**Amicus Curiae**

**VOLUME XL, ISSUE FIVE**

**TUESDAY, JANUARY 30, 2001**

**WILLIAM & MARY SCHOOL OF LAW**

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**Trial Team Takes on the Tar Heels**

By H. Lee Harrell

Why do they have to win? Why do they always have to win. Over the January 20th-21st weekend William and Mary's National Trial Team hosted the University of North Carolina-Chapel Hill's Trial Team in the McCandlish Kaine Trial Team Invitational.

The event was sponsored by McCandlish Kaine, P.C. and Westlaw.

The trial problem for the tournament was a criminal theft case. On Saturday, January 20th, the Institute of Bill of Rights Law as part of a constitutional conflicts symposium, entitled "The History of Free Speech" featured three distinguished law professors: Michael Curtis, Mark Graber, and William Van Alstyne. The focus of the program was a recently published book by Professor Curtis, Free Speech: The People's Dialoguing Privilege. This book was actually published by the Institute of Bill of Rights Law as part of a constitutional conflicts book series. It was the second of four books to be published this year by the Institute.

Professor Curtis, from Wake Forest University, was the first to speak. Professor Douglas introduced Professor Curtis by talking a little about their previous private practice together in North Carolina, emphasizing his pro bono work in civil rights. Curtis' very condensed discussion of the history of free speech highlighted the Alien and Sedition Act and the debate against slavery, only having time to get up to the Civil War.

Professor Van Alstyne from Duke University, was the second to speak. Van Alstyne was once suggested in a national survey of judges, academics, and lawyers as a person the legal profession would like to see sit on the U.S. Supreme Court. Van Alstyne has also testified before Congress on constitutional issues. In his introduction, Professor Douglas announced that Professor Van Alstyne will be the visiting Lee Professor at William & Mary next spring. Van Alstyne began his talk by handing out copies of the Constitution, because of his frustration that the general public often complains about constitutional issues (ie. the recent Presidential race) without ever having actually read the Constitution. He discussed how the Constitution separately protects congressmen from action based on their comments while in chamber. He also detailed the history of other English laws relating to free speech.

After a brief intermission, Professor Graber, from the University of Maryland, spoke last. Although Graber has a law degree, he is actually a political science professor. He has written books on abortion, free speech, and the Dred Scott case. Graber complimented Professor Curtis on the book, but noted that he might have focused on the discontinuities in the history of free speech instead of the similarities. He also commented that the book should have made the "good guys not look so good" by considering the racial disparity between free speech protections. The symposium was very interesting, especially for individuals who liked legal history. There were several individuals without much legal background in attendance. Impressively, about half of the members of the audience were visitors to the law school.

The IBRL third Marshall symposium will be held on March 16th and 17th on "The Legacy of the Chief Justice John Marshall." Nine professors will be taking a biographical look at John Marshall's life. For those who love history, it should be an exciting event.

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**Marshall-Wythe Celebrates Free Speech**

By Katie Riley

On Friday, January 19th, the Institute of Bill of Rights Law hosted the second of three symposium this academic year in honor of John Marshall. (In his introduction, Professor Douglas explained that on January 20th, 1801, President John Adams appointed Marshall to the U.S. Supreme Court.) This symposium, entitled "The History of Free Speech" featured three distinguished law professors: Michael Curtis, Mark Graber, and William Van Alstyne.

On Sunday, Audra Hale and Wendy Roenker defended the now unfairly accused defendant.

Despite her prosecutorial bent, Audra marshaled the evidence with skill and gave an excellent closing statement. Wendy was a tigeress on cross-examination leaving several witnesses sobbing on the stand.

The round was judged by Judge Shaw of Trial Advocacy fame. Judge Shaw has judged many trial competitions and his insights were invaluable to both teams. He admitted that both teams did an excellent job but he too ultimately found for UNC.

The Invitational was a great opportunity for both teams to prepare for the Regional competition, which will be held in Richmond this February. The National Trial Team is also preparing for Regional competitions in Raleigh and Chicago.

Students, faculty and staff join in BLSA's candlelight march to honor Reverend Martin Luther King during the recent holiday in his honor. The march began in Colonial Williamsburg and ended in the Law School lobby.
From the Editor's Desk: Something to crow about!

I had a nice long editorial all written about the state of the law school but I decided to scrap it and write about something that really matters. That is the fact that my hometown team, the Baltimore Ravens, won the Super Bowl. Not only did the Ravens win but they demolished the New York Giants by a score of 34 to 7. Baltimore has always been more of a football town than anything else. 750,000 people would show up for Canadian Football League games while we had team in the CFL. Now, after growing up without a football team call my own there is finally a World Champion in Baltimore. I was eight years old when the Colts sneaked out of town in the middle of the night and took every bit of Baltimore football history with them. All these years the NFL sneered at our attempts to get a team of our own and tried to force us to cheer the hated Redskins. Then I had to listen to all the complaints from Cleveland when the Browns moved to Baltimore. That was not the way I wanted us to get a team but that is the way business works. At least Cleveland’s fans got to keep their colors and team history, while Baltimore fans have to see Johnny Unitas’ jersey in the Hall of Fame under a banner that says “Indianapolis Colts.”

