2001

The Amicus Curiae (Vol. 12, Issue 3)

Repository Citation
https://scholarship.law.wm.edu/newspapers/356

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
LAW LAW PALOOZA: A LOOK ON THE FUNNY SIDE OF LAW SCHOOL LIFE

By Adrienne Griffin

On October 6, 2001, Phi Delta Phi, the Student Bar Association, and the Public Service Fund presented "Law Law Palooza," the first annual William and Mary Law School Variety Show, to benefit the Public Service Fund. Dean W. Taylor Reveley, III hosted the event, which was attended by approximately one hundred students, family members, faculty and administration. The show took place in the Little Theater at the Campus Center and provided attendees with stress-relieving entertainment that offered a good-natured parody of law school life. The program featured performances by both students and faculty as well as a special appearance by Edith English, a former vaudeville performer who is also the grandmother of PDP president Melissa Ann Newton.

Act I began with a musical medley by Melissa Ann Newton. Next, Professor Susan Grover was assisted by three young children (Courtney Jones, Malcolm Keith, and Madison Jennings) in presenting a dramatic interpretation of "The First Day of Law School." Courtney, after weeks of practice, stunningly used the phrase res judicata for Professor Grover's Civil Procedure "class." The audience was delighted to see ILs portrayed as confused, yet eager, preschoolers. Shannon Hadeed then sang "Law Student Blues," her original composition lamenting difficulties well known to the audience. Lacrecia Cade and Jammie Jackson displayed their vocal talent in "Same Script, Different Cast," a song illustrating what they dubbed "a law school love triangle." Edith English closed out the first half of the show with "A Good Lawyer is Hard to Find," unless, she noted, you are at William and Mary.

For Act II, OCPP's Brian Lewis and Rob Kaplan organized "Law Schools A-Waggin," a humorous rendition of a staff meeting featuring members of the faculty and administration, and set to the tune of "Wells Fargo Wagon" from The Music Man. They were followed by Elizabeth Sanger, who surprised impressive audience participation in her song "I Hope We'll All Be Normal Again Someday," an original composition lament about how law school changes our perspective on the world. A comedy skit entitled "Moot Court Uncensored" presented "the moot court you never thought you'd see," and the audience's laughter indicated that it was a welcome relief from Bushrod woes. Edith English returned for "My Man" to highlight the changed role of women in relationships (a family law issue) in a comical, yet truthful, way. "The Firm Interview" began as a sketch comedy about bad interviews with Andrew Suber, but soon evolved into a dance-off between Jason Everett and Amber Weaver. The entire cast then joined together for a musical finale, "That's Bill and Mary."

Students and their families in attendance enjoyed the variety show immensely and were particularly impressed by faculty, staff, and administration participation. In addition to the acts, the audience entertained during scene changes by short skits involving the ongoing construction of the North Wing. Dean Lizeth Jackson provoked much laughter by parodying her email updates with increasingly desperate announcements about the progress of the construction work. Although two acts fell through at the last moment, the audience thoroughly enjoyed seeing law school life parodied and the hidden talents of their colleagues revealed. "Law Law Palooza" was certainly a success in its inaugural year.

Melissa Newton would like to thank everyone who worked on the Variety Show:

- Dean Taylor Reveley for graciously hosting the show.
- Edith English for donating her time and talent.
- Paul Bartsch for providing wonderful musical accompaniment.
- Liz Jackson for her uplifting construction updates.
- Rob Kaplan and Brian Lewis for organizing the fantastic faculty skit.
- All the faculty that sang beautifully, including John Levy, Paty Roberts, Susan Grover, Fay Shealy, Terri Loriner, and Trotter Hardy.
- Sherry Carpenter for being an excellent stage manager.
- Andrew Alexander for playing a truly lethargic construction worker and for operating sound.
- Lacrecia Cade for handling publicity for the show.
- Bill Bowen, Colin Miller, Zoe Shalom, Katie Riley, Eric Nakano, Chad Carder, Julie Windhorn, and Deborah Siegel for ushering and selling tickets and refreshments.
- All the performers and everyone else that donated their time, talent and/or children.
- Holly Shaver Byrant for her dedication.
- PDP executive board, for keeping me sane (or at least trying to).
SIPS
Speaker: 
"This stuff is fun."

