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# AMICUS CURIAE

AMERICA'S FIRST LAW SCHOOL

A Publication of *The Advocate*



VOLUME III, ISSUE ONE

TUESDAY, SEPTEMBER 8, 1992

TWENTY PAGES

## When opportunity knocks, M-W walks

*Students' loss is faculty's gain*

By BOB DICKINSON

After a year of patiently trudging from the graveyard (overflow) parking lot along the bridle path (river of mud), commuting law school students returned in August to find they can now trudge from that same lot along the freshly landscaped borders of the new resident graduate student parking lot.

"I thought we would get back at least what we had before," said Cliff Corker (3L), echoing the expectations of many 3Ls regarding the day-student parking situation.

Currently, nine spaces adjacent to the faculty-staff lot and 193 spaces in the graveyard lot are designated for permit parking. This designation allows drivers with any type of permit to park in these spaces. For first-year students and those 2Ls who may not know, commuting law students enjoyed parking in what is now the resident lot before construction of the new

graduate housing complex obliterated the area in the summer of 1991. The construction resulted in significant gains for the faculty and staff parking area and exile of students to the newly built graveyard lot during the '91-'92 school year.

Many students were under the impression that law students would be given priority for parking adjacent to the law school when the dust finally settled. As much seemed to be promised last spring by William and Mary Vice President for Administration and Finance William Merck. In an interview with the Amicus last March, Merck said that it would be reasonable to anticipate that commuting law students would have priority for parking nearest the law school, except for those parking areas immediately adjacent to the graduate housing complex. See "Commuters Foiled Again," *Amicus Curiae*,



After fighting grad housing residents for parking spaces in the graveyard lot, Marshall-Wythe students walking to daytime classes pass dozens of empty faculty and staff parking spaces. Commuting law students do not have priority over any other College students.

Lawrence L'Anson

page 1, Friday, March 20, 1992.

Mark Gettys, the new parking services director, organized a meeting on July 1 to consider the allocation of parking in the law school/grad housing complex. The meeting

was attended by three presidents of graduate school student associations: Tracy Camp of the School of Arts and Sciences, Rob Russell of the MBA program and Sandra Burger of the School of Education. Gettys

said he attempted to contact SBA president Joe Cartee who was not living in Williamsburg this summer. The interests of

See KNOCKIN', page 20

## Legal Skills implements new grading system for 1Ls

By ANDREW SMITH

Those second- and third-year students who received a "high pass" in Legal Skills can be content with the fact that they can list that achievement on their resumes as an "honor," but this year's 1Ls will be able to translate that high pass into something much more lucrative—a higher Grade Point Average. The Legal Skills Program has revised its grading system, and beginning with this year's entering class, students in Legal Skills will now receive letter grades for certain achievement (or lack thereof).

As is currently the case, students who do not complete the course satisfactorily receive an "F" on their transcript, which is figured into their cumulative average. Now, however, students who receive a high pass will be awarded an "A" on their transcript, and a commensurate boost to their GPA. In addition, a new grade, that of "low pass," will be added to the system. Low pass will have no penalty associated with it, but will provide

instructors with a mechanism to alert students to potential problems with their Legal Skills performance.

Professor Jim Moliterno stated that the new policy was not any one person's idea, but was rather a modification that the Legal Skills staff had been thinking about making for some time. Moliterno

said that the primary impetus for the idea was comments from Legal Skills students who were frustrated that they were doing good work but were not being recognized for it in any substantive manner. Moliterno believes that the award of "A"s and the new low pass will "reward students who are doing a good job and

send a signal to those students who are having trouble, without the turmoil of a full grading system." Moliterno stated that legal writing classes at most law schools are graded, but he feels that a full

See GRADES, page 20

## Students active in Dean search process

By JEFFREY REGNER

Provost Melvyn D. Schiavelli this summer announced the names of the members of the committee to find a new dean to lead Marshall-Wythe. The Dean Search Committee, selected by the Provost and President Sullivan, is made up of professors from the law school, alumni, and one student.

Among the 11 members of the committee is the lone student representative, SBA President Joseph Cartee (3L). Cartee said he was "pleased with the entire Dean Search Committee."

When contacted by the Provost during the summer, Cartee raised his concern about enabling students to participate in the selection process. Last year Acting Dean Dick Williamson assured students they would have extensive involvement. Two student committees have been

created by the SBA and the Dean Search Committee to provide student participation in the final selection.

The two student committees are the

See HELP WANTED, page 14

### Inside this issue

Legal Skills grading in the Crossfire. Page 8.

Debut of the kinder, gentler Trading Cards. Page 13.

Political convention gaffes and highlights reviewed. Page 12.

Bizarre news from beyond the 'burg uncovered. Page 13.



## Out of Our Heads

The beginning of the school year is not a typical time to think of the Honor Code and its implications. Compared to the way we will feel in November, the atmosphere at M-W is relaxed.

We only mention the subject now because it will likely be too late once exams begin.

During last spring's exams, there was a flurry of rumor about numerous Honor Code violations. Some of that rumor even concerned friends turning in friends. The details of these charges don't really matter, but they do serve to remind all of us about the role the Honor Code should play at this school.

One of M-W's strongest characteristics is its environment. Although the quality of the law school is high, we don't have the cut-throat climate found at some other schools. The Honor Code is here to make our time at this school a little easier; a little less stressful. It provides an element of trust and safety in surroundings sorely lacking in any such comfort.

The Honor Code is not a vehicle for one student to pass another in class rank or G.P.A.

When each of us agreed to come to M-W, we agreed to assume the responsibilities of the Honor Code, not just the privileges. However, there is a difference between meeting one's obligation and taking advantage of one's authority.

Most 2Ls and 3Ls are already set in their ways regarding law school. We have settled into our roles as high-stress or low-stress. As the year progresses, the same thing will happen to 1Ls. Our only suggestion is that you leave the Honor Code out of it.

## THE AMICUS CURIAE

MARSHALL-WYTHE SCHOOL OF LAW

*"Dedicated to the complete and objective reporting of student news and opinion"*

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**and Mr. T as B.A. Barracus**

### Editorial Policy

The letters and opinion pages of the *Amicus Curiae* are dedicated to all student opinion regardless of form or content. Every student viewpoint can find a place in this publication, in accordance with our motto. Opinion articles are not edited for content, only spell checked.

Letters to the Editor are not intended to reflect the opinion of the newspaper or its staff. All letters to the Editor should be submitted by 5 p.m. on the Wednesday prior to publication.

We cannot print a letter without confirmation of the author's name. We may, however, withhold the name on request.

Letters over 500 words may be returned to the writer with a request that they be edited for the sake of space.

## From the Editor's Desk...

Preparing the first issue of the year, and my first issue as Editor, was like a roller-coaster ride from Hell. Fear is a great motivator.

The typical first editorial includes some discussion about editorial policy and the goals of the newspaper. Since only 1/3 of the students at Marshall-Wythe know the origin of this paper, I think a little history would best serve those ends.

Two years ago, the official law school newspaper was the *Advocate*. A group of students pressured the Editor, without success, to expand the content of the paper. A core group of hard-working writers started their own independent newspaper, the *Amicus Curiae*.

Every two weeks, the group of caffeine/nicotine junkies would stay up all night producing a 20-page newspaper. Their office was a cardboard box carried around in someone's car.

Seven issues were produced in that first semester. Jenny

Click took over as Editor at the end of the year. The American Bar Association decided the *Amicus Curiae* was the best law school newspaper in the country, among schools with less than 750 students. The ABA had no idea we were an independent paper until after it notified us of the award.

When the editorship of the *Advocate* became vacant at the end of last year, Jenny applied and was appointed to the job. Suddenly, the *Amicus* was a legitimate business with its own office and telephone. Jenny adapted well; she handled some tough issues and earned the respect of her staff with excellent editorial judgment.

These are the shoes that I have to fill. From where I stand, they look huge. One lesson I did learn last year is that the paper is only as good as its writers and staff. That is the good news; the bad news is 50 percent of last year's staff graduated. This means a normal turnout by the

first-year class leaves the *Amicus* 25 percent short of last year's staff.

We have some extremely dedicated and hardworking people on our staff, and we are very grateful to our contributors. However, this newspaper can only be as good as the students at Marshall-Wythe want to make it. In order to match the quality the *Amicus* achieved last year and the year before, we need help.

In particular, we need photographers, newswriters, and people to help with layout. Even if you can just spare the time for an occasional contribution, we need you.

The tradition of this paper is short, but proud. I think last year's issues were even better than the first year. This time around we received third-place in the same ABA competition. This year can be an award-winning year too, if we have the support of the student body this newspaper serves.

## Letters

To the Editor:

I am writing this letter not because I feel like complaining about the administration at Marshall-Wythe, but because sometimes the only way to foster change here is to make things public. As those of you who were here last year may recall (and 1Ls may have heard), the William & Mary Law School Speakers Forum welcomed several prominent speakers last year, including CIA Director Robert Gates, Senator Charles Robb, and Virginia Attorney General Mary Sue Terry. Throughout last year, members of the Speakers Forum were already working hard to secure speakers for the 1992-3 school year. Last year, more than 75 letters were mailed to prospective speakers. All responses from the invitees (ranging from author Scott Turow to President Gerald Ford) were kept in the Speakers Forum hanging file, so that members could have easy access to the information. Documented information about each invitee (which included addresses, contact people, along with which speakers gave tentative commitments for this year) was also in the file.

Upon returning this semester, I was unable to locate the Speakers Forum hanging

file. I went to the administration, where I was told that the organization had failed to submit a re-registration form at the end of last semester, and consequently, the hanging file had been removed. When I asked where the hanging file was being stored, I was told that *the hanging file, along with all of its contents, had been "dumped."* As I stood in shock, I was further informed that the contents of the file had been destroyed two weeks before classes started this year.

First of all, there was no reason to "dump" the contents of the file, especially when it should have been obvious that the file contained much-needed information. The Speakers Forum enjoyed tremendous success last year, bringing both exposure and attention to Marshall-Wythe. While failing to turn in a piece of paper at the end of last year may have justified removing the hanging file, did it warrant the destruction of countless hours of work? I don't think so. Second, why couldn't the administration wait until after classes started to take such drastic action? Holding onto the files the entire summer, just to throw them out right before students returned from the summer is pointless. In addition,

organizations were not informed of the dire consequences resulting from a failure to turn in a re-registration form. I certainly did not expect that the property of a student organization could be so unceremoniously discarded.

The actions of the administration have done more than just hurt the members of the Speakers Forum. We no longer know exactly who, of those 75 speakers, told us to contact them this semester to schedule a visit. The Speakers Forum is being forced to start over. As a result, it is unlikely that we will be able to arrange for any speakers to visit the law school this semester.

If there is a formal policy authorizing the destruction of hanging files for organizations that do not turn in re-registration forms, I strongly urge that such a policy needs to be re-examined. I want to let the law school community know that the Speakers Forum will regroup, and will work harder than ever to bring prominent, exciting speakers to Marshall-Wythe. I just hope that in the future, the administration will use some common sense before it "dumps" anything belonging to a student organization.

Dee Cohen (3L)  
Chair, M-W Speakers Forum



# OCPP struggles to maintain employer interest in M-W

By SHELLEY EVANS &  
CARLA ARCHIE

Although everyone knows that the economy is down, every 3L in the nation wants to know if the employment prospects are improving.

The good news is it isn't getting any worse, but the bad news is it isn't getting any better. According to Robert E. Kaplan, Dean of Career Planning and Placement, it would appear that employment conditions have stabilized, and the worse is behind us.

Marshall-Wythe remains optimistic as well as aggressive in its outreach strategies to potential employers. Beginning each spring, OCPP distributes a mass mailing to 7,500 employers across the country and targeted mailings to certain areas based upon students' geographical and professional interests. These areas include various courts, prosecutors' offices and law firms throughout Virginia and major metropolitan areas.

Nevertheless, employers for this fall's interview schedule have decreased by

15-20 percent from last year. But in comparison to other law schools, this decrease seems about average. Kaplan stresses that employers lost were in areas where there is little student interest. However, no figures have been compiled by OCPP to verify this statement.

One of the problems in previous years has been our class-rank and grading systems. In the past, every Marshall-Wythe student retained an individual class rank carried out to three decimal points. This precision caused compression within the student body and confusion for potential employers. Effective this semester, official grade-point averages are carried out to only one decimal point; students are subsequently ranked by percentile. For example, every student with a 3.2 grade-point average now shares the same rank in class, whereas even a deviation of one hundredth of a point would have greatly effected one's class rank under the old system. This new grading system puts Marshall-Wythe on a par with other law schools across the nation.

Kaplan emphasized several other measures which OCPP has taken to alleviate the market crunch. Some of these measures include telephone follow-ups to employers who have not interviewed with M-W in the past three years. In addition, OCPP maintains an extensive information file on non-visiting employers.

These aggressive recruitment tactics seem to have paid off, albeit in a small way. OCPP Secretary, Linda Spaulding, also has available a one-page pamphlet entitled "William and Mary Law School At A Glance," which students may include with their resumes. The purpose of these pamphlets is to highlight the strengths of Marshall-Wythe graduates. Another one-page sheet describes the Legal Skills program, the award-winning distinguishing clinical program of Marshall-Wythe, to inform employers who may not be aware of this achievement.

Traditional recruitment tactics have not been overlooked in attracting prospective employers. Over the past

two years, Marshall-Wythe has increased its yearly participation in job fairs which now totals 11.

"When times were good, large numbers of students got jobs through means other than OCPP," said Kaplan. In the face of a poor economy, he said, placement offices are receiving an abundance of "unwarranted attention." According to Kaplan, students and placement offices need to be more resilient, flexible, aggressive and creative in their job search, as the skills developed now will last a lifetime. This is especially true for lawyers who do not normally hold the same position for long periods of time.

Although these are not the optimistic times prevalent during the heyday of the late '80s, it is neither a time for total pessimism and cynicism. This is, instead, a time for realism. One must rely on a combination of academic achievement, extracurricular involvement and outstanding interpersonal skills (and nepotism, within the ethical boundaries established in Legal Skills, of course).

## Housing completed

By SARAH NEWMAN

"Do you have a phone?"

This was a question heard often around the halls of the law school in the past two weeks. It was directed at those students who are residing in the new Graduate Housing Complex next door to the law school.

Faulty or non-operative phones presented just one of many problems with the new housing facility. While an understaffed crew and the Telecommunications office continues to work on ironing out the wrinkles with the phones, some students are still without service almost three weeks after moving in.

