2001

The Amicus Curiae (Vol. 11, Issue 7)

Repository Citation


Copyright c 2001 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository. https://scholarship.law.wm.edu/newspapers
30th Spong Tournament Ends in Unprecedented Tie

By Eric Nakano
Law students as far away as California gathered at the Law School on February 23 and 24 to compete in the 30th Annual William B. Spong, Jr. Invitational Moot Court Tournament. Nineteen teams from sixteen schools competed in this year’s competition, arguing over the constitutionality of a high school’s drug test policy. In the closest result in the Tournament’s history, two teams tied for first place.

The South Texas College of Law team, consisting of Natalie Koehler, Michael Westbrook, and Warren Wills, and the Brigham Young University team, Tessa Santiago, Michelle Cheney, and Ryan Marshall, displayed distinct styles of argumentation and accents, but uniformly mispronounced “Wythe.” Despite the minor faux pas, the two teams demonstrated great skill in the final round when their members stepped up to the podium, and argued before panel of federal and state judges. Chief Justice of the Federal Circuit, accompanied by judges Diamand O’Scanlan,

No Hanging-chads in the Elections

By Brook Rolka
Now that all the counting and recounting is done we have our winners. Although our Honor Council has spent time in Florida, there were no Katherine Harrises involved newly elected SBA President Courtney Malveaux claims. In fact our new officials take office immediately.

So on that note, please join me in congratulating our newly elected Student Bar Association leaders. Courtney Malveaux will be the new president, George Booker will be vice-president, Emily Anderson will be the treasurer, and Alex Tucci will be the secretary. The incoming 3L representatives will be Melissa Jackson and Jim Parrett, and the incoming 2L representatives will be Katie Brewer and Keith Wesolowski.

Many students out there do not actually realize how much the SBA actually does for them each and everyday. The common misconception is that it is primarily concerned with facilitating events designed around drinking. It is not. In fact, Malveaux sat down with me recently, and we discussed many of the ideas he hoped to accomplish in the next year.

First and foremost, every law student should realize that they are members of the from the Ninth Circuit, Harry Carrico, Chief Justice of the Supreme Court of Virginia, Elizabeth Lacy, from the Supreme Court of Virginia, and Nelson Overton from the Virginia Court of Appeals.

After hearing arguments, the Justices deliberated, and rendered their score sheets before they and all of the Tournament’s competitors adjourned to the awards dinner. Shortly after receiving the score sheets, however, Stuart Turner, the Spong Tournament Justice, was seen asking around for his copy of the Tournament rules, which had earlier been packed away in a box. Secluded in the Courtroom foyer, tournament organizers re-tabulated scores, consulted the rulebook, and showed away the curious, before finally reaching their decision and departing for the awards dinner. Due to scores that could not be distinguished within a margin of a point, the two teams were declared joint winners of the tournament. While this is the second year in a row that South Texas has won the Spong Tournament, this is the first time Brigham Young has won this Tournament.

Team #1 from the South Texas College of Law are Co-Champions of the 2001 William B. Spong, Jr. Moot Court Tournament. The Tournament is put on the William and Mary Moot Court Team. Pictured are (left to right) Michael F. Westbrook, Natalie C. Koehler, and Warren C. Wills.

Team Captain Lee Harrell would like to thank all the 1Ls who helped the competition by participating as witnesses. The Trial Team will be attending national competitions throughout next year, traveling to cities such as Chicago, Pittsburgh, and Norfolk.

Trial Team Selects New Members

By Brook Heilborn
The National Trial Team held its Selection Tournament for rising 3L’s over the last two weeks in February. Each student conducted a full trial in the Moot Courtroom, all of which were presided over by the City of Norfolk Circuit Court Judge Lydia Taylor. James City County’s Assistant Commonwealth Attorney Brian Wainger coached the team.

This year’s scenario was a murder case, using a battered spouse defense. The competition was specifically difficult for the defense, and tested student’s knowledge of the Federal Rules of Evidence.


After the sixteen students are selected for next year’s team, they continue competing to determine rankings within the team itself. This year’s competition came down to Jammie Jackson and Carly Van Orman, with Carly taking first place and Jammie second.

Team Captain Lee Harrell would like to thank all the 1Ls who helped the competition by participating as witnesses. The Trial Team will be attending national competitions throughout next year, traveling to cities such as Chicago, Pittsburgh, and Norfolk.
IBRL Student Division Hosts Racial Profiling Symposium

By Jeanne Tyler

Racial profiling has been a very hot topic in socio-political debate over the last decade. According to Professor Douglas, it's nothing new. Racial profiling has been around for over 300 years. The Racial Profiling Symposium, held on Monday, February 19, 2001, brought the controversial debate to the law school community.

The Symposium, which was sponsored by the Student Division of the Institute of Bill of Rights Law, and cosponsored by BLSA, ALSA, the National Lawyer's Guild, and the ACLU, hosted several speakers including: Kenneth Meeks, author of Driving While Black; Judge Margaret Spencer, Richmond Circuit Court; Judge Lydia Taylor, Norfolk Circuit Court; Colonel Jerry A. Oliver, Richmond Police Department; and Professor Dave Douglas, College of William and Mary.

Additionally, two participants, Liz Kanland and Jason Everett, argued in the final round of an H. moot court competition sponsored by the IBRL. Keith Westolowsky and Michael Williams, semifinalists in the competition, acted as co-counsel. The trial problem involved an issue of racial profiling. In the mock case, two racial minorities were driving through Wythe when they were stopped by police because they fit a "drug courier profile" which included race as a factor. The petitioner intended to show that the stop was indeed due to racial profiling. Both competitors were so impressive that Judge Spencer announced them both as winners.

The complaint against racial profiling is that it is unconstitutional under the Equal Protection Clause of the 14th Amendment. From the symposium panelists, we learned that a racial profiling claim cannot be upheld unless a party can prove that the cop picked a particular individual merely because he was of a certain race. If a cop has another motivation in addition to the person's race, racial profiling cannot be shown. For example, in the instance of an individual who was driving two miles over the speed limit, that person was still speeding, even though the cop may have primarily stopped him because he was black. Judge Lydia Taylor, of the Norfolk Circuit Court, noted that racial profiling is difficult to prove in court. Judge Taylor hypothesized that police tend to do a sort of reverse engineering in the courtroom. Cops know what will fly in the courtroom so they know how to say what the judge wants to hear; they know how to "polish the apple of probable cause." Cops feel justified in their racially-motivated searches if the potential perpetrator actually committed some sort of crime or infraction (whether it be a couple miles over the speed limit or possession of drugs).

