment. Worst of all, no matter how good they sound in a beer joint or the occasional small concert hall, studio recordings always seem to come out dull, lifeless and trite.

Occasionally some of these road musicians graduate from the circuit. Bruce Springsteen played up and down the East Coast in a number of bands, including one Richmond-based outfit called Steel Mill, before landing his recording contract. George Thorogood spent many an evening playing to beer-soaked crowds in tiny taverns and jam-packed bars before becoming an MTV video star. Williamsburg's own Bruce Hornsby spent several years on both coasts looking for a break.

Two acts on the threshold of stardom released new albums this summer: San Diego's Beat Farmers and Nashville's Webb Wilder. Both managed to capture the intensity and excitement of a live show on record. What sets these performers apart is the creativity and originality of their songwriting.

Webb Wilder's second release, Hybrid Vigor, is a quote from a recent novel by Southern writer T.R. Pearson. Like the album, the book is a collection of stories and fables, laced with humor and a moral or two. However, the lyrics are set to hard-edged, straight-ahead rock and roll. Wilder's crack band, the Beanteeks lay down a full sound featuring knife-like guitar solos and an infectious beat. One of the best tunes in the album is the title track, chronicles the life of a circus performer while urging the listener to relax and live a little.

Wilder has a fine wit, but his approach is generally subtle and relaxed. He does not hit you over the head with his humor. A fine example is the Webb Wilder credo, "Work Hard, Rock Hard, Eat Hard, Sleep Hard, Grow Big, Wear Glasses. If You Need 'em," which graces the record jacket and CD cover.

On the other hand, The Beat Farmers' approach is completely different, live or recorded. Their fourth full-length album, Poor and Famous, includes many compositions of a sensitive nature, such as "King of Sleaze." This little ditty, co-written by the group's drummer, Country Dick Montana and his former protege, Mojo Nixon, contains this memorable line: "I start each day with a bottle of Ripple, Hell, I'm the guy that poured you your Ripple.

These guys come across as off-beat and rowdy on record, but in concert they're totally outrageous. On their sixth song or seventh song, Country Dick drags his "6"s" frame from out behind the drum kit, Budweiser in hand, to sing lead and occasionally play accordion in his own inimitable fashion. His low growling voice and his threatening demeanor make him the archetypical bar band performer.

But the Beat Farmers are not a comedy show or a novelty act. On the contrary, Country Dick and his two guitarists, Joey Harris and Jerry Raney, are talented singers and songwriters. Their compositions combine the heartbeat and feel of country music with the power of rock and roll. However, even the saddest of songs might contain a joke or two. "Hideaway" begins as a standard tale of loss and desperation, but watch out for the final teary-eyed chorus strike an odd chord: "But you could be my hideaway, And I could be your tidybowl man.

Top 40 trends come and go and stars rise and fall, but there will always be bands playing the twelve bar blues, dreaming of stardom and going nowhere. Webb Wilder and the Beat Farmers are two acts that have the talent to break the mold.

Burns Seeks Atomic Truth

TRUTH AND HEISENBERG'S UNCERTAINTY PRINCIPLE: THE QUANTUM MECHANICS OF JUSTICE
by Darren Burns

Right and wrong and bad must exist. And all other manifestations appear in force every day. And for all intents and purposes, it will be our jobs as advocates, legislators, and judges, as humanity educates people, to reconcile these different forces in order to arrive at the right answer. And toward this end, the following proposition is offered: that the fundamental matter of justice is truth, just as the fundamental matter of physics is the subatomic particle.

But can we find truth as easily as those atoms? Can we

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have mass and matter might behave like light a new age of the impossible becoming possible.

To get a handle on justice in our modern world full of apparent contradiction, it may be appropriate to take a look at some of the new era of achieving justice, in a way that we use a group effort that incorporates individual views of the truth. That group is called the physicist.

Heisenberg, who was the first to say or encourage this century by developing quantum mechanics theory -- a bold and unverifying jump toward uncertainty. This jump ushered in an engine in which light might
Burns
continued from page 8
And grasping for photons of truth is better than not reaching for anything at all.