By Gary Abbott

The Student Intellectual Property Society (SIPS) presented its premier speaker, attorney Joel Ankney, on Thursday, October 11. The headline-notable quote "this stuff is fun" comes from Mr. Ankney, referring to the work he does as a trademark and copyright lawyer with Mays & Valentine, LLP, in Virginia Beach, Va. For a full hour, he entertained and informed the audience on what it is like to work with trademarks and copyrights for a living.

Joel graduated from the Marshall-Wythe School of Law in 1991, worked briefly for an environmental law firm in Richmond, and has been with Mays & Valentine for several years. Besides having a fun job, Joel's life outside work is equally interesting. He served on a church mission to Reunion Island in the Indian Ocean in his early 20's and engages in lots of outdoor activities like mountain biking and kayaking. He has been married for 15 years, has three sons, is an eight-year volunteer leader with the Boy Scouts, and collects maps (a hobby he has in his blood from his cartographer parents).

Shortly after joining Mays & Valentine, the firm established a new position specializing in trademark and copyright law and Joel became the Intellectual Property Office, apportioning his duties between the liberal arts side of intellectual property law. He does primarily transactional, paper-intensive work, with his firm large enough for him to avoid litigation. About half his time goes to contract negotiations for the use of trademarks and copyrighted material and another quarter goes to "assorted," things like copyrighting (very formulaic and routine), policing trademarks and sending out letters to desist on trademark infringement. For the remainder of his time he gets to work on trademark registration, which is what he really enjoys doing, and which was the subject of most of the hour.

Joel has a personal portfolio of approximately 200 trademarks. In trademark registration there are 12 points of differentiation evaluated by the approving body that usually finds problems. Unlike patent work where attorneys and reviewers develop a personal working relationship, he rarely runs into the same trademark reviewer twice. Even so, informal problems, like slogan phrasing and signatures, can be resolved easily. Some problems are tougher, though. His extreme example was of a trademark containing a completely fictitious proper name. The trademark was rejected because the reviewers found 80 people in the U.S., out of a population of 281 million, who actually have that name. Joel is still working on that one.

The fun part? Things like having an artist client whose work is now on the title page of John Grisham's latest book, having been Michael Jackson's copyright attorney at one time, and getting a "Special Thanks To" mention in the liner notes of a rock band's CD. Then, there are the 3-D trademark objects from clients, like an acrylic block embossed with the company logo and the trademark ten inch red ball with "PLAY" on it used by a motivational consulting firm. He noted that such trademarks are hard to fit into a standard file folder.

Mr. Ankney finished up with some two-fold career advice. If specialization is the goal, stick with large firms in big cities where you can be fully devoted to intellectual property law. Failing that, learning some trademark and copyright law is useful in any size firm. You can get more work from existing clients by tending to their copyright and trademark needs along with their other legal issues.
Spain Program: Another Option for Next Summer

By Katie Riley

In recent weeks, the law school has been filled with suits: 2Ls busily being interviewed by on-campus employers, hoping to land the perfect job for summer 2002. But, for the recently arrived 1Ls this may seem intimidating, watching other students worry about summer plans in October. Fortunately, there is an alternative: William & Mary’s summer program in Spain.

The last issue of the Amicus featured a few photos of last year’s Spanish program participants. But this issue will discuss the program in more detail.