As for the game itself it was no where near as close as all the predictions said it would be. The Giants were simply out-manned and outmatched all over the field. Besides who among us wanted to hear New Yorkers brag about winning the World Series and Super Bowl in the same year. Also if Jason Seashorn played anywhere other than in New York he would be recognized for what he is, a second rate cornerback. The Ravens less than stellar receiving corps spent the entire game running right by him. If Trent Dilfer could throw the ball accurately it would have been about 24-0 at the half.

The Raven defense was simply too fast, too strong and too determined. It is tough to call them the best ever as they need to put together a few more seasons to rank up there with the Steel Curtain or Buddy Ryan’s Bears defense. Thing is they are still young and some of their key players should only improve the next few years. And the offense will be retooled in the off-season and should be much improved next year with some pickups in the draft and free agent market.

The only thing I dislike about the Ravens is the way they run their mouths prior to games. Yet come game time they back up their bravado and push teams around the field. Additionally was it just me or were the commercials pretty bad this year. I don’t think there was one memorable one the whole night. And if I had to hear about Survivor one more time. By this point I am rooting for the Australian snakes to get one of those aspiring actors. I doubt there could ever be a more contrived or fake show. And that new replay system made me think the whole game was being played on Madden Football or something.

Oh well it is fun to be one of the long suffering Baltimore fans who gets to watch the rest of the football world eat crow for the next year.

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Okay back to more mundane issues there are a few law school oriented things to discuss. First thing is that I would like to thanks all of those who came out to our Pizza party and signed up to work with us. All we need are a few dedicated people to make this thing work and to ensure that the Amicus will survive into next year.

Also you may notice some new material in this issue. For the first time we are publishing some poetry. This is something we hadn’t thought of until approached about. Having a literary section would be something new to the Amicus and would hopefully spark some new interest, as well as a add a touch of class.

Therefore we are going to develop a new section to the paper that is dedicated to publishing submitted literary works. So if you have some poetry, prose, or a short story you would like to see publish submit it to the Amicus. Unless we are swamped with submissions, boy that would be a change, we will publish everything we receive.

As to other issues we are indeed looking for new editors for next year. Right now we could use someone to edit the calendar and to possibly handle our new literary section. Both positions would not involve more than about 5 hours of work every couple of weeks. Additionally we are in need of applicants for positions as Editor in Chief and Business Editor for next year. If you are interested we would help train you this semester before you take over the positions.
Amanda isn't sure where to begin her research.

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Professor Spotlight on Lan Cao

By Carollyn Jackson

Tucked away into an office on the second floor of W is Professor Lan Cao. One of several new professors to join the W-M faculty this year, Professor Cao specializes in international law. She obtained her B.A. from Mount Holyoke College, magna cum laude, and her J.D. from Yale University.

She currently teaches International Trade and International Business Transactions, adding private international law classes to the other public international law offerings at the Law School. Professor Cao comes to us via Brooklyn Law School where she taught for six years. She has been a visiting professor at Duke, and was a Ford Foundation Scholar in 1991.

She has also clerked for Judge Constance Baker Motley of the U.S. State District of New York, and practiced with Paul, Weiss, Rifkind, Wharton & Garrison in New York City.

Professor Cao did not initially set out to be a professor. While she was working for the firm in NYC, a friend on the Brooklyn Law School faculty suggested that she apply for a position to teach International Trade. She submitted her resume to the search committee without much expectation, withdrew once, and then completed the process by creating and giving a faculty talk.

After starting to teach, she realized how much she enjoyed the immediate satisfaction of the job because of the interaction with the students.

Her jump to full time professor was also stimulated by the prospect of gaining more control over her time than was possible in private practice.

The only part of her job that she feels she must be paid to do is grade exams, which apparently is as difficult a process as taking them.

The move to Williamsburg from New York City is merely one of several transitions Professor Lan Cao has gone through in her life. Compared to her move from Vietnam to the United States at a young age, the move from the Big Apple to the 'burg hardly qualifies as an upheaval.

She came to William and Mary because of the opportunity to be part of a unique institution, given our place in history, as well as because of our great reputation. Although most of us cannot wait to leave Williamsburg for towns that offer more resources, after almost twenty years in New York City Professor Cao does not on focus the cultural differences between the two locales; what she misses most about NYC are her friends.

