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**AMICUS CURIAE**

MARSHALL-WYTHE SCHOOL OF LAW

America's First Law School

VOLUME IV, ISSUE ELEVEN

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SIXTEEN PAGES

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**‘Family’ still undefined after heated symposium**

By LULIT MILLION

A symposium entitled, “Defining Family: Gay, Lesbian, and the Meaning of Family,” drew an intensively divided crowd of more than 400 people to the University Center auditorium on March 24. The symposium was sponsored by the Student Division of the Institute of Bill of Rights Law. Congressman Barney Frank, the planned keynote speaker, was unable to attend due to a late-running session in the House of Representatives. Instead, Beatrice Dohrn, legal director of Lambda Legal Defense and Education Fund, gave the keynote address.

Dohrn asked the audience, “Why should we need to define family?” She stated that it is the traditional conception of family that elicits the notion that children must live with a man and a woman.

“Where we refer to ‘traditional family,’ the context of discussions like this, we are really talking about the difference between a majority and minority,” said Dohrn. Dohrn challenged the fact that some families are protected and supported while others are not. She argued that this should be especially troubling to lawyers because it represents a tyranny of the majority.

“What is it that is so difficult about acknowledging the differences among us?” asked Dohrn. “There have always been and will continue to be homeless and families... The option to ignore this family form is gone, so let’s talk about it,” she said.

Moderated by Professor Rodney Smolla, a panel of professors, including Neal Katyal, a law professor at Virginia Tech, and John Cooper, a law professor at American University, was set up to address the question of what the definition of family is and why it is important.

Judicial Council releases proposed Honor Code changes

By PAULA HANNAFORD

After two years of public debate and many interim drafts, the Judicial Council released its proposed Honor Code amendments to the M-W community on Mar. 23 at an unusually attended open forum.

The low attendance was attributed to the number of other law school activities occurring on that day, including the lecture by Virginia senatorial candidate Oliver North. Copies of the proposed changes are on reserve at the law library.

“The proposed Honor Code changes are the product of a lot of painstaking and thoughtful discussion,” said Fred Jacob (3L), who chaired the Judicial Council subcommittee that drafted the amendments.

The most important thing to that we will make the Council more representative, more focused in its goals, more fair and open.”

North takes responsibility for mistakes; toes party line

Less government, lower taxes, and more “traditional” family values

By NINA HVAL

Lieutenant Colonel Oliver L. North acknowledged that he has made mistakes and didn’t “want to defend anything” he has done to a more than packed-to-capacity crowd on March 23. While taking responsibility for those mistakes, he failed to specify what those mistakes were.

“I acknowledge my mistakes and blame no one else for them except myself. Sometimes, the toughest choices are those between bad and worse—involuntary and in the White House,” said North.

Some members of the audience suggested that those mistakes might include lying to the United States Congress during sworn testimony. North agreed with that interpretation, yet thought it was ironic that he is now running against economist Jim Miller for a seat in United States Senate.

In defending himself, North said that he was the first person in history to testify before Congress for six days on national television. According to North, the press

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SOUTHL

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- Restaurant reviewer has the ultimate experience. Page 10.
- Quick, sneaky French art exhibit inspires law student. Page 11.
Out Of Our Heads

The Bill of Rights Symposium, "Defining the Family: Gays, Lesbians and the Meaning of Family," proved to be the most controversial, fervent, and well-attended discussion in recent M-W history. March 24 was not a sight for the apathy that generally pervades this community. The usually sleepy population of Williamsburg came out in droves for the debate held at the new University Center.

The shock for the majority of law students was the amount of homophobic hostility and general ignorance expressed by the Regent Law School students who attended the Symposium to cheer on Herb Titus, the former Regent dean and champion of the anti-gay crusade. (Titus was dismissed from the Regent deanship supposedly for his extremist right-wing views.) While well aware that William & Mary is located in the Bible Belt, Marshall-Wythe students were surprised by the Regent students' passion and ignorance at the event.

Once the question-and-answer portion of the evening was underway, the ignorance displayed by these students about the sexual behavior of gays and lesbians was truly appalling. The sheer number of questions about how it can be proved that they are not unnatural or simply sick, the fear of contact, the fear of disease, the fear of losing control, and the fear of the unknown were all prevalent. The shock for the majority of law students was the amount of hatred and anti-gay sentiment that these students expressed.

It is truly unfortunate that what should have been an open and enlightening discussion about equal protection and respect for the rights of others so quickly and easily degenerated into a shouting match reflecting the narrow-mindedness of the Religious Right. The law school in general, and the Student Division of the Bill of Rights Institute in particular, deserve many kudos for sponsoring the event. It is rarely understood that what should have been an open and enlightening discussion about equal protection and respect for the rights of others so quickly and easily degenerated into a shouting match reflecting the narrow-mindedness of the Religious Right.

Over the past two years, the substantive and procedural work under the M-W Honor Code have become all too apparent to this community. At least two Honor Code trials were held with less-than-satisfactory results for the participants involved. The Kroner and Short trials, as well as other Judicial Council hearings, clearly demonstrated the need to clarify Honor Code terms, streamline trial procedures, and ensure procedural fairness for participants in such adjudications.

To the editor: Recently, Darby Reed, President of the Lesbian and Gay Student Association, informed me that his organization's space on the Student Activities Board had been defaced and vandalized. To think that a law student at Marshall-Wythe may have possibly done this to both offend and encourage others to bully is an outlandish thought.  

I was compelled to testify at the Congressional hearing... Charged with protecting my family against AIDS!... Then they dropped all charges again... So I should be your President!  

The shock for the majority of law students was the amount of hatred and anti-gay sentiment that these students expressed.
By JON SHELDON

Do hate-crime statutes restrict speech and thought, or do they only punish conduct? This was the essential question posed by Jonathan Koenig (2L) to the participants in a debate on hate-crime legislation held March 23.


Rabkin was remembered by some in the audience for his spirited participation here last year in the Bill of Rights symposium on civil rights. Those hoping to see more zealous debate were not disappointed.

The debate centered on the desirability and constitutionality of statutes that enhance penalties for criminals who choose their victims based on race, national origin, religious belief, or sexual orientation.

