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Amicus Curiae

MARSHALL-WYTHE SCHOOL OF LAW

America's First Law School



VOLUME VII, ISSUE ELEVEN

MONDAY, MARCH 31, 1997

SIXTEEN PAGES

Professor LeBel to Become Dean of Florida State

By Sutton Snook

On July 1 of this year, Professor Paul LeBel will become the new Dean of the law school at Florida State University. Although he is excited to make the step up to Dean, Professor LeBel is saddened by his departure from M-W. LeBel learned of the offer last Tuesday evening.

Dean Krattenmaker commented that "Professor LeBel will make a magnificent Dean and we are very proud that Florida State recognizes this fact." Krattenmaker added that "we are impoverished by this loss but we are always proud to see a valuable colleague rewarded for good work. Future generations of Torts students will miss him."

Florida State began its initial search last Fall, and contacted Professor LeBel

to interview. He had a preliminary interview in January and flew to the school in February. He then met with the President and Provost during Spring Break, when the school was sold on him. The agreement was finalized on Tuesday and LeBel will leave this summer to take the reigns.

LeBel is excited about the new opportunity. "The opportunities [at FSU] make the job attractive," said LeBel. He commented that the major task will be to keep the momentum of the school going, as the school is only 31 years old and has made tremendous progress during that time. "I anticipate an even more impressive future," added LeBel.

With such a young school, the first graduating class is only in its 50's, and
See LEBEL on 3



Professor Paul LeBel will leave Marshall-Wythe to become Dean of Florida State School of Law on July 1. LeBel taught at M-W for fifteen years.

—staff photo

Bill of Rights Symposium Addresses Military Policy

The Institute of Bill of Rights Law hosted their annual symposium last Thursday in the University Center. This year's symposium addressed the right of homosexuals to serve in the U.S. Armed Forces, with particular emphasis given to the issue as embodied in President Clinton's recently enacted "Don't Ask, Don't Tell" policy.

Chai Feldblum, an Associate Professor of Law at Georgetown University Law Center and Director of the law school's Federal Legislation Clinic, gave the symposium's opening address. From 1988 to 1991, Feldblum served as legisla-

tive counsel for the ACLU AIDS Project and Lesbian and Gay Rights Project. Additionally, in 1993, she served, on a consultant basis, as legal director for the Campaign for Military Service.

Currently, Feldblum acts as legal consultant to the Human Rights Campaign, the country's largest gay political group. Feldblum brought particular expertise on the issue of gays in the military as she submitted briefs on behalf of the Human Rights Campaign and other civil rights groups in *Romer v. Evans* and in various cases challenging the military gay ban.

Following Feldblum's remarks, four

first year students presented a moot court exercise in which the "Don't Ask, Don't Tell" policy fell under challenge before the United States Supreme Court. The case presented involved Major Kerry Weaver, who was dismissed from the United States Army pursuant to Department of Defense Regulation §654 ("Don't Ask, Don't Tell" policy) after she revealed to her commanding officer that she was a lesbian. The Army Review Board determined that Weaver failed to rebut the presumption created by her statement that she had engaged in or has the propensity to engage in homosexual conduct.

Weaver appealed the Army's decision to discharge her on three constitutional bases. Petitioners argued that the policy violated Weaver's First Amendment right to free speech because she was punished only
See SYMPOSIUM on 3

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Marcus Delivers Inaugural Tucker Lecture

By Paul Walker

Webster's defines *deja vu* as "a feeling that one has been in a place or had a specific experience before." For anyone who had taken Professor Paul Marcus for Criminal Law, that feeling predominated their thoughts as he delivered the inaugural St. George Tucker Lecture on Thursday, February 27. As a comprehensive review of the law of entrapment, Marcus' lecture was concise, to the point, and entirely reminiscent of his Criminal Law class.

Always entertaining, Marcus' lecture went beyond his class

lectures in some very important respects. Significantly, Marcus gave a very detailed treatment of the state of the law following the Supreme Court's decision in *Jacobson v. United States*. Marcus emphasized that although *Jacobson* did not change the federal law of entrapment in any respect, the Court stated the law in a much clearer fashion. Because of this, according to Marcus, entrapment is being used much more successfully as a defense, especially in cases involving long-term sting operations where the targets had no previous criminal records.

As Marcus put it, *Jacobson* means that if there is "any doubt about a defendant's predisposition, it is entrapment as a matter of law — case dismissed."

To help demonstrate the newfound resurgence of entrapment as a defense, Professor Marcus used fact patterns from a number of recent court decisions and involved the audience in guessing how the cases came out. It wasn't just students who got caught in Marcus' snare either — Professor Dickerson must have had a flashback to law school when put on the hotspot
See MARCUS on 4



—staff photo

Professor Paul Marcus delivered the inaugural Tucker lecture on February 27. Marcus is currently serving as Interim Director for the Institute of the Bill of Rights.

From the Editor's Desk . . .

Recently, much attention has been paid to the *U.S. News and World Report* ranking of the law school. While the rank cannot be discounted because of its significance to potential applicants to the law school and to potential employers looking for a general gauge of current law students, it can be explained.

First, the mistake in our rank certainly casts light on the publication who prints it every year. First we were 36th, then we were 32. *U.S. News* uses the annual rankings issue as a significant moneymaker; they sell far more issues of the rankings than most of their other issues. For them to make such an egregious mistake shows that their priority lies in their profit margin rather than in accuracy. If they are to continue to be a reputable gauge of law schools, they must work on their mathematics. Ironically, M-W would benefit if *U.S. News* continued its current pattern of inaccuracy and misinformation as such a trend would deprive that publication of all credibility.

Second, even when the rankings have been tabulated, how accurate are they? Not very. We suffer because we are a public school. Even more telling, we suffer because the College and law school administrations strive

to keep tuition down. We suffer for the same reason that many students choose to come here — it is the best legal education for the lowest price. The Dean has stated that there is a simple solution to this: increase tuition by \$10,000 and increase class size to 650. It is important to note that this is precisely what UVA did, and their rank rose. If this is the price of a higher rank, then I will do without.

In other words, we suffer because we lack the funds available to private, larger schools. This is for several reasons. First, we lack the alumni base of larger schools to develop a large endowment fund. Second, we must battle the state legislature every year for our base funding. When the state is looking for ways to lower the state budget, they seem to look at education first. Finally, with a small student body, and many of us on in-state tuition, the school does not make much revenue from tuition alone.

Third, reputation is one of the most important factors in the calculation of a school's rank. Here, our size harms us. With so few students, and so few alumni, we are not as visible in the legal community as other schools. While many in the profession may know of William and Mary,

they may not have come into contact with anyone from our school, and thus have no basis for a reputation.

Fourth, there are so many other factors that are important in choosing a school or choosing a future employee, that the rank at best can be an approximation of a school's caliber.

I chose M-W because it is a small town, it is close to Washington, D.C., and it has a friendly and safe community. Others have chosen M-W because it is close to home and family, friends are located nearby, the specific programs offered here, and the students here. None of these are important to *U.S. News*. Granted, their categories such as school facilities and library facilities are important in an assessment of a school, the most important categories cannot be quantified and thus are ignored.

Other factors with *U.S. News* completely ignores are the accessibility and personability of the deans in the Office of Career Planning and placement. Not many law schools can boast that a student may quickly and easily make an appointment for however long is necessary. Not many schools can boast that the deans drop you a note in you hanging file if a career opportunity arises

in which you may be interested. In addition, not many schools can even claim that the professors know all the students by name, and that there are ample opportunities to work for professors or in an externship.

U.S. News doesn't even take into consideration the security and safety of a law school. While M-W did have a problem with several stolen laptop computers last year, the school quickly responded and not only installed a new security system, but increased patrols throughout the library. When it rains, we can, and do, safely leave our umbrellas at the door of the building. We can leave our coats hanging in the hall, even overnight. We can leave our bags in the lounge. All without fear that someone will steal them and violate our sense of community. At other higher ranked schools, students cannot even leave their books in their carrels without a threat of theft.

Unfortunately, we cannot ignore the rank. Out of all publications that rank law schools, *U.S. News and World Report* has the largest circulation, and sits on the front of newsstands across the country. Both prospective applicants and prospective employers undoubtedly will see it.

In addition, while they will surely read the original rankings story, with the article boldly advertised on the cover, they may not see the correction, where M-W rose four places. This drop in itself is not numerically significant, but if the student or employer tracks law schools ranks over a course of years, a sudden drop must raise questions.

What is the solution? We can continue to explain the rank to everyone who asks, but unfortunately there are many more who don't ask, and just pass judgment without a word. We really have no choice but to play the numbers game. I don't think many in the law school will argue for increased tuition and number of students. Dean Krattenmaker has begun another solution — privately raise money to expand both the law school facilities and the library.

The rest is up to us. It is the student's job to sell the school to the outside world. We have begun to do so through the success of the Moot Court team and National Trial team. Most important, we must remember that when we graduate from the school, we continue to represent it every time we step into a courtroom or walk into a conference and it continues to represent us.

THE AMICUS CURIAE

Marshall-Wythe School of Law

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Editorial Policy

The letters and opinion pages of the *Amicus Curiae* are dedicated to all student opinion regardless of form or content. We reserve the right to edit for spelling and grammar, but not content.

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.

Law Review Write-on Competition Clarified

Dear Editor:

After reading today's *Amicus* [March 3 issue], it is clear that there is a great deal of misinformation circulating about the *Law Review* write-on competition. Since its inception in 1990, the write-on competition traditionally has been held in the week following the last first-year spring final exam.

In the spring of 1994, tradition was broken and the write-on competition for the now-graduated class of 1996 was held during Spring Break. The move was made on an experimental basis in an attempt to expedite membership selection process and to lighten the summer work load of Editorial Board members. Among 1L students, however, the decision to hold the writing competition during spring break was understandably unpopular, and after one year the experiment was abandoned. Write-on week returned to its traditional time-frame, the

Letters

week between the end of finals and graduation.

Those attributing the current controversy over SBA funding of Beach Week to a decision by the *Law Review* to move the date of the write-on competition are in error. The competition has not been moved and in the past Beach Week was funded without reference to the *Law Review* write-on competition.

Sincerely,
Sara L. Gottovi
Editor-in-Chief
Law Review

Environmental Law Society Explained

Dear Editor,

In your recent editorial addressing the 1997-1998 SBA budget, you indicated that the Environmental Law Society was an academically oriented student organization that "studies environmental issues in the law." In the context of your editorial, I am concerned that this description may mislead students and cause prob-

lems for future funding of the Environmental Law Society.

The Environmental Law Society's goal is to increase awareness of the practice of environmental law, to encourage environmental public service, and to provide recreational opportunities. Our activities this year have included co-sponsoring the "Wine and Cheese Social," raising funds to purchase and retire a sulfur-dioxide permit, participating in a local "Adopt-a-Highway" cleanup, and organizing and co-sponsoring the "Careers in Environmental Law Program." We are currently coordinating an endangered species program for the LSIC Children's Fair and planning our second annual "Beach Cleanup" for April 5. Our activities generally are open to all interested students and are not for academic credit.

I hope this information will clear up any confusion that may have resulted from the editorial's characterization of our organization.

Sincerely,
Kathleen Roth
President
Environmental Law Society

From the President's Desk. . .

As the end of the semester approaches and we head towards finals, there are a few things of which I would like to inform you. First, Admissions Weekend for new admitted students is April 11-13. There will be a Bar Review at Greenleaf on Friday night, April 11. On Saturday, April 12, there will be an organizational fair in the law school lobby. Any student organizations wanting table space need to inform the SBA Admissions Committee or me by Wednesday, April 2, so that we can reserve space for you. All student organizations are encouraged to attend. Also, please volunteer to help give tours, to attend the Q & A sessions, and/or to host a prospective student for the night.

Secondly, the Student Assembly has voted to approve the budget as proposed. This means that the undergraduate proposal to increase our student activities fees \$10 per student in order to create a "concert fund" was defeated at the last SA meeting. Thanks to all of the other gradu-

ate schools for voting together as a bloc. The budget, although increasing funding for the SBA and most other student organizations, actually called for a decrease in Moot Court and National Trial team. The SBA is looking into working with these two groups and with the administration to help develop other avenues of funding.

The next SBA meeting will be today at 4 p.m. in room 239 and, as always, everyone is welcome to attend. There is a new policy, however, to facilitate planning/coordination of meetings: If your group would like time to make a presentation to the Executive Board (i.e., beg for money) you must submit a written request to me by the Thursday before the meeting you wish to attend. I am only implementing this policy to avoid having lengthy, unorganized meetings.

Thank you for your time,
Frank T. Sabia
SBA President



Barrister's Ball plans are already underway. While Kyle Jones' offer to hold the ball in his backyard (above) was greatly appreciated, the SBA is looking into other sites. *—staff photo*

LeBel Appointed Dean of Florida State Law School

LEBEL from 1 just entering the senior partner age. LeBel commented that the alumni are very loyal to the school and have contributed to the success of the school. LeBel expects to continue the close relationship the school has with its alumni and hopes to further the goals of the school with their help.

Florida State Law School has a student population of 633, with an entering class goal of 200, and LeBel expects to maintain that

number. The College President and Provost support him in that position. There are 34 tenure track professors to support the education of the students.

LeBel stated that the professors are very good and "better than their reputation." He added that "selling" the school to the academic community will not be hard as the faculty is solidly accomplished.

The school also has a similar program to M-W's Legal Skills Program. The program, along

with the M-W Legal Skills Program, remain models for law schools across the country. LeBel also added that Florida State runs an excellent Legal Clinic.

LeBel plans to continue to teach, although he will not do so this Fall in order to make the transition. "There will be a lot of travel involved in the Fall, so I will not teach Torts the first year," commented LeBel. He will, however, teach Products Liability in the Spring, and Torts next Fall.

LeBel served fifteen years at

William and Mary and teaches Torts, Products Liability, Law and Literature, and a Torts Seminar. He has also served on the Faculty Hiring Committee for much of this time, and has been its Chair for half of his tenure.

Professor Paul Marcus commented that LeBel will do a fine job at Florida State. "For us it is a big loss, . . . but we wish him well." Marcus added that LeBel has been invaluable for his work on committees and academic achievement.