Other problems with the new apartment complexes include missing or disassembled furniture, broken plumbing or lighting fixtures, and lack of hot or cold water. Several buildings report problems with mice. Kitchen floors are missing linoleum, and one building has an uneven step in an outside brick staircase. Apartments were often found littered by cigarette butts, sawdust, and other trash left by work crews.

Maintenance crews and Residence Life staff members have been struggling to remedy all of these problems and most apartments have been visited daily by someone doing repair work or just making notes or what needs to be done. The architect and contractor have

also visited the facilities to check on their development.

While most of the trouble spots were located and handled within the first two weeks of the students' arrival, some problems have yet to be addressed. No laundry machines have been installed, the furniture in the general complex lounge has yet to be assembled, and the students have thus far been issued only one mailbox key per apartment.

Residence Life staff blames the problems on delays in construction which left limited time to ready the complexes for new students. Residents have been patient, but have grown frustrated by what they perceive to be an attitude of "passing the buck" among College employees.

"No one could give us an answer," said Kirsten Mueller (1L) of the problems she discussed with Residence Life, including faulty phones. Margaret Hardy (1L), blames part of the difficulties on poor communication and coordination among staff members: "The problems seem so preventable. That's the frustrating part."

Communication with the residents themselves is another issue of contention. Two newsletters explaining the problems and answering the common questions were circulated among residents, but

some students have expressed desire for more direction as to how to deal with the unexpected conditions as well as information regarding day-to-day life in the complex.

Despite the troubles which have presented themselves to residents over the past few weeks, students seem to express an overall satisfaction with their chosen living arrangement, listing "convenience" and reasonable expense as the biggest advantages to life in the Grad Complex. Hardy plans to return to the complex next semester, and feels that the problems which have presented

themselves are simply the consequence of the buildings being new. The list of complaints grows steadily smaller as each new problem is addressed.

The complex is designed to hold approximately 240 students, 60% of whom are law students. While originally all spaces were filled, some students changed their minds or simply failed to show up and their spaces are now being offered on a daily basis to applicants on the waiting list.

The Graduate Complex is to be dedicated this Friday at 3 p.m., and will then officially be named "The Lettie Pate

Whitehead Evans Residences and the Spalding Courtyard and Gardens." All complex residents have been invited to the ceremony which will be followed by a reception.

The complex offers two-, three- and four-bedroom apartments with a variety of floor plans. All apartments are air-conditioned, carpeted, and furnished, and each student has their own phone and phone line, complete with the William and Mary voicemail service. The price per semester is \$1,250

See SLUMS, page 6



The majestic Lettie Pate Whitehead Evans Residences and the Spalding Courtyard and Gardens rise serenely from the ashes of the commuter parking lot.

Lawrence T'Anson



# Moot Court team sweeps regionals, robbed in nationals

By BRETT JOHNSON

As second-year law students preparing for the intra-school Bushrod Moot Court Tournament one year ago, Rich Hricik, Lauren Schaefer and Bill Wilder never imagined that their participation in Marshall-Wythe's moot court competition would lead them to San Francisco.

Hricik, Schaefer, and Wilder (all 3Ls) were in San Francisco in early August to compete at the American Bar Association Moot Court Tournament held in conjunction with the ABA's yearly national convention. The trio earned the right to compete

in California by first capturing a spot on the Marshall-Wythe Moot Court Bar. After placing within the top 32 competitors in the Bushrod tournament, Hricik, Schaefer and Wilder were selected to form a team to compete at the ABA regional tournament last spring in Baltimore. They won first-place honors and the prize for the best-written brief at the regional competition.

Their victory at the regional level rewarded the team with the opportunity to compete at the ABA national convention. In anticipation of the national competition, Hricik, Schaefer

and Wilder were required to submit the same brief that they had used in the regional competition. Their problem involved a transit authority employee suspected of drug use. After being provided with information from a private investigator that the employee and others were using drugs, his supervisor required that he submit to drug testing. The employee's test results came back borderline positive and he was discharged.

The issues for the competitors involved whether or not the firing constituted a state action, whether the employee's

job was a safety-sensitive position and whether the employer had probable cause or reasonable suspicion to insist that the employee submit to testing. Hricik, Schaefer and Wilder wrote only one side of the argument in their brief, but were required to make arguments for both the employer and the employee in the competition.

In their first preliminary round, the Marshall-Wythe team faced competitors from the University of Missouri Law School. Describing the Missouri team's performance as excellent, Hricik recalled that the three-member Missouri team initially believed that Marshall-Wythe was a small, independent law school and were overly confident until they were informed that they were up against a team from William and Mary. Evidently they regained their composure as they edged out Wilder and Hricik to take the round.

In the second preliminary round, Schaefer and Hricik faced a team with a hometown advantage from Hastings School of Law. Both Hricik and Schaefer were impressed with the abilities of their competitors. This time, however, Marshall-Wythe won the round.

In both preliminary rounds, total scores were determined by a combination of a score on the written brief and a point total for oral advocacy. Surprisingly, the same brief that had won the regional competition was

evaluated differently and received lower scores at the national competition. Despite excellent scores in both rounds for their oral advocacy, Schaefer, Wilder and Hricik were unable to overcome the low score that their brief received. With their loss in the first preliminary round, they did not advance in the competition.

After being eliminated, the team members took the opportunity to sightsee and to enjoy San Francisco. Since none of them had been to the Bay Area before, they particularly enjoyed San Francisco's beauty and tourist attractions.

Even though they were eliminated early in the competition, all three of Marshall-Wythe's competitors were enthusiastic about their San Francisco experience. Wilder thought that the tournament might have been somewhat better organized but said, "Since it was in San Francisco, the tournament couldn't have been anything but a positive experience." Schaefer said that the level of competition was excellent and that she had a fantastic time at the tournament. The biggest plug for the tournament, and for the M-W moot court experience, came from Hricik when he said, "From the first round of Bushrod to our final round in San Francisco, participating in moot court has been far and away the single best thing I've done in law school."



Bill Wilder (3L) Lauren Schaefer (3L) and Rich Hricik (3L, not pictured) represented Marshall-Wythe at the ABA national tournament in San Francisco last August. -Lawrence T'Anson

## SBA solicits opinions on social life and student issues

By R.L. CLAY

The SBA held its first meeting of the year on September 1st and set an agenda for the coming semester. Several social events are in the planning stages, including Fall From Grace (mid-November), Booze Cruise (tentatively scheduled for October 9th), affiliation with The Grad Thing (6 parties per semester) and Libel Night. The barbecue held this past weekend was an event organized by SBA. The projected cost of the event was \$12 per person. Through SBA subsidizing, students were charged only \$4 per person.

SBA will conduct a student poll regarding life here at Marshall-Wythe. Topics of the poll will include curriculum, school services to students and social events. Anyone with suggestions on particular issues that they feel should be included in the poll is welcome to drop a note in the hanging file of SBA Vice President Dave Delk (2L) for consideration.

SBA is seeking individuals to staff various Committees, including the Student Services, Admissions, Placement and Social Committees. If interested, contact the Chair of the Committee you

would like to assist. A list of all committees and their Chairs are posted on the SBA bulletin board.

Finally, SBA will be increasing its presence in the law school, literally.

Officers will be keeping regular office hours this semester, and encourage students to stop by if they have any questions or concerns. Office hours will be posted once they have been set.

## 2Ls to face Bushrod Tournament

By G. MATTHEW WARREN

The opening rounds of the annual Bushrod T. Washington Moot Court Tournament begin Friday, Sept. 18. The tournament is open to all second-year law students. Those competitors who make it to the round of 32 will be admitted to the Moot Court Bar for the remainder of their time at Marshall-Wythe.

The competitors were presented with a problem last Friday involving a case on appeal to a supreme court on either the state or federal level. Entrants have until Wednesday to decide whether to withdraw or compete.

During the preliminaries, and all subsequent rounds, the competitors

orally argue both sides of the case before a panel of judges. The judges consist of professors, third-year bar and board members, moot court alumni and selected state or federal judges for the final rounds. The judges score the contestants in the categories of oral style, legal argument, responses to questions and knowledge of the trial record. Those individuals with the highest score move on to the next round. In the opening rounds, 64 competitors will advance. Each subsequent round reduces the number of qualifiers by half until a winner is decided. All third-round competitors are admitted to the Moot Court Bar. Additionally, the two contestants placing

33rd and 34th become alternates.

Lauren Schaefer, Bushrod Tournament Justice, expects that this year's competition will be particularly heated. Not only is the second-year class the largest in the school's history, but the success of the current bar at the national level has added prestige to the opening positions. Schaefer added that a position on the bar looks good on a resume and offers the rare opportunity "to get before judges without really, really having to worry about the consequences."

As words of final advice, Schaefer recommends that all persons involved in the competition "have fun with it. Everyone wants you to do well."



# Law Watch

By MARGARET HARDY &  
JOHN CROUCH

**IRAN-CONTRA MISTRIAL:** Former CIA official Clair George's trial for misleading Congress ended with a hung jury, most of whom favored total acquittal. U.S. District Judge Royce Lamberth set a retrial date of October 19.

**ABA:** Hillary Clinton was the featured speaker at the ABA convention held in San Francisco in August. Policy-makers within the ABA, by a vote of 276 to 168, reversed a two year neutral stance on abortion and adopted an abortion rights resolution promising to fight any law that would restrict the right of a woman to choose. Vice President Quayle was not invited to speak before the entire convention, which top ABA officials blamed on scheduling problems.

A prominent ABA member stated, "The ABA would have made an opening for Quayle if he were a person of personal stature or legal ability, but there wasn't anything of enlightenment he could contribute, the members already know how to spell". Quayle's press secretary described the convention as the "most political and partisan ABA convention in memory". Some are predicting that, because of this, there may be pressure to take away the ABA's role in evaluating prospective nominees to the Supreme Court and federal bench.

**FETAL ENDANGERMENT:** Murder charges against a San Francisco woman were dismissed recently in a case of fetal death allegedly related to the woman's excessive drug use for two days prior to delivering the stillborn fetus. This was the first case of its kind in California.

**COURTROOM KILLER:** A lawyer who killed a prosecutor and a defense attorney and shot two judges in a Fort Worth courtroom was indicted for murder last week. He intended the gesture to draw attention to his difficult divorce.

**SUPPORT ENFORCEMENT PRIVATIZED:** Modifying and collecting child support was long the job of courts and parents; more recently it has been turned over to ill-staffed welfare agencies wielding judicial powers with slim chances for appeal. Now one such agency, West Virginia's Child Advocate Office, has farmed out much of its work to Assets Recovery Services of Winchester. The

collection agency's lawyers and investigators will extract child support in Virginia, Maryland and Pennsylvania as well as West Virginia.

**ROBB'S PROBLEMS:** In Virginia, the federal grand jury investigations involving Senator Charles Robb continue. According to a defense lawyer for one of Robb's aides, there is likely to be a decision within a month on whether to indict Robb. The federal prosecutor declined comment.

**BEER WARS:** A federal judge has lifted a week-old ban on advertisements by Anheuser Busch Co. that hit Coors' claim that its beer is made with "only pure Rocky Mountain spring water," saying Coors uses Virginia water to bottle Coors Light sold in the Northeast. Coors filed suit against Anheuser Busch for \$10M in August.

**STRIKING IT RICH:** A plaintiff won a \$619,000 jury verdict from Washington's Metro system for injuries he received after being struck by a bus in Georgetown in 1989, although he admitted being so drunk at the time of the accident that he couldn't remember any of the details.

According to witnesses, the accident occurred when the plaintiff tried to board the bus near a busy intersection, not at a marked bus stop. Although the doctrine of contributory negligence could have prevented recovery, the plaintiff's lawyer argued the jury was entitled to consider evidence that the bus driver had the "last clear chance" to avoid the accident when the plaintiff started banging on the side of the bus. The plaintiff's blood alcohol level was .424 percent when he arrived in the emergency room following the accident.

**1963 SUSPECT AWAITS SPEEDY TRIAL:** Mississippi's Supreme Court has indefinitely delayed Byron De La Beckwith's third trial for the 1963 murder of civil rights leader Medgar Evers. The delay is necessary to determine whether the "Southern nationalist's" right to a speedy trial is being violated.

**JESTING JUDGE FREED:** Virginia's Court of Appeals reversed former Norfolk General District Judge Joseph Campbell's conviction for forging court records because the trial court insufficiently instructed the jury to convict only if finding fraudulent intent. Campbell claims he was joking

when he told a clerk to alter the traffic violation records of Va. Beach Commonwealth's Attorney Paul Sciortino, who sought reelection.

**LAWYER ADS:** In Florida, a trial is expected to begin next month in Tallahassee to address television advertising by lawyers. The Florida Bar Association is charged with enforcing Florida's tough new regulations restricting the advertising. Three plaintiffs' lawyers are challenging the restrictions on the ground that they violate First Amendment rights. The state bar maintains the restrictions are needed "because TV ads for plaintiffs' lawyers have become so tasteless and predatory that they are prejudicing jurors— not just against lawyers and the court system but against clients."

**LILY-WHITE ADS:** U.S. District Judge Robert W. Sweet has ruled that a real estate firm can't run ads using only white models. The ruling involved a case brought by fair-housing advocates and four black New Yorkers who alleged that a New York real estate company discriminated against minorities by running apartment ads on buses, brochures, and in the NY Times that depicted only white models. The firm will be required to pay \$30,000 in

compensatory damages.

**SUDAFED POISONER:** Olympia, Washington insurance agent Joseph Meling pleaded not guilty to lacing his wife's Sudafed with cyanide in order to collect \$700,000 in life insurance, then poisoning Sudafed in local stores to cover his tracks. His wife recovered, but two strangers were killed early last year.

**AIDS-TRANSMISSION SUIT:** In Cincinnati, a federal appeals court ruled that a blood recipient who was given HIV-infected blood can sue the donor, even though the donor's identity was revealed accidentally in violation of a lower court order. The plaintiff initially sued the American Red Cross, charging negligence, and sought the identity of the donor. The trial judge refused to allow the donor to be identified, but ordered his records to be turned over to the plaintiff, with the name withheld. One of these records included the donor's Social Security number, which the plaintiff's lawyer used to trace his identity. The appeals court ruled that the plaintiff's right to sue the donor outweighed the Red Cross' concerns that it would discourage future blood donors.

**SEX:** The California Supreme

Court adopted a lawyer-client sex rule that prohibits lawyers from "demanding or requiring" sex from clients in return for legal services. The rule also provides for possible disciplinary action if a lawyer's sexual relation with a client affects the quality of legal representation. Under this rule, lawyers who have sex with a client will be presumed innocent of any misconduct, the prosecuting lawyer will have the burden of proving otherwise.