Chief Jerry Oliver, of the Richmond Police Department, did not apologize for alleged racial profiling. Oliver felt that discrimination exists in the criminal justice system to the extent that it exists in society in general. The cops who are racist should be exposed and prosecuted where possible; however, we should not let the few anecdotal stories we hear about racial profiling lead us to believe that it is more of an issue than it actually is. He claimed that the reason there are so many more searches and subsequent arrests of black males is because they are actually the ones breaking the law. In his Richmond Times article, Oliver wrote, "For whatever the underlying reasons—socio-economic, historical, cultural, or even familial—the fact is that their individual behavior as moochers, mainliners, malingerers, or murderers leads to the dismal state, not police or the system." He said that we should perhaps focus on stopping the criminality rather than the profiling.

Congressman Robert C. Scott, of Virginia's 3rd District, felt that there should be legislation to specifically address racial profiling. According to his statistics, blacks and whites are equally likely to be found with contraband, but blacks are four times more likely to be sentenced. This obvious disparity should be accounted for. Like Justice Spencer, he believed that a cop can always find a reason to stop a person. The law needs to make sure that one group is not singled out more than the others.

Judge Margaret Spencer, formerly a professor at the Marshall-Wythe School of Law, noted that we must recognize that it is not the court's job to look at the subjective intent of the police officers. The court only has to find that there was an objective reasonable basis for stopping the individual. Any small reason would be sufficient to make the stop legitimate, thereby making racial profiling extremely difficult to prove.

There is still much to be done in the way of attaining equality for all people. Addressing the issue of racial profiling is just one step toward the overall goal that the 14th Amendment's Equal Protection Clause purports. The Racial Profiling Symposium opened our eyes and minds to different perspectives and possibilities for the future.

A Response to the Proposal to Update the Amicus

By James Parrett

Last issue, we heard a complaint from Brian Holmen that no one reads the Amicus. I would like to move the Amicus online as a digital camera or a scanner to make up for this deficit. And what about the trading cards? Most people I know think they're fun, but I guess Mr. Holmen is against that too.

What Mr. Holmen doesn't even consider is that fact that people other than law students read the Amicus. He'll never believe that because he still sees a stack of papers available, but I've seen this on lots of occasions. It just happened that before an on-campus interview last semester, my interviewer picked up a copy of the Amicus and noticed my trading card in it. I have to say, that made for an interesting interview. But, the reality is that if the Amicus moved to email, it would lose some of its audience. I admit it is unfortunate that more people don't read the Amicus. But, it's a student newspaper; you read it if you want to. The paper is what you make of it. If you're not happy with the content, submit your own article. But, don't bitch if you don't like the paper, and you've never done anything for the paper yourself. Mr. Holmen is guilty of doing exactly what he's complaining about: he's complaining himself. Perhaps if he weren't so busy hugging trees, he'd realize that and leave the paper alone.
Amanda isn’t sure where to begin her research.

Westlaw.
Find it fast. Get it right.

Relax.  It’s easy to get a legal research project off the ground with Westlaw®.  Gain a quick, comprehensive overview of your issue.  Find on-point cases to support your analysis and conclusions.  Best of all, search with electronic speed, ease and precision—from the comfort of your own desktop.  Next time you face the challenge of starting a new legal research project, begin on Westlaw: your high-tech alternative to high anxiety.

Don’t worry. Be confident.  Exclusive West headnotes, synopses and key numbers help you do a quick, thorough job of finding and analyzing relevant cases.  KeyCite® lets you be sure your cases are still good law.  Trust Westlaw® for case law research fast enough for an overburdened law student—and thorough enough for a picky law professor.

For information about other Westlaw services tailored to the needs of law students, please visit lawschool.westlaw.com
Tie at Spong

Spong from pg 1.

SBA from pg 1.

SBA Elections Need No Recount

U.S. Supreme Court Gets Crazy With Justice Souter Mar. 27

GOT YOUR ATTENTION? DROP A CHECK IN PDP's FILE!
Nine Volt Rocks the Penninsula

On Sunday, March 11, I attended the Nine Volt Local Music Awards. The festivities took place at The Abyss, a night club located on 19th Street in Virginia Beach. It was a great chance to see a variety of local bands in one night and learn a little more about them.

Nine Volt magazine is published on a bi-weekly basis and its main focus is the local rock music scene. It is free, and can be found in many Hampton Roads grocery stores and restaurants. Beyond the predictable local scene listings and CD reviews, Nine Volt has a "Heavy Rotation" page that contains the top playlists from several local radio stations (including William & Mary's own 90.7) and a "Road Trips" section that lists concerts in Richmond, D.C., Blacksburg, Charlottesville, Raleigh, and Greensboro.

Sunday night was a much-anticipated event for all of the bands involved, because the extra exposure will yield more gigs and the honor will be sure to end up in their press kits. The big night was emceed by 93.7 The Coast (WKOC) DJ, Bill Bass and Nine Volt "Account Princess" Katrina Wright.

The first performance was by singer/songwriter/guitarist Patty Costis and her band. She was nominated for several awards and took home one (Acoustic Performer of the Year-Female). She frequently gigs at Williamsburg's JM Randall's. While she is usually billed as an acoustic act, her performance that night was with an entirely electric band. They played three original songs, with a lot of energy - they were happy to be there and it showed.

Unfortunately the sound quality at The Abyss left much to be desired. Everything was muddly, so much so that I heard several different people complain that they could not hear the bands well.

The pop/punk band Bailout also performed. They won three of the four awards for which they were nominated (Punk Band of the Year, New Band of the Year and Rock Band of the Year). They were a young, fun to watch and they dressed in costumes that had no apparent purpose. So far, they have had a pretty successful run; they have opened for several national acts including Kittis, Jimmy's Chicken Shack, and Good Charlotte. Rumor has it they are being scouted out by indie label Foul Records.