Known to many second-year law students as the "Dad of the class," LeBel left an indelible mark upon the students as he taught first semester Torts. "We would always come to class expecting a smile on his face and energy in his lecture, and he never let us down," said one student.

When asked what the most exciting thing about the new job is, LeBel replied, "the chance to make a difference."

Trust us, Professor, you already have.

"Don't Ask, Don't Tell" Argued Before M-W Court

SYMPOSIUM from 1

after stating that she was a homosexual. As respondent, the Government contested the First Amendment claim by relying on a speech-conduct distinction in which the policy regulates only homosexual conduct with no restriction on speech. Two Justices sided with the petitioner, two with respondent on this claim.

Weaver also made an equal protection claim, under both the Fifth and Fourteenth Amendments, alleging that the policy impermissibly distinguishes between homosexuals and heterosexuals, regulating only the former, and that the government applies the policy unequally among homosexuals, targeting only those who speak out. The Government responded to this claim by arguing that the policy applies equally — to all members of the military.

Finally, petitioner alleged that the Army's dismissal of her violated her right to due process of law because the presumption that her statement revealing her homosexuality offered proof of her ho-

mosexual conduct was irrefutable in practice. In response, the Government claimed that the presumption could be rebutted and that the policy itself offers guidance on how to rebut the presumption that speech equates to conduct effectively. Further, the respondent argued, heightened deference should be given by the Court to the military in examining the constitutionality of the "Don't Ask, Don't Tell" policy.

After tortured deliberations, the Court narrowly affirmed the constitutionality of the policy, 3-2.

The petitioner's case was argued by David W. Lannetti and Allan Palacio while Marte Barnacle and Kevin O'Neill presented the government's position. Alternates who assisted the advocates in the preparation of the case were Deanna Griffith and Kevin T. Streit for the petitioner; Kellam T. Parks and Michael Pascual for the respondents. Presiding over the case were Chief Justice Alan Meese; Justice Judy Ledbetter; Justice Michael Grable (3L); Justice Joseph Kiefer

(2L); and Justice Colleen Kotyk (2L).

Following the moot court presentation, Feldblum joined with four distinguished commentators in a panel discussion regarding the constitutionality of the Don't Ask, Don't Tell policy. Feldblum argued against the military's

regulation while William Allen Woodruff, professor of law at Campbell University, presented the military's case for maintaining the policy. Woodruff served as chief of the litigation division, Officer of The Judge Advocate General from 1991-

See PANEL on 7



1Ls Allan Palacio, David Lanetti, Marte Barnacle, and Kevin O'Neill participated in a moot court argument on the "Don't Ask, Don't Tell" policy.

SBA Names New Committee Chairs

The SBA has confirmed new Chairs for committees for the next academic year. Congratulations to: Melinda Hough (2L) and Meegan Burbank (1L), Admissions; Ann Haselbauer (1L), Constitution and Bylaws; Cristen Sikes (1L), Computer; Ken Coughlin (2L), Executive; Kyle Jones (2L), Faculty Hiring; Yama Shansab (2L), Fundraising; Robin Dusek (2L) and Dave Copas (2L), Graduation; Douglas Dziak (1L), Legacy; Timika Adams (1L), Minority Recruitment; Chris Noland (2L), Placement; Nadia Kahn (1L), Publicity; Danielle Berry (2L), Social; Joanna Carson (1L), Speakers; and Thomas Kearns (1L), Student Services.

Newkirk Elected New Editor-in-Chief of *Journal of Women and the Law*

Krista Newkirk (2L) was elected the new Editor-in-Chief of the *Journal of Women and the Law* last Tuesday. Newkirk replaces Katherine Chen. Newkirk will be busy; she will publish one issue of the journal and next year as well as maintaining her duties as Secretary of the SBA.

Bill of Rights Journal Selects New Board

Congratulations to Melinda Hough (2L), the new Editor-in-Chief of the *Bill of Rights Journal*. Other Board members are Paul Davis (2L), Managing Editor; Janet Benson (1L), David Carney (1L), Shelley R. Goad (2L), Angela Jenkins (2L), Melinda Kaufman (2L), and Amy Webbink (2L), Articles Editors; Colleen Kotyk (2L), Student Note Editor; Christopher Thanner (2L), Research Editor; and Amy Dilworth (2L), Symposium Editor.

Chancellor Thatcher to Speak at Commencement

Lady Margaret Thatcher, Chancellor of the College, will speak at Commencement Exercises this year on Sunday, May 11. Former Prime Minister of Great Britain, Thatcher was awarded the Order of Merit by Queen Elizabeth in 1990, and became a member of the House of Lords in 1992, holding the title of Baroness.

Snook Re-Appointed Editor of the *Amicus Curiae*

Last Tuesday, Sutton Snook (2L) was re-elected Editor-in-Chief of the *Amicus* by the Publications Council. Snook becomes the first *Amicus* Editor to hold the position for two consecutive years.

Speech on Lawyering in the Public Interest to Be Held

Mary K. Pendergast, Deputy Commissioner at the United States Food and Drug Administration, and David Vladeck, with the Public Citizen Litigation Group, will speak on April 3 concerning the "Challenges of Lawyering in the Public Interest: A Litigator's Perspective and a Regulator's Perspective." The speech will be held at 3:00 p.m. in Room 119.

Punitive Damages Speech to be Held

At 3:00 p.m. today in the Moot Courtroom, Mitchell Polinsky, the Josephine Scott Crocker Professor of Law and Economics at Stanford Law School, will speak on "Punitive Damages — An Economic Analysis. All are welcome and encouraged to attend this timely lecture.

Professor Marcus Speaks on Entrapment

MARCUS from 1

for one of Marcus' hypotheticals. In a different hypothetical, it was no surprise that when a conservative response was called for that Professor Meese's hand would tentatively rise above the crowd (ok, so nothing Professor Meese does is tentative, especially when it comes to defending Judge Easterbrook).

Professor Marcus emphasized that the cases which are successful now probably

would have lost before *Jacobson*. He stressed that even though there is no requirement to show individualized probable cause, the lesson of *Jacobson* is that the government had better be prepared to show the defendant's predisposition with more than the fact that the money was taken when offered. Or, as Professor Meese spun it, "The government's being penalized for being too efficient."

Marcus' lecture was based on his ar-

ticle "Presenting, Back From the [Almost] Dead, the Entrapment Defense," published in 47 *Florida Law Review* 205 (1995). The St. George Tucker Lecture is delivered annually to recognize the scholarly achievements of a senior faculty member of the W&M Law School. Professor Marcus was the most recent recipient of the Walter L. Williams Teaching Award presented by the Class of 1996.

Professor Marcus received his A.B.

and J.D. from UCLA. Marcus served as the Articles Editor for the *UCLA Law Review*. He then clerked for the United States Court of Appeals in the District of Columbia. He has also practiced law in Los Angeles, taught at the University of Illinois College of Law, and, from 1983 to 1988 he was Dean of the University of Arizona School of Law. Marcus joined the William and Mary faculty in 1992.

Dean K Briefs Student Leaders on State of Law School

By Danielle Berry

Dean Krattenmaker conducted the first Student Leadership Conference last Thursday in order to provide a forum in which the administration could discuss current and planned developments in the law school with incoming student organization leaders. After a screening of the newly produced video — starring people we actually know and can make fun of — students

received updated information on a variety of topics ranging from the school's World Wide Web site to the proposed expansion of the law school via the addition of the North Wing.

Grand Poo-bah of the Web, Dean Elizabeth Jackson, demonstrated the current capabilities of the law school's web site while encouraging students to become involved in its expansion. The World Wide Web Committee has

begun working with the SBA Computer Committee in order to develop a policy by which all student organizations may have access to the Web and to assist these groups in creating and launching their own pages. Jackson emphasized the importance of student feedback in producing a site which will benefit current members of the community as well as providing information to those who access it remotely.

Dean Krattenmaker devoted a major portion of the conference to changes which will occur both in the people and facility of the law school in the coming months. In addition to a new class of first years, the law school will welcome six new members of the faculty. Professor Urbanya, who specializes in Civil Rights Law, arrives at M-W from Georgia State. Urbanya is scheduled to teach Federal Courts,

Constitutional Law, and Civil Rights. Professor Ward, a leading jurisprude in feminist law, also joins the faculty full-time in order to teach Property and Jurisprudence. Both Urbanya and Ward have visited the school in recent years, Urbanya in 1993-94 and Ward during the Fall of 1996. M-W also welcomes three visiting faculty members: Professor Blaustone of New York See CONFERENCE on 13

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THEATER OF THE ABSURD

Chris Ambrosio

Not to beat a dead horse or mix some old adages, but truth is stranger than fiction. How so? Let me explain.

People often seek to escape the "normal" or "mundane" life through such activities as viewing surrealist films or taking a walk through a modern art museum. (Although I would argue that modern "art" is all a big scam to lure wealthy but moronic investors into shelling out tons of money for, say, a couple of Shop-Vacs stacked on top of each other or a few basketballs floating in a fish tank, which works of "art" are stamped with the imprimatur of the modern art elite because they were assembled by some guy with a weird name like "Basquiat," but that's a topic for another time.)

Escape from the real world can, ironically, be achieved by contemplating events that occur every day in the real world. Just ask anyone who leaves the rational realm and enters a convoluted alternative universe by stepping into the Trusts and Estates portal every Monday, Tuesday, and Thursday morning. I'm pretty sure that many of Timothy Leary's acid trips made more sense than the wacky world of T & E.

If you're having trouble finding an entree to the theater of the absurd, I offer the following ruminations, many of which are based on today's headlines. Or this year's headlines, anyway. Okay, in some cases, no headlines at all.

Howe About That? Sure, George Foreman came back and won the heavyweight title when he was forty-five years old. Sure, George Burns began an entirely new film career at age eighty with the *Oh, God!* and *Oh, God! You Devil* movies. Sure, the St. Louis Cardinals currently have Dennis Eckersley, Rick Honeycutt, and Willie McGhee on their roster, three players who are each older than the entire cast of *Cocoon* put together. But does that give Gordie Howe, the world's greatest hockey player before Wayne Gretzky, a li-

cense to lace 'em up again at age sixty-nine?

Believe it or not, Gordie Howe — yes, *that* Gordie Howe — is planning on making a comeback by playing for a minor league hockey team in Syracuse, New York. (In case you didn't know, Gordie Howe's son retired a couple of years ago because of old age.)

Perhaps Gordie thought he was signing up for an *air* hockey league at his retirement home. Whatever the reason, someone should remind Howe that hockey is one of the most grueling and violent games on earth, and that players in their twenties have a hard enough time keeping all their bones and joints intact.

Assuming he goes through with this stunt, Howe will be playing for a team called the Syracuse Crunch. I'd say crunch is an appropriate description . . . of what his bones will do the minute he's checked into the boards by some oafish defenseman with a name like Ulf Rassmussen.

This Just In . . . The Sun is Hot. Recently, the Liggett Corporation, the smallest of the Nation's five major tobacco companies, admitted that cigarettes are, in fact, addictive. (This admission, among others, arose out of Liggett's settlement of multiple class action lawsuits that had been filed against it and the other tobacco firms.)

Whoa — slow down there. Let's go over this carefully. You mean to tell me that cigarettes are . . . addictive? And that the tobacco companies, or at least Liggett, knew this? I'm absolutely stunned. I mean, I've noticed how incredibly easy it is for people to quit smoking on their own terms, and how there don't seem to be any withdrawal symptoms associated with quitting.

Of course, I just assumed that cigarettes weren't addictive. Jeez, I'm going to have to reorder my consciousness now in light of this earth-shattering revelation.

You know, I've heard that people are going to be equally shocked by Godiva's forthcoming admission that chocolate is, in fact, "very tasty." Same

thing with General Dynamics' revelation that fissionable plutonium is, in fact, "somewhat dangerous."

Remember, "The X-Files" Is Only a Television Show. What's up with Pierre Salinger? I mean, has this guy gone off the deep end, or what? He claims to have evidence that the U.S. Navy shot down TWA flight 800 off the coast of Long Island last summer and has engaged in a sophisticated cover-up ever since. And this is only one of his conspiracy theories, which he relays from France or some random country every once in a while.

Now, no one should be surprised when some oddball character shows up on TV with a cockamamie story to tell. That happens all the time. But, lest we forget, Pierre Salinger was John F. Kennedy's press secretary (I think) and later a correspondent for ABC news, for cryin' out loud!

What's next? Marlon Fitzwater leading the charge to uncover government UFO conspiracies? Cokie Roberts trying to convince us that the U.N. is taking over the world and spying on us in unmarked black helicopters?

Take Me to Your Leader. What's going on in North Korea? Is anyone actually in charge of this country? According to various news reports over the past several months, it would appear that all of this nation's leaders are either crazy or dead. We're always hearing about some guy with a name like I'm Yung And Ill who is forty years old but behaves like he's seventeen, or some such weirdness.

Given that this country is on the verge of developing nuclear capability, I'm sure the primary question on everyone's mind is this: Will Hyundai production be affected? Those new Elantras look like they could really haul ass, and we wouldn't want anything to get fouled up.

A Few Groceries Shy of a Full Cart. There is a supermarket that I patronize (against my will) which could itself serve as a living, breathing theater of

the absurd. I won't reveal the name of this grocery store, except to say that it rhymes with "Harm Tesh."

Actually, Harm Tesh is an appropriate name because my mental health is harmed every time I go in there, much like it would be if I were forced to listen to several hours' worth of John Tesh gymnastics coverage. Anyway, the ostensible purpose of this establishment is to sell groceries, but you'd never know it by "shopping" there.

At first glance, it appears that the sole reason they built the place is to give the employees an opportunity to exchange all sorts of gossip and small talk with each other, and to complain about the jobs that they aren't doing. The actual customers, whom we might call "buyers" in Article 2 parlance, are irrelevant. It is only by happenstance that any products get sold in between employee conversations and bitch sessions.

The problem isn't limited to the employees' loquaciousness. It also involves employee incompetence in operating basic equipment, such as a cash register, which always seems to be broken in the exact line that I choose to stand in at the exact time that I choose to stand in it.

The entire check-out system sucks, too, which doesn't help. On some occasions, I've glanced around the store and seen check-out lines as long as Oscar acceptance speeches and employees "hustling" in such a manner as to create a life-size mock up of molecular motion at temperatures approaching absolute zero.