William & Mary’s Spain Program is a five week adventure in Madrid. Students take classes in a variety of international and civil law classes in The Legal System of the European Union, European Union Law & Politics, International Environmental Law, Human Rights in Europe, Legal Aspects of International Business Transactions, Comparative Federalism, Spanish Constitutional Law & Policy, and Comparative Corporations. Students take three two-credit classes, and if bilingual have the opportunity to arrive one week early for an exchange with a Spanish law firm. All the classes are taught in English and all but one of the professors are Spanish. They are also all very prestigious within Spain and Europe, especially in politics. Some of the professors include the former Spanish Director General of Nature Conservation, an advisor to the Spanish Prime Minister, the former Secretary General of the Madrid Regional Parliament, an advisor to the Spanish Parliament, and an advisor with the Spanish Department of Foreign Affairs. William & Mary sends one professor and one program manager to Madrid each summer. Last summer, Professor Selassie went to teach a course on Law & Development, while Jim Heller went to manage the program. The professors William & Mary sends changes every year, and this next year will feature Professor Dwyer teaching Comparative Family Law and Dean Kaplan as program manager.

The program is not affiliated with a Spanish university, but students live together in a big dormitory (colegio) of a Madrid university. Apparently, the dormitory is well equipped, containing a lounge, recreation area, bar, chapel, library, tennis court, basketball court, television room, and swimming, and laundry and maid service are supplied. Last summer, there were 99 students in the program. There were 24 William & Mary students, and the rest were from 44 law schools throughout the United States. Additionally, there were 12 Spanish law students, who acted as guides or hosts to the Americans, and who in return didn’t have to pay for the program. And of the students from William & Mary, the program waived some of the tuition or board for two bilingual law students, to help the other Americans get along in a foreign country. Students who return from the program grow about the experience. Apparently, the Spanish have a more festive outlook on life. They don’t eat dinner until 9 or 10 at night, and then go out partying all night. (The clubs get going at around 3 in the morning and close at 7 or 8.) Then, the students go home to take showers and eat breakfast, and it’s off to school. Classes finish early in the day, and everyone goes home for an afternoon siesta. Besides the late-night partying and the interesting things to see and do in Madrid, students often take weekend trips to other parts of Spain or Europe. Pamplona’s running of the bulls is a popular event, and a trip there is inevitably planned to visit it. Also included in the program is an afternoon event every Wednesday, including trips to the Spanish Parliament and the Constitutional Court. After the events, everyone gathers back at the dorm for a party, and some of the faculty show up as well.

Probably the best feature of the program is getting ahead in your law school education. 2Ls begin the fall with six additional credits under their belts (useful to reduce the often hectic 2L fall semester), and significantly improve their grade easy. Although there are dozens of international summer programs for law students, William & Mary’s Spain Program is the only summer program to directly apply the credits and grades you receive to your law school transcripts. Additionally, William & Mary’s program is one of the cheapest out there at approximately $5,700 for travel, room and board. Board includes three meals a day, five days a week, and the room also includes linens and maid service. (Loans are available to help pay for the costs.) The Spain Program occurs during the later half of the summer, so many students end up hanging around Williamsburg, working as a research assistant for a law professor for the first half of the summer and then going abroad for the second half.

For anyone interested, next summer’s program will run from July 1 to August 1. Watch for informational sessions in November to learn more or contact Ann Beckley in the Spain Program office across from Room 239. Applications are simple two page form, and all students in good standing are accepted to the program. Although the final due date is in early April, the program fills up quickly and you should submit your application in January or February.

New Club on Campus: The American Constitution Society

By Katie Riley

The most recent organization addition to Marshall-Wythe is a William & Mary chapter of the American Constitution Society for Law and Policy. On Wednesday, October 10th, Professors Dwyer and Gerhardt held an organizational meeting for students interested in learning more about the American Constitution Society. Having both participated in the Society at a national level, they commented that the Constitution Society will “fill a gap” in current academic legal discourse.

The American Constitution Society was started at Georgetown Law School in 1999 (originally called the Madison Society) as a reaction to the Federalist Society and the current shift in legal thinking to the right. (Remember when Rehnquist’s federalist opinions were merely dissent? We’ve all been told in Constitutional Law that our professors historically never taught the Tenth Amendment.) As the student chapter organizing handbook explains, the American Constitution Society “seek(s) to restore the fundamental principles of respect for human dignity, protection of individual rights and liberties, genuine equality, and access to justice to their rightful—and traditionally central—place in American political debate. We recognize the profound role that legal theory and doctrine play in shaping broader political debate and, ultimately, the daily lives of American citizens. Today, a conservative vision of law pervades—in academic scholarship, in judicial interpretation, in legislative action and executive branch policies. The American Constitution Society aims to counter that vision...”