**DIVERSITY SANCTION:** The 9th Circuit sanctioned Chicago's Mayer, Brown & Platt under Rule 11 for a Los Angeles partner's "blind reliance" on a client's notion that his "legal domicile" was in Florida. Had the lawyers simply asked the client where he lived, she would have known he was a Californian who could not sue a California corporation in federal court.

**FOOD-FALL VICTIM:** A federal judge in Norfolk ruled that Virginia's pastoral privilege statute excuses an ecumenically-funded counseling service from producing a patient's records, even if she requests them. The patient hoped the records would document emotional distress suffered when a can fell on her at Food Lion. Food Lion hoped they wouldn't.

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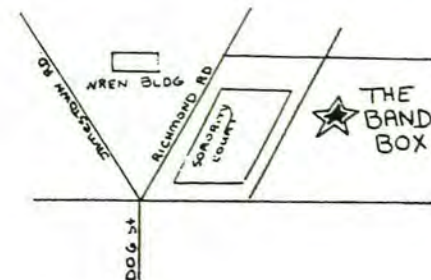
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# Faculty and students meet for talk, tea and crumpets

By HEATHER RAMSEY

On September 17, the first session of a new law school program called "Meeting of the Minds" will be held at the home of Professor Paul Marcus. Marcus and a group of ten law students will engage in "A Critical Discussion of the American Criminal Justice System." The meeting is the first of seven faculty-student discussions organized for this academic year by the Meeting of the Minds Committee.

Discussion will encompass a wide range of ideas: reasons for the high crime rate in the U.S.,

how patterns of incarceration can reduce the crime rate; how society can better address the causes of crime, the decriminalization of drugs, meeting the concerns of law enforcement and whether our rules of law positively enforce our criminal justice system.

The Meeting of the Minds Committee sprang from a casual conversation among concerned students who wanted more high quality faculty-student interaction outside the classroom. Jacalyn Scott (3L) said the goals of the program are to hold small sessions where

students can become better acquainted with their professors in less intimidating situations, and the professors can discuss their areas of interest.

"Professors may want to discuss interesting ideas that they can't get to in class," Scott said.

The committee consists of Scott, Angela Henley, Pam Hampton, John Lohmann, Kim Phillips (all 3Ls), and Katie Horton (2L).

When Scott and Horton approached Dean Connie Galloway with this idea last spring, Scott said Galloway "seemed very interested."

Galloway agreed to assist the group and find funding for each meeting's refreshments so the professors would not feel obligated to purchase them. The funding "encourages students to go and professors to not worry about the cost," said Scott.

The Committee intends to approach individual professors to speak at the gatherings. Professors Walter Felton, John Levy, and Michael Gerhardt, among others, expressed interest in participating. Although Marcus is hosting September's meeting at his home, meetings may be held at the school, Lake

Matoaka or someone's house. The individual professor chooses the topic and decides how many students should attend. Future topics under consideration include police brutality; health care; legalization of marijuana; abortion, and homosexuals in the military.

Interested students will sign up for each session on the administration board, and will be selected from this list by lottery. Due to the limited size of the program, students may not participate in more than one session per year.

## Dear Employer: I Want a Job

By JACALYN SCOTT

Approximately 50 second- and third-years attended Dean Robert Kaplan's annual "How to Write a Cover Letter" session. This year's session was designed like a workshop. Instead of reciting a list of do's and don'ts, Kaplan distributed a "pretend" resume and asked students to draft an appropriate cover letter to match the resume.

Kaplan also displayed two sample cover letters on an overhead projector to illustrate the major differences between a well written and a blah letter. Kaplan reminded students that a cover letter is a student's opportunity to introduce herself to the employer and also a reflection of her writing style.

Another important aspect of a cover letter is marketing. Because of the tight economy, students seeking summer and permanent employment must be able to distinguish themselves from other qualified students. One of the hardest tasks for students is to present themselves positively in a letter. You've heard the saying "accentuate the positive, eliminate the negative." Cover letters are no different. It all starts with a well written and professional looking resume and cover letter.

An effective way to draft a cover letter is to extract from your resume your

prize qualities and elaborate on your accomplishments and background. Relate your experience to the employer's practice areas or client base. Also explain your interest in the employer, such as

See HIRE ME, page 7

### Here are a few of Kaplan's tips:

1. Do not begin a letter with "Dear Sir/Madam" or "Dear Hiring Attorney." Identify a contact person.
2. Do not begin every paragraph with "I." Be creative.
3. Do not recite in narrative your resume. Don't bore the employer.
4. Do not describe a law firm in terms of size. What is large to some is small to others.
5. Avoid words ending in -al, such as cultural.
6. Do not be passive. Be aggressive.
7. Proofread. Spell check is great invention.
8. Do not exceed one page. No one has time to read two pages.
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10. Do not include a photograph. You may scare somebody.

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# Summer in Madrid: A Renaissance learning experience

By JOHN BROWNLEE

This summer, nearly 40 Marshall-Wythe students studied law in the historic country of Spain. Under the direction of Professors Kay Kindred and Walter Felton, these students travelled, studied, and most of all had fun.

Spain, a country between two seas, is both Latin and Celtic, Christian and Muslim, green and dry, flat and mountainous. Spain has 17 autonomous regions, defined by their own traditional cultures, their histories as well as their natural environment. The program is based in the majestic city of Madrid.

The small region of Madrid is deeply marked by the fact that it has been the home of the Spanish Court since the 16th century. Had this not been the case, it would have attracted much less attention, excepting of course, the magnificent scenery of the Guadarrama Mountains and the city of Alcala de Henares, which

was the real cultural capital of the Spanish Renaissance.

The academics in Spain are varied. Courses in American Criminal Process, Spanish civil and constitutional law, International Environmental Law, and the European Economic Community Legal System are offered. The courses are taught in English and meet four days a week.

While in Madrid, many students visited the famous Prado Museum. The Prado displays works by Velazquez, Goya and El Greco. It also contains excellent Flemish and Italian collections. Students also visited the Monastery of El Escorial. This is an impressive building in the best style of Spanish Mannerism, with which Juan de Herrera created a style that was to leave a deep mark.

During the first week of the program (July 6-13), most students ventured to the exciting city of Pamplona. Pamplona

is located within the Navarra region. This inland region, very near the sea, is located in Northern Spain from the valley of the Ebro to the snow-capped Pyrenees. Navarra is traditionally a land of pilgrimages. The penitential processions of Holy Week are of great solemnity, the one in Pamplona being among the finest in northern Spain.

Among the lay festivals is that of the week of San Fermin, in Pamplona. It begins on July 7th with the unforgettable of the running of the bulls. The young men of the city, not to mention a group of crazy Marshall-Wythe students, race ahead of the bulls through the streets from the corals to the bullring each morning. Hazard and adventure are written in capital letters during the festival, and Hemingway called it "a damned fine show".

The Olympics offered a unique opportunity for several students.

Barcelona, a city with tremendous personality, was the home the 1992 Olympics. After an eight hour bus ride from Madrid, students found themselves in a city that was ready for foreigners. The Gothic quarter and broad avenues, the museums and cultured opulence which has always been present as one of the main features of the nature of Barcelona was put on hold for the sporting spectacular. Swimming, biking, track and field, and of course the "Dream Team" were the main attractions. Matt Warren, Justin Smith, and Bart Harris (2Ls) were able to attend the first United States basketball game against Angola. Steve McCarthy (2L) was excited when he scalped tickets to the men's gymnastics.

Spain was an exciting time. The program is offered to any Marshall-Wythe student, and information concerning next years program will be distributed later in the semester.

## SLUMS, from page 3

including utilities.

In addition to law students, graduate students from the programs of Arts and Sciences, Business Administration,

Education, and the Virginia Institute of Marine Science are also residents. Married students or students with families are not eligible to live in the new complex, but still have the option of the college's Ludwell Apartments.

Despite a catalogue of problems which perhaps should be anticipated with the construction of any new residential facility, most residents express general satisfaction with the new Graduate Housing Complex.

## HIRE ME, from page 6

location, specializations. The Office of Career Planning and Placement is stocked with resources, including employers' resumes, NALP forms, how-to

books, etc. It is a good idea to draft a cover letter, following the "Resume and Cover Letter" handout by OCPP and make an appointment with Dean Kaplan. Rumor has it that he may actually have an opening in mid-October.



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# Rewarding effort justifies Legal Skills grading change

By Ronnie Clay

There are two reasons why grading of the Legal Skills program is necessary, to reward hard work (as well as sloth) and to reinstate some credibility to the program. Both reasons are compelling justification for the recent change in grading policy instituted by the Legal Skills program which will allow exceptional effort to garner an "A" and no effort to garner a low pass.

Legal Skills assignments take a tremendous amount of effort, *if* you want to produce quality work. So why not reward the student who does the work. There are two ways of navigating Legal Skills, working hard to get the most out of the program, and doing only what you have to do to get through the program. Now, both methods will be recognized.

The experience you gain from Legal Skills will help you get through those summer assignments more than any substantive course. You may not know squat about Intellectual Property but if you've learned how to research (through Legal Skills) you can identify the issues and find the authorities you need to argue your case. And, if you've learned how to put those arguments into memorandum form with proper bluebook citation (again through Legal Skills) you can impress that Partner of the firm Bucks & Opportunity, your summer employer.

However, there had been a disincentive to putting in the work that will gain you these benefits. Namely, the time it takes. Let's face it, the more time you put into Legal Skills, the less time you're going to put into your other courses. Regardless of what anybody tells you, the first piece of information that employers look for is

G.P.A. Why put lots of time into Legal Skills if it will detract from your graded courses. Yes, it will help you do a good job, but if you can't get a job, what difference does it make?

The new grading system is a compromise. It will reward those who do an "outstanding" job without adding the pressures of a fully graded course. Naturally, the granting of A's will need to be monitored. Allowing a firm to hand out 12 A's while all other firms dole out 1 or 2 would be unacceptable. But assuming that the powers that be in the Legal Skills program maintain some consistency with respect to the frequency of A grades, what's the problem? A few students who bust their butt will be rewarded and the vast majority will not be penalized, especially considering the new one decimal place G.P.A. and ranking system.

The second reason that justifies instituting a grade component into the Skills program is credibility. Marshall-Wythe praises it's Skills program as producing better trained lawyers, featuring it prominently in literature both to prospective students and potential employers. Without attaching some tangible benefit to the hard work the administration was sending the message, whether it wanted to or not, that this program was not of significant importance.

If the administration is going to expect employers and students to take the program seriously, shouldn't the administration do so? By attaching a grade, even in a limited sense, the administration is saying that this program is worthy of consideration. The grade is the indication that the administration attaches importance to the program. That overt acknowledgment may get the attention of employers, and if it doesn't, those who deserve it will gain some benefit by way of increased G.P.A. The HP I received in Skills was never mentioned

by a single interviewer, grades in one form or the other, were discussed by all.

And what about credibility within the student body? Everyone knew that it was next to impossible to fail the course and hard work didn't produce any tangible rewards; why not coast. I was blessed with the best "Senior Partner" the Skills program has to offer (Hello Greg, by the way, I need a reference), but even with the best direction and motivation, people are not going to work as hard where there is no incentive. Exceptional efforts, good or bad will now be recognized, and recognized in a meaningful way. An HP may never be mentioned in an interview, but is anyone willing to take the chance that an LP will be? That would be an interesting little discussion.

Yes, arguments have been made against any grading of Legal Skills; it will lead to a pressure-filled competitive environment, people won't work together, grading will be too subjective, etc. Stop your whining!

Skills is supposed to mimic a "real law firm" right, if you want pressure or a competitive environment, try working in an actual law firm where permanent offers or raises or partnership are determined rather than a grade. And don't you think Senior Partners will be sensitive to those who circumvent "group" projects in an effort to get that elusive "A." After all, if the assignment is to work in a group, the ability and effort within the group would certainly be considered in any grading. Subjective grading? If that is your concern, drop out of law school.

Marshall-Wythe is supposed to produce the best lawyers possible. Legal Skills is the most innovative, practical means of accomplishing that goal. Its about time that the Legal Skills program was granted the authority it needs to achieve its mandate.

## Grades for Skills: a bad idea whose time has not come

By Bill Fitzpatrick

I am sure many of you first years are still very much in awe by the Legal Skills program. However, just as Dorothy's reverence disappeared when she looked behind the curtain, much of your respect for the Legal Skills program will have ebbed by Thanksgiving. In fact, I do not think I am going out on a limb when I say that a majority of you will inevitably hate Legal Skills. Do not panic. Every class before you has hated it. It is part of the Marshall-Wythe experience. This year, however, you will be given the unique opportunity to go beyond the typical bounds of abhorrence. Legal Skills is being graded.

Why is Legal Skills being graded? A legitimate, but cynical, answer is that with Legal Skills graded, students would not be able to ignore the reading assignments. The students would get more out of class, or so the reasoning would go, and they generally would feel more compelled to learn. This is called the 'hot-foot' theory. To move a student, a fire must be lit underneath him. The fear of the Low Pass or, yes, the "F", and the reward of the full credit "A" are the tools of motivation.

However, Professors Moliterno and Levy have chosen the wrong place to light the fire. If you want a student to understand a subject, you should not try and scare him into learning it. Rather, you should teach it to him. The fire must be lit in the mind, not on the foot. Using grades as a stick to coax students to learn is an

inadequate substitute for stimulating material. Other substantive options are available.

Along these lines, I suggest that the new grading system of Legal Skills will have little of the desired consequences it was designed to bring about. Without any meat on the bone, the knowledge learned in Legal Skills will be buried in time. The fact that the course is now graded will have little impact on the retention of the material.

In the old system, the threat of the "F" did little to generate the much desired "good-faith effort". After all, no one got "F's". (Well, almost no one.) Therefore, the motivating force in this new arrangement is the Low Pass. The image of the letters "LP" appearing on a transcript is expected to stimulate the student into giving the required effort. Clearly, a Low Pass would seriously tarnish a transcript, and, therefore, should only be given to students who go beyond the call of duty to ignore Legal Skills. This, however, runs the risk of making the "LP" the toothless tiger that the "F" was, is, and will be.

If that is the case, is not the new Legal Skills grading system principally reduced to a two-tiered structure of "P" and "A"? The old two-tiered structure of "P" and "HP" was deemed inadequate. Apparently, the awarding of credits for the "A" will make all of the difference in the world. I submit that the present difference between the "A" and the "P" is too great. Too many inequities will be created and dissatisfaction will flourish.