Much of this probably has to do with how she spends her free time. Professor Cao writes both legal scholarly articles and fiction novels. Her scholarly interests currently focus on China and the effects of economic dislocation, the trafficking of humans, and globalization and US trade policies. She has written two novels to date, one published (the semi-autobiographical Monkey Bridge) and the second just completed. Professor Cao is very rigid about the time she sets aside to write so that she can complete both legal and fictional writing.

One can write as easily in Williamsburg as in New York City, as long as inspiration hits. Fiction writing cannot be forced, so if inspiration dawdles, the time necessary to complete a novel lengthens.

There was one great difference between New York City and Williamsburg that Professor Cao mentioned: driving to the grocery store instead of just stopping into the store on the walk home has been an adjustment.

Students, Faculty, and Staff March in Honor of Martin Luther King Day
Cops, Kickers, and Crying Undergrads . . .

By Brian Miller

Welcome back. I hope everyone had a safe and memorable holiday break. In record-setting time, the profs were somehow able to submit grades for almost 600 of us in just over one month's time. Certainly analiticite fact that matches any of those produced by we students last semester in our intramural endeavors. Perhaps this article can serve as some sort of mild diversion for those in the reading audience who are currently wondering why they ever left undergrad.

BLSA Event Calendar for Black History Month

February 10th:

Choir Extravaganza
Commonwealth Auditorium
University Center
8 p.m.

Featuring the Mt. Ephraem Baptist Church Young Adult Choir of Atlanta Georgia. Other Local Choirs will also perform. All money raised by the event will go towards the Oliver Hill Scholarship fund.

February 19th

Racial Profiling Symposium
McGlothin Courtroom
1:30 p.m.

Cospbonded by the IBRL Student Division.

February 26th

Cultural Bazaar
Law School Lobby
2 p.m.

Celebrating African-American Culture through food, dance, and song. Bring your friends and family.

February 28th:

Living Legends Program
Time/Place: TBA

Celebrating through dramatic interpretation the lives of great African-Americans.

Also all month long BLSA will be sponsoring a Trivia Contest. Prizes will be awarded to Trivia Contest winners.
Voluntary Anonymous Grading

By Jim Parrett

At the end of last semester I started to ask myself why we have an anonymous grading system. I've heard it argued that it protects the students from vindictive professors who may be out to get them. I'm pretty confident that no professor is that sadistic though. Undergraduate universities across the nation, including William and Mary, have you sign your name to your exam. So why is law school any different? Are all these undergrad schools doing it wrong?

When I studied abroad in Spain this past summer, the Spanish professors were very dismayed with our anonymous grading system. The professors wanted to know how their students were doing in the class, but it was a William and Mary sponsored program, students were supposed to take their exams anonymously. The solution the Spanish professors came up with is the same one I propose today: voluntary anonymous grading. In Spain, the students took their exams as normal, including exam codes and the accompanying secrecy. However, students were allowed to write their names on their exams if they wanted so the professors could match the students with their exams.

So what's basic about voluntary anonymous grading? The obvious advantage is that it allows professors to link up student faces with their exams. I've heard of students who spoke up in class and had good discussions with the professor. The professor clearly knew and admitted the student understood the material. When exams came around, the student didn't receive a good grade due to that other law school phenomenon: the one exam determines the grade policy. (I'll save my rant on the grading process for another time.) Is it fair that this student's grade doesn't reflect his understanding of the material? With voluntary anonymous grading, the professor could correct these clear discrepancies.

Getting a chance to get your name recognized may also encourage students to participate more in class. We've all had those classes where no one volunteers to talk and the professor is too timid to call on anyone, so someone sits in silence for an hour (the lucky ones with laptops play FreeCell). Well maybe you haven't had this class if I was in it (as I like to hear myself talk), but I think we can all agree that classes with no discussion really don't contribute much to our legal education.

Now if students got some credit for speaking up in class, classes might be a little more interesting. Voluntary anonymous grading would be, of course, voluntary. No one would force you to put your name on the paper. I guess an argument could be made that if everyone else signed his or her name, the professor could figure out which students didn't. I don't think professors would waste their time doing this, though. After all, it takes long enough to grade exams in the first place. Another argument could be made that voluntary anonymous grading would result in penalizing the students who don't speak up in class. So what's wrong with that? If you're not contributing anything, why do you think you should get special treatment? Law school is a people oriented experience. You can't expect to hide from people in law school and then do well as a lawyer (unless you want to file patent applications all day).

I, of course, don't expect anything to change by writing this article. Lawyers are so afraid of change that sometimes I think they're afraid of their own shadows. But I hope some people see that there are alternatives to the status quo that might actually work better. Voluntary anonymous grading would allow professors to give students the grades they deserve. Thanks for reading.

Insights...... Price for Perfection

By Jeanne Tyler

The editors of Amicus are always asking for writers—evidently the law school has a shortage of students willing to display their journalistic talents. So I've decided that this is the perfect opportunity to put my two cents in. After all, they need to fill up the space and no one else is offering.