Like the Federalist Society, the American Constitution Society claims to be non-partisan, not taking formal positions on
ABA Negotiations Tournament

By Katie Riley

Besides the traditional competitions at William & Mary for Moot Court and Trial Team, students now have the option to display their abilities in three other types of legal skills: negotiations, client counseling, and mediation.

Last year saw the formation of the William & Mary Negotiations and Client Counseling Board. The NCCB is part of the ABA Student Division, and was founded for the purpose of bringing ABA student competitions to William & Mary. Running the NCCB this year are Jason Halliburton, Amy Demski, and Steve Carling, all of whom participated in tournaments last year.

On September 28th and 29th, the NCCB Negotiation Tournament was held. The problem was an employment gender discrimination claim against a cruise line. The competitors were given various fact patterns, representing the employer, the employee, and then switching roles in later rounds.

For the competition, the two competitors would negotiate an agreement on behalf of their clients (just like in Legal Skills). Although settlement might not be reached, the judges scored the competitors on how creative and flexible they were during the negotiations, how well they dealt with the other side's curve balls.

Sixteen students competed in the NCCB Negotiation Tournament. Because negotiation is not a skill that requires a lot of legal training to do, several 1L's tried out. Although the tournament would normally require the competitors to work in pairs, the NCCB leaders opted for single competitors in order to have a greater number of competitors overall. Four students won the tournament and are scheduled to go to the regional competition at North Carolina Central University in November in two teams of two. Melissa Jackson (3L) won the tournament overall, and her partner at regionals will be Kate Lenane (1L). Sada Andrews (1L) and Kevin Barnes (1L) will make up the second team, and Derek DeGrass (1L) and Todd Muldrew (1L) will be alternates.

William & Mary's NCCB is planning two more tournaments for early next semester. A client counseling competition will be held in January. For this competition, students will have to sign up as partners to compete. The two students will play the roles of attorney and client (switching roles in later rounds), and will be judged on how they interact with each other during a client interview. This was the only one of the three competitions that NCCB didn't host last year at William & Mary.

Look out for information about obtaining the packets. The intent to compete form will be due November 30th.

The next competition will be the advocacy and mediation tournament next February. Students will also be required to sign up to compete as teams. The student competitors will get to role play a mediation session and will be provided with certified mediator by the tournament's organizers. They will meet with opposing counsel for 45 minutes or so, then will have the opportunity to recess for a few minutes to discuss things over amongst themselves. They will also be allowed to meet with the mediator one on one.

For all the tournaments, competitors must be members of the NCCB, paying a $20 membership fee. The costs of these tournaments is great and the William & Mary NCCB is trying to cover all the fees as well as any compensation for the students sent to the regional competitions. If you are interested in learning more, contact Jason Halliburton (1L) or put something in the NCCB bulletin file. There is also a NCCB bulletin board display along the new hallway next to Room 124.

New Moot Court Team Selected

By Eric Nakano

The annual Bushrod Moot Court Tournament neared its conclusion last week, and by the time this article is published, the final round will be over. Nearly half of the 2L class compete each year for 32 spots on the Moot Court team. This year, 87 competitors vied for spots on the team.

This year's problem, written by Bushrod Research Justice Daniel Fortune, pitted competitors against each other in an argument over whether the Fourth Amendment permits the search of a vehicle based upon the smell of marijuana, and if not, what additional factors would be necessary to permit a search. Included in the problem were a number of red herrings and disputed facts that careful competitors had to simultaneously try to avoid yet be prepared to address.