In the old regime, while some students seemed to

deserve a "HP", others seemed to get it because it was "their turn". There is little material to objectively justify a grade in Legal Skills. Many of the exercises involve using a student's communication skills and other personal attributes that are purely subjective.

Furthermore, much of an "associate's" time is spent within a working group. How do the decision-maker's effectively separate the personal work of the individuals in a group? What do the "partners" have to base their decision upon to reward one student with the credits of an "A" and give another student a mere "P"? In Legal Skills, the body of work of a student is too small and subjective to reward one so handsomely while realistically ignoring the efforts of another.

The decision-makers will base the students performance against an academic backdrop. In the real world, many situations will require the attorney to throw the Legal Skills manual out the window. Attorney's do not apply the academic model to every client and every case. In fact, it will probably be the exception rather than the rule. Legal Skills claims to teach the law student the nuts and bolts of being an attorney. The true measure of an attorney, however, is her intuition and versatility in confronting the unknown. These assets cannot be measured in a classroom, and, moreover, would be trivialized if they were to be quantified by a simple letter grade.

In many if not most instances, the individual with the

See BROTHER LOVE, page 16



## Don't treat us like children with mandatory attendance

By Richard A. Hricik

"I'm mad as hell and I'm not gonna take it anymore"... well unfortunately I have to. I am course referring to professors who have mandatory attendance policies. However, let us not forget that Big Brother, in the form of the ABA, is also watching.

Why so upset you may ask? Let's first look at law school from an economic perspective. Through the payment of my tuition I have purchased a service from the school. What I choose to do with the service that I have purchased is my choice. If I am in some way

causing a detriment to myself by not maximizing the benefit of the services purchased, then it is my loss. I freely accept the consequences of my own decisions.

As a rational thinking adult, I know how and where my time and energy should best be spent. If I choose to spend the day outside of class on another activity, I have made the choice that I will derive a greater benefit from that activity than from attending class.

This is not to say that I am against attending class, I merely reiterate I should be the one to decide what I believe is valuable to my legal education. There have been professors from whom I have learned many

things that will be of value to me as a future practitioner. I have regularly attended their classes, not out of obligation, but due to the quality of the education I was receiving.

In contrast, some professors encourage unstructured classroom discussions or discuss the esoteric aspects of a particular legal subject. That is their choice.

Again, it should be my choice to decide whether or not I feel my legal education will somehow be deficient for failure to attend their classes.

What I resent most of all is that mandatory attendance takes away a very powerful right. The right to vote with my feet and thereby provide my

commentary on the style of the professor. "Withdrawal in disgust is not to be confused with apathy."

Professors also lose when they require attendance as they lose the ability to get this direct feedback. If a professor is truly interested in what the students think of their teaching style, the numbers in the room will give a much clearer answer than any scantron comments.

If professors are so interested in my legal education, making my attendance imperative, why is my grade solely based upon a three hour exam at the end of the semester. If there is so much to be learned through the course of one semester, why aren't tests or exams offered throughout the

year or even partial credit given for class participation.

As an institution of learning, the goal of the law school is to prepare us to become lawyers by giving us the knowledge to achieve that end. However, this knowledge is to be found not solely in the words of our professors or comments from our classmates, but in treatises and study aids by the thousands.

After 17 years of formal education I know better than anyone else the process of how I learn material. I know what I have to do to learn the material that is being taught. Let me decide what and when I choose to study. Let me be the judge of what is important to my own legal education.

## It's a MAD World

## Nullification: a proper tool for fully informed juries

By M. A. Donald

During my second week working for a solo practitioner in Tucson, AZ., I finally stopped to read one of the multiple posters conspicuously glued up near the Pima County Superior and Justice Courts. The top of the poster read:

"BE A FULLY INFORMED JUROR! ... READ THIS POSTER!"

Since I was in no hurry to get on with research in the county law library, and since I was being paid by the hour, I stopped to read the full text, which dealt with something I was unaware of as both a citizen and a law student, a legal relic called jury nullification. In the process, I discovered the worst nightmare of George Bush, Bob Martinez, and other authority zealots so passionately consumed by the consciousness jihad known as the Drug War.

The essence of this doctrine goes something like this: any jury in any case, after having heard the instructions from the judge can decide that the law sucks, and can (despite having taken an oath to the contrary) cast their vote on the basis of what is just. This is a pretty trivial matter in civil trials where such jury "misconduct" is reversible on appeal, but when combined with other insidious doctrines like double jeopardy, in the criminal arena, the stubborn exercise of this right can mean that defendants walk,

or in the event of an impasse, the case ends in a hung jury.

Naturally, the concentration of such power in the hands of the "little people" on a jury is disturbing to those who have spent so much time and special interest money buying their way into the state and federal legislatures.

The active use of the jury nullification power at the fringes of the criminal law, i.e. sodomy statutes, gross over-punishment for drug offenses, and obscenity prosecutions prevents the authority freaks from grinding their White-Male-Christian axe against the substandard moral fabric espoused by college English teachers, single mothers and Warner Brothers. In other words, the more asinine the law, the more likely that an informed jury or juror will decline to apply it to a given case. According to one source, in Kentucky, up to one half of all marijuana cultivation cases fail to end in conviction because jurors are aware of this right.

Now just hold on a minute Mr. Vice President, before you read another speech without adult supervision: this doctrine is not the invention of the ABA nor of the ACLU. The audacious idea that a jury might perceive and act against the tyranny of the state was a part of the law of juries prior to the American Revolution.

A plaque near courtroom five of Old Bailey in London commemorates the use of the power by a jury that was fined and jailed without food for refusing to

return a conviction for preaching to an unlawful assembly. The year was 1670 and the agitators were William Meade and William Penn, and America was a place where obedience for its own sake was a highly touted personal quality. The suspension of jury rights by George III in response to the American resistance was among the factors leading to our country's most famous and widespread episode of "Cop Killer" celebrated every July 4th.

Naturally, after things settled down and the American Governed had met the new boss, same as the old boss, the informational lid was slammed shut on jury nullification instruction in 1895. Enter the Fully Informed Jury Association (FIJA) and the National Organization for the Reform of Marijuana Laws (NORML), with a national campaign to educate the public about jury nullification in a day and age when the morality of the state-house so frequently deviates from local notions of common sense and common decency. In Arizona, where the vast majority of the legislators come from populous Maricopa county, composed largely of retired armchair fascists and would-be televangelists, mandatory sentences for such heinous offenses as possession of marijuana, are not nearly so mandatory when juries are drawn from more liberal/activist/inhaling Pima County given that the parking garages, sidewalks and walls near the courthouse proclaim tidings of jury nullification.

The historic use of jury nullification

pops up during the alcohol-drug war, when during the last four years of prohibition, half of all alcohol trials ended in hung juries or acquittals. NORML hopes that by informing jurors of harsh penalties for marijuana possession and of jury nullification power that those (many) jurors who are fed up with Prohibition II will disregard the required oath and vote for acquittal. The desired result being fewer people going to jail and forfeiting their possessions, on the basis of ugly laws passed in a frenzy of racial hatred, and designed to prop up the chemical and logging industries (the real origin of marijuana prohibition).

According to the September issue of *Student Lawyer*, FIJA juror education flyers are even being put up by Operation Rescue members, in hopes of winning acquittals for what might arguably be defined as acts of "civil disobedience."

Naturally there are humorous mental contortions among judges and prosecutors to differentiate between a "Power" of the jury as opposed to a "Right," and any publicity given jury nullification is invariably followed by outcry from legislators, police chiefs and other authority junkies. The taking up of the jury nullification banner by NORML represents the continuation of political jury doctrine advanced by previous rabble rousers like John Adams and Alexander Hamilton, and a legitimate response to legislators who have refused to learn from the past, and who favor jails as healing instruments for social ills.



# Miss Demeanor kicks the bucket, Anita Libido takes over

[It is with profound sadness that I must report the untimely death of our esteemed etiquette columnist, Miss Demeanor. The tragedy occurred this summer, at a dinner party in Monaco. At press time, the only detail we have been able to verify is that it was a rather gruesome incident involving a chaffing dish, a mislabeled container of Sterno, and one of Princess Stephanie's bodyguards. Monaco's royal family has assured us that Miss Demeanor's passing was quick and she did not suffer. We will miss her wit and wisdom.

Despite her delicate image, Miss Demeanor was a pillar of strength to the Amicus Curiae staff. I am confident that she would want us to find someone of the same gentle, blue-blooded heritage to provide much needed advice to the M-W community.

Bearing that in mind, and struggling through my tears of grief, I am pleased to introduce our new advice columnist: Anita Libido. Thrice convicted as a communis rixatrix (common scold), Anita came to Williamsburg seeking meaningful interaction with others as well as tumult and wrangling. Unfortunately, the home of chastity and pancakes could not satiate her urges. So, she sought out the largest concentration of deep-seeded psychoses in

the Peninsula and decided to take over our advice column. --Ed.]

Dear Anita Libido,

I am a first-year law student and am puzzled by some comments in The Docket. While glad to hear that the law school had the windows washed and the furniture re-upholstered (with that elegant naugahyde), just what did the place look like before, and what are those "nabs" which we aren't supposed to "grind unmercifully into the pile?"

--Not Worthy

Dear Innocent 1L,

What you missed out on last year was the "Year of the Bus Station" at Marshall-Wythe. The windows probably had to be washed to rid the place of the left-over smoke residue. And the naugas, well, what can I say ... it did (and still does?) look a little like Greyhound Waiting Room circa.

In addition, all those years of 2/3L's sleeping on them on registration eve had taken its toll. (Rest assured, the school has told you that this won't be necessary for you to get the classes you want next year.) On the "nabs" issue, your guess is as good as mine. Maybe they meant "nibs" (as in those cheese crackers that

we are all so grateful to buy from our french cafe-style lunchroom).

Or possibly the school wants us to refrain from grabbing those stranger who wander into the lobby on occasion (because we so often mistake them for the "nabbers" who take our lunches, books, and suits) and hence, grinding them unmercifully into the carpets (and that means they'd have to clean the carpets all over again). Whatever the reason, we may all be well-advised not to smash anything into the rugs, but then again, you haven't had Client B or Rosenberg's Property yet.

Dear Anita:

What does "turgid" mean?

--A Professor up for Review

Dear Prof. Devhardt,

Engorged and purplish.

Dear Miss/Mrs./Ms Libido,

New to this law school atmosphere, I find myself in a difficult quagmire. It seems my LSAT prep course did not offer a section on political correctness. As a result, I neglected to brush up on the necessary PC rules for Marshall-Wythe. Now I often stumble with correct usage of he/she, chairman/chairwoman,

etc., and am often embarrassed. Left to ridicule, I now shun social occasions as they might give rise to this personal flaw. You are the only one that can save me from a hermit life. Please, what are the correct rules for stating generic personage in today's PC world?

--Confused

Dear PC Outcast,

I must admit that I sympathize with your situation. These rules are confusing and many different thoughts on the subject abound. The traditionalists would say to continue using the masculine -- he, chairman, etc. -- when the true sex of the person referred to is unknown. Others would say to alternate between masculine and feminine. I prefer a simpler rule that will never leave a question and would never offend the PC conscientious. Always use the most generic term with not reference to male or female. He/She would be "person." Well, "person" has son in it, so try using "perbeing" or "the entity." "Chairman" becomes "chairbeing", "human" becomes "hubeing", and so on. Or you could always say "the dude" or "hippie chic." Note, if you chose to use the simple term "people", remember, "you people" is NOT PC.

## Golf Tips: Seizures, outlines and the Sarcastic Method

By TOM BOOK

I wish to extend a hearty welcome and my personal congratulations to the incoming first-year class for posting such impressive numbers and accomplishments during their academic and professional careers before entering law school. You guys sure look good on paper.

I also wanted to let you know that although M-W is only about the 53rd best law school in the nation, it is first in the category of local golfing opportunities. There are many excellent courses in the area including Ford's Colony, Kingsmill, The Golden Horseshoe, and the course which you will play, Deer Run. If you want to know more about the location and hours of these courses, make a few phone calls and look at a map.

What's more important for you legal neophytes to know is that law school is at once both an intellectually empty and morally bankrupt experience, and anyone who attempts to persuade you to the contrary is either a liar or a law professor, though one should be advised that the two categories are in no way mutually exclusive. Learning to "think like a lawyer" is merely a euphemism for the process of compromising your own values for those of the marketplace. Being taught to

argue either side of the issues in a case produces a professional moral duality that accounts for the majority of the public's animosity toward lawyers. The lack of personal integrity reflected in one's willingness to say anything for a buck exposes the reality of a lawyer's life in which "counselor" and "advocate" are merely kinder, gentler ways of saying whore.

But, do not be dismayed. Much of the reason the public hates us is the same reason many of you entered law school, to wit; lawyers always make money. You name it--divorce, accidents, crime, nasty custody battles, civil suits for rape against prominent athletes--these are gold mines for lawyers. All you have to do to get to this pot of gold is survive law school. And I'm here to tell you how to do that.

First, and foremost, you must disabuse yourselves of any misguided notions that law school will be a fulfilling experience intellectually, socially, or otherwise. The text books are criminally boring, classmates are insufferable, especially those who feel obligated to share every inane thought they have with the entire class on a daily basis. Classroom participation does not, I REPEAT, does not have any effect on your grade and is in no way reflective of intelligence,

preparation, or one's ability to practice law. (Earl Warren didn't say dick in three years of law school). Because this is the case, do not volunteer, and whenever possible keep your mouth shut. All you can earn by spouting off is the rancor of your classmates. Furthermore, if you keep your mouth shut, you won't be nearly as embarrassed when you get all C's your first semester. If you are called on in class and feel that you have to speak, my advice is to fake a seizure. Not only will you then not have to answer the question in that class, but the chances are pretty good that you will never be called on again.

Furthermore, do not be intimidated by your professors--these people are not Ph.D.'s, literally. For the most part these are very intelligent people who work hard and love the sound of their own voice. As a whole, they have very large egos and enjoy putting people on the spot with what they obviously think are clever and insightful hypotheticals. Just keep in mind that no matter what you say they will say the opposite just to prolong what is undoubtedly already a ridiculous conversation. On the whole, it is not unlike arguing with your girlfriend. The result is the same, you can never win.