So this is a new year....a new writer for the paper.....but let's bring in the year with a very old topic....one that has been keeping us up nights: the strive for perfection. Oh no! A collective groan rises from the students of the law school. Did she have to remind us of our sad obsession so soon after break? Well yes, I know the truth is painful but as the cliché says, "It will set you free." And the truth is that some of us are downright crazy; we're losing our minds. I don't know who taught us to be this way. I don't know who's responsible......but I wish I could point a finger at someone-other-than-myself.

You know, everyday I panic....about school, a job I won't need until three years from now, the future...... When I was a child, I wasn't concerned about tomorrow; I was having fun that day. And amazingly enough, even without my obsessive worrying and mind-numbing panic, tomorrow came. I had three brothers that I loved dearly and wish I could play with them---to just ''be''. I wake up to turn off my alarm clock but that's not true. Really. You too will be happy—even if you don't work so hard in law school that you earn the pleasure of choosing between having a family or working 60-80 hours a week at $120,000 a year, in some world-renowned Manhattan firm. At some point we have to realize that our primary responsibility should be making ourselves happy.

So what's my point? I'm telling you things that I've told myself a hundred times a day......only to be defeated by my still raging desire for perfection and success. But I do realize that this need of mine is costing me—more than I'm willing to pay. If I could unlearn this behavior I would. And I'm sure everyone doesn't have to be like me. Many of you are well-balanced and you set more reasonable goals for yourself. Congratulations. As for the rest of you, I may have to start a "Perfection Anonymous" club. Do join me. The bottom line: Remember to be happy above all else. Leave perfection for the gods.
Society's Scapegoat: Social Services

By Katie Riley

A current news story has gotten me thinking about one of my pet topics: foster care. A local family is currently being prosecuted for abusing their foster child, a three-year old boy. The wounds are horrific: two broken arms, fractured skull, and third-degree burns. The twist is that the police had known that the husband had previously abused the wife. For days now, the local press has been questioning the judgment of social services in allowing the child to remain in the household, often implying that the department's refusal to comment means that it is "hiding something". After reviving my interest in the topic, I've repeatedly read the infamous DeShaney case, about a child whose father was reported to social services several times for abuse, but the government's decision to not take the child was based on his previous argumentation. In my home state of California, children's advocates have twice attempted to introduce a Foster Care Bill of Rights that would establish additional obligations for foster parents. Although the bill twice passed the legislature, California's previous Governor Pete Wilson vetoed the bill both times. Deciding to become a foster parent is generally not an altruistic act. One of my mother's teenage clients was shot and killed by her foster father while trying to protect the man's biological children from his violence. In that situation, the press marked it as the fault of social services. Does that make sense? Without any previous reason to doubt the foster parent, how could social services have foreseen the girl's death?

When I was younger, my mother was a placement worker, meaning that she was the primary social worker to foster children. As a placement worker, she was on-call 24 hours a day, with a caseload of approximately 50 foster kids, each of whom was required to monthly. Visiting so many kids is a physical impossibility, especially when one factors in time for transportation, court appearances, and follow-up paperwork. My mother doesn't work in placement anymore, but has moved into the less stressful Independent Living Program. A foster child is emancipated at age 18 or upon graduation of high school (if completed by 19). At 18, the government stops paying the foster parent to care for the foster child, and in turn, very few foster parents provide additional support (even mere emotional support) after payments have stopped. In a grossly-underfunded national program, my mother helps teenagers preparing to leave the foster care system find apartments, jobs, and possibly get into college. At any given time, she has a caseload of approximately 100 kids, all of whom she is supposed to keep in regular contact. Since foster parents don't have many legal obligations while being paid and no obligations when payments stop, social workers are relied upon to take the foster child to a variety of appointments including,doctor's appointments, the DMV, the Medicare agency, the Section 8 housing authority, the IRS, job fairs, college interviews, and for visits with biological parents.

My mother works every night until 7 or 8:00 p.m. and every weekend just to keep up on her paperwork. Besides the overwhelming pressure the department places on its workers whenever the press complains of another "failure," my mother actually cares about her kids. If the system is failing, it's not failing at the social worker's level. The system fails when the local government refuses to provide adequate funding to social services. The system fails when foster parents treat their jobs as a merely a sideline business. The system fails when taxpayers complain about issues of poverty, homelessness, and abortion, but don't want to give out welfare, don't want a homeless shelter or foster care group home in their neighborhood, and don't want to provide for babies born to poverty-stricken families. Society's current treatment of the poor and disempowered is a simple policy of survival of the fittest. We value life to the extent that it can feed for itself. Otherwise, we'd rather let the unfit starve and die.