In short, I notice that commerce has, in fact, come to a grinding halt. "Economies of scale!" and "market failure!" I shout to myself. I should shout these phrases to the manager, but he's too busy dicking around at that podium thing to do anything about it.

All it would take from him is a simple "Hey, Esther — open line five!" but it never happens. Perhaps the manager is afraid that the scenario might actually evolve into something resembling an actual grocery store.

Sometimes, to amuse myself, I play a game I invented called "Check-out Line Roulette."

Basically, the object is to guess which of the following snafus will cause an interminable delay in the check-out process: (1) a broken or jammed register tape; (2) a "price check" which takes so long you'd think the employees were calculating the GNPs of all the NATO countries, all caused by the failure of one or more of the items to have a [blankety-blank] price on it; (3) some kind of overcharging or improper discount given on an item, which never involves more than thirty-five cents but which always requires the assistance of fourteen managers with special keys to reset the register; (4) a problem validating a customer's check; or (5) difficulty accepting a customer's credit card or ATM card, which seems to arise only after it is too late to pay with cash and which causes the machine to go haywire like the computer in *Tron* after the main characters get "inside" the circuitry.

If you guess the snafu correctly, you can treat yourself to the guilty pleasure of reading the "JonBenet's Mother Reveals Who Killer Is" story in the *Star* or *Examiner*. If you're lucky enough to get hit with two check-out snafus in the same visit, you can purchase the *Country Music Today* pamphlet and read about why LeAnn Rimes just wants to be treated like any other fourteen-year-old kid, even though — God help us — she's made millions of dollars by dressing like a slutty version of Dolly Parton and singing like a warbling, cacophonous version of Barbara Mandrell (after the car accident).

As you can see, escape from the rational world can be achieved by simply picking up a newspaper and reading about the strange-but-true events that happen all the time to real, live human beings.

Or, if you'd prefer to witness an even more bizarre spectacle, pay a visit to your local grocery store. Just make sure that you don't need to buy any actual groceries.

A Letter to the Community Regarding Rankings

By Dean Krattenmaker

In the week before Spring Break, we were surprised to hear that *U.S. News and World Report* had ranked us 36th out of 174 U.S. law schools. Then, a day or two later, we learned that, due to a mathematical error, our ranking had been computed erroneously and really "ought" to be 32nd.

What's going on here? What does all this mean? Well, of course, first and foremost it illustrates that there is no "correct" "ranking" for any law school. Certainly, we all know now — in case we had not known earlier — that *U.S. News and World Report* has no claim to any special expertise in the area. There is no ranking that we "ought" to have.

Let's put some of this in perspective. *The National Jurist*, a magazine distributed to all law students ranked us 4th (not fourth percentile, just plain fourth) in all U.S. law schools in its April/May, 1996 issue. *The Princeton Review* ranked us number 3 among all law schools in "quality of life" and 5th in "best teaching faculties" in its 1997 edition. *U.S. News* is no better a ranker of law schools than these publica-

tions. There is no reason for us to dwell only on one set of rankings.

But, of course, the fact is that *U.S. News*' rankings get the publicity. So, one cannot ignore *U.S. News*. What does its "ranking" really mean? In our case, what it means is simply that the *U.S. News* rankings favor large schools with high tuition and private schools with big endowments. Let me try to explain these conclusions.

First, note that, even by *U.S. News*' imperfect methodology, we are a very good school. The adjusted figures show us 29th in reputation among academics and 29th in reputation among U.S. lawyers and judges. Further, we are 25th in student selectivity and 23rd in placement success. How, then, you ask, can it be that our overall ranking is 32nd? Not because of our LSAT median, which is equal to or higher than every school ranked 16-31 save one. Why 32?

We are 32nd overall for one reason — because in a category *U.S. News* calls "Faculty Resources" we are 112th! (The school with the next highest overall rating, but with a rank in faculty resources of more than 100,

is Ohio State which is ranked 47th.) What is this "faculty resources" category? For the 1997 rankings, "faculty resources" was based on "total expenditures per student for instruction, library, and supporting student services during the year beginning in the fall 1995 (65 percent of this category); financial aid, indirect expenditures, and overhead per student (10 percent); total number of volumes, microfilm, microfiche, and titles in the law library (5 percent); and current student-to-teacher ratio (20 percent)." When "faculty resources" is added to the list of other factors noted above, and each factor is variously weighted to construct an index or ranking, we are "ranked" number 32.

Now, I would be the first to tell you that I think this school needs more resources. But I also think that this *U.S. News* "faculty resources" measure is a not a defensible part of an index designed to rank law schools. (1) Would your education be improved if I "raised" tuition by \$10,000 and then "gave" every student a \$10,000 scholarship? According to *U.S. News and World Report*, en-

gaging in such legerdemain would make William and Mary a substantially superior school. (2) Do you now see why only one public law school our size or smaller is among the 31 schools "ranked" ahead of us? (3) Do you think that it adds to the measure of a school rated 23 in placement success and 25 in student selectivity and 29 in professional reputation to know how much it spends on "supporting student services" and "overhead per student"? In fact, if this "faculty resources" thing tells us anything, it is this: Imagine how good we are if, being ranked 112th in this category, a category over which we have almost no control, we are still rated 32nd overall!

In short, the *U.S. News* "rankings" combine two things: (1) some data, most of them quite subjective, combined with (2) an "indexing" or "ranking" system that defies rational explication.

From our standpoint, it is especially noteworthy (and harmful to us) that this "index" places no value on a low-tuition policy and amply rewards inflated administrative budgets. I know you do not share these values. Nor do I.

Ok, enough complaining. Let's look at the really good news in all of this: Every single ranking in the past 2 years, including *U.S. News*, that is driven by quality, not dollars, says that we are a high-class law school, one of America's very best. When you add to that our very special features — features that include a small, friendly and cooperative student body, an accessible faculty known and respected for both teaching and scholarship, a value per tuition dollar that beats every other East Coast school, the Legal Skills program, the Institute of Bill of Rights Law, the most technologically advanced courtroom in the world, a collection of very professional associate and assistant deans and librarians and support staff who care more about you than they do about themselves, a thoroughly modernized first year curriculum, and an extraordinary number of first-rate journals and moot court teams — you have described a law school as good as any other you can find in America.

I am very proud to be associated with this law school and hope you are, too.

-Law Watch-

And You Thought Parallel Parking Was Bad . . .

A 50-year-old man was arrested in Albuquerque, New Mexico, last November after his 13-year-old stepdaughter made a complaint to the police regarding a series of bizarre acts he made her perform in order to "toughen" her in her quest to obtain a learner's driving permit. According to the complaint, the girl was allowed to drive the family truck until her step-father turned up an index card which contained a set of instructions. The girl would then have to complete the task specified by the card before she would be able to continue driving. Among the helpful driving exercises her father prescribed were mandates for the girl to pour shampoo and dirt into her hair; to wear a dog collar; to do sit-ups; to stand naked in the glare of the family truck's headlights; and to stand tied to a bar with a ball in her mouth.

Flying the Happy Skies

Just when the airways were beginning to look safe again, Continental Airlines filed suit against Deborah Loeding, charging that she endangered the safety of passengers in order to get revenge on her ex-husband who happened to be one of the carrier's pilots. Loeding, apparently playing the role of caring and concerned ex-wife, baked her husband some bread. Playing the role of crazed psycho-bitch, however, Loeding decided to lace the bread with marijuana so that her husband would fail the drug test and be fired from his job.

Her scheme worked and her ex got the ax (which may have increased her psychological health, but undoubtedly decreased her access to alimony payments). Her husband got the last laugh, though, as Continental reinstated him when they learned of his wife's antics and then she got slapped with the lawsuit.

How About a Charles Manson Pension Plan?

During the 1978 National Football League season, the Oakland (Los Angeles/Oakland) Raiders' Jack Tatum permanently paralyzed New England Patriots' receiver Darryl Stingley when he made a "clothesline" hit to Stingley's neck. At the time, Tatum defended the play with arrogance and machismo, claiming the hit to be legal and warning other opponents that they could expect the same when they faced the Raiders.

This January, however, Tatum's tune changed considerably when he applied for disability benefits from the NFL Players Association totalling \$156,000 a year. Tatum now says that he deserves this sum as compensation for the mental anguish he has suffered as a result of living with this incident. If granted, Tatum's claim would place him into the "catastrophic injury" category — ironically, the same classification into which Stingley falls. Apparently, his shot at to Stingley's neck caused irreversible and extensive damage to Tatum's other brain cell.

Practice May Make Perfect — Just Don't Forget to Destroy All the Evidence

For those growing tired of the O.J. Simpson DNA evidence, less sophisticated experts (and dumber criminals with fewer resources) have moved onto the scene. Lavelle Davis, 23, was convicted of murder in Geneva, Illinois, this February after detectives uncovered a piece of duct tape which ultimately held their case together. Prosecutors won the conviction after showing how Davis and an accomplice practiced the murder at the scene where it ultimately occurred immediately prior to committing the crime.

The dress rehearsal covered every detail of the crime,

including the accomplice placing the duct tape over Davis' mouth in the same manner as they planned to do to the victim. Police linked Davis to the crime scene when they discovered the duct tape containing his lip prints right where he and his accomplice had left it after they did their dry run.

Can't Touch This

Kelbi Folkerson recently lost a Title VII claim against her employer, Circus Circus Enterprises, in which she alleged that the casino terminated her after she rejected a patron's sexual harassment of her during the course of her employment. Folkerson played her role as "Kelbi the Living Doll" so convincingly that visitors to the casino would touch her in order to determine whether she was real. Although the casino provided her with a "Do Not Touch" sign and other employees kept watch to prevent patrons from touching her, one determined visitor approached Folkerson and said to onlookers, "I will show you how real she really is." Ignoring another employee's direction not to handle "The Living Doll," the patron reached out and touched someone. Folkerson responded by hitting the patron in the mouth, prompting her supervisor to discharge her for the assault which he believed to be without adequate provocation.

Just as any true-blue "Living Doll" would, Folkerson dragged the casino into court only to have her case tossed out by the Ninth Circuit on summary judgment when she failed to demonstrate her opposition to an unlawful employment practice of the employer. The court felt that the casino had taken reasonable steps to protect Folkerson from customer harassment by posting the signs and instructing other employees to assist in the enforcement of the hands-off policy.

Panel Debates Merits of Military Policy

PANEL from 3

92 after holding various positions in the Army's Judge Advocate General Corps and the Department of Justice from 1978-91. Among his publications, Woodruff has authored: *Gays in the Military: What about Morality, Ethics, Character, and Honor?* and *Homosexuality and Military Service: Legislation, Implementation, and Litigation*.

The other panelists were C. Dixon Osburn, Robert Raben, and Anthony J. Steinmeyer. Osburn is the Co-Executive Director and Co-Founder of the Servicemembers Legal Defense Network.

Osburn is responsible for all operations and financing of the legal aid and watchdog organization which provides assistance to military members harmed by the "Don't Ask, Don't Tell" policy. A graduate of Stanford University and Georgetown Law School, Osburn is co-author of *Conduct Unbecoming: The Second Annual Report on "Don't Ask, Don't Tell, Don't Pursue"*. In 1994, Osburn received the GAYLAW Distinguished National Service Award.

Raben is the Democratic Counsel on the House Judiciary Committee's Subcommittee on Courts and Intellectual Prop-

erty. He also served as Counsel to Congressman Barney Frank (D-MA) for the 103rd through 105th Congresses. Raben is an Adjunct Professor of Law at Georgetown Law School, where he teaches Professional Responsibility as well as Sexual Orientation and the Law. Raben, who graduated from New York University School of Law and the Wharton School of Finance, practices law in the Washington, D.C., office of Arnold & Porter.

Steinmeyer is the Assistant Director for the appellate staff in the Civil Division of the Department of Justice. He served for two years as an Army officer and as an instructor on the appellate advocacy at the Attorney General's Advocacy Institute, the Department of Justice Legal Education Institute, and at the Army's Judge Advocate General School.

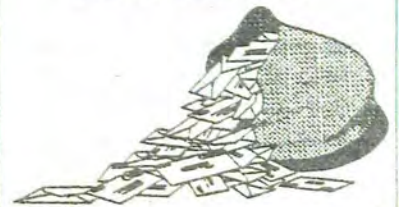
Steinmeyer has been extensively involved in the court of appeals cases concerning the former and present policies regarding homosexuals in the military, including participating in the defense of all the appellate cases involving the current policy. An alumnus of William & Mary, Steinmeyer received his LL.B. from Harvard Law School.

Entirely orchestrated and executed by students, this year's symposium fostered thoughtful discourse on a difficult and controversial, yet pressing, topic.



The moot court argument was judged by Justices Colleen Kotyk (2L), Judy Ledbetter, Chief Justice Alan Meese, Michael Grable (3L), and Joseph Kiefer (2L)

Send Us Letters!



If you have something to say, why not say it in the *Amicus*? Drop letters in the *Amicus* hanging file by Thursday, April 10, at noon.

Only one issue of the Amicus left this year, so get off your butt and write something NOW!



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Crossfire

The Balanced Budget Amendment: Necessary or Not?

The Balanced Budget Amendment — Its Time Has Come

Jim Scott

Since World War II, western democracies, the United States included, have often used Keynesian theory to maintain orderly growth in their economies. In so doing, their central governments have run budget deficits or surpluses to heat up or cool down their economies, respectively. In the American context, however, there have been only budgetary deficits and the federal government has seemed incapable of running a budgetary surplus. Indeed, there are students in the law school who were not born when the United States last had a balanced budget.

Various commentators have discussed the United States's apparent inability to balance its budget. Among the popular theories is one which suggests that the budgetary process is too subject to political whims to ever allow for a balanced budget, with Congress and the President maintaining their popularity by spending rather than saving. In other countries, such as Great Britain, the budgeting process is more strongly influenced by the executive branch and relatively insulated from pork barrel prone members of parliament.

But whatever reasons one identifies as causing budget deficits, what is indeed critical now is that they be addressed. It is extraordinary that a country as wealthy as ours could have outspent itself by five trillion dollars in the last twenty-five years. It is even more extraordinary that interest on the debt is now one of the largest components of the annual budget. Our national debt has reached a critical point where future generations will be forced to pay for our current extravagances, a burden which is simply unfair to place on them.