Responding to questions about conflicting state jurisprudence, how a police officer is comparable to a narcotics-sniffing dog, and whether being locked in a squad car constitutes an arrest, competitors finished their rounds mostly unaware of the behind-the-scenes wrangling being performed by Bushrod Justice James Hess. During rounds, Hess scrambled about shuffling judges, bailiffs, and pizza. Armed with a set of worn 3" x 5" note cards, he tackled the last minute room substitutions and other problems with few major glitches. Even more behind the scenes, Chief Justice Jon Arena, as well as Jamie Deschak and Sam Franck (Administrative Justices) hoped that no twist of fate would unravel their months-long preparations. Perhaps most critical to competitors was Cynthia Faraone, who sat tethered to a laptop computer operating the arcane piece of spreadsheet programming used to equalize judge scores, occasionally cursing the inability of law students and lawyers to perform basic addition.

Although this year's tournament was the first Bushrod Tournament in recent memory to run on time, the newfound timeliness came at the cost of controversy. Under a new policy implemented this year, judges in the preliminary rounds were prohibited from providing any feedback to the competitors following their rounds. Instead, competitors received an email after the first round providing a number of general suggestions. When initially questioned about this change in policy, Bushrod organizers explained that the new policy was the result of several complaints last year that different judges provided contradictory advice, as well as past years' rounds running late. Despite this justification, several student judges were unhappy with the arrangement.

Also new to moot court generally this year is a brief-writing class in the second semester taught by Sprightly Ryan, the new faculty advisor for the Moot Court team. This course, which will be worth one credit, is a workshop designed to teach brief writing skills to the new team members. It is hoped that this class will improve the team's competitiveness next year when the new team members will be required to write briefs for their competitions.

Moot Court Team 2002

Amy McMaster
Ansley Peacock
Anthony Mingione
Ashley Hornsby
Ashley Moore
Barrett Theis
Brian Alshey
Brian McCann
C. Michael Williams
Carl "Zeeke" Ross
Colin Miller
Daniel Barnes
Derek Redmond
Ian Conner
Jason Collins
Jason Everett

Justin Roberts
Kelly Farnan
Kerril Corning
Krissey Froelich
Kyle Everett
Lelan Carpenter
Louise Phelan
Melanie Conrad
Meredith Booker Awad
Michael Lawson
Paul Dame
Richard Zimmer
Ross Fulton
Samantha Lonetto
Sarah Obeid
Sherrie Campbell
KeyCite® on Westlaw®:

 Tells you instantly whether your case is still good law.

KeyCite®
The Key to Good Law®

Westlaw
Where America finds the Law.
Speaking of having fun at the expense of questionable casting choices ... it’s the Law and Order drinking game. It is real simple. Every time the new ADA regresses and exposes the fact that her last gig was a soap opera, drink. Every time it becomes clear that they let her pick her own wardrobe (eg. pink in court), drink twice. Every time Lenny makes a sarcastic remark, social, because that’s fun for every body.

Speaking of sarcasm, I have an idea for NBC’s cursed Thursday 8:30 slot (Inside Schwartz isn’t an improvement): the Sar­

cism Olympics. I’m serious; sarcasm is a skill that needs to be showcased. Just show highlights of the week’s previous shows. My picks ... Bronze: Dr. Cox from Scrubs, a “that guy” who has so much potential he’s worth noting. As an added bonus, his show also stars the girl who endured two separate stints as the replacement for Becky Conner on Roseanne.” Silver: Chandler Bing (once again but failing) Gold: Toby Ziegler.Additionally, the aforementioned Lenny Briscoe (the Edwin Moses of sarcasm) should be the first recipient of the Lenny Briscoe Memorial Award for lifetime achievement.

Digital Cable may not ruin my GPA, but it is sure going to try. Here are some more of my thoughts:

Yasmine Bleeth’s Baywatch photo juxtaposed to her mug shot would be the most effective anti-drug poster ever.

No matter how many times I read, write, hear, or say it, the word “dieta” still forces an immature grin to my face.