Thanks from Phi Alpha Delta

Phi Alpha Delta would like to thank everyone who donated in our annual toy drive. The 1L class donated $12.02 and 33 toys. The 2L class donated $39.32 and 54 toys. The 3L class donated $3.41 and 38 toys. And the faculty and staff donated $13.11 and 10 toys. The money donated was used to purchase an additional 174 toys.
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<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>Saturday, January 27th</td>
<td>The Canadian Brass William &amp; Mary Concert Series presents The Canadian Brass, 8:00 p.m. at Phi Beta Kappa Memorial Hall. Call 221-3276 for info on tickets.</td>
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<td>Sunday, January 28th</td>
<td>National Championship of Collegiate A Cappella 8:00 p.m. at Phi Beta Kappa Memorial Hall Call Melody Zimmer, 565-2896 for information.</td>
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<td>Wednesday, January 31st</td>
<td>Picasso: Twenty-Five Years of Edition Ceramics from the Edward and Ann Weston Collection. This exhibit runs from January 31st to February 25th at the Muscarelle Museum. You can see it from 10:00 a.m. to 4:45 p.m. on weekdays and from noon to 4:00 p.m. weekends. (Just in case the new portrait of John Marshall isn’t enough culture for you.)</td>
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<tr>
<td>Wednesday, February 7th</td>
<td>Lunch with Lawyers: Public Interest Law In the Employer’s Lounge at 12:30 p.m.</td>
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<td>Friday, February 9th</td>
<td>Virginia Public Interest And Government Job Fair, University of Virginia Barrister’s Ball The Student Bar Association presents the Barrister’s Ball from 9:00 p.m. to 2:00 a.m. at the Williamsburg Lodge with entertainment by the Breakfast Club. Tickets cost $30.00 per person if purchased before January 31, 2001 and $40.00 per person through February 6, 2001. Black tie is optional.</td>
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<td>Monday, February 13th</td>
<td>景色 Elements of Coastal Science for Lawyers This program is from 9:00 am - 4:30 p.m. at Watermans Hall, Virginia Institute of Marine Science. This workshop will address issues including foundations in water chemistry and hydrology; nutrient management; water resource use; shoreline processes; environmental risk assessment; endangered species; wetlands function, ecology and restoration; and other introductory topics. For information call the Chesapeake Bay National Estuarine Research Reserve at (804) 684-7144</td>
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<td>Friday, February 16th</td>
<td>Bar Review - Location TBA</td>
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<td>Wednesday, February 21st</td>
<td>Lunch with Lawyers: Using Your Law Degree in the Business World, from 11:30 a.m. in the Employers Lounge. Sign up by noon on the Monday preceding the program.</td>
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Please submit your entries for the Amicus Events Calendar to Bob Ford (3L), Deborah Siegel (2L), or the Amicus hanging file. Entries may include activities sponsored by law school organizations, main campus or community events.

**Attention All 2L’s.**

On February 5 at 12:45 (location to be announced), the National Trial Team will hold an informational meeting for our Selection Competition for next year’s team. The Trial Team is NOT only for people planning to be litigators. It is an excellent way to sharpen your knowledge of evidence, practice trial advocacy, and enjoy competing with your peers. THERE IS NO BRIEF WRITING ON TRIAL TEAM!!
Indie Rock Thrives at Norfolk's Cogan's

by Kara McGeehee

Last year, as a 1L, I was a reluctant resident of the great town of Williamsburg. As was quickly apparent after my arrival, there is a real deficiency in the nightlife there. The lack of live music and entertainment generally (I remember driving 20 miles to Hampton just to see a movie in a decent theater) made many others and myself eager to leave town on the weekends.

This year, I am living across the water, in the Southside Hampton Roads area. There is far more in terms of entertainment here, and it is only a short drive from the ‘Burg. I hope that by sharing some of what’s going on in this region, I can enable some of the Law School community to break away from the Greenleaf (as culturally rich as it is) and see that there is a lot that is worth the drive to the other side. While some of the dance clubs at the Virginia Beach Oceanfront are pretty well-known to the law school at large, there are some activities that will be of interest that fall outside that stereotype of “Beach Bars.”

On Wednesday, January 17, I went to a rock show at Cogan’s (1901 Colonial Ave., Norfolk). Cogan’s has been a part of the Norfolk club directory since at least the late 1970s. It is a small room, with a limited bar (compared to the great selection at the ‘Leaf). Its general ambiance is all one could expect from a place that specializes in “all ages punk/hardcore/metal/ska/emo/indie rock bands.” The cover charge is usually $3, and they often have two bills: an early all-ages show from 7-10 and a late 18-and-up show from 11 until close.