Indeed, even our generation will suffer under the yoke of the national debt if we do not demand that it be controlled better. No rational member of our generation can possibly think that the Nation will be able to afford the generous social benefits and national security which we currently provide if the burdensome debt continues to spiral as it has.

There is a proposal afoot which would remove much of the American budgetary process from the base political influences which have prevented a balanced budget for almost twenty-five years. That is the Balanced Budget Amendment which, while almost universally supported in the Republican party, has failed to garner ample support among Democrats to allow for the necessary two thirds majority in both houses, which would allow the states to consider the measure further. Unfortunately, the time has come for the Balanced Budget Amendment and if the

"Casually noting the groups which oppose the amendment (AARP, the construction trades, the medical profession, defense contractors, etc.) exposes their true concern."

Democrats do not climb on board, the Nation will suffer as a consequence.

Certainly by now there can be little question that neither Republican nor Democrat Congresses nor Republican nor Democrat Presidents have the fortitude to balance the budget themselves. Thus, the only recourse is to take away the power to run deficits if the Nation is to remain solvent. Some people advance arguments against the Balanced Budget Amendment — these include red herrings and reasons which, although genuine concerns, should not be allowed to prevent the amendment's enactment.

Almost every version of the Balanced Budget Amendment which has been proposed includes a provision by which the federal government may run a deficit in the event of a national emergency, such as war. Thus, those who claim that the Amendment will tie the government's hands unacceptably must have a hidden agenda. Casually noting the groups which oppose the amendment (AARP, the construction trades, the medical profession, defense contractors, etc.) exposes their true concern. That is that they are dependent on the levels of spending which deficits make possible. Indeed, it appears that those groups realize that their goals are attainable only by continuing to run deficits, mortgaging America's future in the process.

The United States is in a better position than any time in the last twenty years to balance its budget. What with relative peace, low interest rates to pay for debt servicing and economic prosperity both lessening the burdens on social welfare programs and providing a strong tax base, the conditions are perfect for running a balanced budget. Even with all these advantages, the President and the Congress have been unable to balance the budget. It thus is inescapable that to create a balanced budget, we cannot count on the discipline of our elected leaders and rather must take away their power to run deficits.

This, of course, will not be painless. Many groups jealously guard the levels of spending which deficits have made possible. Few would care to see their taxes increase to balance the budget. But a balanced budget is necessary and, given the structural flaws in the American budgeting system, the United States should adopt a Balanced Budget Amendment to impose discipline on the system.

Christian Mastondrea

This Nation already owes a tremendous debt of gratitude to the junior Senator from the great State of New Jersey: Torticelli ["The Torch"]. It was up to him to decide the fate of the Balanced Budget Amendment last week, and his failure to support it caused its demise for at least this year.

I know that this is one of those hot button issues that everyone loves to support. Let's tie Congress's hands and prevent them from ever over-spending again. After all, if Congress only ran things like a business — businesses can't run debts like this; they call it bankruptcy.

Good Lord, that stuff makes me crazy. The government is not a business; it is in fact a government. Deficit spending is not necessarily evil and it is not necessarily good either. It is a tool that admittedly has been over used in recent years by the Congress. It is easy to overspend and push the fiscal reality of today off onto the politicians of tomorrow. Congress doesn't want to cut social security and other popular entitlement programs, and it clearly doesn't want to raise taxes either.

Congress has continually taken the easy political way out by passing the buck along to the next Congress and then the next Congress. The Democrats and yes, even those pesky Reagan Republicans, created the mess we are in today; but it was we, the people, who let them get away with it.

The idea of amending the Constitution should always be viewed with some doubt. It is a document that has somehow managed to last 200 years and, as constitutions go, it remains a short document. To clutter up this document with such mundane housekeeping matters gives me some degree of pause. The fact that Congress cannot balance the budget is not a problem of constitutional law, it is a problem of the political system. The public forgets we can throw them all out if we like.

But it is we who continually create the problem. There isn't a Republican or Democrat on the Hill that doesn't understand that something needs to be done. They fear us, the general public, and they don't act. Is that really a problem for the Constitution? Help stop us or we may spend again. Oh please.

Furthermore, deficit spending is a tool of fiscal policy. Ok, all you economists out there calm yourselves. I understand that Keynesianism is dead in its purest forms and monetarism rules the day. However, fiscal policy should still have a place in our government. There may be

"The idea of amending the Constitution should always be viewed with some doubt."

times, especially during crisis, that a deficit would be required. We built a great deal of this Nation by deficit spending, but much of that money went to infrastructure and the Sergeant York anti-aircraft gun [a totally useless, multi-million dollar project.] Ronald Reagan and his supply-siders never seemed to get out of the demand side closet. They could cut taxes but they never had the political power to cut popular programs, thus a tremendous amount of debt was incurred with very little positive result.

The Reagan Congresses made a mistake, and we should require that this Congress step up and fix it, but we should maintain control over what they do. Let us, for a second, imagine a world with a constitutional amendment that required Congress to balance a budget. Let us picture the first suit brought by someone over this, then let us imagine a federal judge deciding which program should get cut and which one wouldn't.

Ok, so some of you would say Congress would arrive at a compromise first, fearing intervention of the judiciary. I personally think a new TV program could be produced just with that plot line. The honorable representatives would simply kill each other. Democrats defending programs to the last, because their constituency demands it. Republicans pushing tax cuts because, well, that's what they do best.

The job of fixing this mess is best left in the hands of the political process. Compromise is a slow and painful experience with a lot of deals to be cut and backs to be scratched. This is a complicated issue and these budget cuts must be handled delicately. Besides, we have yet to reach a crisis over this issue. The Clinton Administration has reduced the budget deficit every year, the rate of increase in the total debt is slowing. This is a mountain of a problem, but one we have faced before.

The national debt in terms of constant dollars is about the same as it was at the end of World War II. We must face the problem together. Let's not let the Congress hide behind an amendment that would force them to make these cuts, in a way we the public may not like. Let us force them to work it through and defend our interests. If that doesn't work, vote them out and start again.

Ambulance Chaser

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FOUR PAGES

Students Sue Professors

By Whin Ing

Empowered by the fact that they have survived two years of law school, a large group of second year students have decided to take action in order to stop the steady flow of talented faculty from the ranks of M-W. Marching arm in arm and chanting, "Hell no, they can't go without a fight," a group of 150 students stormed the Williamsburg Courthouse and filed civil and criminal suits against each member of the law school faculty and administration. Armed with the reserve

collection of Glannon's *Civil Procedure*, the students caucused in the courtyard for three straight days preparing pleadings, all in the alternative, for: breach of contract; intentional infliction of emotional distress; negligence; fraud; depraved heart; conspiracy; slander, libel, or defamation (whichever may apply—we didn't get that far in Torts); reckless disregard for human life; intentional interference with business contract; lost wages caused by the subsequent fall in rankings; abandonment; and adverse possession.

After the complaints had been recorded, Paul Walker (2L) noticed an omission as he reviewed the document during his traditional afternoon run and sprinted to the Courthouse to amend the pleadings to include a claim for loss of consortium. Although the Clerk patiently explained that such a claim may not be appropriate under the circumstances, Walker animatedly rationalized its relevance as the egress of professors drastically limits the number of people who remain willing to talk to him. Before the amendment could be

filed, however, Walker himself was dragged to jail for indecent exposure (the running shorts) and assault (the animated rationalization).

When served with the complaints, the professors and administrators seemed perplexed both as to some of the claims as well as the standing of students to sue professors with no stated intentions to leave M-W. Professor Paul LeBel, himself headed onto the lam, seemed particularly distressed by some of the claims, protest-

See LAWSUIT on 2

Taco Bell to Sponsor New Law School Wing

By Enchil Ada

In an effort to speed up the process of expanding the law school, Dean Tomás Krattenmaker has agreed to allow the new wing of the law school to be sponsored by Taco Bell. To thank Taco Bell for their financial support, the Board of Visitors has named the new wing "Soft Taco Supreme Hall." The school itself will be renamed to reflect the generosity of the new sponsor — Marshall-Wythe-Taco BHell School of Law.

"I have always enjoyed Mexican food," commented the Dean, who has arranged for a franchise store to be placed inside the Center for State Courts, and a

sign placed above the law school building. "Now we can all have some for lunch."

Krattenmaker applauded the agreement as furthering relations between the corporate world and the academic sector. He noted that the agreement is also timely in light of the recently signed NAFTA agreement. "I have been searching for three years how to make this school unique. Now I can honestly say, I have done something no other law school dean has ever done before," stated Krattenmaker, grinning as a little salsa dripped from the corner of his mouth.

Professor Alán Meese also applauded

the agreement, as he always encourages the private sector to take more responsibility for state run programs. "At least the taxpayers won't be footing the bill for welfare and the law school," commented Meese. Meese was instrumental in the negotiations as he provided a thorough cost-benefit analysis for Taco Bell. Meese has now taken a position of Chief Financial Advisor for Taco Bell and was named the Taco Bell Professor of Law and Economics at M-W.

Office of Planning and Placement Dean Roberto Kaplan was encouraged by the agreement. "We are always looking for new and innovative ways to network

in the corporate world for students looking for jobs. Now we have a leg up on all other schools," stated Kaplan.

Students, however, met the decision with hesitation. "But Taco Bell food has so much fat," proclaimed one student. Other students asked why the law school couldn't be sponsored by a more popular establishment, such as Dairy Queen or Arby's. Dean Krattenmaker responded, "The decision was mine, and I like Taco Bell food better."

A groundbreaking ceremony to be held Alumni Weekend, where "refreshments" will be served. A mariachi band will play and students are encouraged to attend.

New Changes in Name, Personnel, Course Offerings at the Law School

By Brian Farcus © 1997, K. Jones

When students return to school next fall, there may be some shocking new things with which they need to deal. The most extraordinary of these is the law school's second name change in two years. An opposition group, led by Ray Raya (?L), angry over the change of the law school's name from Marshall-Wythe to the William and Mary School of Law, was successful in petitioning the Board of Visitors and the Virginia Assembly to change the name of the law school to something with a little more history and tradition behind it. The new name of our law school will officially be the "Marshall-Wythe-Washington-Jefferson-Adams-Madison-Monroe-Adams-Lincoln-Grant-Kennedy-Roosevelt (x2)-Reagan-Kyle Jones

School for the Advancement and Facilitation of Legal and Law-Related Studies at the College of William and Mary in Colonial Williamsburg on South Henry Street Which Has Easy Access from Route 60, Route 199, and the Colonial Parkway and Which is Only Thirty Five Minutes from Beautiful Downtown Newport News, VA" ©1997, K. Jones.

When questioned on whose idea the new name change was, the Virginia Assembly unanimously scratched their heads and said, "Uh, I dunno." Raya was unavailable for comment, but his secretary referred this reporter to Kyle Jones (Rising 3L). Jones, who unbelievably was not even on the Legacy Committee which opposed the first name change, claimed that it was always his dream to copyright

something and this name was perfect. When asked if he was the same Kyle Jones in the new school name, Jones asked to speak with counsel. After conferring with Ken Coughlin (Rising 3L) for approximately 25 minutes, Jones refused to comment, citing the 5th, 12th, and 27th Amendments to the United States Constitution © 1997, K. Jones. When asked why the name was so long, Jones became belligerent and snapped "Hey, I only used one frigging Roosevelt didn't I!!!" ©1997, K. Jones.

Another big change that will come about in the fall is that Shaun Rose (Reclining 4L) will be re-instated as SBA President. Frank Sabia (Honorary 1L) has resigned as SBA President after only one month in office in order to follow his

mentor, Professor Paul LeBel, down to his home state of Florida where LeBel will be the new Dean of the Arts and Literature College at Florida State University. Sabia was successful in getting 12 of his 134 credits transferred to FSU Law School © 1997, K. Jones where he will automatically become Editor-in-Chief of the *Law Review*. Interestingly enough, FSU was ranked just ahead of William and Mary at #14,567 in the latest issue of *U.S. News and World Report* © 1997, K. Jones. Unfortunately, none of Sabia's Legal Skills © 1997, K. Jones credits will transfer to FSU because they "don't have the technology to deal with someone who has already experienced 'Courtroom 21'" © 1997, K. Jones."

See CHANGES on 2

Kentucky Fried Chicken, Pizza Hut, and McDonalds To Begin Lounge Service At Law School In Fall

By Dave Thomas

In response to numerous complaints from law students as well as the decline in sales profits resulting from the plethora of bake and bagel sales hosted by student organizations, Marriott has agreed to allow three major fast food chains to open concessions in the student lounge. Kentucky Fried Chicken, Pizza Hut, and McDonalds will begin to operate on the law school campus sometime in early September. Due to restrictions in the contract between Marriott and Pizza Hut, however, only delivery service will be offered from the student lounge and all deliveries must be made off-campus and within a 0.5 mile radius of the law school administration offices. McDonalds and KFC have similar clauses in their contracts as they may only operate through a drive-in window which is to be installed adjacent to the St. James Cottage.

Although word of the new food alternatives heightened excitement around the law school, the restrictions imposed by the Marriott contracts have caused many to wonder how beneficial these new ventures will prove for the starving law student. Students craving a bit of the Hut, for example, will discover that the only possible delivery zones available under the contract lie in the woods next to the Colonial

Parkway, the street in front of the school, and the edge of the National Center for State Courts — areas which lack both a street address and a telephone number. Some enterprising students suggested that the school partition these areas into numbered lots which could be used for identification purposes during the delivery process. The Marriott contract precludes such a solution, though, as the new Pizza Hut service may not deliver to any property which has been passed from a family to which the land's original Royal Charter was granted.

Moreover, because the new Pizza Hut will use the Legal Skills internal telephone and message system, order calls can only be placed from other phones on that system — none of which lie in any of the permissible delivery areas. Similar restrictions pervade the contracts with McDonalds and KFC which have been precluded from installing a microphone system which might "detract from the elegance and natural beauty of the St. James Cottage."

When asked about the unconscionability of the agreements with Marriott, Professor Selassie analogized the situation to that of the Black Angus in Pensive Mood — perhaps the only true beneficiary of the new food service offerings.