Were we all judges, each of us would be at his or her electron microscope of values trying in vain to spot truth, hoping to turn to everyone else around us, and say, "Come look at this, I've located it." Intrigued in the beginning, others would come running to see. No doubt, this possibility that truth might be cleanly framed would excite the judge in all of us. To know Truth, Grand indeed. Each would return with renewed energy to his scope and try to duplicate the results, locate some truth for himself.

But this is not how truth should be considered. To subject its possibilities to the dogged application of the classical scientific method is to ignore its rich possibilities. Electrons, positrons, and light itself are not simply products of variables and constants. Neither is truth. The photograph of its image in the microscope would show nothing, or at best a fleeting shadow of something evanescent and energized as its wavelength (color) and position. Truth is as "basic" as the electron, for it infinitely exists in everything. However, like an electron, truth is also infinitely minute and sensitive to everything it contacts, so knowing it cannot come from isolating it, recording it, and publishing it like the newest data on radioactive decay.

Heisenberg's uncertainty principle hits at the heart of the classical need to know with precision. We now realize that electrons, the fundamental building blocks of physical existence, sometimes seem like solid particles, as tangible as our skin and bones. Yet at other times electrons are like light with wavelength and color, as evanescent and energized as the sun or the human spirit. Such dual nature has forced scientists to recognize the power of probabilities over untenable certainties. In the same way lawyers can proudly pursue justice without ever grabbing hold of its underlying truths. If we really want to make just laws and take just positions on laws and make just decisions with laws, we must believe in the strength of our estimates and not be discouraged or cynical about our natural imprecision.

What is truth? is a question for which we never have the definitive answer. We can only imagine and believe in its probabilities. But this essay should not be taken as a paean to philosophical relativism, because Truth is not only what each of us wants it to be. Rather, for us as a society, for us as a species, the truth is to be approached from every side, from as many perspectives as there are people. Each must believe that his or her sense of true justice, his or her microscope (or "filter") of values, will add to the justice that others should aspire to. This confidence gives energy and integrity to the search.

Our innate values and shared human-ness will at least put us in the ballpark as a group. Then, as individuals, we must refine as we question and accept, and then challenge again, the appearances of our world. That is how we will come to learn and practice justice. We can't just copy it off the blackboard in Room 119. (The author gratefully acknowledges the eleventh-hour surgery performed by Ms. Francis and Mr. Elder.)

TOP FIVE REASONS TO CALL DOMINO'S PIZZA:

#5 It's simple. (No cans to open, no pots to stir, no dirty plates to hide under the couch.)

#4 It's affordable. (You'll have enough money left over to do laundry.)

#3 It's nutritious. (Pizza just like mom used to order.)

#2 It's good exercise. (Gets those dialing muscles in shape.)

#1 It's necessary. ("I think, therefore I need pizza.")
Empirical testing by an experienced team of licensed professionals has confirmed the truth of what we have all suspected. There is an insidious, infectious bug going around the law school. This team has detected cultures of the bug on campus, at the Grad Thing and in popular repartee sites about town. But more shocking than the abundance of the cultures are the manifest symptoms: brilliant crystal-like growths appear on certain fingers of female victims; dreamy gazes afflict both sexes and are posited to cause disruption of clear vision and perhaps even an impairment of acute thought processes.

The symptoms are visible to the naked eye; therefore, the researchers involved in the preparation of this report do not equivocate in their decision to publish the up-to-the-minute compilation of afflicted persons.

We do not intend to cause alarm. However, we would be less than honest and would undoubtedly be shirking our professional responsibilities if we did not advise that the symptoms are serious and typically remain with the victim throughout his or her natural life.

Included in this report, please find a comprehensive list of known and confirmed victims, a list of persons known to be "at risk," certain tips to assist victims in coping with their condition, the ingredients of a dish known to cause cultivation of the bug and finally, for those masochists, certain activities which are known to bring the condition on.