Here are other words that getting to use makes law fun: in-limine, nolo contendere, quo warran t, de novo, and sua sponte. Sua sponte is so much fun that it really isn’t right of us to keep it to ourselves. It should be shared with the general public, specifically the good people at SportsCenter. I mean think about it, Dan Patrick or Rich Eisen doing the highlights, “Iverson steals the in-bounds pass, then Iverson ... sua sponte.” Or, in hockey scoring, “Avalanche goal scored by #19 Joe Sakic, unassisted at 7:40 in the third. That’s Sakic, sua sponte, at 7:40.” Or perhaps best of all, given to Pat Summerall and John Madden, “Boy, John, it didn’t look like anyone touched Tyron Weathely on that one.” “You’re right, Pat, I think he fumbled it sua sponte. One can only dream.

I’m seeing the New York Mets for intentional infliction of emotional distress for this past season. If I’m successful, the Boston Red Sox will be bankrupt in seconds.

Can someone please tell me why there are room numbers on the bathrooms in the library? Has anyone ever had a meeting in there? An interview?

Being here for over two years may not have caused me to fall from grace, but I’ve fallen, oh, how I’ve fallen.

Portrait of Robert Boyle

By Dale O. Mobley

There is a portrait—a painting—of Robert Boyle in the upstairs gallery of the Muscarelle Museum on Jamestown Road. It is on the wall dividing the secular paintings from the religious, and grouped with the other portraits, right next to William of Orange. (The painting was painted by James Worsdale, and I don’t think it would be considered important artistically.) Yet Boyle is known on two counts, as spilled out in the placcard: as the chemist and as the philanthropist. Boyle’s law is a fact for any chemistry student studying the laws of gases, a law that gets worked over and cobbled together with laws from Charles and Guy-Lussac and others until the emergence of a chemistry equation that the modern chemistry student is required to remember. One doesn’t tend to dwell on this law, or wonder how important or useful it is, but it remains that he found it and published it in 1662 and his portrait is in the gallery.

The placcard also draws the other relation, that the subject of the painting left a bequest of a general nature, not for any purpose, but for any “pious and charitable” use and that subsequently a man sought this out and secured money to fund a department at a school in the new World devoted to the education of the American Indian, the school being William & Mary. One is tempted to try to assess these two legacies, to measure them side by side. The law seems slowly bound for obscurity. Of the funding of a school for Indians in 1700, what became of this? What fell from these efforts? What were conceived by a single humanitarian idea at odds seemingly with the values at the core of Western, property­ expansion? The room and painting and placcard are silent on this, and one is left to one’s own thoughts. A postscript can be added though, before one moves to the Renaissance paintings or the Corot landscape or the modernist efforts, in that Boyle seems to have been preoccupied with other subjects too, particularly the discourse between science and theology. Boyle seems to have held that where contradictions were found between the two, the problem was misunderstanding of the one or misunderstanding of the other, and that they remained ultimately and rigidly harmonious.

This is profound for a 17th century thinker, although a Puritan and Calvinist, and has everything to do with the discussions in the paper over whether a Kansas school district should teach evolution in its classrooms, or teach creationism, or teach both or a mixture. The irony may be, then, for this the oldest of portraits in the collection, whose legacies seemingly have had their day, that his most profound contribution has yet to be heard.

When with bold telescopes I survey the old and newly discovered stars and planets... when with excellent microscopes I discern... the unimitable sublity of nature’s curious workmanship... [I find myself] sometimes reduced to exclaim with the Psalmist, How manifold are Thy works, O Lord... in wisdom hast Thou made them all!

- Robert Boyle, Seraphick Love
Flavor in your Ear

By Tim Emry

After a long music reviewing hiatus, I'm back. The Hip-Hop scene has been slow for a while, but I found a few recent releases that are worth talking about. While most people are probably listening to the Jay-Z album, I'm trying to focus on some real Hip-Hop and also some decent R&B and Soul music that provide for good listening.