The focal point was the 1993 Supreme Court decision Wisconsin v. Mitchell, which forbade prosecution of a white racist for his involvement in the "Mississippi Burning" with his friends. "Do you all feel bolder to move up on some white people?" When a white managerial group approached the group, they severely beat him. Mitchell was convicted of aggravated battery and sentenced to two years in jail; however, under Wisconsin's hate crime statute Mitchell's sentence was increased to seven years in jail.

Rabkin was animod and energetic, arguing that while distinguishing between different mental states is useful, distinguishing between different motives is ineffectual. Moreover, no moral foundation exists for the distinctions between motives and actions. Further changing our society morally adrift, he asserted.

The debate began with Rabkin pointing out that traditionally criminal law has been concerned with proving intent and not motive. It is invaluable for the criminal law to make distinctions between insincerence and dehaste, but it gives little purpose to distinguish between individual violent crimes once intent is shown.

Does it make sense to ask whether someone was "motivated to do crime for a bad reason or for a good reason?" asked Rabkin. He then pointed a hypothetical asking whether it would make sense to give a greater punishment to someone who shoplifts for a bad motive than someone who shoplifts for a good motive?

Rabkin pointed out the Wisconsin court gave two years for the violent crime, and five years more because the defendant had a prior record kind of hate. Motive, he said, should not count two-and-a-half times the violence.

Rabkin also disagreed with the Supreme Court's characterization ofMitchell's case about action and not speech. And if society decided that distinguishing between motives was worthwhile, Rabkin asked, would we now examine books read by criminals, movies seen, and words they have spoken in the past to discern a bad motive?

Rabkin said, would have a chilling effect on free speech. The limited bad motives, moreover, are an arbitrary underinclusive list of hate speech.

However, Rabkin said that the damage to First Amendment jurisprudence was the least of his worries. His real concern was the lack of moral foundation in this policy. Rabkin noted that this case is interesting because it divided the reasons of civil liberties and civil rights, preserving the Court with a choice between freedom and equality.

Rabkin was animated and subdued and academic manner, pointing out the issues raised by Smolla. He explained that the characterizing of positions as liberal or conservative is not useful because of the diversity of opinions within each movement.

Smolla pointed out that the flag burning case, Texas v. Johnson, pitted conservative argument against liberals.

Smolla argued using statues to punish some action were hardly was perfectly consonant with many things we do in the law, and gave examples found in the Fourteenth Amendment, fair housing, torts, and criminal law.

The Fourteenth Amendment, for example, prohibits some advice allowable action solely if the state action with improper

See HATE, page 7

Sullivan calls budget an "affirmation of higher education"

By SHELLEY EVANS

In sharp contrast to the last budget meeting two-and-a-half months ago, President Sullivan emerged "delighted" with the General Assembly's budget proposal for March 1.

Sullivan hailed it as "the first budget in five years that increases the amount of tax dollars going to higher education. The budget reduces the annual tax on higher education generally and to the quality of W&M specifically."

The most positive element in the proposed budget was the cap on tuition increases. That limit reflects the intent of the General Assembly to limit tuition increases to 5 percent per year for in-state students and 7.5 percent for out-of-state students. The increases are due to inflation.

Sullivan expressed a concern that attending this institution had become impossible for the average Virginian. A limit on increases allows the College to control tuition increases.

Once the main changes into budget was the essential stipulations of the tuition transfers. This one would have removed tax money from W&M and sent it to other institutions. Thus, money from the College would be used to pay for improvements at other universities.

In order to pay for this transfer of funds, the College would be forced to raise tuition at a rate higher than inflation. The Assembly's reaction of the transfer tax return 100 percent of the money taken away by the Wilder budget. Money saved from the tuition tax transfer will go to classrooms in the Arts and Sciences department, technology advancements, and the program's applied sciences and part-time accelerator in Newport News. Approximately 95 percent of funding was removed from the funding of the Research Centers. This amount to a total of $200,000 per year.

This money will be divided three ways between the Institutes of the Bill of Rights, the Institute of Early American History and Culture and the Bureau of Business Research.

Other major budget issues were faculty salaries, capital outlay, higher education restructuring and a proposed decentralization plan. Faculty salaries will be increased by 3.4 percent in 1994-95 and by 2.25 percent in 1995-96.

Capitaloutlay includes a general fund to purchase Telecommunication equipment such as the built-in gardens in the science facility and Rogers Hall expansion from the non-general fund. Higher education restructuring will provide quality of education in different ways. At this point, no funds will be withheld for the restructuring by the College.

The proposed decentralization will provide greater flexibility and freedom for the College to make decisions on how to use money. Funds for decentralization will provide pilot programs and administrative units such as accounting and personnel.

The College would be one of four institutions that would be allowed to operate more independently from state mandates. The other colleges are the University of Virginia, Virginia Tech, and George Mason. This policy is an important norm around the Wilder budget and means increased decentralization.

This budget was passed through both houses of the General Assembly. The next meeting is in April. Traditionally there have been no wholesale changes in the budget bill since it has passed both houses.

With a different atmosphere in Richmond, Sullivan summed up that these positive trends will continue.
Understanding the defense of Battered Women’s Syndrome

By MARY BETH DINGELBY

When most people think of the Lorena Bobbitt trial, the first thing that comes to mind is the surgical procedure that Bobbitt performed on her husband. But there was more to the trial than just a sensationalized drama on CNN. Many view Lorena Bobbitt’s acquittal not just as a personal victory, but also as a victory for the thousands of women nationwide who are victims of spousal abuse. By allowing an expert to testify about the effects of Battered Women’s Syndrome, the Manassas court gave credence to a condition that has long been held in the dark.

On March 20, the Mary & William Society presented a discussion on Battered Women’s Syndrome. Kate McCord of Avalon Shelter Women’s Holler and Willa Fay McKenna, a local attorney, spoke to a group of approximately 25 students in a lecture that included statistics and its use as a defense in criminal law.

Avalon also explained the cycle of violence, its systematic infliction of psychological trauma, the woman believes that all of the insults her abuser hurl at her are true. The man’s control of every aspect of her life has deprived her of the self-identity that could bring her sense of reality. Most often, when the cycle ends in criminal charges, the woman is the victim. Occasionally, however, it is the woman who takes the action, as in the Bobbitt case. The problem with using Battered Women’s Syndrome as a defense in these cases is that she is not often in a “trapped” position when she finally acts. Traditionally, because there was no immediate threat to her safety, the defense was not recognized.