Therefore, I recommend

that you don't even get into it with them. If you are called upon and someone in the class has already faked a seizure, simply say, "I'm sorry Professor X, but I do not think I will be able to help you with that case today." If that doesn't work, and you are forced into a dialogue, I recommend that you combat the Socratic method with the Sarcastic method. When the professor points out the flaws in your reasoning, just reply, "You know Professor, after hearing your comments and upon some further reflection of my own, I realize my errors and see that you are completely right. Thank you for guiding me out of the cave of shadows within which I was formerly dwelling."

The key to law school can be summed up in two words: commercial outlines.

Casebooks are ridiculously expensive, unnecessarily heavy and often do nothing more than keep your professors comfortable in Kingsmill or some similar ghetto for the rich and self-impressed. Don't buy them. Just buy the outlines and learn the black letter law. Hornbooks are a waste of time and serve only to confuse you more. There is no need for depth of knowledge in law school because law school exams are tests of quantity rather than quality. Indeed, class rank is

more a measure of hand speed than it is of intelligence.

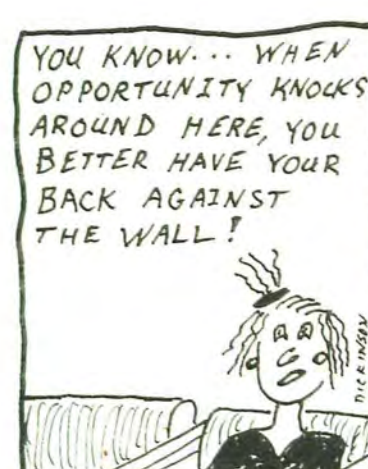
Unfortunately, class rank is also the factor most determinative of whether you will be gainfully employed in 1995 or not. Remember that while a professor's glib comment that "You are not your GPA" may be true on some existential level, your GPA will, in large part, determine where you end up three short years from now. Thus, you must tailor your preparation to fit your goals. If you want to work in a big firm, brief every case, take copious notes and make stupid law-related jokes among your geeky study group partners. If you want to work in a medium or small firm, buy an outline and make a good faith attempt to attend half of your classes. And, if you want to work for the government, just be sure that you register every semester.

That's really all there is to it. Don't allow yourself to get sucked up into the sheep-like culture that pervades law school. Strive not so much to be a person of success, but rather a person of character. Don't allow your classmates or professors to make you doubt what you know to be true. Most of all, remember that if you walk down the halls and call everyone you pass a jerk, you would be right about 85 percent of the time.



# Naugahyde

by Bob Dickinson



## Everyone has words of wisdom for first years

By JOSH SACKS

The professor's prophetic words echo in my mind as if I heard them only yesterday:

"One day, your wife will look at you angrily and yell, 'Stop talking like a lawyer!'"

Well, realizing that I'm not married and that the statute of limitations on such intangible social commentary is relatively short, I took said professor's advice with a grain of salt and continued to fight my way through the glories of "Law Camp". It is here, in the recesses of the Marshall-Wythe fortress, that I would embark upon a true life experience. I would attempt to tackle the pressing issues of our time. I would learn to think like a lawyer. I would learn to decipher complex legal material in classrooms where air conditioning is not an inalienable right. I would, in fact, learn to adapt to new

situations and new surroundings, always keeping in mind my purpose for being here and the greater purpose of law schools: to intimidate, to confuse ... and to pick up babes?

Advice was easy to come by during the first week of law school. Fears that filled my head before committing myself to this legal enterprise were quickly forgotten. The atmosphere at Marshall-Wythe was different. I knew when I first walked into Millington Auditorium and dove for cover in response to what I thought was a wave of Uzi fire that I need not worry about preconceptions and ingrained philosophies regarding the process of legal education.

"We are not here to make you uncomfortable." (Translation: Don't think for a second that we're not here to make you uncomfortable.)

I was convinced that discom-

fort was not part of the game when I started filling out seating charts and anxiously listened to professors argue that they would be considerate when they called on us. They said that if we floundered around or didn't know the answer, it was alright. We would get the benefit of the doubt. It's not that you haven't prepared, it's not that you buckled under the pressure. It only looks like you're unprepared and that you buckled under the pressure.

Well, at least the intimidation of law school during the first week was balanced by the confusion. I felt particularly good about myself when I realized that I had no idea who Wythe was. Or why Article III, section 2 of the Constitution is important. Or whether or not an automobile is considered an instrument of impending/inherent danger in Florida. How do

you spell Sartre anyway? I'll follow some good advice:

"Everyone is confused in the beginning. It's new material and a new process." (Translation: You are the only one confused. ... Is that a bottle in front of me or a frontal lobotomy?)

At least I'll take away some valuable social advice from my first week at the school. I mean, if all else fails, at least I can pretend that I'm a lawyer.

"Hey, how's it goin', habeas corpus."

"Is that a writ of mandamus in your pocket, or ...?"

"You know, you have the nicest rejoinder I've ever seen. And I'm not just saying that."

Anyway, I guess the law school experience is inexplicable. It's an experience aimed at preparing people for making difficult and influential decisions. It's an experience rooted in the foundations of this

country's social, political, and economic systems. It will teach us new approaches to problem-solving, it will introduce us to a broad range of material and issues, and, hopefully, it will make us better people.

I'm thankful for the advice I was given my first week of school, even though I know I'll have to make sense out of things as they develop. For now though, I'll try to work through the problems of my infant legal education, like trying to get in touch with people in graduate housing—do you page them first, then call a local pay phone, or ...?

I gotta run. I have an appointment in the library to razor blade pages out of text books. Then it's off to the parking office to pay my tickets. And finally, I can return home and confront the volumes of cases I must understand for tomorrow's classes. Any advice?

Collect them all! This week: Demi-Gods of Legal Skills!

## More clip 'n' save Marshall-Wythe trading cards



Brian Bonner



Julie Gilges



Julius Rothstein



Lisa Brook



# Blunders, bloopers and practical jokes of the conventions

By TOBIN ROTH

For those of us who are political diehards, CNN and C-SPAN's gavel-to-gavel coverage of the two political conventions was heaven sent. The networks have sold out. In a move that further sound bytes the political process, the Big Three cut back their convention coverage to a piddly one to two hours a night. So for those of you who don't have cable (why else would you not have watched our political process in action?), here is a review/summary of what you missed:

## THE DEMOCRATS

**Location:** New York City and The Garden were definite weaknesses for the Democrats. Mayor Dinkins' P.R. efforts were dashed by CNN stories of security seminars for visiting delegates. Madison Square Garden also took some torpedoes to future convention hopes when Virginia Gov. Douglas Wilder bemoaned his delegation's seats between the Guatemalan broadcast booth and the tattered Knicks banners.

**Best Speech (content):** Republicans across the country were clutching their hearts as former Congresswoman Barbara Jordan spared no feelings and spoke of cutting entitlements, abandoning political correctness, and regaining the electorate's trust. The only thing she left out: the Democratic Leadership Conference had prevailed in 1992. No kidding.

**Best Speech (delivery):** Sorry Mario, but Jesse Jackson takes this one. Jesse has an expressive style that is unequalled by his political peers--so expressive that some skeptics dismiss his words as the ravings of a Southern preacher. Horsehocky. When Jackson's

podium becomes his pulpit those skeptics should hush and help their outfinanced Party by passing the plate.

**Worst Speech:** Senator Bill Bradley stiffly claimed that the President "wiggled, waffled, and wavered." Meanwhile, his audience waned, winced, or went to the 'fridge. The real bomb, though, was the prediction by McLaughlin Groupie Jack Germond that Bradley would be the star of the convention. Stick to journalism, Jack--Nostradamus you ain't.

**Best Issue:** In response to the often heard cry for more women in Congress, Tuesday night was a showcase for the Party's strong field of female Senate candidates. Each one has alluded to the Senate Judiciary Hearing as "the reason" she entered the race, or at least a primary motivation. Imagine Anita Hill's impact if she was a Democrat.

**Worst Issue:** When Penn's pro-life Governor Casey was muzzled to make room for some pro-choice Republicans, the abortion dissension that the Party had tried to deny was exposed.

*The lingering question:* can pro-choice Republicans challenging such pro-lifers as Casey and Kansas Gov. Joan Finney expect support from the likes of N.O.W. and other pro-choice organizations?

**Best Moment:** Although the gavel sounded on Monday, we had lift-off the preceding weekend when the nominee chose Al Gore as his sidekick and the Perot campaign began to crumble. The Gore choice finally prodded most of the "Superdelegates" into a sincere embrace of the Clinton candidacy. As for Perot, the experts misjudged his

supporters. The lion share of Little Big Man's devotees were anti-Bush, giving Clinton a good portion of them upon his exit. But can he hold on to them?

**Worst Moment:** As the word "change" reverberated throughout New York, various camera shots revealed two Hall of Famers seated on the floor: former House Speaker Jim Wright and former D.C. Mayor Marion Barry. Rumor had it that in an attempt to lure the two out of camera range, Wright was asked to do a book signing out in the lobby and Barry was told there was someone waiting to see him in the visitor's room.

**Best Line:** The Democrats once conceded this category to the Republicans, then came Ann Richards. The Q-tip coiffed Texan was plodding through a slow part in her speech, then woke up the delegates when she quipped, "...but as Richard Nixon once said, 'That would be wrong.'" The Party may have to retire this award in her name.

**Worst Line:** Sen. Al Gore recounted the near death of Al, Jr., telling how he knelt in the gutter and embraced the boy, stared into his lifeless eyes, and prayed with his son that he might survive. Then, the solemn Gore invited the Democrats to join him in embracing our country as it lay in the gutter, stare into its lifeless eyes, and pray that it too might survive. One television commentator stated that Gore's analogy bordered on poor taste. Bordered? It redefined poor taste.

**Other Observations:** From the "Whatever Happened To..." files, careful research has uncovered the little known fact that Bill Clinton's mother is in fact the same woman who played Sabrina on Saturday morning T.V.'s "Josie and the Pussycats."

Yes, the hairdo gave her away.

## THE REPUBLICANS

**Location:** The Republicans are charmed. The famed Houston heat turned up missing, and like New Orleans, the city provided a spacious dome where each delegation was seated on the floor. O.K., so the Astros had to take a 28-day road trip--they're pitiful, and it's best if the hometown fans don't have to see you lose.

**Best Speech (content):** In the wake of a platform committee that did all but invite those wishing to be saved to come down front during the singing of the hymn, Ronald Reagan and Jack Kemp sounded a moderate (yes, moderate) tone. But the bad news for Party moderates is that Reagan has a "former" before his title, and Kemp's 1988 campaign was unable to convert on third-and-long (or third-and-short, for that matter).

**Best Speech (delivery):** The G.O.P. clearly needs to send some folks to the Democrat Oratory School. But if you judge the performers in Houston against their own past efforts, Dan Quayle wins easily. Roger Ailes was reportedly brought in and it showed in a Vice President who was comfortable, confident, poked fun at himself, and handled the rowdy Astrodome better than anyone did. Nevertheless, Jim Dial and Frank Fontana are safe in their jobs at "F.Y.I."

**Worst Speech:** Maybe it was all the hype beforehand, but Phil Gramm registered a goose egg. "The hype" was those claims by Gramm that he would lay out a plan for the Party and those by the press that he would christen his 1996 Presidential campaign. In a word, no. Take heart, Phil: the Bill Clinton of 1988 was even worse.

**Best Issue:** Aneasy one: foreign policy. The convention reminded us that Kuwait was a military success, the Arabs and Israelis are talking (in Washington, no doubt), and the Communist community has become a cul-de-sac. Patrick Buchanan zinged the Democrats best when he stated that Clinton's foreign policy experience consisted of "a meal at the International House of Pancakes."

**Worst Issue:** This "family values" theme just might work for the G.O.P. if they were a little more subtle. O.K., a lot more subtle. But as it stands, their approach is getting hypocritical and patronizing (for further discussion see "Worst Line").

**Best Moment:** "George P." Bush spoke about his grandfather, and did a better job of humanizing the President than any ad campaign could. He secured the nod for this category when he let loose with, "Viva Bush!", accenting his Hispanic heritage. This "moment" may not do much to help "George H.W." win the young and minority votes, but I don't think MTV was ever seriously considered.

**Worst Moment:** Although there were no glaring errors, Labor Secretary Lynn Martin pushed it on Wednesday night. In her nominating speech of President Bush, Martin asked, "Is America better off than it was four years ago?" There was an awkward moment where the crowd struggled to respond, as if it to say, "I thought we weren't going to use that one this time around?"

**Best Line:** Although Reagan

See BLOOPERS, page 13

## Lisa

Lisa already added much to the legal skills program this year as she is using her own automobile negligence case as Client A. When asked about the risks of letting inexperienced 1L's handle her case she said, "I wanted to get a lawyer from M-W that hasn't been brain-washed by two years worth of disinformation from the legal skills program. If I hire them now there is still hope!"

## Julius

Fred Lederer has allowed Julius to take time out of his busy Trial Ad job to also work as a legal skills guru. A master of time management, Julius has also found time to take over Lederer's personal affairs. He does have his limits, as he drew the line when Fred invited him to a party that Julius had catered and then expected Julius to serve.

## Julie

Remember Lovestruck (1L) from Miss Demeanor last year? Just as Romeo took his own life in the name of love, Lovestruck went to the extreme of failing Legal Skills in hopes of getting a chance at meeting first-year heartbreaker Julie Gilges. Like the hopes of all the 1L's he crashed and burned as Julie is not only engaged but she assists a different firm!!!

## Brian

Rumor has it that the only reason Brian "Rico Suave" Bonner signed on to be a legal skills guru was to get dates with the available first-year women before the rest of the school arrived. "The beauty of my plan was its simplicity," said the free market economist Bonner, "there's nothing more enjoyable than a good old-fashioned monopoly!"



## News of the Weird

By BILL MADIGAN

**DO YOU HAVE CHANGE FOR A THREE DOLLAR BILL?** A Fredericksburg man was charged with fraud after convincing a Food Lion manager to give him \$10,570. Curtis Johnson approached the grocery store's assistant manager, and told him that he was an FBI agent investigating a counterfeit ring. Johnson told the manager that the counterfeit plates had been found, and that he needed to compare the store's \$100, \$50, and \$20 bills with the plates. The manager then gave him the \$10,570 to "inspect." Johnson was later arrested in a nearby motel. (*Richmond Times-Dispatch*).

**WHAT'S BROWN AND SOUNDS LIKE A BELL?** A 26-year-old elementary school teacher in China was put in jail for forcing unruly students to eat cow dung. Liu Deshun used forced dung ingestion to punish students guilty of talking, fighting, and handing in their homework late. Deshun was sentenced to two years after the court found he had used this corrective measure 56 times. (*U.S. Express*).