**U-Match-Em**

Cynthia Accione  
Clare Bruni  
some undergrad babe  
Karen Colmie  
Sheri Cox  
Liz Besio  
Dr. Deb  
Wild Hampton reporter  
Laura Lee Garrett  
UVa grad  
Beth Meinicke  
Patty Jennings  
Jeanne Swanick  
DC law babe  
his aloof heartthrob  
(at Tamara)  
some undergrad babe  
Laura Ogden  
the woman who kicked Jan out  
Ingrid Olson  
former undergrad babe  
Meg Hopkins  
Patty Lucas  
Leigh Repco  
Pat Rogers  
Heidi Wilson  
Jerome Self  
college sweetheart  
from Midwest  
some unknown woman  
some unknown woman  
some unknown woman  
Clay Campbell  
Steve Wood  
Greg Williams  
class of '89 alum  
W & M professor  
Mark Taylor ('89)  
Rodney Willett  
class of '88 alum  
high school wrestling coach  
Mr. Stackhouse  
Jarrett Arp  
Andrew Livingston  
Rob Garnier  
Russ Basch  
former Wailing Cat  
Scott Ollar  
Tim Murphy  
Scooter  
Mike Maddox  
Mike Fuchs  
Mr. Heckleman  
Bart Boodee  
Steve Lauer  
another '88 alum  
Gerard Toohey  
Howard Jacobs  
Mike Grattan  
Marcus Welby  
John Vollino  
Gene Elder

**Predictions** (subject to change after holiday recess)

Tara Reilly, Mark Hedberg, Karin Horwatt, Cheshire l’Anson, Will Murphy, M.L. Nawrocki, Kevin Clines, Jim Ropelowski, Anne-Marie Shaia, Owen Wilson, Linda Boggs, Sety Chang, Carolyn Hanson, John Fendié, Martha Leary, Angela Bishop, Kim Chastain, Jim Reynolds, Megan Poldy, Jeanne Burube, Anne Wesley, Alan McDowell, Brenda Williams, Scott Finkelstein, Caryl Lazzaro, Jenna Hoffman, Rob Chappell, Pat Allen, Jeff Craig, Ken Hale, Tom Scodal, Dave Aikinson, South Paterson, Sylvie Derleyon, Monica Taylor, Mike Flannery, Tina Atruy, Andy Conlin, B.J. McGee, Frank LaRufa, Tina Smith, Stephanie Burks, Amy Lapiere, Anne Bowling, Mark Painé, John Robinson, Claudia Barnes, Martha Pampa, Maribeth Baroody, Adrian Nelson, Carolyn Signorelli, Dave Ziemer.

"How to" get the "I do" in 5 easy steps:

1. Make a timetable.
2. Read etiquette books.
3. Cruise highschool cheerleader.
4. Shower.
5. Have Faye Shealy screen applicants.

10 Tips for Better Sex:

1. Make a timetable.
2. Read smut (or the Advocate).
3. Do it with each other now and then.
4. Have a fresh roll of film.
5. Lock the door to the cubbyhole.
6. Have an aphrodisiac omelette.
7. Ask George Leedom.
8. Have a fresh roll of film.
9. Engage in gay abandon in the typifying carrel.
10. Make sure it's not raining before climbing out on the roof.

**Law School Aphrodisiac Omelette**

4 eggs  
10 dozen oysters  
6-track recording of Marvin Gaye's "Sexual Healing"  
magnum of Dom Perignon (or one bucket of Grad Thing beer)  
one bag green M & M's from vending machine  
(beware of ants)  
pinch of rose petals  
copy of 819 F 2d 451  
Love Potion #9  
virgin olive oil to taste

Mix above. Pour into sizzling fry pan. Sauté briefly then flambee. Consume under full moon by candlelight. Enjoy with others. Serves 2-6, depending on appetite.
by Anne Wesley & Cathie Ansprecher [with a little help from John Fending]

Red Sovine Would Have Been Proud

Ever get a bug up your butt to take a road trip? Well we did. And now you have to read a gratuitous article about it.