As a result, many victims of domestic violence were convicted for murder because they reacted too late. Faced with this injustice, some courts began to allow Battered Women’s Syndrome to be used as a defense. Many are still learning about opening up this new area, however, and even these jurisdictions which have recognized the defense are reluctant to allow experts to testify.

Currently, nine states allow expert testimony on Battered Women’s Syndrome. Other courts allow friends and neighbors to testify about what they have seen and heard. But without expert testimony, it is impossible to educate the jury about the many psychological aspects of the defense. They often cannot understand why the woman does not just leave her abuser. It is also difficult to establish self-defense when the jury is not allowed to hear evidence about the woman’s state of mind when she commits the act.

Aside from murder or other dramatic acts of violence, there are alternative means for women to break out of the domestic violence cycle. Battered women’s shelters have cropped up around the country.

In Williamsburg, Avalon Center for Women and Children provides victims with alternative living arrangements and help them establish a positive self-identity. Avalon also operates a crisis hotline, provides peer counseling and support groups, and furnishes legal information and referrals to victims of spousal abuse. If you are interested in volunteering for Avalon or obtaining more information on Battered Women’s Syndrome, please contact Kate McCord at 258-5022, or Marybeth Dingelby at 221-6144.

By STEPHEN THOMAS KING

Virginia District Court Judge Merle Renne discusses family court, judicial collapse

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Virginia District Court Judge Merle Renne of 753 generated his views on the proposed restructuring of the Virginia court system to 86-W students on March 25.

As it stands now, upon appeal from the district court the Virginia court system requires a second jury trial if requested by one party. “Virginia is very procedurally conservative,” according to Renne. The second jury trial grew out of an historical concern with the individual’s right to a jury trial.

A commission of judges, prosecutors, law professors and other members of the legal community was formed to addedit and make proposals on numerous problems in the Virginia legal system. In response to the costly appeals resulting from the second jury trial, the commission suggested allowing only one jury trial, rather than two.

“If someone wants to appeal, let them appeal to the Court of Appeals,” rather than allow a second jury trial, Renne said. In addition to the costs of a second jury trial, the delay between trials works to the detriment of justice, Renne explained, as time diminishes memories and witnesses move away.

Part of the court restructuring proposal includes the creation of family courts. These courts would deal with juvenile crimes, divorce, adoption and other family matters.

Phi Alpha Delta sponsored a talk by District Court Judge Merle Renne.

Kate McCord of the Avalon Shelter for Women and Children explains the cycle of abuse.

See JUDGE, page 12.

Monday, March 28, 1994 THE ROUND TABLE

Understanding the defense of Battered Women’s Syndrome

By MARY BETH DINGELBY

When most people think of the Lorena Bobbitt trial, the first thing that comes to mind is the surgical procedure that Bobbitt performed on her husband. But there was more to the trial than just a sensationalized drama on CNN. Many view Lorena Bobbitt’s acquittal not just as a personal victory, but also as a victory for the thousands of women nationwide who are victims of spousal abuse. By allowing an expert to testify about the effects of Battered Women’s Syndrome, the Manassas court gave credence to a condition that has long been held in the dark.

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Monday, March 28, 1994 THE VIRGINIA CORD

M-W students practice chasing ambulances in PSF race

By CAROLINE BOUTWELL

The Public Service Fund's annual 5K Ambulance Chase Road Race began with a bang on March 26, with 62 people running behind an ambulance through the William and Mary campus. The money raised by the event will be used to fund students working in unpaid public interest law positions.


Several students felt that the officials' eyes were averted, worried about a challenge from Mike Cox. Sheldon commented, "I felt like I was running in the rain, but I took care of it."

When asked about his victory, Sheldon commented, "I didn't choose not to run. It was a great day for a run."

Although 62 people ran the race, over 100 people actually registered for the run. Matt Bisnouette (2L), a race organizer, estimated that approximately $1,000 was raised for PSF, making this the most successful PSF road race yet. "I thought it was a great turnout, a lovely day, and everyone had a great time," Bisnouette said.

Several students felt that success in the race countered any success, or lack thereof, they have achieved while in law school. Doug Steinberg (2L) commented afterwards, "I didn't make Moot Court, so at least I'm in the top quarter of something."

After the race, the runners were treated to fruit and water on the Rec Center. The runners were also treated to the satisfaction of raising money for PSF. As Sheldon observed, "What a beautiful organization to participate in, with kind and beautiful people."
The arrival of Dean Krattenmaker this summer presents an important opportunity for law students. Surely we will witness many changes at M-W ranging from how the administration operates and interacts with students to what the curriculum and the law school has to offer us.

It is critical that we as students establish an interactive, cooperative relationship with Krattenmaker as soon as he begins as dean. In this way, the next academic year is an important one for us. We have the opportunity to shape the degree to which law students will be involved with the work of the new administration for years to come.

Next year the S.B.A. should be the vehicle to establish an immediate and close tie to the dean, setting a precedent for the future. The S.B.A. president should be a voice of the students to ensure that we have strong input on all decisions affecting our current at M-W, while representing all student groups, concerns, and viewpoints.

As president of the S.B.A., I would work especially hard to establish this type of cooperative relationship with the dean and the administration. Specific issues of importance include the continuing examination and modification of the curriculum, the ongoing process of amending the Honor Code, the expansion of clinical opportunities available to students (in both educational tools and methods of securing future employment), and the education of first-year students as to the contents and consequences of the Honor Code.

With an enthusiastic group of S.B.A. officers and representatives, we all can impact the future of M-W and its students—and have some fun along the way.

My name is Brooks Patten and I am running for the office of S.B.A. President. For those of you who don’t know me, I’m that spirited social chairman who has encumbered a lot of your studying time with numerous events such as weekly bar reviews in an attempt to supplement the excitement of academic life.

While the responsibilities as social chair have been a priority for me, I have also had the opportunity as S.B.A. Vice President to learn about all facets of the organization. I have dedicated a majority of my free time to the S.B.A. and if elected President, I am willing to make that same commitment for next year. Certainly it’s not much that I do in Williamsburg...)