Other winners (all were well-deserved):
- Record of the Year: Platinum Holes by Car 44
- Jazz Album of the Year: Seed Is by Seed Is
- Hard Edge Band of the Year: Car 44
- Bass Player of the Year: Quintin Berry of Q-Bass
- Drummer of the Year: Powell Randolph of Wonderbread
- Songwriter of the Year-Female: Dhana Rowe of Car 44
- Songwriter of the Year-Male: Shawn Bolling of Rip Dizzy
- DJ of the Year: DJ Joe Supa
- Cover Band of the Year: Wonderbread

Local favorites Luckytown also had a great night. They have had a great year, experiencing exposure from frequent airplay of their single "Simple" from their album Welcome to Luckytown; opening for Sixpence None the Richer, Fuel, Faithless and The BoDeans; and seeing their name mentioned in Billboard and HITS. They took home Lead Vocalist of the Year for Courtney Criswell and Guitarist of the Year for Wendell Johnson.

I must now take a moment to plug the fact that my father, Lewis McGehee, was given the Acoustic Performer of the Year-Male. He was playing elsewhere that night, so I accepted the award on his behalf. It was the second year in a row that he won that award.

Drummer of the Year: Powell Randolph of Wonderbread

Sunday, March 11, I attended the Nine Volt Local Music Awards. The festivities took place at The Abyss, a night club located on 19th Street in Virginia Beach. It was a great chance to see a variety of local bands in one night and learn a little more about them.

Nine Volt magazine is published on a bi-weekly basis and its main focus is the local rock music scene. It is free, and can be found in many Hampton Roads grocery stores and restaurants. Beyond the predictable local scene listings and CD reviews, Nine Volt has a "Heavy Rotation" page that contains the top playlists from several local radio stations (including William & Mary's own 90.7) and a "Road Trips" section that lists concerts in Richmond, D.C., Blacksburg, Charlottesville, Raleigh, and Greensboro.

Sunday night was a much-anticipated event for all of the bands involved, because the extra exposure will yield more gigs and the honor will be sure to end up in their press kits. The big night was emceed by 93.7 The Coast (WKOC) DJ, Bill Bass and Nine Volt "Account Princess" Katrina Wright.

The first performance was by singer/songwriter/guitarist Patty Costis and her band. She was nominated for several awards and took home one (Acoustic Performer of the Year-Female). She frequently gigs at Williamsburg's JM Randall's. While she is usually billed as an acoustic act, her performance that night was with an entirely electric band. They played three original songs, with a lot of energy - they were happy to be there and it showed.

Unfortunately the sound quality at The Abyss left much to be desired. Everything was muddly, so much so that I heard several different people complain that they could not hear the bands well.

The pop/punk band Bailout also performed. They won three of the four awards for which they were nominated (Punk Band of the Year, New Band of the Year and Rock Band of the Year). They were a young, fun to watch and they dressed in costumes that had no apparent purpose. So far, they have had a pretty successful run; they have opened for several national acts including Kittis, Jimmy's Chicken Shack, and Good Charlotte. Rumor has it they are being scouted out by indie label Foul Records.

Other winners (all were well-deserved):
- Record of the Year: Platinum Holes by Car 44
- Jazz Album of the Year: Seed Is by Seed Is
- Hard Edge Band of the Year: Car 44
- Bass Player of the Year: Quintin Berry of Q-Bass
- Drummer of the Year: Powell Randolph of Wonderbread
- Songwriter of the Year-Female: Dhana Rowe of Car 44
- Songwriter of the Year-Male: Shawn Bolling of Rip Dizzy
- DJ of the Year: DJ Joe Supa
- Cover Band of the Year: Wonderbread

Local favorites Luckytown also had a great night. They have had a great year, experiencing exposure from frequent airplay of their single "Simple" from their album Welcome to Luckytown; opening for Sixpence None the Richer, Fuel, Faithless and The BoDeans; and seeing their name mentioned in Billboard and HITS. They took home Lead Vocalist of the Year for Courtney Criswell and Guitarist of the Year for Wendell Johnson.

I must now take a moment to plug the fact that my father, Lewis McGehee, was given the Acoustic Performer of the Year-Male. He was playing elsewhere that night, so I accepted the award on his behalf. It was the second year in a row that he won that award.

Drummer of the Year: Powell Randolph of Wonderbread

jazz
at
a. carroll's
with the
dana fitzsimons trio
featuring vocalist amy munson

traditional jazz in
the martini bar
every friday night
9:30-11:30pm
no cover charge

at the corner of
prince george and armistead streets
williamsburg, va

the latin rhythms of
kevin davis & ban caribe

appearing at
A. CARROLL'S
RESTAURANT AND MARTINI BAR

friday march 2
10:15 pm
no cover charge

join master drummer kevin davis and his exciting band for a night of salsa, caribbean, and rhythm & blues combined into a special mixture of "clave soul" music guaranteed to bring a smile to your face and make you want to dance.

MAKE YOUR RESERVATION TODAY!!!
Call 258-8882
Building Endowment

By Andrea D'Ambra

Every year, our law school breathlessly awaits the newest USNews.com Law School Rankings, hoping against hope that our venerable law school will catapult into the top 20. Unfortunately, we're at 29 again this year (and I'm still trying to figure out how the University of Iowa is at 21).

Okay, everyone claims that these rankings mean nothing. You got that letter signed by 200 second through fourth tier law school presidents the spring before you came to law school, right? But the fact is, they do matter, and we're still at 29 because of one major thing: MONEY.

Our lack of substantial alumni support and our miniscule great alumni group when it comes to student moral support (we'll remember when we're alums).

Over cash during fundraising drives (something for all of us to have more fundraising drives, the other part is to remind both ourselves and our predecessors at this fine institution that a rising tide lifts all boats. No one remembers what a school's ranking was 10 or 15 years ago. They know what it is today, and judge its past and present graduates accordingly.

The other way to raise money is to raise tuition. A tuition increase to $10,000 (which would put us on the same scale with UVA) would net the school about $5 million a year. This would substantially increase the yearly-operating budget. The problem with this is that many of us came to William and Mary because it was such a bargain. Great school, cheap rates.

Since it barely makes it at $9,000 a year and I want our school to move up towards greatness, I thought I would come up with some creative ideas to raise money. Some of these won't raise a lot of cash, but hey, every little bit counts right? Feel free to contribute your own ideas.