The trip basically evolved from a doubledate dare. Late on Friday night John was whining for a road trip to his Dartmouth alma mater. Anne was used to his constant stivelving for unconsummated road trips and called his bluff by agreeing to leave right then. When John balked at the trip due to "nothing happening at Dartmouth right now", Anne grabbed a road map, and with a little help from Rand McNally, the final destination was selected: Niagara Falls. (Note: This is not to be taken as an attempt to jump on the engagement bandwagon).

By the end our journey, John, Anne, Cathie and an inflatable cow named Bossie had travelled over 1700 miles in 56 hours, crossed four states and a province, accumulated enough backseat food refuse to shame Mount Trashmore and yet returned with two hours to spare before the most difficult leg of the road trip - an hour and fifteen of T & E.

Here's how it happened:

Friday, approximately 7:00 pm: Anne and John try to convince a hesitant Cathie that her life will be complete upon viewing Niagara Falls. Cathie agreed, only after being reassured that yes, she can blue book in the car.

Although Charles Fincher is invited to participate, pressing RA duties prevent him from leaving Williamsburg, in case there are graduate student noses to be wiped at Ludwell.

Bossie, the inflatable cow, offered no protest, but she did appear tansillated at the prospect of being a goodwill ambassador for Virginia dairy products.

8:49 pm: On the road at last! Staring down I-66, we are each engrossed in our own reveries. John feels festive. He's apprehensive that he'll be hungry since he only has six minutes to last until tomorrow morning. Anne has been suffering from food stupors for over twenty minutes, but she is excited about the possibility of finding an Amish ben pub as we drive through Pennsylvania. Cathie thinks there will be a lot of single men in Niagara Falls and will import one of them as a Fall from Grace date. Bossie's not saying much because she's been deflated and shoved in the trunk and is looking awfully flaccid.

11:15 pm: Maryland. We stop in a Dunkin' Donuts because John ate his mints. John tried a Brownie on a Stick, which was promptly discarded on the Beltway (under penalty of $500 fine for dumping hazardous material).

11:00 am: Chautauqua, NY. This quaint town located on Lake Chautauqua is a summer bastion of artysarty liberals. [We recommend it as a honeymoon spot for the Tooby newlyweds.] The town features a landscaped, scale model of the Holy Land complete with rivers and mountains. Unfortunately, Mount Herman was a little slick that morning, and Anne was nearly rebaptized in the River Jordan.

Tuesday, 8:48 am: Elmina, NY. This town was Mark Twain's last home, and they haven't missed a single opportunity to capitalize on it commercially. It appears that a local custom exists calling for every wizened and grubby old man to round the streets of Elmina from dusk until dawn.

11:00 pm: Toronto, Canada. Gorgeous city!! Our reserved hotel was hosting "Gratitude '89", a convention for Gays and Lesbians who were members of Alcoholics Anonymous. Go figure.

Monday, 3:32 am: King's Dominion, VA. The most well bathroom in all of North America can be found at the Virginia Travel Plaza. Do not sit down.

Sunday, 10:00 am: Travelling to the top of the CN tower, the world's tallest building, afforded us a view of the closed Sky Dome, where the Blue Jays would never know.

Loves me, loves me not.

SUNDAY, NOVEMBER 27, 1988

PERSONALS

Need a spine? Call 229-6868.

Clay Campbell: Check out the ready-for-prime-time printer in # 238.


Irving Brilliant: Please call home. Mrs. Surowitz.


Found: Diamond Jim. Please claim reward regardless of intent.

New available for commercial endorsements: Lady Duff-Gordon.

Wanted: One law librarian. Must come with leath long enough to reach administrative offices. Loving couple seeking to adopt fertile octogenarian. Please contact via Personals.

Lines from Liz

by Liz Newbill

1. Before an interview, go to the restroom and wash your hands in warm water; it prevents the cold and clammy handshake of death.