"We’ve been very successful in getting student participation in events and programs. I would welcome the challenge of this office to obtain even more involvement next year. If elected President, I would continue to strive for more interaction between faculty and students. Another one of my objectives is for students to have a greater voice in the governance of the school in an effort to overcome some of the apathy that has been known to attack law students occasionally by generating enthusiasm and vitality in the S.B.A.

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Meet Rod Smolla

By VANESSA PETERSON

With his hands on the podium, Professor Rodney Smolla stands wearing a grey suit and a blue button tie. Blowing that custom's theme music, he states, "It's time for another Court Watch in the News with Crain Circlet reporter...

Smolla's original calling was not to academia. Recalled the Honorable Charles Clark, U.S. Court of Appeals for the Fifth Circuit, and practiced at Mayer, Brown & Platt in Chicago before entering the teaching profession.

"The story is, when I was a lawer, the managing partner called me on and said, 'You're not going to make it with those two,' and I felt I had to enter teaching in order to have an outlet to express myself," Smolla explained.

Smolla said his resources for tax were confidential, but did add that the choices he made today were not "a subject of public interest"

Before joining the M-W faculty in 1986 as the Arthur B. Hanson Professor, Smolla taught at DePaul, Illinois and American University. As a professor for 15 years, Smolla would most likely have used his students to remember him as "Tax Art.

Smolla in the author of many books including Free Speech in an Open Society, Song the Press: Life, the Media and Power: Defense: Jerry, Fay, Webb: Larry Flynt and Smolla and Nimmo on Freedom of Speech. Surprisingly, Smolla逋سرت the U.S. Supreme Court during the First Amendment was an "accident."
Meet the dean
Dean-designate Tom Krattenmaker will hold an informal get-acquainted session on March 29 at 5:30 p.m. in Room 127.

Editor needed for Journal of Environmental Law
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Parole panel discussion
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For your convenience, a shuttle bus will leave the law school at 6:30 p.m. to the University Center.

S.B.A. elections announced
The election for SBA president will take place on March 30 with polls open from 9 a.m. to 5 p.m. in the lobby. Elections for Vice President, Treasurer, Secretary and the second- and third-year class representatives will be held on April 7 at the same polling hours.

Declarations of candidacy for the April 7 elections are due by March 31 at 5 p.m. in the Judicial Council hanging file. Write-in candidates are accepted in all SBA elections. In addition to the declared candidates, any unsuccessful presidential candidate may have his or her name added to the ballot by requesting the addition in writing, to the Chief Justice of the Judicial Council within 24 hours after the results of the presidential election have been determined.

In addition to the officers' elections, 3Ls will be voting on the Constitution which are necessary to implement their proposed changes to the Honor Code.

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Writer CharlotteAllen will speak on "Family Women, Family Values" Tuesday, March 29, at 7:30 p.m. in Washington Hall 201. She is the author of "When Motherhood was for Sale" and "One Archaic Adoption Law.

Only you can make Libel Night
Libel Night will be held on April 2 at the University Center. Anyone interested in doing a skit should drop a note in the SBA hanging file or notify BrooksFame (2L) ASAP. Remember that Libel Night will be canceled without your participation.

Deadline for summer stipend applications
All 1Ls and 2Ls interested in public interest summer jobs must submit a PSF application form, a current resume, a personal statement and a letter of support from the applicant’s prospective employer by April 1. In addition, all applicants must apply for Work Study through OCPP. If you have any questions, please contact the PSF Board member.

BLSA blood drive
The Black Law Students Association (BLSA) is sponsoring a blood drive on April 12 at the National Center for State Courts from 9:30 a.m. to 3 p.m. Refreshments will be available to those who give the gift of life.

Cutler lecturer announced
Professor Thomas C. Grey, Sweitzer Professor of Law, Stanford University will present the James Gould Cutler Lecture, "Molecular Motion: The Himalayan Judge in Theories and Practice," on April 7 at 11:45 a.m. The lecture will be held in Room 127.

Richmond attorney to discuss fourth amendment
Criminal defense attorney David Baugh of Richmond will present a lecture titled "A Stupid Idea Whose Time Has Gone: An Analytical Discussion of the Ignorant Precepts of U.S. v. Leon and the Good Faith Exception," on Monday, April 11, at 12:30 p.m. in Room 124.

Baugh is a colorful and controversial attorney who has become a "legend" in Richmond legal circles for his flamboyant style and adversarial disposition in a courtroom. Baugh is a graduate of Virginia State College and Texas Southern University School of Law. He is a former Assistant United States Attorney for the Eastern District of Texas and a former president of the Richmond Criminal Bar Association.

C. S. v. Leon, 468 U.S. 897 (1984), involved a police raid in Burbank, California, based on an invalid search warrant where drug evidence was seized illegally under the Fourth Amendment. The evidence entered in violation of the Fourth Amendment was excluded from the prosecutor's case under the "good faith" exception announced by the court.

George Wythe and John Marshall Awards
April 4 at 5 p.m. is the deadline for submitting nominations for either of these awards. Faculty, administrators, staff and students are invited to make nominations of members of M-W who embody the principles of George Wythe and John Marshall through traits of character, leadership and a spirit of selfless service to the law school community.

The George Wythe Award is presented to a student; the John Marshall award is presented to a faculty member, administrator, or staff member at the Dinwiddie Ceremony. Please submit nominations to Della Harris, Dean's office, in a sealed envelope marked confidential.

News Briefs

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Judicial Council urges students to vote on Code changes

By Gretchen Korschuch

The Honor Code. The words probably prevented you from reading on. I know this because only seven members of the 300+ student body attended the March 23 public meeting on the proposed Honor Code revisions. For those of you who did not attend, the following is a summary of SOME of the most important amendments:

First-years on the Council

A proposed change is to alter the current makeup of the Judicial Council from seven 1L reps and seven 2L reps to four 1Ls, five 2Ls, and five 3Ls. If an honor trial occurs before the IL reps have been appointed, there would still be enough second- and third-year reps to conduct the trial. The maximum term limit would still be two years (four semesters).