1) We could license to Phillip Morris the idea to start a cigarette filter recycling program (this would go nicely with their new "working to make a difference" campaign). Next, we would collect all the cigarette butts from the patio and sell them back. At $.05 a butt, we'd be rolling in cash in no time.

2) If the above plan fails, we'll sue Phillip Morris for endangering the health of law students (everyone else has!). This could be a quick and easy way to get our $100 million endowment.

3) Charge exorbitant fees for parking. (Oh wait, we already do that.) Okay, charge daily parking fees, and raise parking fines in the law school parking lot to $100 (versus the current $10). Charge 75% extra for anyone driving a car with an original sticker price above $40,000.

Charge a 50% tariff on all coffee and bagel sales.

Sell advertising space on the top section of the classroom blackboards. No Professor can ever reach that part anyway!

Issue uniform green and gold blazers to all faculty and sell advertising space on the breast pocket, lapels and across the back.

3) Charge Natural Skills to the next level! Senior partners could take actual cases, and associates would do the research, preparation etc. We could charge "student" rates just like dental, medical, and cosmetology schools.

Rent out Courthouse 21 as the set for any of a number of law-related television shows. Offer professors as supporting actors for a small fee.

Sell those annoying little ants from the lockers and coffee machine to a local ant farmer/retailer (exploitation of natural resources!).

Rewrite our contract with the wing construction company to pay $10,000 in liquidated damages each time there is construction-related power outage.

Issue colonial costumes to all law students and faculty, and then hold classes in the House of Burgesses, charging admission to the public.

Assign a graduate research fellow to stand out by the Marshall and Wyche statues to take pictures of tourists with the statues. Charge $20.00 for a package of four prints to commemorate their visit to the law school. (Photos signed by Dean Reveley $10.00 extra.)

Start charging admission to symposiums and other law school events. Have graduate research fellows walk up and down the aisles selling glasses of wine and mini eggrolls.

Assess an "annoyance surcharge" on students who speak during class merely to make some obscure point (not to answer or ask a direct question).

Charge for academic support sessions. Hey, if you want to get a better grade, prepare to pay!

Rent the typing rooms in the library to students. Offer phone and mini-bar options for an extra charge.

Offer smart card access from the second floor of the library to the faculty offices to all law students, staff, and faculty at a charge of a $1.00 a swipe.

Allow alumni to sponsor a chair in the classrooms for a donation of $20,000. They can replace existing chairs with any type they want, and we'll affix a brass plaque with their name and class on the back (words of wisdom extra).

Anyway.

Declare the law school a Native American reservation and open a casino in the lobby. Rewrite faculty and staff contracts to require two hours of blackjack dealing per month. (This can be combined with substituted for their office hours).

Produce a calendar "Men and Women of the Law" (similar to the kinds produced by firefighters) featuring shirtless male professors, students and administrators with sweat glistening on their oversized brows, scantly clad female professors, and students and administrators draped over desks, posed in chairs, and perched atop the Courthouse 21 podium (with apprentice briefs strategically placed). We could build a beautiful bedroom in the North Wing, then name it the "John Marshall Bedroom." People who contribute $250,000 or more may sleep in it for a night.

Offer tea with Dean Reveley for contributors who give $100,000 or more. For an extra $150,000, contributors can have tea with me, and I'll wear a short skirt.

See Harvard the next time they claim to be America's Oldest Law School. See UVA, just because.

Make up some legal secrets, then sell them to China. Instead of allowing candidates for SBA leadership positions to paper the law school with flyers, we could charge them a fee, and let Dean Jackson e-mail their campaign pitches along with any commentary she might want to add. (As an incentive, the less commentary the candidates want, the more they pay.)

At 11pm each evening, library staff could sell hammocks to string between the shelves to out of town or particularly dedicated students. Showers in the new George Wythe locker wing should be another option.

Build a large ornate fountain on the front lawn dedicated to Thomas Jefferson (he's pretty popular these days). Start a tradition that tossing golden dollars in the fountain brings good luck and perhaps A's on exams.

Dig up embarrassing Barrister Ball photos of alumni, and then promise not to publish them in their local newspapers. (Expressions of gratitude in the form of generous monetary donations accepted!)

Well, these are my ideas. Please, come up with your own. I'm sure Dean Reveley would be thrilled to entertain any and all fundraising ideas.

A Glimpse at the ABA's Law Student Division

By Jeanne Tyler

The 4th Circuit of the American Bar Association's Law Student Division held its Spring Conference in Virginia Beach, Virginia at the Founder's Inn Conference Center on February 23-25, 2001. The modestly attended event featured various speakers including Jeffrey Brauch, Dean of Regent Law School, and Judge Robert Seto, former judge of the United States Court of Claims. Eight of the 12 law schools in the 4th Circuit were represented at the meeting, including Marshall-Wythe.

One important theme of the conference was how to increase student attendance and participation at ABA/LSD events. According to the Circuit Governor Report for 2000-2001, of the 2,116 members in the 4th Circuit, only 52% are law student division members. New Circuit-Governor elect, Maggie Carr, a 1L at William & Mary, plans to increase participation by implementing new programs and ensuring that the schools are informed of national conferences, interests, and activities of the divisions of the Board of Governors.

The purpose of the ABA/LSD is to help bridge the legal community together nationwide. The ABA offers opportunities for students to network with professionals in their areas of interest. Additionally, the ABA publishes books and periodicals that can enhance the student's knowledge of the legal profession.

The Spring Conference gave students the opportunity to meet with other student leaders of the 4th Circuit and make plans for future events. Students also interviewed for section liaison positions.

The next meeting of the 4th Circuit ABA/LSD will be the Summer Conference tentatively scheduled for some time in June. For further information on how to become involved, contact your ABA representative and newly elected Circuit-Governor, Maggie Carr.
Spring

By Brian Miller

For those of you who are athletically inclined (or just curious about your classmates), here’s the usual sports wrap up. For those of you in search of more pictures of Joe Liguori with his pants down, check the paper’s back page...you never know. Our law school Dream Team suffered their first and only setback of the season on the hard court losing to SAE (last year’s league champ) by six points in a possibly possible playoff match up. The squad currently sits at 2-1, which I believe means their playoff run is right around the corner. I have no info on the other b-ball teams. There was also a match pitting the Dream Team against the 2L team, but I’ll spare you all the ugly details.