The Times They Are Changin'

CHANGES from 1

Because Sabia is stepping down and due to an almost forgotten section in the SBA Constitution © 1997, K. Jones, Shaun Rose automatically gets reinstated as the SBA President. Rose was a little unhappy that he will have to turn down a very lucrative job offer and walk through graduation with the less hygiene-conscious class of 1998, but was confident that he would now have time to fulfill the other half of his campaign promises of just more than one year ago.

The last large-scale change that the law school will undergo is a change in the curriculum beginning in the fall. Due to the heavy use of Courtroom 21 by the Evidence and Trial Advocacy classes, Legal Skills will be

moved to the Library. No, not the law library or even Swem, but the Library Tavern © 1997, K. Jones. Students will use the 22nd Century technology of the NTN Network as they take their Ethics exams during "Countdown" © 1997, K. Jones from 10 to 11 p.m.

Other courses that will be offered through the NTN system are Sports Law at 11 p.m., Torts (with heavy emphasis on dram shop liability) at midnight, and FSHGTZ 601, a brief-writing course that will be offered on a lottery basis. Funding for these new course offerings will be through a generous endowment given to the law school by Kyle Jones, who will be selling some of his copyright interests to provide the money.

Law School Rankings Plummet Due To Dearth of Student Parking

By B.F. Egypt

In a surprising move, *The U.S. News and World Report* dropped M-W's rank to 156, after adding a new category that judges the availability and convenience of student parking. The new category is weighed as 20 percent of the overall rank.

"I just can't believe anyone would care about student parking," said Dean Krattenmaker, "I have the best parking spot in the school, doesn't that count for something?!" Krattenmaker added that if students have enough time to leave the law school, then professors are not assigning enough work.

U.S. News cited the lack of parking for day students within a one mile radius, and commented that many students must return home to park their cars and then walk to school. The article did praise the College for the satellite parking lot, but felt that the College took the term "satellite" slightly too seriously.

"It's about time someone took the parking problem seriously," said Matt Kaiser (2L). "I'm sick and tired of having to walk past the Gradplex. It just holds too many bad memories." Other students repeated Kaiser's concerns.

Editor of the *Law Review* Sara

Gottovi, however, agreed with Krattenmaker. "I don't understand what the problem is. When I get here at 7:00 a.m. every day, there are plenty of spaces," stated Gottovi. "When I leave every night at 1:30 a.m., there are also plenty of spaces. We have no parking problem, because no students ever bother to come to school."

When Gottovi realized that not all students hold these hours, she slammed the door saying "Get out of here. I have to publish something this year."

Professor John Donaldson confirmed the parking problem when he rode up to the school on his bike. "I've been here for like 30 years, and I still can't find a parking space," Krattenmaker has now promised Donaldson a parking space at the Tennis Center. "Fat lot of good that's gonna do," said Donaldson. "I don't even like tennis."

Professor Fred Lederer was perplexed with the new ranking. "I've been writing *U.S. News* every year asking them to add a category for the best courtroom, and they never listen. Why would anyone lower our ranks when I, I mean we, have the most technologically advanced courtroom in the world." Lederer then asked

all students to join him in his letter-writing campaign and promised extra-credit in Legal Skills to all those sending more than ten letters, provided that parallel citations are included.

The new rank has caused applications to drop precipitously. Dean Faye Shealy commented that prospective students have written the law school and withdrawn their applications. "Most of them just send a picture of their cars with a short note saying 'If my car can't come, then neither will I,'" lamented Shealy.

Krattenmaker has promised to increase student parking. "Because 'library resources' carries less weight, I am tearing down the library to make more parking," declared Krattenmaker. "Because I don't want the library staff to lose their jobs, they will become valet parking attendants." (Journal members need not be alarmed, as the school will maintain their underground bunkers.) Krattenmaker noted that this change will serve a dual purpose: no one will lose their jobs, and M-W will become the first school with complimentary valet parking.

"Our rank will rise again, just as Scarlet promised of the South!" yelled Krattenmaker.

"If it moves, sue it" Advice Comes Back to Haunt Professors

LAWSUIT from 1

ing, "I don't know where the heck they were, but I distinctly remember covering all the First Amendment torts in the 8:30 a.m. supplemental class I held on the Saturday before the final every fall. Damn straight I'm getting away from these hyper-litigious piranhas!"

Professor Dickerson addressed the issue of standing with repeated reference to *Pride*, *Goldilocks*, *Diffy*, and *Dwight*. Although she concluded that the students may have the right, under certain circumstances, to sue the manufacturer of the fishing pole holding up the Catfish Cafe, she doubted the validity of the preemptive strikes made by the second-years against professors not planning to depart the school. When asked for clarification of Dickerson's answer, Professor Grover simply smiled and said, "I don't know who these people are or what any of this has to do with a fishing pole, but students really interested in the validity of their claims should stand themselves in the library and do some reading for a change."

Deans Krattenmaker, Overy, Jackson, and Shealy already have moved for summary judgment on the argument that they have done everything possible to make students go away so that they can stay right where they are. Although most professors have considered filing similar motions, their research assistants have all been forced to quit so that they may devote a proper amount of time to Legal Skills. Thus the suits remain pending and the court has ordered Walker to invest in some sweatpants.



Paul Walker begs for consortium.

New Library Policy Announced to Thwart Theft

Library Director Jim Heller announced today that body cavity searches will be required for all those leaving the library. "The new security system just isn't enough," said Heller. "I want to make sure my library has a perfect security record." When asked by law students whether the search is legal, Professor Marcus responded, "Haven't you learned anything? Law students have no rights, consequently the searches pass constitutional muster."

Law Review Write-On Policy Announced

Hoping to preempt any complaints about this year's *Law Review* selection process, the directors of the writing competition have announced a series of new guidelines which will become effective immediately. Every student in the law school must write a Comment in order to ensure that only those of the highest quality receive offers from the *Review*. A student may opt out of the writing competition if they can demonstrate, to a mathematical certainty, the ranking system used by professors in computing grades and the biases inherent thereto. Only submissions received within a five minute interval, which shall not be announced, will be considered valid unless the student can produce a note of explanation from the Supreme Court or the Pope (student's choice).

Finally, all submissions must be written in the dead language chosen by the Director of the Candidates Program, Sarah Karlsson. Karlsson indicated that her language of preference would be announced the morning on which the five minute interval occurred and that the newly enacted selection process promotes "entire fairness in the transaction."

Students Rally Against Lack of Events at Law School

Thursday, March 27, the newly formed protest group, We Have Inactive Nights Always ("W.H.I.N.A."), organized a rally to protest the lack of speakers, organizational meetings, and social activities available at the law school. The group's complaint lies in its assertion that the law school has failed to invite any speakers, host any social functions, or advance any new student organizations to fill the void. Dean Galloway challenged the group's claim by referring them to the multitude of new organizations and the constant stream of speakers which visit M-W. The group's leader, David Coleman (2L), discounted Galloway's claim by noting that the law school schedules events for longer blocks of time than the three minutes his stopwatch allots him during his afternoon study period. Four students attended the protest, most for less than 60 seconds.

The Last Will and Testament of the Class of 1997

Disclaimer

The following is a list of the things the 3L class would like to leave to the law school faculty and alumni. This list is supposed to be humorous, but not offensive. Anything you find funny was written by the third year class as a whole. Anything you find offensive was written by Dean Barnard and Ray Raya.

To:

Dean Krattenmaker
Prof. Devins
Prof. Selassie
Prof. Lebel
Prof. Butler
Prof. Marcus
Prof. Felton
Prof. Grover
Prof. Lederer

We Leave:

Ray Raya as Chief of Law School Rankings
A Christmas tree in the law school lobby and Kenny Greenspan's soul as an ornament
Responsibility for Craig Welter's difficulties in attaining legal employment after he got a C in Contracts
The task of teaching Civil Procedure one more time before he leaves for greener pastures
We leave another dime in the jukebox, baby! (Random Joan Jett reference)
A new grading system where Jeff Almeida (who attended a total of 3 Crim Pro classes) cannot get an A
The case of *Bowers v. Hardwick* (a funny name considerin' the subject matter)
A free refill of Prozac for her dog, Charlie
A word of appreciation from the National Trial Team for kicking them out of the McGlothin Court Room during the finals of their trout competition

Prof. I. Trotter Hardy

Prof. Meese

Prof. Koch

Prof. Smolla
Prof. Sergienko

Prof. Alces

Prof. Rockin'
Ron Rosenberg
Prof. Moliterno

Prof. Collins

Prof. Heusen

The 1Ls who yelled
about beach week

An opportunity to publicly admit that the I in his name stands for Ishmael

A job at a top notch law school
(because that's where he'll be in two years anyway)

Responsibility for the loss of a law journal and at least one of the notches we fell in the rankings this year

A Ken Greenspan in every review class

Tenure at Richmond Law School so he never comes back to teach Civ. Pro. (and a swift kick in the ass)

A lifetime perscription of valium so he's not so excited at 8:30 in the morning

The man's got good hair, so he doesn't need anything in life

Donald Sciortino and Lynn Whipkey — the only students who care about Legal Skills

A jurisprudential question: "If class is taught but no one is there, does anyone learn at all?"

Responsibility for everything we know about corporations as well as her favorite students Jeff Almeida (who got a B- and attended only one class — the final exam) and Ken Greenspan (B+ and 4 classes attended).

The middle finger

See LAST WILL on 4

Even More Clip 'n' Save Marshall-Wythe Trading Cards!

This week: Prospective Students Tour the Law School



Faye Shealy



F. John Barker



Brenna Thanner



Conner Jones

Legal Skills Program to Expand

By Helen Earth

Bolstered by its wide acceptance among all first and second year participants as well as the plethora of rave reviews which pervade the unanimously completed evaluations each semester, the Legal Skills Program has decided to take the revolutionary step of extending the program beyond the first two years of law school. The new program will occupy all three years of law school and, in a bold and unexpected move, will begin during the last year of undergraduate school for all students planning to attend M-W.

The directors of the Legal Skills Program already have begun the process of restructuring the current curriculum to include Clients 1 through 4 for the undergraduate participants and Clients F through J for the third year component. Undergraduate students will handle cases involving speeding tickets, parallel parking violations, fraudulent conveyances of food from the campus dining units, and illegal use of alcohol in order to procure dates. Although no undergraduate or law school credits will be awarded for successful completion of this first year, Professor Moliterno promises that the pizzas served at the parties traditionally held during law camp will include two toppings rather than one.

The clients to be handled during the third year segment will involve FEMA regulations; non-profit corporate entity

tax appeals; and the interrelationship between pollution, the snail darter, and the newly revised Clean Air Act. Third year students will also be required to rewrite the United States Tax Code in order to make it more consistent with the tax system proposed for the European Union.

The final examination proposed for the third years will be the restructuring of international law encompassing planets within 75 trillion nautical miles of the Earth's outer atmosphere. Although third years will receive no credit for their additional time in the program, Professor Levy believes that "the emotional, intellectual, and personal benefits of tackling these difficult issues on the cutting edge of the legal profession will provide ample compensation for the work required."

When asked about the logistic difficulty of incorporating students into the program who have just begun their senior year of college and have not yet been accepted into the law school, each member of the Legal Skills hierarchy smiled politely and referred this reporter to the seven volume publication, *Legal Skills Rules and Regulations*. Although the *Rules and Regulations* do not specifically explain what accommodations will be made to overcome this apparent procedural difficulty, Legal Skills Assistant Kimberly Reeves promised "to look into that and to get back to you as soon as this year's appeals have been completed and

less of her time is occupied updating the docket every fifteen minutes."

Rising third years have expressed mixed reactions to the proposal. Current 2L Legal Skills Teaching Assistant, Anne-Marie Miles, who helped create the new program, considers the revisions to be "a fantastic opportunity to broaden the scope of the one part of law school which has helped me direct my energies both personally and professionally."

Miles noted that she has already completed a first draft of the new tax code (which barely meets the two volume minimum requirement) and has begun outlining the issues she foresees relevant to the final examination question. Kyle Jones (2L) expressed a more harsh critique of the program, commenting that "this crap already goes on too long . . . now I'm convinced that I'll be sitting on the Supreme Court before I finish the trauma of this hell."

New procedures also will be implemented to heighten the realistic nature of the program. For example, attorneys found in contempt during any portion of the four year program will be required to serve their periods of incarceration in the Williamsburg-James City County jail. Lest students fall behind on their obligations to clients and the other members of their working groups, however, Professor Fred Lederer has promised to make whatever accommodations necessary so that

the student-lawyer may be transported into the Moot Courtroom's holding facility and participate in firm activities via teleconference.

Another proposal involves the abolition of the pre-printed docket so that students must arrive in Room 119 each morning at 8:30 a.m. at which time the day's schedule of cases to be heard will be announced. Should a student's case not be called that morning, he or she must attend a two hour library tour at that time. Students whose cases will be heard during the morning session will be scheduled for the afternoon library tour to be followed by an hour long comment period in which the argument videos will be shown.

Presented with the possibility that this practice may interfere with interviewing and other classes in which students actually learn something, Professor Moliterno commented, "The nature of the program has not changed."

When confronted with an angry mob of current and prospective students, Dean Krattenmaker responded as he slammed his office door, "I don't give a damn what you think! I'm worried about rankings in here! Here's a quarter, go call someone who can reign in those Legal Skills people." Krattenmaker quickly reopened his door, grabbed back the quarter, and said, "On second thought, go use those Legal Skills phones for an on-campus call for once."

3Ls Bequeath to Professors and Law School

LAST WILL from 3

Liz Jackson & Faye Shealy

Dean Overy

Dean Galloway

The law librarians

Petra, John & the library staff

Gloria Todd

A dozen red roses

\$10,000 in pledges that were never made

A huge thank you for all she does for the SBA and improving law school student life in general

A case of Jolt cola to keep people awake during library tours

Responsibility for keeping all the law students sane (treating us like 10 year olds has worked well)

Less annoying 3Ls bothering her all the time

Dean's Associates
M-W Law School

The Amicus
Dean Thrasher

Dean Kaplan

Jeff Almeida

Ass kissing lessons (oops, you already have that)

A new name, a new wing, the hope that you never have another class like ours, and a herd of white trash to take up residence in the trailer/cottage

Readers (who will laugh at our pitiful jokes)

Something to occupy his time rather than listening to 3Ls bitch about jobs

10 percent of all our salaries

(after taxes and loan repayments)

Disposable livers and rechargeable kidneys

TRADING CARDS: Prospective Students Tour the Law School

Conner Jones

Escorted by proud dad Kyle Jones (2L), Conner becomes one of the two youngest admitted student to the law school. When asked for a reason for this, the Admissions office declared that it was concerned about the rising median age of the incoming class and hoped that admitting an eight month old baby may help. Besides, they say, Conner had the highest GPA of all applicants.