**AND YOU THOUGHT DEMOCRATS WERE SOFT ON CRIME...** Headline of the week: "Teen Faces Detention In School Shooting." (*Washington Post*).

**DON'T BE CRUEL** As Democratic

Presidential candidate Bill Clinton winds his way through the lone star state, he will have a new addition to his entourage—none other than the King of Rock 'N' Roll. The Texas Republican Party is planning to hire an Elvis impersonator to trail Clinton on what the Republicans call his "Don't Be Fooled Tour." According to a spokesman for the Victory '92 effort, the King will be following the Democrat's bus, "singing and serving bologna sandwiches." There was no word as to whether it would be the young or the old Elvis. (*Washington Post*).

**BUT DO THEY DO WINDOWS?** "The feminist agenda is not about equal rights for women. It is about a socialist, antifamily political movement that encourages women to leave their husbands, kill their children, practice witchcraft, destroy capitalism, and become lesbians," excerpt from a letter from televangelist Pat Robertson to citizens of Iowa urging them to take up arms against the passage of an ERA amendment to the Iowa Constitution. (*Virginian Pilot*).

**LOSING MY RELIGION** A regular midnight church service was interrupted by armed intruders who robbed worshipers after ridiculing their beliefs. (*Richmond Times-Dispatch*).

**WHY ASK WHY?** Singer Lou Rawls

McRaney, by saying, "If only Murphy Brown could meet Major Dad." Newsflash, Marilyn. McRaney is now on his third marriage.

**Other Observations:** Did you notice the Minnesota delegation decked out in cowboy hats? Granted, fashion is a stranger during these political windings, but cowboy hats? In Minnesota? I would propose something more reflective of the state. For instance, they could honor their Favorite Son of pop music by sporting raspberry berets.

### BLOOPERS, from page 12

and Quayle were funny doing their imitations of Lloyd Bentsen, the line got old. So, the President took this award for his comment about Clinton's ambiguity on the Gulf War: "He's best characterized by a sign he may have seen on his bus trip: 'Slippery When Wet'."

**Worst Line:** This television thing reappeared when Marilyn Quayle thanked her introducer, actor Gerald



broke into a chorus of the Budweiser jingle at a concert for Little League baseball players. Little League bans alcohol from its property and supports strong programs against alcohol, drugs, and tobacco. The 11- and 12-year old participants were serenaded with "When you say Budweiser" during the Little League World Series festivities. The singer explained that he was just praising a company that has done "a lot for students" through its sponsorship of the United Negro College Fund. (*Richmond Times-Dispatch*).

**STILL WAITING FOR THE SEQUEL**

Porn star Harry Reems, made famous in the classic *Deep Throat*, has retired to enjoy life's simpler pleasures. Once earning as much as \$30,000 per week, the actor has kicked a drug and alcohol problem, and is now selling real estate in Utah. "All I ever wanted is to be a good person," Reems said in a recent interview. He probably won't be speaking at BYU's commencement. (*U.S. Express*).

**TURN TO THE RIGHT AND COUGH** Runner-up headline of the week: "Independent Counsel Sought to Probe Bush Son." Not a job I'd want. (*Richmond Times-Dispatch*).

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## Jesse Jackson to speak

Rev. Jesse Jackson will speak at William and Mary Hall Wednesday, Sept. 16, as the first in the College of William and Mary Student Association Speaker Series.

A student leader in the sit-in movement, Jackson continued as an organizer in the Southern Christian Leadership Conference as an assistant to Dr. Martin Luther King, Jr. He is founder and president of the National Rainbow Coalition and has authored two books, *Keep Hope Alive* (1989) and *Straight From the Heart* (1987). In 1990, he was elected to the post of U.S. Senator from Washington, D.C., a post created to advocate statehood for the district.

Tickets for the event are available at W&M Hall and all Ticketmaster locations and are \$5 for students, \$8 for faculty and staff and \$10 for the general public.

## Stop hiding those library books

Now's your chance to rid yourself of the guilt and turn in all those overdue library books—with no fines!

The Marshall-Wythe law library is offering amnesty through Sunday, Sept. 13. Since Jim Heller swears that there are no hidden cameras pointed at the return cart, students, faculty and other patrons should run to their favorite hiding places, dig up their overdue books and place them on the shelves in the library lobby marked, "Return amnesty materials here."—NO QUESTIONS ASKED.

Books and other materials from Swem Library on the main campus are not included in the amnesty program.

## Lefkowitz Moot Court Competition

The Saul Lefkowitz National Moot Court Competition has been set for the spring of 1993. The tournament involves issues in trademark and unfair competition law.

This year's case involves a fast-food restaurant, Oyster World, Inc., suing a t-shirt manufacturer, ProfundiTees, over use of plaintiff's slogan, "Our World is Your Oyster," and its humanized oyster spokesperson, Ollie Oyster.

Cash awards will be given for the winning team, the authors of the best brief, the best oralist and the law school of the winning team.

Entry forms may be obtained from Lefkowitz Moot Court Competition, c/o Brand Names Education Foundation, U.S. Trademark Association, 6 East 45th Street, New York, New York 10017.

## Write for a legal magazine

*National Trial Lawyer* is looking for a few good student writers to join the ranks of its editorial board. The national magazine and its two state-specific editions in New York and New Jersey are attempting to improve communication between law students and its trial attorney readers. The positions are not paid, but publication in a national legal magazine is a good resume booster.

The magazine is also offering one-year subscriptions for half-price to students. This includes six issues for \$12.50.

Students interested in the editorial board should contact Nicole M. Westmoreland, Managing Editor, at 1-800-331-9000.

## HELP WANTED, from page 1

Student Organizations Interview Committee and the At-Large Interview Committee. The student committee structure, according to Cartee, provides for "maximum student involvement," while maintaining consistency in the selection process. The structure of these committees and the Dean Search Committee are similar to those used in the 1984-85 dean search.

Eleven representatives from law school student organizations constitute the Student Organizations Interview Committee. The At-Large Committee is comprised of seven "standing"

members and 14 "rotating" members. The "rotating" members will alternate to join the "standing" members such that each will participate in interviewing at least one candidate.

According to the timetable established by the Dean Search Committee, the review of applications for the post will begin Oct. 15. Schiavelli asked the committee members "to search for a dean who will provide strong educational and administrative leadership and direction to the School, continuing to move it forward to a position of preeminence in legal education, within the overall mission of and as an integral part of the College of William and Mary." Cartee stated that

he trusted the Committee would provide a group of candidates for interviews that would be in the best interest of the law school and the students. A list of five to seven names will be chosen from the initial field of candidates for on-campus interviews.

Interviews will be conducted by the Committee, members of the faculty and the student committees. The interviewers will submit formal recommendations for the position. During the similar search eight years ago the student committees recommended two of the five candidates they interviewed and did not recommend the other three. The highest student recommendation that year went to Timothy J. Sullivan who was selected for the position. Interviews will be conducted beginning in November and continuing into January.

The final list of three to five candidates will be submitted to the President of

William and Mary for the final decision. The appointment will be sent on to the Board of Visitors for approval in the spring of next year.

The members of the Dean Search Committee are Joseph B. Cartee, SBA President; Neal E. Devins, Associate Professor of Law; John E. Donaldson, Professor of Law; Judith Ewell, Professor of History; Paul A. Lebel, Professor of Law; Chairperson Linda A. Malone, Professor of Law; Paul Marcus, Professor of Law; Margaret P. Spencer, Associate Professor of Law; Raymond Stoner, President, Law School Foundation; Dennis L. Taylor, Dean, School of Marine Science; and Mary Jo White, President of the William and Mary Law School Alumni Association. Members of the two student committees are expected to be announced next week. The three first-year SBA representatives will be included in the At-Large Committee.



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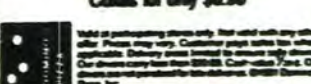
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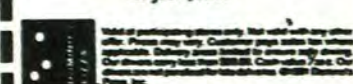


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*Glutton For Punishment***B-Movies can help you beat the law school blues**

By ALAN DUCKWORTH

Sick of "good movies"? Tired of the processed pabulum Hollywood is pushing at us these days? Or have you just seen everything new on the screen and in the video stores? Well, welcome to the realm of B-movies.

Most everyone knows the type of movie that I am discussing. We are talking the low-budget, hopefully fun movies which are appearing with increasing frequency in our local video store. All of us have seen B-movies from *Godzilla Verses Rodan* to *Puppet Master* and many other types of movies in between. Today we look at a couple of these movies that have just descended upon video stores: *Captain America* and *Barbarian Queen II: The Empress Strikes Back*.

Since these are B-movies, I am foregoing the star-rating method. For these movies, I am going to use the beer system: how much beer you must imbibe before the movie begins to be enjoyable.

*Captain America*. For those who don't know, Captain America is one of Marvel's oldest comic book characters.

He started fighting Nazis in World War II before accidentally being frozen for decades. He was found and revived. At this point, he begins fighting crime. He wears a red, white and blue costume with wings shooting off his mask and he carries a shield with a big white star in the middle--all and all, a perfect subject for an irreverent look.

The film opens in 1936, as the Nazis in Italy use a scientist's formula for enhancing human intelligence and strength on a unwilling boy. The scientist is perverted into a monstrosity, who is later known as the Red Skull, played with a perverse flair by a heavily made-up Scott Paulis. His face is bright red with scarring criss-crossing it. He seems to delight in being a monster. The scientist in the United States perfects the process and creates Captain America. Matt Salinger plays the hero with just enough emotion to avoid being a machine, but sure and stoic enough for a "Great American Hero." The Duke would have been proud.

Several name actors make

appearances in the supporting cast. Ronny Cox, best known as the evil corporation man in *Robocop*, plays Tom Kimball, the President of the United States who was inspired by Captain America when he was a boy. Ned Beatty plays his childhood friend, now an adult reporter who is searching for the Red Skull. Darrin Gavin is a corrupt general and Michael Nouri is Lt. Colonel Lewis, the man in charge of the American project which created Captain America. Kim Gillingham does an adequate job portraying Captain America's love interest in the 40's and her daughter, who is his new love interest in the 90's.

The real star of this film is the comic book quality which pervades the movie. With dialogue like, "Gee Whiz," and "I am not going to abandon Captain America," this movie avoids the general trap of actually thinking it's a real movie. The fight scenes, and there are a quite a few, generally involve Captain America throwing his shield or somersaulting through the air before delivering the blow.

I found this to be a fun two

hours of escapism - a must for superhero fan, not counting Burton's Batman. I give this movie a one beer rating.

*Barbarian Queen II: The Empress Strikes Back*. I should have known better. I don't know how much beer I drank before I watched this movie, but it wasn't enough. Hell, I thought, the original wasn't bad for a B-movie, so let's get the sequel. Here's a tip for you boys and girls: Unless you loved the original, stay away from B-sequels. So where to begin.

Technically this was a sequel, but not really. The only returning performer is Lana Clarkson, the Barbarian Queen. And while I think the character has the same name in both movies, that is about all the continuity the character has. She has different parents, a different homeland and is now a princess of a kingdom instead of a queen of a village. But, heck, who cares about continuity? I did not recognize anyone else in the cast. It was probably the first movie for most of them--and the last! But let's forget the cast and look at the plot.

Let's not. Okay, I guess I have to do this, but I will make it quick. Her father, the king, is reportedly killed in battle. His successor wants the magic which makes a king immortal, but if used by another while the current king lives, that king dies. Naturally, without a body, she does not want to give up the magic. They imprison her, she escapes, joins the rebels and

fights for freedom. Original stuff. Any guess who wins? But wait, we don't watch these movies for the plot, we watch them for the action!

*Barbarian Queen II* has some of the worst choreographed fights I have ever seen! I don't know what else to say. I watched as a spear was thrust between a guy's arm and his body for a "killing blow."

Okay, I know what the guys are thinking. Yes, she loses her top. Actually, that is one of the more interesting parts of the movie. It is ripped off twice and magically reappears intact during the next scene--both times. This magic act even happens once when she is unconscious. I wish my clothing was that resilient. I can't even get stains out. This is one of many silly inconsistencies in the film.

Here's a game: See how many you can spot. I would say to do this while only watching it once, but I figure no one here is dumb enough to watch it twice. For a female prurient interest, (hey, I give equal time) they are going to be disappointed. Almost invariably in these movies, there are as many, if not more, overdeveloped, scantily clad men as there are women. I say almost, because this is the first one I have seen that has none.

What else do have to say. Oh, yes, my rating of this movie. Any guesses. I give it a case. Good-bye, and see you at the video stores.

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## It's Only Rock & Roll

# Elvis, Graceland, Double-wides, and Honeymoon in Vegas

By PHIL NUGENT

What else in this musical year can take precedence over the rebirth, the renaissance, the coming home of the King? Elvis is truly Everywhere this year—he's working behind the counter at a Dairy Queen in Tulsa, he's running for President against the Bushman, he's starring in a new movie, and of course, he's got his own 5-CD box set skyrocketing up the charts.

All this makes perfect sense when you realize that this past Aug. 16 was the 15th anniversary of the King's passing from this earth. Fifteen years! It seems like only yesterday that he went to the john for what would prove to be the last time.

So did you do the right thing and go to Graceland to appropriately take notice of the occasion? I know—you think they don't let you into Graceland unless you show proof positive that you live in a double-wide, you drive an AMC Pacer, and you really miss the "Donny and Marie" show. Well, that's true, but with a little ingenuity, any self-respecting law student can get admitted to Graceland. It actually only cost me about 15 bucks,

but that didn't get me into the airplane or the car collection. (For the 20th anniversary, I'm going all out.)

Anyway, Graceland was way cool, and you shouldn't waste any more time before checking it out. (Go during fall break!) It may be somewhat tacky inside, but in the 1970's tons of people had mirrors on the ceiling and shag carpeting on the walls. Elvis just had the bad fortune to die during that decade, allowing future generations to gasp at his hideous decorating scheme, which will remain forever as it was on the day he died. Think about that.

While you're in Memphis, you can party on Beale Street, Home of the Blues, and hang out at B.B. King's club. Or, if you really want to get the full Elvis Experience, you can stay at the Heartbreak Hotel just down the road, and enjoy ROUND-THE-CLOCK Elvis movies in your room!

So, I wanted to review the new Elvis box set, but my editor wouldn't front the big cash necessary to do so (currently \$79 at Echoes, but the guy behind the counter might come down to \$65). It's called, "Elvis: The King of Rock 'n' Roll—The

Complete '50's Masters," and if you're a real fan, you've gotta have it. Just think—5 CD's, 140 tracks, 14 previously unreleased performances, the complete '50's sessionography and discography, in a numbered, collectible box set digitally remastered from the original RCA and Sun master recordings!