Closer to my heart, Public Offenders III are off and running on a 1-0 start thanks to Sunday’s opening round, a 4-3 nail biter over the “Biohazard” squad in co-rec soccer. Strong performances from Emily Anderson (IL), Christie Buschmann (IL), Emily Harwood (IL) and Emma Zitter-Smith (IL) provided the superiority of law school women over all other species of women. The mon of Public Offenders II fared a little less spectacularly the following night, getting mercy ruled in a 3-0 victory before halftime. Not even goalie Tim Pelier (IL) was able to deflect enough shots to take that match into the second half. Luckily, I refereed the rest of the Men’s B games that night, and feel that Public Offenders II should face much better against the rest of their opponents, especially if Paul Deluca (IL) is able to corral them out as a team for a little training before their next match.

Public Offenders are set to take the pitch for the first time this Wednesday against “a bunch of frat guys.” Preliminary reports tell of this squad playing some very pretty futbol. The schedule has them playing the seven-time defending champion PIAA squad in the final week of the season, so mark your calendars now. PIKA was also the team that denied Assault & Battery of the A league title in last year’s semi’s. You can almost taste the revenge. Tighman Broaddus’ (3L) co-rec squad actually ruled a “snow out” last Thursday, so they will pick up their first game after break. Sucks for the team, but it made for some great skiing that weekend at Snowshoe. (Let that be my plug for next year’s ski trip. I’ll be back; it was a blast. Whether that means there will be more or less people attending next year is up for discussion.)

On the floor hockey scene, Miles Ulhar’s (2L) floor hockey squad has come roaring back from a difficult day of double header losses in their first outing to post a convincing 6-1 win, bringing them to 1-2 overall for the season. The 3L co-rec floor hockey squad also chalked up a thrilling, action-packed 1-0 victory in their first action on the black ice.

That does it for this addition. I hope you enjoyed your Spring Break. I’ve heard of some pretty exotic destinations for some of you. But just keep in mind, whether you were on a beach in Miami, or a yacht in the Caribbean, I’ll still had you all beat: Northern Illinois in early March. Eat your heart out.

De La Soul
De La Soul is Dead

De La is still very active on the music scene, however, their beat is clearly behind them. After the unique debut of De La in the late 80’s, their 1991 follow up proved that they were not one-hit wonders. It is a very amusing, fun album that reminds us of the days when Hip-Hop was more innocent and less materialistic. With this album, no one is safe from the joking of De La Soul. They make fun of Vanilla Ice, Arsenio Hall, R&B Music, hardcore acts, and they even make light of their limp image. The album is loaded with uptempo tracks suitable for singing along, and amusing skits that always draw smiles. Many Hip-Hop fans regard this CD as a must have, and I even have friends with no interest in Hip-Hop who swear by this album.

The CD starts out with a triumvirate of fun songs: “Oodles of O’s,” “Talkin’ Bout Hey Love,” and “Pease Porridge.” But, the highlight of the 27 track album has to be the priceless “Bitties in the BK Lounge,” a battle rap between lowly Burger King employees and their customers. As De La enters a BK early in the morning, they observe, “This chick was tryin’ to play fly out! I had a pair of blue jeans on... linger in, I can tell, she’s a BK Mademoiselle, with the uniform and bottom bell and some jelly stuff on her shoe!” The album has the general feel of an hour-long party. The personality that De La put into the album is evident. The CD does take a serious turn, however, on the dramatic “Millie Pulled a Pistol on Santa,” a cautionary tale of sexual abuse. In all, this is a one of a kind album that Hip-Hop has not and will not see the likes of again.

Lost Boys
Legal Drug Money

Since the new music scene is extremely disappointing so far this year, I thought it might be a good time to take Murdered in a Night Club a year ago. The tragedy has had were overlooked for one reason or another in the past. It is loaded with uptempo tracks suitable for singing along, and amusing skits that always draw smiles. Many Hip-Hop fans regard this CD as a must have, and I even have friends with no interest in Hip-Hop who swear by this album.

Flavor

By Tim Emry

Tragically, the Lost Boyz were struck by the rash of Hip-Hop related violence when member Freecie Tah was murdered in a nightclub a year ago. The tragedy has had a profound effect on the group as they have virtually fallen off the face of the earth. Their 1996 debut made a moderate splash on the music scene, but was an under-rated album with many strong tracks. Lost Boyz truly suffered from an image problem. The New York group had a hard time look, but their music was lighter than the likes of Mobb Deep and Wu-Tang. They all had deadlocks, but couldn’t really be grouped with the movement of conscious Hip-Hop or any Reggae style genres. Nonetheless, the album is worth checking out.

Due to their hype as a major hip hop group, the Lost Boyz are a true fan of the LB Fam when I saw them open for Tribe Called Quest in 1997. Their set was every bit as uptempo as their music. While many Hip-Hop acts fail in live performance, their passion for their music is evident in their performances and helped take their music to the next level. The first half of the album contains the majority of their hits including one-hit wonders.

In Your Ear

Killah Priest
Heavy Mental

Killah Priest, a member of Wu-Tang subsidiary Sunz of Man, is a solid and conscious MC who first caught earbuds in his “B.I.B.E.L.” on GZA’s “Liquid Swords” album. His 1997 solo debut was categorically slept on, but is really a pleasing album. Currently, it seems to be the “in” thing to trash the side artists involved with Wu-Tang, blaming them for the fall of the Wu and the dilution of their product. But such criticism does not belong with Killah Priest. His album is an uplifting spiritual, yet hardcore, manual for the masses. Unfortunately, the nasses, being who they are, sleep on this album. Don’t make the same mistake.

The opening song “One Step,” sets the tempo for the album: a strong beat with even stronger lyrics. There are hundreds of jewels sprinkled in Priest’s rhymes that often require multiple listenings to fully grasp. Like “B.I.B.E.L.” “Blessed Are Those” is an uplifting track full of hope and encouragement for people struggling to deal with the rigors of life. It’s “Over” has a true, traditional, Wu-Tang feel to it, seeming as if it would fit well on Raekwon’s Cuban Linx album. The title track, “Heavy Mental” is an eerie, slow tempo rhyme that is more spoken than anything else. Nonetheless, it has some valuable advice and messages that cannot be overlooked. In many ways, the song represents Killah Priest: strange and uncommon, yet powerful and valuable.
Diversity at Marshall-Wythe: Let's Make It Happen!