Brenna Thanner

Found eating lunch with dad Chris Thanner, Brenna joins Conner has one of the two youngest prospective students. While Brenna refused to comment on her admission, Dean Shealy stated that anyone who can score a perfect 180 on her LSAT before she can read is guaranteed a place at M-W.

F. John Barker

When asked why he was applying to the law school, John replied that he expects to do well as he already has access to the final exams and has already been here three years. (He claims to have maintained his sanity during this period, but this has not been proven.) John refused to comment on the what the F" stands for in his name, but did say that it rhymes with "Duck Cough."

Faye Shealy

Figuring that the only way to improve the admissions process is to go through it, Faye Shealy was the first student to be admitted this year, although rumor has it that she had an unfair advantage because of her close friendship with the Dean of Admissions. Faye has yet to decide whether to accept her offer of admission and commented that she is waiting for the school to offer her a better fellowship.

A Lettington Chronicle

Law and Religion 101

By Robert Lettington

So we youngsters have been here nearly a year and the original question still remains — Law School, what's it all about? We were told it would change us in some unspecified fashion, we'd become new people — lawyers. That could be a question for *Donahue* — taking many of our above average students and turning them into lawyers, is that a good thing or a bad thing?

The true secret is that we're joining a tradition that's far older than the profession, older than most of the world's countries and religions for that matter. Think about it, what did the ancient Gaelic and British Druids do? They mastered a bizarre set of arcane rituals so that they could tell all the ordinaries that they had been entrusted with the care of society — you'd better pay attention to what they said or something really nasty might happen, like the Romans invading or barbarians overrunning the state (no matter that many people thought you were the barbarians). Today we learn the Civil and Criminal Rules of Procedure and why, if you make a contract and the other guy breaks it, but he is a U.S. Senator, you still owe him lots of money. If we don't, America will be overrun by gangs in the middle, Mexicans in the south, Canadians in the north, New York will be set aside for the world's cab drivers, and Fidel will move into a condo in Miami Beach. Lawyers essentially master a bizarre set of arcane rituals and tell the ordinaries that they have been entrusted with the care of society to protect it from people overrunning the state. Does that sound familiar? That's why priests, mullahs, etc. are so rarely lawyers. They get to law school, learn about conflict of interest and find they have to quit as the two professions are different branches of the same tradition.

We have more ordinaries today and some of them have become quite skeptical so we had to come up with a set of rituals for them

— the law. I hear shouts of "but I've met a priest/rabbi/mullah who's a lawyer," that's because they're the ones who figured out the inner secret — two hands in a game of blackjack give you a higher chance of winning than one. Lots of the eastern religions are even older and wiser than western ones and their priests, etc. are never lawyers — they foresaw the O.J. trial and got out early. Thus, if you one day feel that Civil Procedure was too much for you, Federal Income Tax made no sense, and you have a burning desire to go buy a golden sickle to cut mistletoe or to enter a seminary, don't fight it — it's the natural infusion of your new personality.

The underlying message (which always exists in religious ceremonies, is called "policy arguments" in the law, and is called "give me some more cash" in politics) is that we're joining the establishment. Haven't you noticed that lots of us dress remarkably similarly in many situations? (Ok, so I've been seen in a skirt, but that's because I'm an alien). Have you noticed that group-think creeps in all over the place and that Republican political meetings get a pretty good attendance? I know my esteemed colleague in the music criticism section will shout proud defiance (I have to ask you, Dov, is some of that stuff you review really music or are you just making it up?) but his very non-conformism is a recognition of, and participation in, the establishment phenomenon.

Being the eternal optimist that I am (I'm also Church of England and everybody knows we'll admit to anything) I see the good side of this — under the bizarre set of arcane rituals the establishment has a few exclusive privileges, we're allowed to smoke Havana cigars and we can afford more Guinness than the ordinaries. That's why Paul is in the establishment too. Roll on graduation and sign me up!

Clubhouse

STROLL DOWN MEMORY LANE WITH THE MILITARY LAW SOCIETY

By Krista Newkirk

The Military Law Society is participating in the annual United Service Organization dance, sponsored by the USO of Hampton Roads Board of Directors. The gala fundraising dinner/dance is being held at the Fort Eustis Officer's and Civilian's Club on Friday, April 4, 1997.

The theme of this year's dinner and dance is "Stroll Down Memory Lane." The dance this year is set in the World War II era with 1940's style dress encouraged. The evening will begin with military type sign in, where each guest will receive their ration book for the evening. And, in keeping with the USO history, coffee, donuts, and apple cider will also be available upon your arrival.

A South Seas Pacific Island reception will be held complete with hostesses in sarongs and visit from the Airman/Soldier/Sailor/Marine's best friend "Bloody Mary," who may try to sell genuine South Pacific trinkets. Entertainment during the reception will be provided by the steel band Two Can Jam. Two Can Jam will also perform throughout the evening.

After the reception, the guests will journey into the Grand Ballroom that will be decorated to resemble an old fashioned "Homefront USO Canteen." It is designed like those canteens that were set up throughout the United States during World War II.

Stage Door Canteens and USO Camp Shows were performed around the world during World War II. Entertainers would travel overseas to where ever young men and women in uniform were stationed. There, they would provide a brief respite from both the terror and tedium of war. They also brought a touch of home to the service members. The United States Continental Army Band and the Fort Eustis Resolute Ensemble will perform a special salute to the "Stage Door Canteens and USO Camp Shows." There will also be a tribute to the Andrew Sisters by the Sawyer Sisters.

Ticket sales end today, March 31. Tickets are available at a reduced rate for students of the law school, due to the hard work of the Military Law Society. The price is \$25 per ticket. The Military Law Society is limited in the number of tickets they can sell for this price. Get your ticket now and help us step back in time to celebrate the end of World War II!

More Clip 'n' Save Marshall-Wythe Trading Cards! Collect them all!!

This week: Champions of the Bluebook: Editors Galore



Chris Wiemken



Krista Newkirk



Melinda Hough



Darren McCarty

Food For Thought: The Coffeehouse

By Ian Siminoff

I've been saving this one for a while. I'm sorry about that, but this gem has kept me sane throughout three years of law school. Part of its enchantment is the fact that very few law students frequent it. That will change after this article, I presume.

What can I say? The *Coffeehouse* is a wonderful place. It's a place to get away, to relax over a cup of coffee, to forget about the minutia of every day which we become too consumed with, to enjoy life for an hour or so.

Forgive me while I digress, but the best way for me to explain the charm that is the *Coffeehouse* is to tell you a story. Ann Arbor, Michigan, where I was an undergraduate, is a fantastic, beautiful place. I was always amazed by the sophisticated and diverse food, music, clothing, and people Ann Arbor had to provide. One of the most marvelous attributes of the town is the spacious, boisterous coffee houses that one can find on nearly every street corner. They reminded me of the avenues in Paris where outdoor patios filled with coffee-drinkers open up into sprawling interiors where people can be found talking politics, reading newspapers, thumbing through magazines, writing poetry, or simply resting quiet and passive, sheltered from the hustle and bustle of their working lives.

So, when I came to Williamsburg, I kept my eyes open, not only for good food, but also for a place I could go to relax and get away, and enjoy a cup of coffee and a pastry. After trying several places, including Prince George Espresso, which most people know is packed with loud tourists and undergrads, I stumbled upon the *Coffeehouse* in the Williamsburg Crossing shopping center next to the Video Update (don't be confused by the Courtyard Cafe and Williamsburg Coffee & Tea which are also located in that shopping center and are not what I am talking about).

My first impression of it was that it was sterile, it was so clean and neat, and perhaps not a place where I could sit down for a long period of time with a cup of coffee and a newspaper, since there was not an incredible amount of seating. It looked beautiful though. The colors throughout were woods and pine greens. The tables were a light polished wood, along with the counters and the backs of the chairs. The chair cushions were pine green, along with the numerous boards which hung behind the counter and displayed the *Coffeehouse* menu. The roaster in the front of the store was pine green, with the words "The *Coffeehouse*" inscribed in gold script on its side, and it was surrounded by a polished, golden railing. Surrounding the roaster were sandy bags of coffee beans, each one bearing the embroidered name of a different country. I was enraptured.

And it smelled so good, a wonderful blend of freshly roasted coffee and homemade breads and pastries. There was a man at the roaster, intensely preoccupied with the task at hand, his head down, carefully scrutinizing the movement of the coffee beans, which were being rotated and cooled. When I walked up to the counter, a warm, smiling face greeted me. I relaxed immediately. It was Mrs. Haines. She and her husband, Mr. Haines, the gentleman who was at the roaster, were the owners.

The coffees of the day were neatly listed on a green board behind Mrs. Haines in order of strength, the top being the mildest, the bottom, the strongest. I was told that the dark roast, The French Blend, was the lowest in acidity that day, and the mild Costa Rican the most acidic. I chose the dark roast and one of their delicious pastries, a chocolate croissant.

Well, I fell in love with the *Coffeehouse* at that moment. What enamored

me the most was that the owners were so passionate about the coffee they sold, so eager and happy to share their enthusiasm with their patrons. Well, several years went by and I enjoyed many wonderful days at the *Coffeehouse* drinking vanilla lattes, reading *The Washington Post*, and leafing through the many magazines the *Coffeehouse* provides to its patrons, including my favorites: *Gourmet*, *Bon Appetit*, and *The New Yorker*.

Several months ago, a young guy by the name of Drew Haynie began appearing regularly at the *Coffeehouse*. I assumed he was a new employee hired by Chuck & Mary. Several weeks later, he informed me that he was the new owner. Well, I was a little worried. I'm sure the regular customers were as well. After all, without Mary & Chuck Haines, what would become of the *Coffeehouse*?

Well, it got better. Drew & his wife Robyn are the nicest people. Drew, like Mr. and Mrs. Haines, is passionate about coffee and food. In fact, you should come join Drew, Robyn, Susan, Steve, Jules, Emily, Candace, Joanne, and others for a light lunch. Last month, Drew started up the *Coffeehouse Bistro*. (Lunch is served from 11:30 a.m. to 2:30 p.m. Monday-Saturday and Noon-3:00 p.m. on Sundays. Sandwich prices range from \$4.00 to \$4.95, add \$.50 if you want chips). Drew offers a wonderful selection of homemade soups which change daily, fresh salads, and hearty sandwiches served on homemade french or multi-grain bread. The soups are made from scratch every day, and they include, to name a few, *chicken with orzo* (small Italian pasta), *lemon chicken rice*, *smokey potato leek*, and *cajun corn chowder*. Each is served with a generous portion of oven-baked, homemade, crusty bread and served in an insulated clay bowl atop a wooden board.

The sandwiches are made to order, are meticulously prepared and organized, and accompanied by several baby French pickles. Until recently, Drew has been mak-



ing all the sandwiches himself to ensure perfection. Here are a few of my favorites. For vegetarians and Italian-food lovers, the *Garden Sandwich* is for you. It is awesome. Drew slices a homemade basil focaccia, smotheres basil pesto mayonnaise on both sides, and stuffs the focaccia with plenty of fresh mozzarella, kalamata olives, marinated cucumbers, roasted red peppers, red onion, and organic greens. It is mouth-watering. You will want another one after you finish eating the first. If you're a meat-eater, ask for the *Full City Combo*. Drew starts off with a generous portion of homemade french bread, slices it, and lightly spreads full city sauce (a wonderful blend of mustards, mayonnaise, and spices) on one end, then shaves lean smoked turkey and Italian prosciutto, and piles it on one end of the sandwich. He adds fresh provolone cheese and organic greens before placing the other piece of bread on top, slicing it in half, and serving it to you in a small wicker basket. You cannot beat a sandwich like that. Ask about the other sandwiches, the *Smokehouse Turkey*, *Duo Italiano*, *Smokehouse Ham*, and *Salami*. See COFFEEHOUSE on 13

TRADING CARDS:

Hall of Power: Editors/Dictators of the Journals

Darren McCarty

Darren takes over the dubious position of Editor of the *Law Review* and promises to increase the number of pictures. Well, maybe not, but he has promised to streamline the editorial process. Make sure that you look carefully at Darren's picture — it's the last time you will see him till graduation.

Melinda Hough

Probably the most exuberant person in the law school, Melinda takes the reigns of the *Bill of Right Journal*. Don't be fooled by her smile and kind words, when she takes over, she promises to carry a big whip. She will be busy, however, as she will also co-chair the SBA Admissions Committee. She believes recruitment for the *Journal* can never begin too early.

Krista Newkirk

Back for her second appearance as a trading card this year, Krista now takes on the role of Editor of the *Journal of Women and the Law*. Krista has promised that she will spend more time working on the *Journal* and the SBA than she spends at Paul's. Either that, or she plans to move the SBA meetings and forward the *Journal* phones to the pay phone in the bar.

Chris Wiemken

Chris takes over as Tree Hugger-in-Chief of the *Environmental Law and Policy Review*. A Public Policy joint degree student, Chris has promised to decrease the number of pages within the *Journal* in order to help save trees before they are butchered. Chris defends his position by referring to the mission statement to help the cause of the environment, not worsen it.

Music for the Masses

Dov Pontificates: U2 Must Listen

By Dov Szego

I was talking to a friend of mine and she said something about how her car has been getting all beaten up in the parking lot outside her apartment complex. I said something about how it was probably because of the undergrads being careless, to which she agreed. We then gradually came to the conclusion that nice cars are an endangered species, and that we should protect them by executing undergraduate students. It has something to do with the logic that was used to wipe out wolves in the Midwest... to save deer... or cows... Kill undergrads. That's what she said.