And that's not all—you also get a 92-page, 4-color booklet with many rare photographs from the Graceland archives! Just thinking about it gives me goosebumps. Be sure to let Mr. Kevin Kroner know that you demand to have this masterpiece reviewed, and he'll just have to open up that corporate checkbook.

In the meantime, we'll have to be satisfied with the Original Motion Picture Soundtrack from "Honeymoon in Vegas." Hey, it's not Elvis, but it's all his songs, so how bad could it be? I gotta tell ya—it sounded real good to these ears. You're looking at 13 Elvis songs covered by everyone from John Mellencamp and Bono to Travis Tritt and Dwight Yoakam. What's not to like? Actually, it has a little too much country for me, as I'm not a big fan of folks like Ricky Van Shelton

and Vince Gill, but I guess it's excusable since it is an Elvis CD, and they're probably closer in spirit to the King than would be Living Colour or R.E.M. Still, it might be an even better compilation if it had more surprises, such as covers by Lou Reed or David Byrne.

The biggest surprise is probably a Bryan Ferry cover of "Are You Lonesome Tonight?" which has that classic Roxy Music synthesizer sound. Bono does an unusual, but moving remake of "Can't Help Falling in Love," with interspersed bits of an Elvis interview, and Jeff Beck displays his famous guitar licks on an instrumental version of "Hound Dog." For some reason, Billy Joel rated two songs, which scared me at first, but he does powerful, if mostly straightforward versions of "All Shook Up" and "Heartbreak Hotel," all the while not sounding like Billy Joel. Perhaps the best track is John Mellencamp's "Jailhouse Rock:" he twists the antediluvian, overplayed classic into a haunting new piece. So check out the CD; it will give you some new Elvis to sing along with on your next trip to Graceland.

## In Your Plate

# Chez Toi, Chez Moi, Chez Trinh, and Hanoi style pork

By SCOTT CONOVER & PAM MERLIS

It was an auspicious beginning to dinner at Chez Trinh, Williamsburg's best Vietnamese restaurant. As we drove down Richmond Road, the two of us were overwhelmed by what appeared to be a cheerleading tryout but was, in fact, a sorority patty-cake competition led by madras-clad drill sergeants screaming the Greek alphabet at each other across traffic. Thus inspired, we embarked on a culinary odyssey that would bring us tastes unrivalled in the pancake and waffle world of this tourist mecca.

For the uninitiated, Chez Trinh is located on Monticello Avenue, sharing its strip mall locale with the likes of Rose's and Peebles, though don't let the upscale neighborhood fool you. Noodle for noodle, this is by far the best restaurant value in town, with no entree over \$10.00 and lunch specials all under \$5.00. (Plus a 10 percent W&M student discount). But more than just a bargain, Chez Trinh offers some of the tastiest and most unusual fare to be found in the area. (Note: As you might expect, dress is completely casual, though Pam modeled a stunning floral print

backless dress that transported me to springtime in Hanoi.)

The ambiance, always relaxed and unhurried, allows for leisurely dining, and there is never a wait for a table. On a typical night, the crowd is of the Williamsburg haute cuisine set. At one table we saw an undergraduate couple on a date who looked more interested in the après-dinner possibilities than

in the cooking. Other tables included what looked to be a librarians' convention, a hairy Birkenstock twosome and assorted families—but be warned, this is no Sizzler. The understated decor relies on lots of greenery, a golden Buddha and muted lighting. No Chinese lanterns here, but we did spy one painted screen.

As for the food, no accolade short of ambrosia can adequately describe it. Unburdened by the heavy brown sauces of its Chinese counterpart, Viet cuisine is far subtler and more exotic, with a playful hint of French colonial influence. Any visit to Chez Trinh must begin with an assortment of their appetizers; we recommend the rice paper roll with garlic, pork and lettuce, dipped in the hoisin/peanut sauce (one also should try the nuc nam, a spicy garlic

dipping sauce with a base of fermented anchovy oil). Once you've travelled to this paradise, you'll never again eat another egg roll.

Two of their specialty appetizers—Chez Trinh Ravioli and Vietnamese rice cake with fresh coconut—proved utterly sublime. The ravioli, stuffed with pork and mushroom and topped with pork paté and bean sprouts, is served cold. The rice cake, filled with shrimp, pork, and herbs, has the textured innocence of a crêpe with the sophisticated whimsy of a soufflé.

Our rapture over the appetizers should not overshadow the entrées and house specialties. In addition to a wide variety of beef, chicken, pork and vegetable dishes served with the traditional Vietnamese lemon herbs or curry, (including "string beans with a winning sauce"), several of the dishes deserve special mention. The pork skewer Hanoi style (also available in Saigon style, but try the Hanoi, trust us) includes three large skewers of glazed pork served with rice paper, noodles, cucumber and hoisin sauce. Also memorable was the shredded pork with julienne vegetables and garnished with ground peanuts.

However, the two dishes in particular that sing their siren song and tempt us back to Chez Trinh are the grilled fresh shrimp with sugar cane and garlic and the crispy egg noodles garnished with scallops, shrimp, chicken and mixed vegetables in a "delicious sauce." The grilled shrimp is reason enough to revisit W&M even after graduation. Slightly sweetened by the cane skewers, the shrimp dance across your palate like the cabaret shellfish from "The Little Mermaid." Meanwhile, the crispy egg noodles are enough to bring Ho Chi Minh back from the dead. A final note, no visit to Chez Trinh is complete without a demi-tasse of Vietnamese coffee—a steamy brew of java and sweet cream

that could knock Juan Valdez off his donkey.

For those students too uptight to leave the library for dinner or too cheap to splurge on a night out, we offer two more reasons to head to Chez Trinh. First, their fortune cookies have messages like, "You will pass a difficult test that will make you happier." Second, law professors such as Devins, Marcus, Douglas, Koch and Selassie are periodically spotted there, thus offering the lucky student an opportunity for some off-campus fawning and grade-grubbing. So whether or not you've ever tried Vietnamese food, run, don't wok, to Chez Trinh—the food could well be the reason Jane Fonda went V.C. in the first place.

## BROTHER LUV, from page 8

most familiarity with the student's work will be a third-year "junior partner". While the third-years are all good and honorable people, they are still students and most have not experienced the real world atmosphere of attorneys with the exception of the odd summer. Although the senior partner certainly has the ultimate say in a student's grade, realistically,

the junior partner undoubtedly influences the final decision. With the grading stakes raised, more responsibility for determining a student's performance must be placed upon the senior partner.

Legal Skills, for all of the abuse it takes, is still an excellent course with amazing potential. However, revamping the grading system to allow for Low Passes and full-credit "A's" is not the answer and will create more problems than it cures.



# Events Calendar

THE AMICUS CURIAE  
Tuesday, September 8, 1992

17

## Tuesday, Sept. 8

- \* OCPP, Interview Tips: Room 124, 3 p.m.
- \* Catholic Student Association: Mass, Wren Chapel, 7 p.m.

## Wednesday, Sept. 9

- \* OCPP, Careers in U.S. Department of Justice: Room 119, 3 p.m.
- \* Exhibit Opening: "Puttin' on the Dog," Zollinger Museum, Swem Library.  
Lecture: "The Dog in Ancient Greece: Hunter, Worker, Friend," Linda Collins Reilly, associate professor of classical studies, Botetourt Theater, Swem Library, 5:30 p.m. Reception to follow, sponsored by David A. Barley '64, owner of Agape Animal Care, Williamsburg. Exhibit remains open through Nov. 30.
- \* Lecture: "Illumination in Context: Manuscripts and their Readers in the Late Middle Ages and Renaissance," Elizabeth Burin, Muscarelle Museum, 5:15 p.m.
- \* Women's Soccer vs. University of Maryland: Barksdale Fields, 7:30 p.m.

## Friday, Sept. 11

- \* Dedication of the Lett ie Pate Evans Whitehead Residence and the Spalding Courtyard and Gardens: adjacent to the Marshall-Wythe School of Law, 3 p.m. Reception to follow.

## Saturday, Sept. 12

- \* Football vs. Virginia Military Institute (Athletic Education Foundation Day), Zable Stadium, 1 p.m.
- \* Ewell Concert Series: Ilya Kaler, violist, Ewell Recital Hall, 8 p.m. General admission at door, \$2. William & Mary students admitted free with I.D.

## Sunday, Sept. 13

- \* Films: "The Medieval Mind" (26 min.); "The Book of Kells" (21 min.), Muscarelle Museum, 4 p.m.

## Monday, Sept. 14

- \* Concert: Williamsburg Symphonia, PBK, 8:15 p.m. Ticket prices range from \$12 to \$17. For information call 229-9857.

- \* Films: "The Medieval Mind" (26 min.); "The Book of Kells" (21 min.), Muscarelle Museum, 4 p.m.

## Tuesday, Sept. 15

- \* Lecture: "The Goettingen Model Book," Barbara Watkinson, Muscarelle Museum, 5:15 p.m.

## Wednesday, Sept. 16

- \* OCPP, Using Westlaw in your Job Search: 1, 3, & 4 p.m.
- \* Student Association Speakers Series: The Rev. Jesse Jackson, William & Mary Hall, 8 p.m. Tickets for general public \$10, students \$5, faculty and staff \$8
- \* Women's Soccer vs. Mary Washington College: Busch Field, 5 p.m.
- \* Men's Soccer vs. Virginia Military Institute: Busch Field, 7:30 p.m.

## Thursday, Sept. 17

- \* Town & Gown Luncheon: "The Perot Phenomenon," Jack D. Edwards, professor of government, CC Ballroom, 12:15 p.m., call ext. 12640 for reservations.
- \* Commonwealth Center Seminar Series: "Vying for Visibility: Race, Class, and Gender in American Histories," Nancy Hewitt, Department of History, Duke University, Botetourt Theater, 5 p.m.

## Friday, Sept. 18

- \* Pizza Hut-Tribe Soccer Classic: William & Mary vs. West Virginia University, 7:30 p.m.; Old Dominion University vs. Brooklyn, 5 p.m., Busch Field.

## Saturday, Sept. 19

- \* Registration for Children's Art Classes, Muscarelle Museum, 10 a.m. to Noon.
- \* Football vs. Boston University, Zable Stadium, 1 p.m.
- \* Pizza Hut-Tribe Soccer Classic: William & Mary vs. Brooklyn, 7:30 p.m.; Old Dominion University vs. West Virginia University, 5 p.m., Busch Field.

## Sunday, Sept. 20

- \* Films: "The Year 1200" (19 min), and "Images Medievales" (19 min), Muscarelle Museum, 4 p.m.

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Diamond notes with Eric Chasse

## Realignment, Reds in the playoffs and other fantasies

By ERIC CHASSE

Welcome, sports fans, to yet another year of in-depth athletic insight and analysis. As resident sports guru and all-around good egg, my job is to remind us all that law school is still but a small part of the human experience. I know this, of course, because "law school" does not have its own section in *USA Today*.

My predecessor at this position, the erstwhile and honorable Mychal Schultz, expounded at length last year about the lack of athleticism here at Marshall-Wythe. For this blasphemy, Mychal has suffered the worst fate known to law students today: graduation. I, on the other hand, am of the considered opinion that law students have been, are, and will continue to be THE most athletic group on campus (probably including the W & M football team). Don't let me down.

\*\*\*\*\*

Well, September has arrived, and the pennant races are heating up. This is the best time of the year for baseball fans; a game in April might count just as much as one played this week, but even I would admit that some of those early season games lack something... like a pulse, for example.

Nowadays, though, every game has ramifications. At this hour at least ten teams have chances to play into October, not to mention batting races, late-season trades and the Phillie Phanatic -- unless you're watching a Dodgers intra-squad game, *something* exciting is going on.

Luckily for me, I just can't seem to remember my pre-season picks to win this year. Therefore, before some idiot editor reminds me that I said Oakland would finish fifth and that the Red Sox would be in the hunt to the very end, let me go on record by picking the Pirates, Reds, Blue Jays and the A's to win their respective division races.

Yes, that's right, I said the Reds. Atlanta has a strong team, no doubt, but everybody has to stick with their favorite. So get off my back -- seven and a half games (gulp) is no big deal.

\*\*\*\*\*

The real stories in baseball this summer, however, had nothing to do with what happened on the field. The Chicago Cubs sued Major League Baseball to preclude a National League realignment that actually makes sense; its no wonder that American schoolkids score poorly in geography when Atlanta plays in the West and the Milwaukee Brewers are in the East. The Cubbies claim their superstition would lose money if they had to play more west coast games; as Dan Ruckett says, ask Ted Turner how

much WTBS loses in the same situation. Take that out to the ballgame, Harry Caray.

The San Francisco Giants are all but packed for Florida; Bob Lurie has threatened to move for five years now, and now it appears the deal is done. The *Amicus* sent me to the City by the Bay this summer, and I found out first-hand why St. Petersburg is getting its stadium ready.

I (and 18,000 of my closest friends) went to a night game against the Cubs in the middle of August, but by the third inning I would have sworn it was a Packers game in December. To be fair, however, the fog rolling off the bay did add a wonderful sensation of dampness to the thermal comfort of Arctic Circle climes. To top it all off, the vendors in the stadium sold not one but two types of ice cream; if all management decisions are made in this (ala) mode, San Francisco is better off without them.

The most recent off-field development, of course, is the trade of Jose Canseco, arguably the most famous (infamous?) player of his era. The A's are looking to win this year, and the addition of two quality pitchers like Witt and Russell, coupled with a seven game lead over the Twins, all but assures Oakland of another division title. Next year, however, is another story: assume that Sierra and Russell do not re-sign with the A's -- that means Jose Canseco was traded even up for a pitcher, Bobby Witt, with all the control of a Doberman in heat.

Canseco is signed for three more years, at a salary that will look tame after the current crop of free agents reaps its millions. True, he is injury-prone; true, he has had his run-ins with the law. Nonetheless, he is still a bona fide slugger in the prime of a great career. This was not akin to trading Wayne Gretzky, the living god of his sport, as many reporters claim it to be, but it is close.

Also include this into the calculus: Arlington, as well as the rest of Texas, has a heavy Latin population. The Rangers, as a team, have many, many Latin players, now including Canseco -- if nothing else, the trade can be seen as a public relations coup for a team that is having trouble retaining fans, having won absolutely nothing since the team moved from Washington to Texas in 1969.