2. Before making a speech, presentation, etc., take the lemon wedge cut off your iced tea glass and give it a chomp -- something about the sourness of the lemon makes you enunciate more clearly; don't know why, but it works.

3. When reheating pizza in the nuclear box, if you cover it (the pizza) with a damp paper towel, the bread won't get as rock-like.
SPORTS

International Shoe
Kicks Around
by Pele, sports correspondent

Two weeks ago in Guatemala City, the United States national soccer team battled the Guatemalan national team, trying for quality for a spot in 1990 World Cup play. Closer to home, the West Virginia Marauders' "football" clubs battled each other for bragging rights in the Williamsburg City League.

Under the lights on Quarterpark Field just behind the famous Quarterpark Inn on Route 60, International Shoe #1 (1-1-0) confronted a strong and hungry International Shoe #2 team (0-2-0) in search of their first win of the season. It was classic against classic, advocate against advocate, friend against friend in what promised to be an electric hour.

With two quick decisive goals with second-year standout Kurt "the Hammer" Anzini, weekly defensive sensation Pete "Jerry Garcia" Fay had yet another routine homer as "Diner" helped his own cause with two sacrifice RBIs and a run scored from third after walking to first. Pete "Jerry Garcia" Jordan's enormous fielding contribution was also highly notable.

That afternoon as six team members took a sacred cut from Trial Ad to make the game. One player sorely missed was Jeff "Ihaha" Middlebrook."I know we brought in the victory anyway - but I really missed Jeff's hands out there on the field. I mean, I mean we, I mean all of us really could have used his hands out there. He's got incredible hands."

A fright overtook the Spaulding bench with the threat of Mike "Coach" Miller heading for the injured reserve list. "Coach" slid into home under the tag to drive in three runs in the fourth. "If I would've stood up, I would've been out. I made the sacrifice; hook, slide, safe," portends Mike. "Coach" suffered multiple lacerations to the upper right fibula.

He is resting comfortably and will be attending the games. Larry "Pete" O'Keefe, Jan Brown and Mau Pullen.

Running on momentum in this game of inches, the 'Beasts flattened '29 even though the umpires were in the same fraternity as the players. The 'Beasts retained their perfect sportsmanship rating, despite Mychal Schulte's pointed inquiries into the eyesight and lineage of the umpires. An anticlimactic forfeit in the last game gave the 'Beasts their 4-0 season and propelled them into the playoffs.

Steve Gerber is excited about the Wildbeasts' playoff prospects. "We play a hard-nosed, in-the-dirt type of softball. We're lovehams and liftakers, and we give no quarter. Come out and see us take the crown."

Wythe Wildebeast Softball
by Peter Kay

They came expecting law students to be cynical particles, but the bleachers faced guys, unable to put down their cigarettes, let alone swing a bat. They left as losers, systematically disemboweling the mighty #1 softball squad, the Wythe Wildebeasts. The "Beasts completed the season with three impressive comeback victories, finishing the only undefeated team (4-0) in "B" league play.

Under the lights, the questionably named "Fellers" succumbed early to "Beasts" with two quick decisive goals scored by Cline's and former Virginia star Kirstin Lindberg. As the half ended, Shoe #2 led 2-0.

With 30 minutes of soccer left to play and no time to rest, veteran Guard Steve "Diner" George Leedow and Jeff Middlebrook decided to force Mike "Head-Market" Tillson to pitch to him: "take your own pitch" they said, "make him give you your ball" they said, "wait on a fat one" they said. The umpire called, "strike three."

A mild come-back effort brought the final to a semi-respectable 7-9, but it was not enough to thrill the small crowd of Spaulding supporters who came out to witness the defeat. (We really appreciate you showing up and we really didn't expect it.)

Team Spaulding enters the play-offs with a sister-kissing two and two record. However, hopes, if not BAC's, remain high. Captain Mike "Coach" Miller espouses his teams optimism. "It's a simple game: You throw, you catch, you hit, you run, you drink. We've won half of our games with only one-fifth of our fundamentals."