New Officer of the School Advocate Created

One proposed alteration is to create a new "Office of the School Advocate" from which two prosecutors would be chosen to represent the School and the Code for any honor trial. Currently, the prosecutors are taken from the membership of the Council. Also, the role of the advocate/Petitioner was redefined. The new proposal includes a duty to zealously advocate for the Code and conviction. In the past, the role was more neutral.

The "prox" separation from the Judicial Council avoids the appearance of impropriety, so that a "pro" is more likely to be a defense counselor's random advocate, and greater student involvement.

The "cons" greater student involvement may lead to increased risk of disclosure of confidential information, and the system works fine now—why change?

Reducing the Standard for Confirmation

Currently, before someone confesses a person believed to be in violation of the Honor Code, that person must believe in good faith that an Honor Code violation has occurred. The proposed change would allow enforcement if the person has a good faith basis to believe that an Honor Code violation may have occurred.

The "pros" make it easier for the accuser to determine that the accused actually committed a violation, and the Code is strengthened because more students take it upon themselves to confront.

The "cons" a possibility that more students will be accused. Changing the Definition of Knowledgeable

There are many sections of the Honor Code which rely on a standard of interest that has not been clearly defined. Our standard of interest is "knowledge.

A Note on the Confrontation Clause

Changing the Definition of Knowledgeable

For others it's a last-ditch effort to go for a long time? And why, if I have the gopher server is not wait-statIfor rodents.

"Infobahn."

The gopher server is easily accessible. For others it's a last-ditch effort to get onto the so-called information system that we used to use for e-mail and gopher service. No, a government and leading research organizations are using the Internet truly spans the globe, and the latest and greatest is not, as one might fear, either rigidly or without the social skills to live in the "real" world. A whole new form of communication is coming into being as a result of that.

Don't believe me? Look around you. Get your eyes to meet my eyes. You see me... The picture. For those more interested in the legal issues, there are seven legal databases on the net. Legal issues, there are several guides, a catalog of the Library of Congress and how to use it, and how easy it is to get to all of it, but I'm just not sure what it means to know really.

One of the most striking features of the net, one that is currently organized (and one that suits my inclinations nicely) is that everybody is given the right to access information on the net, and that suits my inclinations nicely. The Internet truly spans the globe, and it's all free. There is, from a monetary point of view, no charge for accessing the "net". There is, from a monetary point of view, no charge to any user of the net, and that suits my inclinations nicely.

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Farrington House Restaurant: the perfect lovers’ getaway

By JANET BRECKENRIDGE

In honor of this past Valentine’s Day, my fiancé, Will, and I took a trip down South to the Chapel Hill, N.C., area. We spent the night and dined at The Fearrington House Restaurant, located between Chapel Hill and Pittsboro on US 15-501. The Fearrington House is a 14-room inn modeled after European country inns, and is a member of the international Relais & Chateaux chain of luxury resorts.

I was really excited about the prospect of spending the night in an old farmhouse that had been renovated and outfitted with all the modern conveniences. So, I was a little disappointed to find that the “fee” part of the Fearrington House name was a bit of a trick. My disappointment quickly vanished after Will took a good look at our room. It was sumptuously decorated with beautiful fabrics and antique furniture. The décor was elegantly country, but was neither overdone nor boring. It had a spacious, country-chic feel with a wonderful down comforter. The TV and sound systems were state-of-the-art. The bathroom was as large as a small bedroom, and featured a large, oval-shaped, two-person tub and a heated towel rack. Nothing to say, the rate was fairly steep at $175 per night. We paid only $135 because when we made our reservation, the owners were renting one “economy” room and they were good enough to honor the lower price. They no longer offer an economy room, and the rates are now $150 for a standard room with a queen or double bed, $190 for a deluxe room which is larger than the standard room and has a sitting area, and $250 for the suite with a sitting room and a spacious sitting room.

As much as we enjoyed our room, the true highlight of the evening was the dining. The Fearrington House Restaurant is located in the original Fearrington family home built in 1927. The restaurant is a collection of small dining rooms, including two glassed-in porches. We were first seated in the lounge (originally the living room) while we waited for our table. The food, including two upside-down cakes on a small plate, served lemon sorbet to cleanse our palates. This is definitely a meal to get away a loved one. The service was exceptional, although it was also kind of overwhelming. After eating a huge main course, we hardly had any appetizers left for dessert. Desserts included cashew ice cream, chocolate nut clusters with our coffee as a finishing touch.

After our first course, we were served lemon sorbet to cleanse our palates. This is definitely the perfect dessert I’ve ever tasted, it was like heaven. I am convinced it contained better due to its rich taste. At this point, I switched to a different wine that would better complement my meal. The wine steward suggested a Chardonnay from the Sanford Vineyard in Santa Barbara County, California. This was another great wine choice. It had a clean flavor and a buttery texture. For the second course, we selected the roast lamb tenderloin with vegetables and accompanied by steamed asparagus. The lamb was good, and the sauce was wonderfully sweet and tangy. The asparagus was cooked at its peak, and the sauce was rich in flavor. We then ordered the main course, beef tenderloin with fresh corn and sage. Our meal was gorgeous, and this was a great tasting combination. I enjoyed it so much I ate everything including the rice paper cup which is similar to the shell in which the sauce is served but lighter, and not nearly as greasy. Now for the one piece de resistance-dessert. In honor of Valentine’s Day, the chef had prepared a special medal of chocolate medallions. The medallions consisted of chocolate souffle with hot dark chocolate sauce and fresh whipped cream, chocolate sorbet, and a square of white chocolate and dark chocolate truffle, a huge strawberry dipped in chocolate, and in a chocolate bowl with heart shaped white and dark chocolate candies. We were also given homemade chocolate nut clusters with our coffee as a finishing touch.