Anyway, what else? See Jim Carey's new movie, *Liar, Liar*. It's hilarious. Along the same lines, the last of the original three *Star Wars* movies has been long released. They actually managed to unequivocally improve it (i.e., they didn't ruin any characters this time). The ending is much better now. Go see that too.

And now some music reviews (BTW Rob, are you asking if the bands exist, or if what they put out is really music?):

U2 Pop

I refuse to insult your intelligence by laying out a biography of U2.

When I went in to buy this album, I was talking to the guy working at the store, and he said that he stopped listening to U2 after *Joshua Tree* and went on to rack on *Zooropa* (the last album) and the *ZooTV* tour (the last tour) in particular. He said that U2 just took the rock star thing a bit too far. I sort of squinted at him for

try itself, and that was cool.

That said, I hate this album. It has a lot of that breathy Bono vocals thing (imagine that), almost all of the songs on the album are slow, and they work in dance music beats for some odd reason. The average law school student is likely to enjoy it, though. It doesn't require much



a minute and told him I didn't agree. As far as I'm concerned, U2 did the only cool thing that they could have done. They knew they were huge, and that they weren't going to get any bigger, so they turned it into a joke. They took one of the largest preset stage setups in history on the road with them, they tried to call the President (yes, Bill Clinton) during the shows, they scanned TV and radio channels on massive screens during their shows, and Bono seemed to develop Multiple Personality Disorder because of all the roles he pretended to take on. They turned all the attention they were getting into a criticism of the indus-

try in the way of thought, it's not too complicated, largely apolitical, and the lyrics are almost incomprehensible, much less offensive. I've heard a lot of people who liked it a lot, but I think that every album before it (with the possible exception of *Boy*) was better.

There is one really good song: "Staring at the Sun," regrettably the second single off of the disk. It has a steel-string guitar rhythm, with a phased and distorted electric guitar bridge in the background of most of the song. The lyrics are pretty useless (but catchy); the real focus is the togetherness that the band has, and the depth of sounds they use for

each instrument. The Edge has gotten to be a really good guitarist, and this is the only song on the album where you can tell because on most of the album the guitars are used like drums; as a couch for the vocals (which suck) and to hold the beat. This is sad. So is the rest of the disk.

The Mighty, Mighty Bosstones, *Let's Face It*

Fellow IL Matt Witten says that Ska is "amusing," and that this album sounded like "glorified polka," reminding him of Weird Al Yankovich. I think not.

Ska is a derivative of Calypso and Reggae (I've heard it called "dance hall reggae"), that uses an upward stroke of the top four notes of a major chord on a (usually) undistorted guitar in a syncopated beat (this is oversimplified: medium beat, long beat, short beat). The "attack" (picking angle) on the guitar leads to a really up-beat sort of sound. Mixed with the virtually omnipresent saxophones and horns (trombones, trumpets, etc.), the effect is pretty cool. And now, following in the footsteps of such great bands as Citizen Fish (ex-members of the subhumans), OPIVY/Rancid, and the Voodoo Glow-Skulls, a lot of bands have started throwing in a little punk, which makes for a really powerful, driving, poppy,

sickeningly catchy sound.

The Bosstones have been around for about eight years, and they have really changed very little. Their sound has matured a lot, and they seem to be a bit more comfortable with the misfit hybrid of music they create, but they were always (for the most part) a ska band. *Let's Face It* shows what I think is a serious problem the band has: they play some ska songs, some punk songs, but they never really get the two to actually merge. Even within one song, there will be a "ska part" and a "punk part."

For example "The Impression That I Get" (the album's first single, and from what I'm told, a song they actually played at eMpTyVee's Skin Break). It starts with the ska chords and the horns, and sounds like a regular ska song, *a la* the Skunks or Skavovvie. Then the guitars distort and change to power chords for the chorus, and then they go back to ska. This contrasts heavily with, say, "That Bug Bit Me," which sounds so punk it's almost '75 (should be, they have an ex-member of Gang Green in the band). On the other hand the first three tracks ("Noise Brigade", "The Rascal King", and "Royal Oil") are straight ska. Go figger.

This album is pretty good, See MUSIC on 13

Sling Blade Deserves all the Oscar Attention

By Lee Ranieri
Whiny Prologue

Each Friday, somewhere between four and eight major films debut. Usually, about half of these releases are "comedies" or action thrillers produced by the major studios and aimed directly at the oh-so-lucrative market of 13 to 16 year-old subliterate. The other half is usually an even mix of studio and independent films that may or may not have something interesting to say. Since the Williamsburg Theatre doesn't show new releases, you'll never see an independent in this area when it comes out; the 13- to 16-year-old subliterate have some serious purchasing power around here.

All of this means that in any

given week, there might not be any new releases within driving distance except a crop of stinkers. Now, I realize that it's a movie reviewer's place to actually watch a film before he or she decides it stinks, but then again, most movie reviewers don't have to pay for their own tickets. The bottom line is, if you really, really want to see "Baps" or "The Devil's Own" (the movie which started filming before the script was completed), pay your own six dollars. This week, I'm reviewing another indie which has recently been revived thanks to its Oscar buzz.

Review: *Sling Blade*
1996 was a very good year for cinema; there was a bumper

crop of creative, intelligent, well-crafted films. Even with such stiff competition, I don't think it's an overstatement to say that *Sling Blade* is not just one of the

just now in semi-wide release, and it would be a shame to miss it while it's still out in theaters.

As just about everyone knows by now, *Sling Blade* was written,

also plays the lead role of Karl Childers, a semi-retarded man released from an asylum in the deep South several decades after killing his mother and her lover with a "sling blade" (a scythe).

When the film opens, two local college women are trying to get an interview with Karl shortly before his release from the asylum, to find out whether he really is fit to re-enter society. From this opening scene, it's clear that *Sling Blade* is going to have substance; even with these relatively minor characters, Thornton scrupulously avoids clichés and gives everyone depth and believability. In a lesser film, the asylum's warden would be smug and condescending to—
See SLING BLADE on 13



best films of the year, but one of the best films of the decade. Even though it was technically released at the end of 1996, *Sling Blade* is

directed, and independently produced by Billy Bob Thornton (who just won the Oscar for best adapted screenplay). Thornton

Calendar of Events

THE AMICUS CURIAE
Monday, March 31, 1997

12

Monday, March 31

Visiting Fellow: Mitchell Polinsky, Josephine Scott Crocker Professor of Law and Economics at Stanford University, delivers a public talk, "Punitive Damages: An Economic Analysis." 3:00 p.m. in the Moot Courtroom.

Tuesday, April 1

Celebrate Diversity, Create Unity: The cultural organizations of William & Mary's Mosaic Festival kicks off with a speech by James Dunn. 7:00 p.m. at Tidewater A & B in the University Center. Following Dunn's remarks, *Eat, Drink, Man, Woman* will be shown at 8:00 p.m. in the University Center's Commonwealth Auditorium.

Wednesday, April 2

William & Mary Concert Series: Piffaro, the Renaissance Band at 8:00 p.m. in Phi Beta Kappa Hall. Tickets are \$20. Call 221-3276

Thursday, April 3

Public Interest Fellows: Mary K. Pendergast, Deputy Commissioner of the U.S. Food and Drug Administration and David C. Valdeck, Public Citizen Litigation group will speak on "The Challenges of Lawyering in the Public Interest: A Litigator's Perspective and a Regulator's Perspective." 3:00 p.m. in Room 119.

Bar Review: Recipes, located at the Comfort Inn next to Berkeley Commons. Food & Drink Specials and Must See T.V. 7:00 p.m. to 9:00 p.m.

Track & Field: Men's and Women's Colonial Relays - through April 5.

Friday, April 4

Military Law Society: USO Gala. An evening of dinner, dancing and entertainment. Ft. Eustis Officer's Club. 6:30 p.m. Tickets on sale in the law school lobby, \$25. See Clubhouse, page 9, for more information.

William & Mary Early Music Ensemble: A concert of medieval, Renaissance and baroque music presented on period instruments at 8:00 p.m. in the Wren chapel. Free. Limited seating.

Saturday, April 5

Clean Up Your Act: Join the nature freaks and other concerned law students picking up other peoples' trash. Sponsored by the Environmental Law Society.

Women's Lacrosse: vs. North Carolina, 1:00 p.m.

Sunday, April 6

Small Hall Observatory: The Society of Physics students has scheduled astronomy viewing in the observatory. Additionally, the special viewings of the Hale-Bopp comet are scheduled every evening from 8:00 p.m. to 10:00 p.m. through April 12. Contact the 221-1399 for availability.

William & Mary Jazz Ensemble: Guest artists The Motion Poets. 8:00 p.m. in the Commonwealth auditorium at the University Center. \$2 at the door.

Sunday, April 8

Women's Lacrosse: vs. Duke, 1:00 p.m.

Thursday, April 10

Muscarella Museum: A program at the museum will feature Bernice Steinbaum, curator, introducing the exhibit, "Memories of Childhood... so we're not the Cleavers or the Brady Bunch." The exhibit is on display through May 25.

Tribe Baseball: vs. Virginia Wesleyan 3:00 p.m.

Friday, April 11

Bar Review: Admitted Students Weekend. Greenleaf Cafe. Specials TBA.

Saturday, April 12

Tribe Baseball: vs. UNCW 1:00 p.m.

Men's Tennis: vs. JMU, 2:00 p.m.

Sunday, April 13

Tribe Baseball: vs. UNCW 1:00 p.m.

Please submit your entries for the *Amicus* Events Calendar to Deanna Griffith (1L) or the *Amicus* hanging file. Entries may include activities sponsored by law school organizations, main campus or community events.

THOUSANDS OF LAW SCHOOL GRADS ACROSS THE COUNTRY TOOK WEST BAR REVIEW LAST SUMMER.

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Graduate, Harvard Law School

The written materials were "excellent; easy to follow."
Graduate, John Marshall Law School

"The poor folks who chose the other course were behind when they started and never caught up."
Graduate, St. Louis Univ.

"Dean Robert Scott [of UVA] 'should be in show biz. He was very clear and entertaining at the same time.'
Graduate, Suffolk Law School

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Coffeehouse Brews Good Times

COFFEEHOUSE from 10
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Enjoy the Coffeehouse. It is one of Williamsburg's treasures.

Sling Blade A Winner

SLING BLADE from 11

towards the sheltered college journalists, who themselves would be whiny or pushy, and unprepared for the shock of talking to a retarded murderer. Instead, the warden is patient and polite, and accommodates the college kids' wishes to the extent that they don't conflict with Karl's. The students themselves are neither obnoxious nor caricatures of naiveté — in short, the characters behave more like actual people than movie characters.

After Karl is released from the asylum (euphemistically referred to as a "nervous hospital" by the locals), he is obviously unprepared to rejoin society, even if he has been "cured" of his dangerous tendencies. The warden sets Karl up with a mechanical job, fixing lawn mowers and such, and he is soon taken under the wing of a local single mother ("Linda") whose son treats Karl as some sort of father figure. Everyone is quite happy with this arrangement except Doyle, the alcoholic,

abusive, racist, sexist, and generally deplorable boyfriend (played by Dwight Yoakam, of all people). Doyle abuses everyone in his path, including Linda, her son Frank, her homosexual friend and boss, Vaughan (John Ritter), and Karl. Of course, Doyle has told Linda he will kill her if she ever leaves him, and this tension drives the rest of the story to its inevitable conclusion.

What makes *Sling Blade* extraordinary isn't just the story, so much as the characters and their relationships. Thornton manages to take mundane people, places and situations, and expose both the complexity and depth of the beauty, evil, love, hate, comedy, and tragedy in these lives. And somehow, he can do this without resorting to cheap plot devices. Instead, Thornton just trains the camera on these people, and lets us see what amazing things we would've otherwise ignored.

Rating: ◎◎◎◎ (out of four)

Mighty, Mighty Bosstones Rule

MUSIC from 11

and it's growing on me. It might even make the car rotation . . .

Dickey Barret has a really cool voice. He sounds somewhat like Fats Domino, I guess. Like he's been smoking and drinking hard liquor since he was 12.

If you're interested in broadening your

musical horizons, try ska-punk; it's where music is going. Rancid's "Timebomb," a recent track by No Doubt, and other big tracks by bands that seem to be "flashes in the pan" show that people like the sound, and the signing of bands that use the sound (notably Less Than Jake) shows that the industry can tell.

Leadership Summit

CONFERENCE from 1

who will teach Evidence; Professor Davis for Torts; and Professor McGuinness, a former high ranking member of the Justice Department and a leading expert in separation of powers, who will serve as the Lee Professor in the Institute of Bill of Rights Law.

Among the current faculty, several changes lie on the horizon as Professors Moliterno, Hardy, Douglas, and Bhala move into the realm of administration. Moliterno will replace Dean Barnard as Vice-Dean on July 1. Dean Krattenmaker has extended an eighteen month appointment to Hardy in which he will serve as Associate Dean for Computing — a new position in which Hardy will oversee the funding and allocation of resources in technology and computing. Douglas, who returns in the fall from sabbatical, will assume the role of Director of the Institute of Bill of Rights Law. Finally, in an announcement which represents more of the status quo than a change in position, Bhala will become

the Director of the American Legal Studies Program. Although Bhala has been performing the duties of Director for several months now, he will have assumed full responsibility over the LL.M. program by the beginning of school in the fall.

Departures from the faculty also play a role in the changes we can expect next semester. Professor Neal Devins will visit Cardozo School of Law during the fall semester. Before any rumors of an academic swap could surface, Dean Krattenmaker clarified that M-W was not swapping Devins for Professor McGuinness as, "Law school deans do not have the same powers as Major League managers." Devins will return in the Spring of 1998.

The departure which will most impact the school, however, will be that of Professor Paul Lebel (see related story, p.1), who leaves Williamsburg to assume the position of Dean of Florida State University Law School sometime

See FUTURE on 15

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Sports Roundup

What else? College Basketball All Around

By Kristan Burch
MEN'S BASKETBALL

W&M entered the first round of the Colonial Athletic Association Tournament on March 1 with a No. 5 seed in the tournament and an 11-15 record overall for the season. First round action saw the Tribe defeat No. 4 seed Virginia Commonwealth, 77-63, in the Richmond Coliseum. This was the first time in nine years that W&M has won a contest in the CAA Tournament and was only the second time ever that W&M has won a CAA Tournament match-up.