Wednesday night was an all-ages show, featuring Boston-based Junction 18 and local band Fitty Bones. The first band, Junction 18, is on independent label Fearless Records and played a good, solid set. In the Fearless Catalog, they are described as “a perfect blend of melody, heartfelt lyrics and driving guitars...Weezer meets Smoking Popes or Saves the Day.” They are a standard 5-piece indie/emo band, with a drummer, lead, bass, and rhythm guitars and a dynamic vocalist. They were all energetic and adequate on their instruments, and I enjoyed the music. The catalog description was fairly accurate—the guitars and bass had a heavy sound, but the pretty vocal melodies and general appearance of the members made the group palatable for a mainstream progressive rock audience. The set was not long—only about 40 minutes, but very enjoyable for the crowd of 50 who were gathered there.

The last band to play, Fitty Bones, had an episode of bad luck that makes an objective performance review impossible. The bass player broke his E string in the first song, replaced it, and then broke the new string in the second song. As a result, he had to play the rest of the set with three strings. Then, the mic for the backing vocalist fell and broke. The remaining 20 minutes were a series of half-joking attempts to eke out the rest of the songs on the set list. The style of Fitty Bones can best be described as very high-energy, noisy, hardcore/new punk. Unfortunately for them, even punk has its limits of how sloppy it should be.

I hope that Cogan’s and the local original rock scene is able to grow. Norfolk has been in a sort of venue deficit since rezoning decisions began bulldozing the main local rock clubs on Hampton Boulevard over the last 5 years. As a result, any bands that are not big enough to fill the Boathouse or the NorVa are in need of a more intimate club atmosphere. The recent new owners of Cogans and the opening of the Taj Mahal seem to be an attempt to fill that void. (Cogan’s is also offering 80’s New Wave—Brit Pop Night on Thursdays, at least through the end of February. For information on upcoming events, call 757-627-6428 or e-mail matt@cs.com.)

Your Ad could be here!!

Any and all ads from student organizations will be run in the Amicus for no charge.

All we need are the details you want included or a scannable copy of the ad you designed.

Our publication schedule for the rest of the semester is:

February 14
February 28
March 21
April 11
Loose Fish
The New Czar in Town
by Dennis Callahan

General Barry McCaffrey has given up his "Drug Czar-ship" (a.k.a. Director, Office of National Drug Control Policy). Edward Jurith is now "acting" in that role. In fact, every past and future incumbent of the office is "acting" as Drug Czar to no less a degree than Michael Douglas does in the new movie Traffic. The real drug czars are the millions of Americans who exercise their natural right to swallow, inhale, and inject into their bodies whatever substances they desire. "Desire it and it will be provided" conjures up no fantasyland like "build it and they will come." This isn't Hollywood schlock, this is as real as a twenty year prison sentence for felony narcotics distribution.

But, back to Czar Jurith. The day after Gov. Pataki proposed scaling back New York's "Rockefeller Laws" (the nation's most draconian mandatory minimum drug laws), Jurith had this to say in the New York Times: "The link between drugs and crime could not be clearer. 62% of arrestees tested positive last year...." This may be so, but the causation Jurith implies, that people commit crimes to support their drug habits, is a result of our country's drug prohibition laws. Drug prohibition drives the price of black market drugs far beyond what they would be were drugs legal. It is unpatriotic to force the price of drugs to the point that otherwise honest, hardworking Americans must commit crimes in order to pursue their happiness.

Take marijuana, for instance. Based on The High Times' most recent "Trans-High Market Quotations," marijuana is fetching about $75/quarter-ounce. This is an outrage! For a few dollars a year, I could grow enough weed for the entire town of Williamsburg on my modest quarter-acre lot. Don't believe the ONDCP's hype that today's marijuana is much more powerful—and therefore dangerous—than the dope our parents smoked in the hippie days. People have been cultivating marijuana for ages. To think that growers have been able to exponentially increase the THC content of marijuana in the last 30 years is absurd, a botanical impossibility. Sure, hemp and marijuana are different, but no one with the brains god gave geese ever smoked the industrial stuff. In other words, you can smoke a fieldful of Midwestern ditchweed and get nothing but a headache for your trouble. But with minimal care, those few stray seeds in the bottom of a baggie could keep you high forever. This also unmask the illogical position of people who cite the tobacco example and call for marijuana to be legal, but regulated and taxed. Marijuana is not like tobacco. Tobacco is tough to grow, needs to be cured and spiked with nicotine to be enjoyable, and people smoke dozens of cigarettes a day. This is why, though legal to do so, very few people grow tobacco for their own use.