By Courtney Malveaux

We're going into this profession so that we can - quite literally - represent America. But how can we hope to represent America if we don't resemble America?

When I brought up my concerns about diversity at Marshall-Wythe last year, I was taken aback by a classmate's reaction. "Sure diversity's a good thing," he told me, "but I don't want to risk the quality of our school." I doubt he really thought before he spoke on that one, but I was glad to get a rare bit of candid honesty. That's something I can work with.

I replied that diversity is in his interest, too. That's not just a cliché; it's tangible truth. When a law school draws disproportionately large shares from certain segments of society - and fails to tap the talents of others - it sells itself short. We're missing out on some top-notch minds out there.

When it comes to recruiting minority students, we do better than some and worse than others. Looking at other law schools' numbers, higher minority representation doesn't bring a law school down. For example, Yale, Harvard, and Berkeley are hardly slouch law schools. In fact, if you're not recruiting heavily enough in minority communities, you don't know what you're missing.

And what about the intangible benefits? Like having more than just one or two people in class to represent the "black point of view" (a nonexistent animal). Like learning the meaning of a holiday you don't always see a welcome mat at our doors.

I've heard why many promising minority students turn away from William & Mary. "It's such a conservative school." "There's nothing to do in Williamsburg." "There's no one there like me." "I don't fit in there." However the minority "prospectives" put it, they're saying they don't always see a welcome mat at our door.

One minority friend of mine almost decided not to come here, because when she visited during Admitted Students Weekend, no one said hello to her. Sure, she could have grabbed one of us walking by. But I think the burden's on us to sell ourselves, and go out of our way to be good hosts.

I know, I know. Of course, everyone's welcome here. Heck, we integrated this school over thirty years ago. So what gives?

Well, of course it isn't all our fault. After all, minority students tend to face a number of inhibiting factors along the way. Many lack financial backing. Others are first-generation college graduates, who have no connections, no legacy. And as a group, fewer minorities applicants take LSAT prep classes. (Many non-minority students already here didn't take them either, but we need to look beyond individual cases and see the cumulative effects on groups. If one group has that advantage, and another group does not, you end up with more of one group making it over another.)

Granted, none of these factors taken individually absolutely bar anyone from law school. But when you see one team with more hurdles in front of it than the other, you and I both know which team to bet a dollar on.

Whether or not we, as individuals, are blameless is irrelevant. As students (and soon practitioners) of justice, we have a duty to start removing those hurdles.

The cumulative effects of disadvantage can hold back students who are every bit as bright as anyone who sat next to you in class today. How we respond (or fail to respond) to this problem will quickly impact the legal profession. After all, we're going into this profession so that we can - quite literally - represent America. But how can we hope to represent America if we don't resemble America?

Now the last thing we need is to get bogged down in divisive debates over quotas and affirmative action. We need another bitter political fire fight like we saw the number of African-American law school applicants fall below minority representation in the general population. And you can't squeeze blood out of a turnip.

Let's take a look at the turnip. Think creatively. While other law schools go after the same small pool of minority students, picking off the easy ones who come to them, why don't we go after the untapped talented many as they are coming up through high school and college?

Many of us gave tours and welcomed a number of high school students last week, encouraging them to think about law school. What if we started recruiting college students and inviting them to visit us during their freshman and sophomore years? What if we started giving some LSAT training during their junior and senior years before they start applying?

As I see it, we have two ways we can go. We can fight other law schools over a limited pool of applicants, fighting like crabs in a barrel, pulling others down to claw our way up. Or we can supplement our competitive efforts, and recruit our own talented crew of applicants. Giving promising students support early on can go a long way in building good will with them before other law schools even heard their names.

Last September, the Office of Admissions joined a number of student groups to sponsor a forum to boost our minority enrollment. We left with a number of ideas, and I encourage you to pitch in on one, or come up with one of your own:

- Help make phone calls to admitted minority students. I'm recruiting a group to do just that in the Office of Admissions on Tuesday, March 13 at 5:30. We're calling all Latino, Asian-American, and African-American "prospectives." (This is in addition to calls to admitted students generally.)

- Give a few friends from minority communities an application to Marshall-Wythe. Try an old college buddy or a bright parolee from your summer job.

- Join the Admissions Office on a recruitment visit to your alma mater next fall.

- Help raise money for scholarships. For example, BLSA just endowed the Oliver Hill Scholarship Fund, and is continuing to raise money for it.

Volunteer on behalf of our school to provide LSAT preparation to students who can't afford it.

When prospective students visit, make a conscious effort to approach visitors from minority communities. Keep this in mind especially during Admitted Students Weekend (March 30-31). A simple smile goes a long way.

What's your creative idea? I can only think up so many. Contact me at CMMah@wm.edu or 565-7378. I want to hear from you.

But first, let's agree not to get mired in circular political debates. They leave everyone divided, with many throwing up their hands, feeling absolved of having to take any action on improving diversity. That's counterproductive. Let's agree that each of us bears the responsibility of improving our law school and the legal profession by broadening our base a little.

To this day, one of the things I enjoy about law school is making friends with people from so many walks of life. We can enrich our school if we diversify more.
The 3L Class Gift and Assorted Other Ramblings

By Lee Harrell

Each Spring I like to embroider myself in a dramatic controversy that inevitably result in vengeful threats, angry phone calls, protests to the Dean, vituperative sneers, and me calling my Memo and crying. In case you missed it, I am referencing last Spring’s Elvis debacle. For those of you not here at the time, I assisted in the late night removal of the Elvis Shrine. The Elvis Shrine was a dirty, ignored collection of tuberculosis causing ‘memorabilia’ that bore absolutely no relevance or significance to anyone currently enrolled in the law school. Heeding the call of Ronald Reagan to “tear down that wall,” we removed the abomination. Bad move. It ignited a firestorm of controversy that was fueled by revenge and fanned by ennui. My compatriots and I enjoyed several weeks of full-blown infamy. Although I don’t think this article will be quite as incendiary, I hope to recapture some of that angst and dread.