In the garden house, where we ate dinner, was a huge tree that was being propagated. It was incredibly relaxing, although it was also kind of overwhelming. After eating a huge main course, we hardly had any appetizers left for dessert. The food was so delicious, we felt compelled to eat every last bit of it. We switched to a different wine that would better complement our meal. The wine steward suggested a Chardonnay from the Sanford Vineyard in Santa Barbara County, California. This was another great wine choice. It had a clean flavor and a buttery texture. For the second course, we selected the roast lamb tenderloin with vegetables and accompanied by steamed asparagus. The lamb was good, and the sauce was wonderfully sweet and tangy. The asparagus was cooked at its peak, and the sauce was rich in flavor. We then ordered the main course, beef tenderloin with fresh corn and sage. Our meal was gorgeous, and this was a great tasting combination. I enjoyed it so much I ate everything including the rice paper cup which is similar to the shell in which the sauce is served but lighter, and not nearly as greasy. Now for the one piece de resistance-dessert. In honor of Valentine’s Day, the chef had prepared a special medal of chocolate medallions. The medallions consisted of chocolate souffle with hot dark chocolate sauce and fresh whipped cream, chocolate sorbet, and a square of white chocolate and dark chocolate truffle, a huge strawberry dipped in chocolate, and in a chocolate bowl with heart shaped white and dark chocolate candies. We were also given homemade chocolate nut clusters with our coffee as a finishing touch.

Music for the Masses

R. Kelly inspires libido; Soundgarden sounds like sex

By ELEANOR BORDEAUX

R. Kelly, 12 Play

An early发挥作用 has hit Williamsburg with R. Kelly’s second release, 12 Play. The sensual themes of the album are reflected in its title, which refers to the fact that 12 play is three times more exciting than more simply.

R. Kelly’s music embodies several different styles. The album begins with a recording of a song titled "Jumpin’ Jive," which is about a person in Seattle who was born as musical intruments. The tempo picks up with "Spoonman," which features a popular rock group from the Seattle area.

R. Kelly’s music is reflected in its title, which one listener virtually speechless, while CDs. The group has moved from the Zeppelin-like style of their first album to the style of a new, more melodic approach.

The new style is best showcased in "Black Hole Sun," as vocalist Chris Cornell moves from a quiet baritone to Soundgarden’s higher range.

After our first course, we were served lemon sorbet to cleanse our palates. This is definitely the perfect dessert I’ve ever tasted, it was like heaven. I am convinced it contained better due to its rich taste. At this point, I switched to a different wine that would better complement my meal. The wine steward suggested a Chardonnay from the Sanford Vineyard in Santa Barbara County, California. This was another great wine choice. It had a clean flavor and a buttery texture. For the second course, we selected the roast lamb tenderloin with vegetables and accompanied by steamed asparagus. The lamb was good, and the sauce was wonderfully sweet and tangy. The asparagus was cooked at its peak, and the sauce was rich in flavor. We then ordered the main course, beef tenderloin with fresh corn and sage. After our first course, we were served lemon sorbet to cleanse our palates. This is definitely the perfect dessert I’ve ever tasted, it was like heaven. I am convinced it contained better due to its rich taste. At this point, I switched to a different wine that would better complement my meal. The wine steward suggested a Chardonnay from the Sanford Vineyard in Santa Barbara County, California. This was another great wine choice. It had a clean flavor and a buttery texture. For the second course, we selected the roast lamb tenderloin with vegetables and accompanied by steamed asparagus. The lamb was good, and the sauce was wonderfully sweet and tangy. The asparagus was cooked at its peak, and the sauce was rich in flavor. We then ordered the main course, beef tenderloin with fresh corn and sage.
Cinema Cynicism

1993 best films:

By STEVEN YOUNGKIN

The year 1993 was both good and sad for movies. It was great because of the plethora of high quality films that were released at year's end. It was sad for the very same reason.

After all, when films like Age of Innocence, The Fugitive, The Piano, Remains of the Day, Schindler's List are all nominated for awards, it seems unfair to those of us who have watched them, as if the rest of them didn't matter. All those movies (and others that I failed to mention) deserve recognition and praise.

However, that's not what makes in the Name of the Father so magic. Though brilliantly acted and passionately directed, it was forgotten amongst the host surrounding movies like The Piano and Schindler's List.

This is a real pity since this movie succeeded on many levels—triumph against the legal system and as a discussion of a relationship between a father and his son.

In the Name of the Father is based on a true story involving Gerry Conlon, the alleged leader of the "Guilford Four." In 1974, Conlon, as a freshie, arrived in London asking "free love and free dope." He was not at all impressed in politics, his only concern was hanging out with his friends.

Unfortunately, one night when he and a friend were sitting in a park talking to a homeless man, a pub a short distance away was blown up by IRA terrorists. A number of innocent people were killed and the police arrested Conlon and his friends for the bombing. Eventually all involved were convicted for questioning for up to seven days before being charged. During that time, Conlon and his friends were beaten, tortured, deprived of sleep and brutally interrogated. Despite these conditions, Conlon refused to cooperate. However, the police ultimately found Conlon's weakness: obtaining their continued opposition by threatening to kill his father.

Terribly corny in its mock-heroic, Conlon and his friends are convicted of terrorism and are sentenced to 15 years in prison. In addition, Conlon's family (including his father Giuseppe) are arrested and condemned of assisting in the bombings.

On the one hand, Daniel Day Lewis as Gerry Conlon is nothing short of marvelous. In any Left Foot and The Age of Innocence, Lewis proved himself to be one of the most exciting actors of his generation. What is remarkable about his performance in this film is his ability to convey a sense of subtle changing in attitude and personality over the course of the movie. At the beginning, he's a self-centered, sullen young jock. By the end, he comes to realize how brave and strong his father really was and he adopts some of Giuseppe's heroic characteristics. The fact that Lewis allows these changes to come across slowly rather than in one big moment is amazing.

In addition, special mention must be made of Pete Postlethwaite as Giuseppe Conlon. Even though it is clear that he is the true hero and epic figure of the story, he manages to keep the character firmly in reality. It is not because he is such a great person, but because he can think of no other way to react to his situation.

Finally, director Jim Sheridan received a well deserved nomination for his work here. The movie manages to be both poignant and angry at the same time. While he focuses nearly all of his attention on Gerry and his father, Sheridan does not forget the rest of the Guilford Four. He gives the audience a shorthand depiction of their heroism by showing us how they changed in appearance between 1974 and 1989. For example, a girl initially depicted as a frumpy, loving, happy teenager older years ago appears to have aged far more than 15 years when we see her in the courtroom. The shot of her haggard face—a face that has long since lost its glow and radiance—is enough to tell us that she went through a hull every bit as horrible as Conlon's.