Coca and poppy cannot be grown cheaply in the U.S., so cocaine and heroin require a slightly more nuanced analysis. However, similar logic reveals the grossly inflated prices of these drugs and highlights why it is useless to export our War on Drugs to drug-producing countries. (Note: Just today there were two developments on foreign fronts heralded by the Czar Jurith. Exhibit A) For the first time, the Mexican government is extraditing one of its nationals to the U.S. to be tried on trafficking charges. Exhibit B) The ONDCP announced the first major sweep of a "cell" of traffickers in Colombia—70 arrested and 40 kilos of heroin seized. ([A "cell," unlike a long-term well-organized "cartel," is a group of independents who conspire to traffic on an ad hoc, deal-by-deal basis. Honest, I'm not making this up—the "cell" distinction comes from an earnest bureaucrat via the BBC World Service]). Because the cost of production is only 2%-3% of the final street price for cocaine and heroin, the price here is virtually independent of production levels and amounts seized in Colombia, Peru, and Ecuador. When you see footage of government troops in South America raiding a "drug lab," you see a few peasants and scattered 55-gallon drums. The next time our ONDCP Director trumpets a multi-million-dollar bust far from our shores, consider that it really is closer to a seizure in the thousands of dollars. Of course, the truth is not very sexy and will not support a $20 billion drug-interdiction budget.

So, let's do the math....Say it costs $2.50 to cultivate, harvest, and process what becomes $100 worth of cocaine on U.S. streets (but should cost about $10). If, through Herculean measures funded by billions in foreign aid, we are able to increase the production costs by a factor of 10, the $2.50 becomes $25.00. For drug sellers to realize the same profit on the street ($97.50), the price must rise to $122.50. The result...production costs go up by 1000%, the price on the street goes up 22.5%.

Whether it is a good idea to funnel $1.3 billion in military aid (including 44 Black Hawk helicopters) to Colombia to support their counter-narcotics battalions I'll leave to the politicians to decide. They have taken care of me so far. I trust them. The point is that the reason people commit crimes to buy drugs is because it costs them $100 to buy on the black market what would cost $10 available through normal trading channels.

Look at it this way: If the government inflated the cost of law text books by 1000%, there would be a lot more illegal photocopying occurring at WMSL and the "Copyright Czar" would be claiming the "link between law text books and crime could not be clearer."

Next time: Why crack houses exist and why "potheads" have their own high school cliques.

Haiku Corner

By Tim Kollas

In room one-twenty
It is always very cold.
My hands are frozen.

My books are too big.
When I carry them to class
My spine cries out "Stop!"

My class was cancelled
When the lights went out today.
The room was too dark.

I tried Client C.
The judge did not believe me.
He said, "Not Guilty."

Public Interest
Internship experience.
The pay is not good.

Shorter I studied,
But skyscraper my scores soared.
I should cease all studies.

All the idealists
Took environmental law.
The rest took taxes.

I am in law school,
But my wife goes to art school.
Her homework looks fun.

Laptop goes click click.
My class notes are neater now,
But noisier too.

That damn hearsay rule
Has too many exceptions.
I can't keep them straight.

Haiku is not hard.
Just count all the syllables.
It's five-seven-five.

Submit your haiku.
Surely you can do better.
Than this crap I wrote.

Any poets out there?

Interested in writing poetry or short stories? Would you like to seem them published?

The Amicus is looking to start a literary section which would publish works submitted by members of the Law School community. If you have something you would like to submit please drop us a copy in our hanging file or email it to us at "amicur@wm.edu".
Amicus Reviewers Spend the Day Finding Forrester

By Jessica Norris and Audra Hale

Finding Forrester is a movie about a young man, Jamal Wallace (played by Rob Brown), an outstanding athlete who yearns to be a writer despite his educational shortcomings. He stumbles across an unlikely mentor (Sean Connery), and his life quickly changes when he is awarded a scholarship that allows him to enter the posh educational confines of a Manhattan prep school. The movie’s other stars include F. Murray Abraham as the movie’s villain (discussed below) and Anna Paquin (the little girl from The Piano—don’t worry, everyone’s pants stay on in this movie) as Jamal’s sweet-natured love interest. Finding Forrester, which is directed by Gus Van Sant, is playing in most local theaters. We recently visited one of them, and here’s what we thought ...

AD: This movie, while not quite satisfying, is well worth your student-priced ticket. While you can guess the plot a few steps ahead most of the time, Finding Forrester is a satisfying movie that has many nice touches. One of those “nice touches” is Rob Brown, the earnest young actor who portrays Jamal Wallace. He carries off being the star athlete with a hidden penchant for voracious reading pretty well.

JN: I wholeheartedly agree with Audra’s sentiments. Although this is a good movie, and I feel it was well worth my time, I can’t imagine sitting through it again. If I really love a movie, I can’t get enough of it, and I often watch my favorite flicks over and over again. Finding Forrester is not like that for me, yet I still recommend seeing it once.

AH: This movie, while not quite the best Sean Connery movie ever as declared by the ads, is well worth your student-priced ticket. While you can guess the plot a few steps ahead most of the time, Finding Forrester is a satisfying movie that has many nice touches. One of those “nice touches” is Rob Brown, the earnest young actor who portrays Jamal Wallace. He carries off being the star athlete with a hidden penchant for voracious reading pretty well.