Myth #1: Third Year is Fun and Easy. I’m not sure who perpetuates this myth or why. I guess its pastula fed to us during the bleak days of Second Year. Perhaps there are 3rd Years out there eating bonbons, watching lots of Jenny Jones, and catching up on reading Dante’s Inferno in Italian; however I do know any of these mythical people. Most of the 3rd Years I know are busy with journal work, moot court, trial team and making flyers that good others into drinking with them.

Myth #2: The MPRE is Fun and Easy. Now this one REALLY burns me up. Numerous times I have heard “Oh the MPRE... it was a breeze... it reminded me of those brain teasers I did when I was a kid.” WHAT? The MPRE is hideous! It’s not fun and it’s not easy. I know that you are thinking that I failed and vanity requires that I inform you that I did pass. It was, however, a miserable experience.

Myth #3: William and Mary Law Students are not competitive. First, let me say there is nothing wrong with competition. Competition is good, and I like the fact that we are competitive. Let’s stop running around telling interested students that we are not competitive. Folks, we’ve got people who bind, tab, and cross-reference their outlines. That pretty much says it all.

Myth #4: Journal work is Fun and Easy and looks great to employers. O.K., this is a lie... we all know and no one wants to say it. I know that this is going to cause extensive resentment from various editorial boards, but I’m letting this cat out of the bag. Employers do not care so much about your journal work. They care about your GPA. Have a blast with those article edits.

Myth #5: It’s O.K. to take off your shoes in the library. It’s not O.K. to take off your shoes in the library. In fact, it’s an offense to good taste and in some cases hygiene. If you have the supple, mobile feet of a Geisha then perhaps you can get away with it. It has been my experience, however, that most of the people taking off their shoes in the library have more toe jam than a jar of Smackers. PLEASE STOP DOING THIS.

Myth #6: The Class Gift is a communist conspiracy designed to augment the glamorous excesses of administrators. The Class Gift is a good thing. One of the actual problems at our school is a lack of alumni contributions. I suspect this may be a result of the bare feet in the library problem, but who knows? Without the Class Gift, many student activities would be hampered if not eliminated altogether. The Class Gift is not being hoarded. It is not languishing in some Swiss bank account. It is not being used to throw lavish parties to which you are not invited. It is being used to sponsor and augment student activities that enhance both our experience and our diploma’s value. I am involved with the National Trial Team, and I can tell you that we relied heavily on Class Gift funds throughout the year. Without these funds we would not have been able to send our members to competitions. Without these funds, I would not have been able to pay for my rent, my juggling lessons, or that little jaunt to the coast of Madagascar (jostering, just kidding). I urge my fellow classmates to give to the Class Gift. Your first payment is not due until next year and the structuring of your pledge is extremely elastic. In giving to the Class Gift you are ensuring that future students will publish articles, compete in moot court and trial team competitions, and otherwise excel. Why should you care? Because the piece of paper you will receive (hopefully) on May 13 has a value that is subject to fluctuation. Increasing our school’s prowess has a direct benefit to you. When you are approached by someone about Class Gift, please give generously.

This concludes my occasional contributions to the Amicus. I have enjoyed having the opportunity to rant and engage in self-laudatory prose. If you are a bare-footed, competitive, journal editing, MPRE loving, luxuriating 3L, please don’t tread on me... much has already been taken and very little abides. Everything except the Class Gift and the MPRE stuff was meant in jest.
**MARSHALL TRIBE**

**Alan Meese**
Known for his knowledge of economics and his intense in-class questioning, Professor Meese has been listed among the early favorites to emerge victorious. As he puts it, "You have to be ruthless in there."

**Dennis Callahan**
Dennis is a 2L member of the tribe who has expressed his desire to see this version of Survivor be less intense than those on television. He will also be looking to his tribe to find ways to coax plants to grow from the soil provided by the lobby's plants.

**Liz Jackson**
Dean Jackson has been preparing for this competition for a long time. Few know the inside and outside of the law school better. Whether the construction can continue during her extended absence remains to be seen.

**Kate Tucker**
Kate hopes that keeping a low profile during the competition will help her survive the early rounds. She also hopes that this exposure enables her to make some connections to Hollywood.

**Steve Blaiklock**
With his immense knowledge of the library, Steve will be looking to his tribe to help him survive any forays into that section of the school. "There are some real dangerous spots in there. You especially have to watch out for things in the basement. Those movable stacks are a killer," says Steve.

**Eric Smith**
Eric feels his training at VMI ought to give him an advantage in this competition. "I already know how it feels to be lonely and the subject of abuse," he says, "So this shouldn't be too bad."

**Outwitted**

As "Survivor" mania sweeps the country, Dean Taylor Revely has decided to take advantage of the trend to help raise funds and visibility for the law school. It was decided to choose 12 members of the law school community to be stranded inside the law school for forty days. Participants would have to survive on only what they can find within the law school itself. However, in a twist borrowed from Big Brother, it will be the audience that votes to decide who is forced out.

The original concept was that cameras would be placed throughout the school to allow observers to keep an eye on things all the time. There would also be taped episodes of contestants undergoing challenges and so forth. The advertising revenue alone should have been sufficient to pump hundreds of dollars into the law school's coffers. The winning contestant would receive either a full semester's tuition or a raise in salary, whichever was appropriate.

Six Contestants will be eliminated over the next 2 weeks. Submit your choices by either emailing us at "amicur@wm.edu" or by dropping a note in the Amicus hanging file. Then read the next issue of the Amicus to learn what happened in "Law School Survivor."

**WYTHER TRIBE**

**John Donaldson**
Professor Donaldson is clearly the sentimental favorite. With his upcoming retirement and general popularity Donaldson is hoping to become Law School Survivor's version of Rudy.

**Lee Harrell**
Known for his ability to get along with just about anyone, Lee is also considered an early favorite to survive. However, as last year's Elvis shrine controversy proved, he is not immune to criticism.

**Shannon Wiley**
Shannon is the resident vegetarian and animal lover of the group. She hopes to spend her time stranded working to protect and preserve the various forms of wildlife found in the law school.

**Fred Lederer**
With the loss of heat a possibility due to car tax cutbacks it may be up to Fred to keep his fellow tribe members warm using the equipment in Courtroom 21. "Utilizing this equipment not only will it be able to keep us warm but I will be able to teach them something at the same time."