Overall, in the Name of the Father is in a movie that could have easily overlooked in November and December of 1993. Hollywood released an amazing number of films destined to become classics.

Unfortunately, the human memory can retain only a small number of them. That means the rest will fall through the cracks and be forgotten. If there is some justice at all, in the Name of the Father won't be one of the forgotten treasures.

Dump those boring old lawbooks and go create something

By MICHAEL HOMANS

The first half of my law school career has whizzed by, like a painful, dripping, endless snap of the fingers. And in all this time, I've never peered inside the college's Muscarelle Museum of Art—until last week.

The visit was prompted by a search for art. Editors here assigned me to cover an exhibit in Trinkle Hall of furniture and art created by prisoners ("I call this sculpture "Busted Nudes", No. 38."). The prison exhibit is gone. So last Tuesday, I decided to check out the Muscarelle and took a look at the offerings.

The new display there is an overwhelming array of modern mixed-media "paintings" by Nissan Engel, a 63-year-old Israeli now living in Paris. These are abstract paintings with splatters of paint, and lumps of stuff, and newspaper clips  pasted on, and so forth.

They are exuberant and wild, and have streaks, and lumps of stuff, and newspapers until they become unreadable. It is full of life. He is being himself.

Nissan's art lacks the virtuosity of the Renaissance, or the beauty of the Old Masters. It is not clever. It is still very much an act to look at. It makes you feel something.

As does the art sponsored at the Muscarelle, which includes a Picasso, an O'Keeffe, some medieval religious art, portraits of William and Mary looking like what you do

for me?!, and a series of lawbooks and case law, or logic. It is the antithesis of intuition. It is the antithesis of imagination. I call it "boring old lawbooks and go create something!"

Want to create something? Be an artist, then, be boring! Law is the antithesis of intuition. It is the antithesis of imagination.
The 1994 General Assembly did not fund the Family Courts. Apparently the courts were not one of Governor Allen's priorities. Renne conjectured that the Republicans want to wait for the next General Assembly elections before considering the funding of the family courts. If the Republicans gain a majority in the legislature they will be able to appoint 32 new judges to the newly created family courts.

Judge Renne devoted the rest of his talk to his career first as a prosecutor and then as a district court judge in Yorktown. "Being a judge is a matter of good fortune—being in the right place at the right time." He finds judging much less stressful than prosecuting. "After a while, you get tired of trying to convince people that justice is important, that they ought to be forthright. As a prosecutor, you constantly have to sell the system to people, but the system takes courage to operate effectively." It takes the courage of witnesses and victims of crime to come forward and provide the foundation of a prosecutor's case.

The problem of crime brings with it the problem of prison overcrowding. The legislature can pass laws that put more police officers on the streets, but that leads to more arrests, which in turn leads to the overcrowding of courts and prisons. Legislators need to look at the system as a whole, with the consequences of their legislation in mind, according to Renne. One partial solution to the problem of prison overcrowding is to sentence lesser criminals to community service. As a judge, Renne is well aware of the conflict between the goal of justice and the need to keep the system working efficiently.

America needs reasonable alternatives to the problem of overcrowding, concluded Renne. "This will be the debate that affects your careers," he told the audience. "There has to be some way of allocating responsibility or else we have insanity." Even implied that undue stress on the system, if carried to an extreme, could leave crime unpunished or lead individuals to find less civil means of resolving their civil disputes.

"We aren't really free," said Renne. "The legal system can't solve it all," he said. "We are trying to make the community safer and more tranquil." The Weekly World Ambulance Chaser Coming Soon! Available in the Marshall-Wythe lobby on Friday, April 1

M-W advances in U.S. News rankings
Marshall-Wythe placed 29th in the 1994 U.S. News and World Report rankings of law schools. U.S. News based the rankings on the following criteria:

- Reputation rank among academics: 34
- Rank among lawyers and judges: 31
- Student selectivity rank: 23
- Faculty resources rank: 99
- Placement success rank: 22
- Median 1993 LSAT score: 164
- 1993 acceptance rank: 20.6%
- Graduates employed after 6 months: 95.3%
- 1993 median salary: $53,000

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Events Calendar

Monday, March 28
- Panel: “Should Virginia Abolish Parole?” Commonwealth Auditorium at University Center, 7 p.m.
- Demon Drummers: Ondekeza, world-famous demon drummers of Japan, Phi Beta Kappa Hall, 7 p.m.
- Springtime for Hitler: Spanish Civil War ends, fascist Francisco Franco wins (1939).

Tuesday, March 29
- Amicus Curiae: Last Staff Meeting of the year. Come help us plan the end-of-the-year Amicus party at The Library, 6 p.m. (Ladies’ Night with $1 highballs).
- Open Forum: Dean-to-be Thomas Krattenmaker addresses students, 3:30 p.m., Room 127.
- Music: The Razor Pose, Green Leaf, 10 p.m.
- Speaker: “Family Women, Family Values,” with writer Charlotte Allen, Washington 201, 7:30 p.m.
- Workshop: Strategies in writing research papers, Tucker 115A, 8 p.m.
- Music: The Botetourt Chamber Singers, Bruton Parish Church, 8 p.m.
- Film double feature: “When Harry Met Sally,” and “Sleepless in Seattle,” University Center, The Cafe, beginning at 8 p.m. Free.
- Satisfy your craving: Coca-Cola is created—with cocaine (1596).
- Day of solemn remembrances and weighty ruminations for public policy enthusiasts: Birthday of William and Mary Chancellor and United States President John Tyler (1790).

Wednesday, March 30
- Elections: S.B.A. Presidency, Law School lobby, 9 a.m. to 5 p.m.
- Lead an ear: Happy Birthday to Vincent Van Gogh (1853).
- Right to vote: Fifteenth Amendment passes (1870).

Thursday, March 31
- Candidacy: Deadline for S.B.A. declarations for V.P., Treasurer, Secretary and 2L and 3L representatives, 5 p.m.
- Dance: Cultural Exchange 1994, featuring the Chamber Ballet Company, 7 p.m., Phi Beta Kappa Hall.
- Music: “Continuity and Creativity in Traditional Music,” presentation by Carol Elizabeth Jones, James Leva and Cari Norris, Botetourt Theatre, Swem Library, 5 p.m.
- Music: Kim Wilson, at flood Zone, Richmond.
- Town and Gown Lunch: Business Professor John Strong will speak on “Privatization in Russia,” University Center, 12:15 p.m.
- Storyteller: Dylan Pritchett, performance of African-American stories, Room 120, 2:30 p.m.
- He thought, therefore he was: Happy Birthday to Rene Descartes (1596).