JN: It’s always fun to see a sadistic “educator” get his comeuppance, and Finding Forrester doesn’t disappoint in this regard. If you see the movie, you will probably cringe at the Socratic-like dialogue that takes place between Abraham’s character and a hapless student, and you will certainly appreciate Jamal’s smart-alecky intervention on his pal’s behalf. If you are a fan of auteur, you might even fantasize about following Jamal’s lead should a certain prof decide to have some “fun” with you or one of your friends during Criminal Law!

AH: F. Murray Abraham gives a creepy turn as the frustrated author turned high school English teacher (and who didn’t have one of those?!?) who tries to stir up trouble for our friend Jamal. Almost all of us have experienced at least one teacher along the way who was threatened by students who do too well, and Abraham’s portrayal gives us the willies as he leans over Jamal’s shoulder after doing him a particularly nasty turn and whispers “NEVER embarrass me in front of my class!” Grrr—flick those claws!

JN: Despite its overall merits, this film has some “ugh” moments when you will yawn and look at your watch. To make it through these infrequent moments of lameness, do what I did and think amusing thoughts. For example, when Sean Connery hops on a 1950s-style bike and peddles through the Bronx while a merry tune plays in the background, I chuckled at the thought of a bus speeding through the intersection and...well, I guess that’s not so funny after all. Thankfully, this and other saccharine scenes weren’t so long as to ruin the movie. All in all, it is a good mix containing enjoyable moments for viewers of all tastes.

There you have it. If you can find a few moments during the busy first weeks of this new semester, we recommend that you spend them viewing Finding Forrester. Overall, it is an excellent story with (for the most part) likeable characters, and we think you’ll enjoy it.

********RANT

Jessica’s New Year’s resolution was to not waste time or money on rotten movies. So far, she has kept it, so we have nothing to rant about in this issue. However, Jessica’s resolutions are usually short-lived, so expect some rants in the near future.

Local Movie Showtimes

Carmike Williamsburg
Crossing (757)253-2299
Cast Away PG-13
1:00 PM, 4:00, 7:00, 10:00
Chocolat PG-13
1:15 PM, 4:15, 7:00, 9:45
Finding Forrester PG-13
1:00 PM, 4:00, 7:00, 9:45
Save the Last Dance PG-13
1:15 PM, 3:45, 7:15, 9:45
Snatch R
1:30 PM, 4:00, 7:15, 9:30
Wedding Planner, The PG-13
1:30 PM, 4:15, 7:15, 9:30
What Women Want PG-13
1:15 PM, 4:15, 7:00, 9:45

Carmike Cinema Four
(757) 229-6333
Double Take PG-13
1:00 PM, 3:00, 5:00, 7:15, 9:15
Miss Congeniality PG-13
1:45 PM, 4:15, 7:00, 9:30
Sugar and Spice PG-13
1:15 PM, 3:15, 5:15, 7:15, 9:15
Thirteen Days PG-13
1:00 PM, 4:00, 7:00, 10:00

AMC Hampton Towne Centre
24 (757)896-2330
Cast Away PG-13
1:50 PM, 3:00, 5:50, 6:40, 8:10, 9:10, 10:00
Miss Congeniality PG-13
1:45 PM, 4:15, 7:00, 9:30
Chocolat PG-13
1:00 PM, 4:00, 7:00, 10:00
Crouching Tiger, Hidden Dragon PG-13
1:20 PM, 4:10, 7:20, 10:20
Double Take PG-13
1:20 PM, 2:40, 3:40, 5:20, 6:00, 7:30, 8:30, 9:50, 10:50
Dude, Where’s My Car?
1:00 PM, 3:20, 5:50
Finding Forrester PG-13
1:00 PM, 4:00, 7:20, 10:30

Gift, The R
1:40 PM, 4:20, 7:00, 9:50
Miss Congeniality PG-13
1:50 PM, 4:40, 7:30, 10:10
O Brother, Where Art Thou? PG-13
2:00 PM, 5:10, 7:40, 10:30
Pledge, The R
1:30 PM, 4:20, 7:10, 10:00
Save the Last Dance PG-13
2:10 PM, 4:00, 5:10, 7:10, 8:00, 10:10, 10:50
Shadow of the Vampire R
1:20 PM, 3:30, 5:40, 8:20, 10:40
Snatch R
2:10 PM, 4:50, 7:40, 10:20
Auction

Date and Time: 8pm- Midnight

February 2nd

Trinkle Hall

Volunteer to be a date, pour
beer, sell tickets, help decorate - Sign-up sheets are on the PSE bulletin board.

Dinner

Public Service Fund Presents

Company with a law student
food and entertaining
exciting evening of great
place your bid for an

or professor