**Courtney Malveaux**
Recently elected SBA President, Courtney hopes to carry his momentum into this competition. With his demonstrated leadership and outgoing style, Courtney must be considered a threat.

**Kari Footland**
After having narrowly missed out on being a member of the real "Survivor," Kari was an easy choice to make to join this version. The studies of tribal culture she made to prepare for the Australian Outback may come in handy when plotting her personal strategy.
The William and Mary Bill of Rights Journal is pleased to announce the selection of its new Editorial Board

Editor in Chief
Michael Lacy

Managing Editor
Sandy Hellums

Executive Editor
Ada-Marie Walsh

Symposium Editor
Carly Van Orman

Research Editor
Sarah Toraason

Student Note Editor
Tim Kollas

Senior Article Editors
Jason Yearout  Christina James

Article Editors
Jeff Boerger  Amanda Mallan  Dennis Schmieder
Wilson Pasley  Ward Griffin  Brian Young

The Moot Court Board is pleased to announce next year's Board:

Chief Justice
John Arena

Spong Justice
Stephen Thibodeau

Spong Research Justice
Melissa Newton

Bushrod Justice
James Hess

Bushrod Research Justice
Daniel Fortune

Secretarial Justice
Chad Carder

Business Justice
Cindy Faraone

Administrative Justices
Jamie Desiak
Sam Frank
Sandy Mastro
Holly Shaver

More Clip 'n' Save Marshall-Wythe Trading Cards! Collect them all!!
You have seen them out at night. They looked somewhat familiar but you couldn't remember who they are. You think they go to your school. They are the 1L's of the Night!
Calendar of Events

Wednesday, March 21st

*Everything You Wanted to Know about the Virginia Bar Exam*
3:30 p.m. in Room 120.

Thursday, March 22nd

1L Registration Information Session - Information regarding choosing your classes for next semester. 3:00 p.m. in Room 119.

3L Gift Kick Off Party
In the law school lobby at 4:00 p.m.

Bar Review
*Friday, March 23rd*

Environmental Law & Policy Review Symposium
This year's annual symposium features topics regarding "Toxic Torts: Issues of Mass Litigation, Case Management and Ethics." This event is free to W & M students and staff. Friday's panels are from 8:30 a.m. to 1:00 p.m. and 2:15 to 6:00 p.m. Saturday's panels are from 9:15 to 1:00 p.m.

PAD Etiquette Banquet
PAD is sponsoring this event. It starts at 3:00 p.m. at the Williamsburg Lodge.

Spring into Action
This is a weekend of volunteer service from Friday until Sunday. You can sign up to help at the Office of Student Volunteer Services.

Saturday, March 24th

Environmental Law & Policy Review Symposium - see Friday for information.

Monday, March 26th

Fall 2001 Registration
Rising 3L's

Week of the Fish
Today marks the beginning of the Week of the Fish in French Polynesia

Tuesday, March 27th

Fall 2001 Registration
Rising 2L's

Law School Funding for Summer Government and Public Interest Jobs - Applications are due Tuesday, March 27th at 5:00 p.m.

Wednesday, March 28th

1L Law Review Informational Meeting - 7:30 p.m. in Room 120.

Thursday, March 29th

Bar Review
*Friday, March 30th*

Day of Life Celebration
Sign up to participate in the Apheresis blood donation as part of the Alan Burkin Memorial Bone Marrow Drive. If interested in donating email Fiona Horgan

Horgan at fchorg@wm.edu

March 30th. con't

Admitted Students Mixer/Reception
In the law school lobby at 5:00 p.m.

Saturday, March 31st

Admitted Students Program
Africa! Interactive Night of Heritage - This event features African drumming, dancing, fashions, and authentic African cuisine. Admission is $5.00 and is open to the public. The program is from 6:30 - 10:00 p.m. at the University Center

Sunday, April 1st

April Fool's Day

Daylight Savings Begins

Tuesday, April 3rd

Jazz Ensemble - The Jazz Ensemble will hold its Spring Concert at 8:00 p.m. in the Commonwealth Auditorium at the University Center. The concert is open to the public and there is no admission cost.

Thursday, April 5th

Grad School Social
Mixer with students from W & M's other grad school. On the law school patio.

Friday, April 6th

Golf Tournament
SBA is sponsoring a golf tournament at Williamsburg National Golf Course. Tee time are from 2:00 - 3:30 p.m.

Alumni Weekend
Saturday, April 7th

Alumni Weekend
Saturday, April 14th

Poker Walk Fundraiser
Fundraiser to benefit Adult Skills program. It is a 1.5 mile walk through campus. The walk begins in the William & Mary Hall parking lot. Admission is $10 and the event is open to the public. There will be T-shirts, raffles and prizes. The walk begins at 9:30 a.m. Call Evelyn Smith for information. 221-3325.

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.

More Clip 'n' Save Marshall-Wythe Trading Cards! Collect them all!!
You have seen them out at night. They looked somewhat familiar but you couldn't remember who they are. You think they go to your school. They are the 1L's of the Night!

Alex Tucci
Part-time occupation: pimp
Favorite sports: wrestling and hitting on undergrads

Alex dreams of forming his own band, modestly titled The Alex Tucci Band. Auditions for backup singers currently being held. Caveat: must wear shiny shirts and excessive animal prints. Helps to have been elected to SBA with 100% of student vote.

Kelly Armstrong
Favorite pastime: Sleeping off hangovers
Most likely to be seen at: the Greenleaf. May have to check in the bushes outside.

Kelly is the object of affection for many ladies. He has been the recipient of anonymous love letters, hang-up phones calls and apartment break-ins. He is considered the most likely to make the Alex Tucci Band.

Pete Flanigan
Best Outfit: hooded sweatshirts.

Worst Outfit: stupid hats.

Pete is Anna Kournikova's #1 fan. He also currently coaches an undergraduate softball team. Tends to overuse his ability to purchase alcohol as a pick-up line.

Brooke Heilborn & Krisy Froelich
Favorite pastime: hitting on other people's boyfriends
Favorite drink: Rum & Coke

Krissy and Brooke are very involved on campus, sponsoring events such as the Barrister's Ball sweepstakes, and attending every Bar Review. But can you tell which is which? Often cited as joint tort feasors or blamed for the crimes of the other.