Friday, April 1
- Deadline: FSF, Work/Study and Fellowship Grants for summer ’94, 5 p.m.
- A reason to come to school on Friday: Weekly World Ambulance Chaser will appear in the Law School lobby.
- Pianist: Ruth Laendo, Phi Beta Kappa Hall, 8 p.m.
- Lecture: “The Dilemma of Free Blacks in a Slave Society,” Dr. Tommy L. Bogger of Norfolk State University, Williamsburg Regional Library, 7:30 p.m.

Saturday, April 2
- Libel: Libel Night, time and place TBA.
- Music: William and Mary Orchestra, University Center, 8 p.m.
- Thought for the day: That must be wonderful. I don’t understand it at all.
- Spring Forward: Before you go to bed, set your clock one hour ahead. In the wee hours of Sunday morning, 2 a.m. will become 3 a.m.
- Daylight Savings Time begins.

Sunday, April 3
- Happy Easter!

Monday, April 4
- Play: “The Trial of Oliver Wendell Holmes,” Commonwealth Auditorium at the University Center, 8 p.m.
- Film: “Bread and Chocolate,” Washington 201, 2 p.m. and 7 p.m. The tale of a closet Italian who flees to Switzerland in search of a job and romance, and refuses to admit his nationality.
- Neither rain, nor snow: Pony express begins service, from St. Joseph, Missouri (1860).

Tuesday, April 5
- Music: William and Mary Chorus, Bruton Parish Church, 8 p.m.
- Thought for the day: Some rise by sin and some by virtue fall.

Wednesday, April 6
- Music: The Jerusalem New Music Ensemble, Ewell Recital Hall, 8 p.m.
- For better, for worse: Brigham Young marries number 27, his final wife (1868).

Thursday, April 7
- Lecture: “Environmental Policy and the Role of the University,” University Center, through April 8.
- Elections: S.B.A. elections for V.P., Treasurer, Secretary and 2L and 3L representatives, Law School Lobby, 9 a.m. to 5 p.m.
- Award: 3Ls vote for S.B.A. Best Teacher Award.

Friday, April 8
- Make my day: Clint Eastwood elected mayor of Carmel, California (1986).

Please submit your entries for the Amicus Events Calendar to Daryl S. Taylor (IL) or the Amicus Curiae hanging file. Entries may include activities sponsored by law school organizations, community events of interest to M-W students, or just about anything else that you can think of.
By ALAN DUCKWORTH

It’s been awhile since my last column, just long enough for my tournament pool to go to hell.

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Monday, March 28, 1994

BY BILL MADIGAN

BASKETBALL . . . The movies may love their Ozzies, and music may have its Grammies. But the most prestigious, most coveted award for excellence and achievement in a given field is without a doubt the annual M-W 5X5 basketball crown.

After months of blood, sweat and anxious anticipation, the votes have been cast, and a champion has emerged. For the second year in a row, the title goes to Hoops. But before we get to further accolades, here is the final computer-like ranking of the M-W basketball teams:

1. Hoops
2. Keuka
3. Bigger Faster Stronger
4. Sevored Organs
5. Steppin' Digs
6. Juice
7. Hoops II
8. Crimes Against Nature
9. Court
10. Co-Trainees
11. The Lore
12. Strict Liabilities
13. Men's C

Hoops went 7-0 this season on their way to their second straight intramural women's title. Led by 2L Torres Keri, Gilmore "Than A Pandit, "Entire" Stead" Swecker, "Break of Dawn" Leporati, and Kathryn "Psyco" Haney, Hoops sharpened their dominance once again in a 5-26 victory in the women's final. Their league undergraduate opponents couldn't handle the driving and shooting of Gilmore, the pain pounding of Swecker, the board crushing of Haney, and the outside j-burning of Leporati. At 7-0, Hoops will have a chance for a three-peat next year, and will probably have their hanging files written when they graduate.

Dell Suss, the only other law school team to make it to the championship game in their division, fell two points short of ending home the victor, losing 46-44 to Kappe Sagna in the finals. In a game at times marred by undergraduate whispering and anonymous referring, Suss played down to the level of their opponents for much of the game, and couldn't get back up in time to put them away. One bright spot for Suss was the unselfish play of Brian "Damage" Patrick, who was perfect from the field and the line.

Moving up two spots, Bigger Faster Stronger was one of the few M-W teams to win a playoff game (they won two in fact). They cleared their way into the quarter-final round before being flattened by the 2N0's (centered by Dell Suss in the semi-finals), a team that turned out to be bigger and stronger, if not faster, than our own BFS.

The only other team to win a playoff game were 41-Served Organs, #6 Juice, #8 Court Sadies, and #4 Co-Trainees. And for the second year in a row, Men's C captured the bottom spot on the strength of a slaughter rule loss in the first round, the typically pathetic men's C division of the playoffs. Fortunately for a S-M W sport fan, the Men's C has only 12Ls, and have vowed to reform next year to provide another season of comic relief from the intensity of M-W's good teams.

Overall, M-W was a disappointing 13-12 season, only two of the eight M-W teams have losing records, the appropriately named Malpractice, both teams benefitting from its propensity to injure itself, and the impending nuptials, buoyed to first place in the 50-yard freestyle and took fourth in the 50-yard breast. #2 Karen "Abbot Castello" Cassidy captured first in both the 50-yard freestyle and the 50-yard fly. However, the crowns of the men was the first place finish of the team of these three (plus another anonymous grad student) in the 200-yard medley relay. And we all thought the 13s were the only real law students could do like fish.

NEXT TIME . We'll have highlights from the floor hockey playoffs and a complete wrap-up of the regular season of outdoor soccer. Events that are still upcoming this season include wrestling, track and field, golf, and volleyball, and softball. Check the SBA window or call the rec sports office for more details. And remember, it's not whether you win or lose, but how you look on your coach the next day.

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