The Tribe led the Rams by four points at halftime and, just two minutes after intermission, W&M went ahead on the scoreboard for good. W&M shot 45.3 percent from the floor while VCU was 39.6 percent effective.

Guard Randy Bracy led the Tribe in scoring with 24 points, hitting 7 of his 11 shots. Guard Terence Jennings added 16 points, converting four of his five shots from the floor and eight of his ten shots from the free throw line. Forwards Bobby Fitzgibbons and David Grabuloff added 13 and 14

points respectively.

Other first round winners of the CAA Tournament were ODU, UNC Wilmington, and JMU. With its quarterfinal victory, W&M advanced to the semi-finals on March 2 in which it played ODU. W&M beat the Monarchs twice during the regular season but was unable to come away with a third win against ODU this season. With less than three minutes left in the contest

against the Monarchs, guard Shaka Arnold made a layup and cut the Monarch's lead to just three points. On the next series, ODU player Odell Hodges made a three point play for the Monarchs off a basket and a free throw to set ODU ahead 58-52. W&M was never able to get any closer than five points for the rest of the game. Bracy had 22 points and four rebounds against the Monarchs.

JMU beat UNC Wilmington in the semi-finals, 60-57, and advanced to play ODU in the championship game. On March 3, the Monarchs defeated the Dukes, 62-58, to clinch its second CAA tournament title in three years. The championship game was tied at 23-23 at half-time, and JMU led 48-44 with 1:45 left in regulation, but ended up losing in overtime. ODU managed to find victory despite

the fact that it made only two baskets in the last 13:56 of regulation. Where the Monarchs points came from was the charity stripe as they hit 15 of their 19 free throws in the second half and overtime period.

ODU was the only CAA team to receive an NCAA Tournament bid. This was the second trip that ODU has made to the tourney in three years. The Monarchs went into the NCAA Tournament with a 22-10 record overall and received the No. 14 seed in the East Regional. Two years ago, ODU also was given the No. 14 seed in the East, and the Monarchs slipped past No. 3 Villanova in the first round.

This year, the Monarchs were not as successful in the first round as they lost to No. 3 seed New Mexico, 59-55, at the Pittsburgh Civic Arena on March 14. ODU was behind by two points at intermission, and the squad trailed the Lobos for the entire second half, yet never by more than six points. Even in the fading seconds of the game, the Monarchs still had a chance to win, but they were unable to come away with
See W&M SPORTS on 15



Coughlan Up Predictions . . .

TWO MINUTE SPORTS UPDATE

By Ken Coughlan

For once, March Madness has actually lived up to its name. Time to fess up, how many of you picked Kansas to go all the way in your pool? Anyone not raising their hand is either a fool or a liar. All but one person in my pool picked them, and that one person has never watched a college basketball game in her life. That's why it was such a shock when Arizona upset the Jayhawks in the Sweet 16.

That wasn't the only surprise, though. In the East Region, 15 seed Appalachian State handily beat 2 seed South Carolina and came within one point of upsetting Texas in the second round. In the Southeast, 14 seed Tennessee-Chattanooga advanced to the Sweet 16 by beating both Georgia and Illinois. Those games were just the tip of the iceberg. If anybody picked this tournament well, I salute you.

Probably the biggest college basketball news came in the second round when North Carolina beat Colorado. That victory gave Dean Smith the record for the most career victories for a coach

at 877. He's gone on to win two more since then and will look to build some more on his record against Arizona.

So now we're down to the Final Four. By the time you're reading this, both semi-finals will have been played and the teams in the championship game will have been determined. In this type of situation, it's really dangerous to make predictions.

If I'm wrong, people will know it right away because the games are already over. But I was never one to play it safe, so here goes. Any team that can whip Utah while only suiting up eight players is pretty awesome. That's exactly what Kentucky did to get to the Final Four. Minnesota's game against UCLA was a very balanced attack, but they were lackluster against Clemson. Kentucky is hot, Minnesota is not, therefore watch the Wildcats advance. Arizona plays with a lot of heart, but North Carolina is finally clicking on all cylinders and when they're on their game, none of the other Final Four teams can beat them. The Tar Heels will beat Kentucky Monday night and take it all.

Of course, if this happens I'll lose my pool, but I'll have to deal with it.

Contrary to popular belief, there is more going on in the world of sports than just the NCAA tournament. For instance, the San Francisco 49ers have been making the news lately. Elvis has left the building (I know it's corny, but it had to be said). Elvis Grbac didn't want to wait for Young to retire to get the starting job, so he's off to Kansas City to play for the Chiefs. There have been some unsubstantiated rumors that Heath Shuler may be looking to play for San Fran, but last I heard he's still pretty dead-set on getting a starting job. Also, the 49ers have hired Tom Rathman, their former running back out of Nebraska, as their new running backs coach.

Speaking of Nebraska, the Huskers will be playing in the Pigskin Classic next year to kick off the college football season. The game will be played in Lincoln, but as of now, the Pigskin people haven't been able to find an opponent willing to play a road game against Big Red. Gee, I wonder why

not.

Also on the college football scene, teams on Tennessee's schedule next season got a bit of bad news when Peyton Manning announced that he will be staying on for his last year of eligibility. Manning will actually graduate in May, but he'll be taking graduate courses in order to stay on the team.

As a final point, a record was broken at the World Figure Skating Championships last weekend. Tara Lipinski, a 14-year-old, became the youngest woman ever to win the title. As a bit of irony, if it weren't for a grandfather clause, she wouldn't have even been allowed to perform. The world championships now require that all competitors be at least 15 years old. Therefore, it doesn't look like her record is ever going to be broken.

For those of you unfamiliar with figure skating, Lipinski is an American, as is Michelle Kwan, who finished second. This was the first time the U.S. finished 1-2 since Kristi Yamaguchi and Nancy Kerrigan did it in 1992. Go U.S.A.!

- Law School Sports Briefs -

William & Mary to Attend UVA Tourney

Law school softball teams from all over the country will converge in Charlottesville, Virginia, for the 14th Annual UVA Law Invitational Softball Tournament to be held on April 5th and 6th.

After being conspicuously absent from the tournament for the past number of years, William & Mary School of Law has entered a co-rec softball team to compete in the tournament. This year's team is composed largely of the team which made an undefeated run and captured the law school softball tournament championship.

Team members appreciate the support that the team has received from the administration and the student body. They encourage any and all W&M supporters to roadtrip to Charlottesville and cheer them on.

Crew

William & Mary Men's and Women's Crew swept all events against Old Dominion, Richmond, and Towson State on March 22. Among other triumphs, these results included victories by the W&M freshmen men over their opponents' varsity crew teams.

After a week of flat water, a fierce wind made conditions on the James River racecourse unrowable for Saturday's race. Consequently, the rowing took place on a shortened, roughly 1000 meter course on College Creek. Weather being what it is, however, the wind swung around as racing progressed, causing a strong cross-wind and choppy water on the Creek while the James River returned to its calm of the previous week.

William & Mary's crews captured victories in each of the eight divisions reported. The closest race of the day was between the W&M men's freshmen lightweight eight and Old Dominion University's varsity heavyweight eight. ODU led slightly most of the way, but with twenty strokes to go, the feisty W&M freshman lightweights stormed through to win by a third of a length.

W&M's men's freshman heavyweight eight made short work of the University of Richmond's Varsity team, winning by several lengths in a quick time. The Tribe's men's varsity four and all women's crews won comfortably.

The M-W connection to the College's Crew team is Charles Ehrlich (IL) who serves as head coach of the Men's team.

W&M Men's Basketball Make Playoffs But Not the Dance

W&M SPORTS from 14

the victory. Mark Poag led ODU in scoring with 15 points.

Since the regular season ended, there have been several openings in CAA coaching positions due to firings and a resignation. On March 3, George Mason Coach Paul Westhead was fired from a position which he has held for four years. He had one year left on his contract when he was relieved from his work after the 1996-97 season.

As head coach, Westhead has finished 38-70 overall, and the Patriots were 10-17 this season, losing nine of the last ten games they played. While Westhead has been head coach, GMU never has finished higher than sixth in the CAA.

One day after James Madison lost in the finals of the CAA Tournament to Old Dominion, JMU Head Coach Lefty Driesell said that he planned to coach for only one more year. Less than

24 hours later, he was fired from his position as head coach of the Dukes. Driesell has been the head coach at JMU since 1988, and in those nine years, he has amassed a winning record of 159-111. This season, the Dukes finished 16-13 and received a No. 6 seed to the CAA Tournament.

Richmond Head Coach Bill Dooley also was fired recently from his position. He has been a part of Spider basketball for the last 13 years, where he played basketball from 1981-83 and was an assistant coach from 1985-93. In the four years that Dooley has been head coach for Richmond, he has had a losing record of 43-69 and 21-39 in the CAA.

Chris Knoche resigned from his position as head coach of American after holding that position for seven seasons. Knoche was a transfer student to American in 1979, and he played three years for the Patriots. He then

served as assistant coach for eight years and has been head coach of American since March of 1990. Knoche's win/loss record is 77-118 and 47-51 in conference play.

WOMEN'S BASKETBALL

The Tribe finished the regular season with a 6-19 record overall and only three victories in the CAA. W&M was the No. 9 seed in the tournament, but the squad pulled an upset in the first round of the CAA Tournament in Richmond when it beat UNC Wilmington, 78-63, on Feb. 26.

Guard Julie Sommer led the Tribe in scoring with 24 points, hitting 11 of the 16 shots that she took from the floor. With the win over the Seahawks, W&M advanced to play ODU in the semi-finals of the CAA Tournament. The Monarchs crushed the Tribe for the third time this season and eventually captured the CAA Tournament title. ODU was the only CAA team to get a

bid to the NCAA Tournament.

As of March 4, ODU was ranked No. 2 in the nation in Associated Press Poll, and the Monarchs won both the regular season and tournament title for the CAA. As a result of its 29-1 record for the season, ODU was given the No. 1 seed in the Midwest Region for the NCAA Tournament.

The Monarchs hosted the first two rounds in Norfolk. Last year, ODU lost to Virginia in the Sweet Sixteen of the NCAA Tournament. This season, the Monarchs faced No. 16 seed Liberty in the first round and defeated the Flames, to stretch its winning streak to 29 games. ODU jumped ahead early in the contest, scoring 26 of the first 28 points before the Flames were able to get a basket. The Monarchs led 57-21 at intermission and extended its lead in the second half, finishing the game with a 102-52 slaughter.

In the second round of the tourney, the Monarchs played Purdue on March 16. This matchup proved to be a closer contest, with ODU eventually coming away with a 69-65 win. The Monarchs trailed by one point at halftime but were able to regain the lead in the second half. With this win, ODU advanced to the Sweet Sixteen in West Lafayette, Indiana, where it faced Louisiana State on March 22. The Monarchs led LSU 30-20 at halftime and finished the game with a 62-49 victory. This win set ODU's record for the season at 32-1.

Beating LSU placed the Monarchs in the Midwest Regional finals where it defeated Florida on March 24. ODU was ahead by five points in the first half, and the game remained close for the entire second half. This win in Mackey Arena placed ODU in the Final Four in Cincinnati, Ohio.

Plans for Law School Expansion Detailed at Meeting

FUTURE from 13

during the summer.

Structural changes also loom on the law school's horizon. Krattenmaker walked those in attendance at the Student Leadership Conference through the law school as it will appear both next semester and several semesters down the line. About one year from now, if all of the fundraising goals have been met, beyond the wall which currently sits behind the front of the classrooms in Rooms 119 and 120 a two story, 20,000 square foot addition will begin to take shape as the North Wing of the law school. The first floor of the addition will provide a Legal Skills center, three to four seminar rooms which may be converted into small courtrooms if necessary, and a classroom approximately the size of Room 124. As the

proposal stands, the new second floor would contain several smaller rooms which may serve as interview rooms in the fall and Legal Skills rooms during the less intense job search periods.

Also planned is the relocation of the Office of Career Planning and Placement which will move to an area on the first floor in which it will be more accessible for students leaving classes. Student organizations also will benefit from the expansion as area will be set aside on the second floor to serve as a journal and moot court center while other organizations will reap the benefits of increased space and available offices.

Although more than half of the \$3 - \$3.5 million necessary to complete the expansion has been raised, Krattenmaker lists this as his fundraising priority and he

hopes to complete those arrangements over the summer so that the architects may begin developing final plans, and the ground breaking may take place next summer.

Krattenmaker next addressed the lighting around the law school, particularly the area between the courtyard and the Gradplex which has been the source of much concern this year. The decision as to what steps, exactly, will be taken to remedy the lighting problem lies in the hands of the College administration. The law school has proposed the installation of four light poles behind the library and cottage while Vice President for Student Affairs Sam Sadler has already committed the funds to move a pole currently by the Gradplex closer to the back path. Although the final decision as to the

additional lighting sources rests with Vice President for Financial Planning, Sam Jones, the Dean is confident that some sort of mutually beneficial arrangement will be made by the Fall.

After the recent renovation of the Naugahyde chairs, plans are in the works to reupholster the chairs in the lounge, hopefully before graduation weekend this Spring. After two years of languishing in a pile of paperwork, the furniture in the four classrooms may also be in line to be replaced sometime in the next five months. Whereas the classrooms undergo regular maintenance over the summer, Krattenmaker hopes that the furniture actually will be replaced this year as the chairs present such a safety hazard that the College's best interest is advanced by remedying this problem.



William & Mary - Review Videos

Sat. April 5

Civil Procedure
Prof. Freer

9:00 am - 6:00 pm
Room: 120

Sat. April 5

Wills & Trusts
Prof. Johanson

9:00 am - 4:00 pm
Room: 127

Sun. April 6

Federal Income Tax
Prof. Block

12:00 pm - 3:00 pm
Room: 120

Sun. April 6

Administrative Law
Prof. Goldberg

12:00 pm - 3:00 pm
Room: 127

Sun., April 13

Criminal Law
Prof. Whitebread

12:00 pm - 3:00 pm
Room: 120

Sun., April 13

VA. Practice & Procedure
Prof. Freer

12:00 pm - 6:00 pm
Room: 127

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