\*\*\*\*\*

Of course the key to each of the above transactions is the almighty dollar. Owners make money, players make money, and both bitch that they don't make enough. Tell that to the English

teacher pulling down \$14,000 a year. But, warts and all, the state of the game as it revolves around the big bucks. The key here, campers, is the term "as is."

Changes are essential, even if not immediately forthcoming. Envision this scenario: totally new league alignments. Imagine a league including the Cubs, White Sox, Tigers and Brewers; why not take advantage of the country's natural geographic rivalries? How about more teams in the play-offs -- a wild card in each league -- to help increase revenues? Why not invite fans from the stands to umpire the games, so as to increase attendance? Alright, I'm getting carried away, but you get the idea.

\*\*\*\*\*

Rumor has it that the A's actually tried to trade Canseco to the third year law school softball team Abuse of Discretion for Pat Connolly and an old copy of *Prosser on Torts*.

AOD refused the deal, however, reasoning that there was simply no way even an all-star like Canseco could break into their starting line-up, and that this could be the year that Connolly actually does justice to the term "catcher." AOD is, nevertheless, a heavy favorite to repeat as law school champs, even without clean-

up hitter Scott Lesmes, who reportedly left the team to join a convent in Hispanola.

\*\*\*\*\*

Please note that there is nothing in this article even remotely pertaining to the advent of a new college football season. I assure you, no oversight was committed; when you go to college at North Carolina, football season is merely a space filler until hoops begins in the winter.

\*\*\*\*\*

Well, that's it for this time, sports fans. If C.J., Chip, Ivan, Sherman (sorry guys--I don't know your last names) and the rest of the first years who have been running my old bones around the rec center so far this semester are indicative of the new class, it looks like another banner year for athletic endeavors here at good ol' Marshall-Wythe.

I would like to address my closing at this time to all the obnoxious Atlanta Braves fans who have arisen from the ashes in the last two years: always remember, and never forget, what that great baseball philosopher Yogi Berra (or was it Lenny Kravitz) once uttered: IT AIN'T OVER 'TILL ITS OVER.

Good night, Yogi, wherever you are.

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Intramural Update:

# Amicus' ghost sports writer previews IM calendar

By BILL MADIGAN

Marshall-Wythe's most vilified sportswriter has returned for another season of pulse-pounding intramural sports action. The season starts this week and the law school is poised once again to dominate the William and Mary sports world. The first crown to be captured is the softball title. As the results have yet to start filtering in, there are no scores to report, no teams to rank, and no moronic nicknames to be given out.

As previously mentioned, softball kicks off the intramural season this week. The season started on Thursday, so it's a little too late to think about signing up now. The same goes for the mini-golf tournament,

which took place over the weekend. The results of this sport, designed for those who find regular golf too physically taxing, will be forthcoming. Volleyball is also in the can. Next year, plan ahead.

However, it's not too late to sign up for the tennis tournament, which will feature both singles and doubles matches. Entries can be submitted until Wednesday. The placekicking tournament is upcoming. Sign-up for this event opens Sept. 25, and the competition will take place Oct. 3. This season former William and Mary placekicker, Steve Christie, is playing for the Buffalo Bills, but Marv Levy has vowed to bring the M-W kicking champion into camp next season

to challenge him.

Despite the excitement of softball and the thrills of volleyball, the most eagerly anticipated event of the fall season is the billiards tournament. This is because M-W billiards champion Kevin Kroner (3L) will try to reclaim his title and recapture past glory. Kevin has been spotted at Williamsburg Crossing sharking some naive 1Ls out of their loan checks in preparation for this year's tournament.

Indoor soccer is next on tap. There will be men's, women's, and co-rec divisions, so no one has an excuse not to participate. Entries will be accepted at the beginning of October. For those who like to use their hands instead of their feet, while

wearing other people's shoes, the bowling tournament will be held in October, so now's the time to work on getting rid of that foot fungus.

The two marquee sports will be uncorked in mid-October. Flag football sign-up begins Oct. 7, and there will be a men's and a women's division. Sorry, no co-rec. Three-on-three basketball will follow on the heels of football. Sign-up starts Oct. 21. And I know everyone is looking forward to another series of accurate and well researched basketball polls. The fall season ends in November with weightlifting, and table tennis.

All entries for all sports need to be turned in at the Rec Sports facility, behind William and

Mary Hall, by their respective deadlines. All entries must be accompanied by a fee, which is \$20 per team for team sports, \$5 per team for the tournaments, and \$2 for individual or dual entries.

M-W typically fields several teams in each sport, so don't be shy about trying to get a team together. Team captains are encouraged to drop their team results in my hanging file or in the Amicus file. The Rec Sports people are not always consistent in providing me with all the scores and highlights.

Next time around, I'll have some scores to report and some champions to crown. Until then, remember, it's not the size of your bat that counts, but how well you swing it.

## Pierson v. Post

By Sean Sell

Upon a certain waste land called the beach

Plaintiff pursued a wily quadruped,  
But as he had the scoundrel in his reach,  
Pierson appeared, and snatched it up instead.

Are property rights acquired by pursuit?  
This case presents that novel and nice question.  
The answer, says Justinian's Institute  
Is that there must be actual possession.

But Barbeyrac to that rule would object;  
Depriving liberty's enough, he'd say,  
And though we find such reasoning correct,  
The plaintiff loses this time anyway.

Since Post had failed to wound poor reynard first,  
The lower judgment out to be reversed.

DISSENT

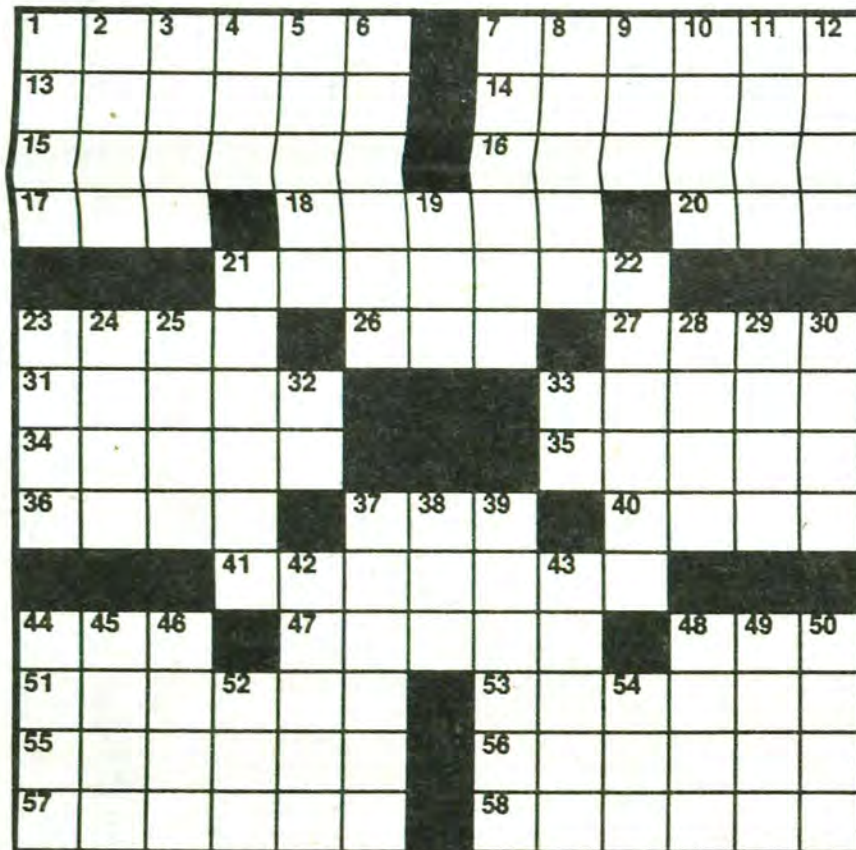
I would have for the plaintiff found,  
Because he used imperial hounds.

### ACROSS

- 1 Snickering sound
- 7 Waver
- 13 Right to choose
- 14 Perform excessively
- 15 Abhor
- 16 Western rope
- 17 Actress Ruby —
- 18 Irritated
- 20 Medical suffix
- 21 Single-handed
- 23 Rat- — —
- 26 Turn the page (abbr.)
- 27 Slanted
- 31 Physicist Enrico —
- 33 Commands

- 34 Singing voices
- 35 Puts up money
- 36 Beams
- 37 Comparative suffix
- 40 Dessert pastry
- 41 Leather factory
- 44 Christian symbol
- 47 Montana city
- 48 Occupied a bench
- 51 Delicate
- 53 At reduced price (2 wds.)
- 55 Louisiana French
- 56 Begin again
- 57 Paid attention
- 58 Strained

## The World Almanac® Crossword



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### DOWN

- 1 An ex of Liz Taylor
- 2 Fencing sword
- 3 Diminutive suffix
- 4 Go swiftly
- 5 Dye compound
- 6 Capture
- 7 Ohio city
- 8 Dodge
- 9 Eternally (abbr.)
- 10 Group of three
- 11 Dutch cheese
- 12 Roster
- 19 Set of tools
- 21 Supreme
- 22 Delicately pretty
- 23 At a distance
- 24 Layer of tissue
- 25 Bohemian
- 28 Bye-bye
- 29 Roman highway
- 30 Attention-getting sound
- 32 Exists
- 33 Note of Guido's scale
- 37 Accustomed
- 38 Noun suffix
- 39 Sharp answer
- 42 White poplar
- 43 Dancer Jeanmaire
- 44 Hankering
- 45 To this place
- 46 Large knife
- 48 Undermines
- 49 To the sheltered side
- 50 Take care of
- 52 Defense dept.
- 54 Brother's nephew



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WALKIN', from page 1

law students were represented at the meeting by Dean Connie Galloway, Jeffrey Smith (2L) and recent graduate Jenny Click (Class of '92).

According to Smith, Gettys acted as moderator for the meeting and did not express an opinion as to the disposition of parking. It was Smith's impression that the graduate association presidents in attendance were concerned that their constituents would be "shut out" by the law school students. Smith, who lives in the graduate residence, said he does not drive at all during the week and has no preference as to which area is designated for resident parking.

In a phone interview, Click said she proposed an alternative parking scheme whereby only day students would be permitted to park in the lot in front of the residence complex until 4:30 p.m., with the area reserved for resident parking thereafter. Her proposal was rejected. She said the current plan was approved by student vote with herself the lone dissenter. Smith remembered that Dean Galloway accepted the plan subject to review at the end of the semester. Camp said that Click's arguments persuaded the group to allocate fewer spaces to resident parking than were originally planned.

In response to student concerns, Cartee arranged a meeting with Gettys and Galloway on Aug. 27. Gettys stated the College's position that no one has a right to a parking space by virtue of buying a parking sticker. When asked what the \$50.00 does buy, Gettys replied: "The opportunity to park."

In a more serious tone, Gettys said that state schools are prohibited from spending state money on the creation of parking or the maintenance of existing lots. These funds must be generated by parking fees and fines. In the open discussion that followed, Cartee expressed the expectation of many law students that parking would be better after completion of the resident complex than it had been before, or alternatively that commuting law students would certainly not lose parking. The needs of day students, resident students, handicapped persons and faculty and staff were discussed. The observation was made that there are numerous

empty parking places in the faculty-staff lot at any given time of day.

Cartee said he would present a new proposal at the Graduate and Professional Students Association (GAPS) meeting on Sept. 14. He hopes to have approximately 40 spaces adjacent to the law school redesignated for day-student parking. These spaces will be carved from the resident and faculty-staff parking areas. Gettys said he would look into the possible conversion of underutilized handicap spaces. Dean Galloway agreed to monitor utilization in the faculty-staff parking area, and the number of spaces to be rezoned in the resident parking lot will depend on her findings.

Some students decline to purchase a parking sticker for economic reasons or as a matter of principle. These students have noted a steady decline in the availability of on-street parking in the past year, thanks to the City of Williamsburg. Most recently, Mimosa Drive has been restricted to parking for city residents with a special permit. Gettys said that he has found officials receptive and open to discussion, and that he will pursue the issue with them.

In contrast to Mr. Gettys' experience, Williamsburg City Manager Jack Tuttle was not sympathetic to the parking problems of William and Mary students in an interview with the Amicus last Spring. See "Commuters Foiled Again," *Amicus Curiae*, page 1, Friday, March 20, 1992.

In a telephone interview last week, Gettys was asked if there were any plans to reopen the grassy lot across Henry Street from the National Center for State Courts, variously referred to as the "Pony Pasture," or more fondly as the "Mud Pit." "That lot was closed due to complaints of area residents," Gettys said. He also suspects that the costs of making the lot usable, especially with regard to drainage problems, would be prohibitive.

Finally, it should be noted that the parking situation has spawned innovation in the private sector. Caroline Berrettini (3L) was spotted casually ambling across Henry Street in front of the law school early one morning last week. Berrettini revealed that she and two other students had secured parking on the property of a Henry Street resident—for a fee, of course.

THRILLS, from page 1

range of grades are inappropriate within the context of Legal Skills. Given the wide variety of activities in which the students are engaged, said Moliterno, it would be difficult to gauge each student's overall performance with any degree of precision.

Many believe that the new grading policy is not healthy, in that it will cause competition in a course generally considered to provide a respite from the high pressure of law school. For instance, Paul Rooney, a second-year associate at Levy & Stuart, voiced concern, citing especially the rash of missing source material during the writing of last year's Legal Skills memoranda. Said Rooney, "if people were that competitive in a pass-fail course, imagine the paper chase that will ensue now that it's graded." Moliterno stated that he believes this fear to be misplaced, in that the reward for a high pass is simply not that substantial.

A first-year student who receives all "B"s her first semester, but an "A" in Legal Skills will have a 3.1 average. If she receives all "B"s second semester, she will still have a 3.1 cumulative average, even if she doesn't get another "A" in Legal Skills (her cumulative average will be 3.06, rounding up to 3.1). While one-tenth of a grade point seems minuscule in the abstract, practically speaking it can make a big difference in class ranks. The bell curve of GPAs places most students right around 3.0 -- for last year's 1Ls, the difference between a 3.0 and a 3.1 cumulative average meant the difference between being in the top 48 percent of the class or being in the top 37 percent of the class, respectively. Thus, even the slightest boost, such as one two-hour "A" means a sizable improvement in class rank for most Marshall-Wythe students.

Moliterno stated the Legal Skills staff would not be able to judge the success or failure of the new grading policy until after this year's 1Ls have had some time to react. He did, however, stress that the new system was not merely experimental, saying that the Legal Skills Program is "fully committed to this change in grading policy." He added that he and the rest of the Legal Skills staff would "remain flexible" with regard to future modifications.