Mary J. Blige
No More Drama
Rating: ** and 1/2 (out of a possible 5****)

The one and only Queen of Hip-Hop and Soul is back with her 5th studio release in her prolific career. Unfortunately, this album is a bit of a disappointment. In retrospect, I fear she peaked with the classic My Life. This album still displays her clear vocal talents and there are a few gems on the CD, but it is certainly not a disc that Mary has suffered the same fate of sound upbeat ong with some lear rock Janets Jackson , trying too hard to adjust her ences. It's somewhat catchy, but it is really a rather mediocre song Away,

The track was produced by Dr. Dre, probably the reason it has such depth of the RZA's talent on the state of Hip-Hop. This album is much of the same. RZA has indicated that he is actually the prequel to the first Bobby album. The urban superhero that has become Bobby Digital is a figure that is supposed to represent the embodiment of many of the evils in the Hip-Hop Community. RZA has chosen to use satire and irony to launch his critique of the system and this irony has flown over the heads of many listeners.

Generally, this album is strong at the end, as the early tracks leave a bit to be desired. The first track "Show You Love" borrows the hook from Ghostface's "We Made It." The familiar sound of the song eases the listener into the album rather nicely. "Can't Loose" is a dirty, old school track with a haunting blues guitar beat. "Glocky Pop" is a violent track where Bobby romanticizes the noises that his handgun makes. The track is nice because it also features several other members of the Wu. "Must Be Bobby" has a trademark eerie piano beat to it, making it very listenable.

Bobby resurrects the controversial song from his previous album with "Domestic Violence Part 2." This edition fea-
Another Great Softball Tournament...

If You're a 1L

By Brian Miller

Saturday, October 6th, will go down in history as yet another painful reminder of the ravages of age. In what used to be a guaranteed right of passage for the 3L class, the 1L class managed to stage yet another improbable victory in the law school's annual softball tournament. Held at the traditional two fields behind the James City County Rec Center, this year's tournament was a resounding success. Though the rumored faculty team failed to materialize, there were four strong teams gathered for battle. Going in, the odds-on favorite to repeat would have had to have been the 2L team of Get Drunk and Hit Stuff, who surprised all by winning the UVA National Tournament last year. There was an eager, talented, and largely sober group of 3L's who were primed to dethrone the reigning champs. And lastly, there were two different 1L teams rounding out the field of four.

The day couldn't have started out any better; bright beautiful sunshine with temperature in the upper 60's. In an unfortunate twist of fate, the first round games pitted the 2L and 3L teams against each other, with the two 1L teams getting in. The 3L's looked hot out of the gate, with their strong hitting and solid fielding earning them a 6-3 lead going into the bottom of the last inning. But then the wheels started to come off. The 2L's managed to string together a few hits and tied the game at 6 all. Postponing the inevitable, with two on and two outs, first-base woman Hadley Perkins speared a rocket line drive down the first base line for the third and final out, holding the tie and forcing extra innings. In the extra, the bottom of the 3L lineup faced off against the top hitters for the 2L squad, and the 2L's brought home the needed run for the win in the bottom-half of the 7th. Oh, and one of the 1L teams beat the other 1L team.

So the 3L's headed off to the loser's bracket against one of the 1L's and the 2L's moved on to face the victorious 1L team. In the second game, the 3L's fell behind early off the pathetic pitching of Brian Miller, to the tune of an 8-1 deficit, from which they never quite recovered. It should be noted that my fellow Amicus writer Tim "Benedict Arnold" Emry was spotted playing for the 1L team. He's a 3L...go figure. As the beer set in, and the vision blurred, the 3L's chances of advancing in their final tournament were literally pissed away. I passed out when I got home, so I don't remember the score, but it really wasn't close in that second game. Much to everyone's surprise, over in the winner's bracket, the vaunted 2L squad struggled mightily before eventually falling to the undefeated 1L squad. (One of their guys was even wearing bona fide baseball pants! They were that good, I guess?) With the experience of the veteran teams falling to buy them any sympathy with the umpire, the stage was set for an unprecedented all-1L final. I was sunburned by this point, however, and had lost interest in softball hours before, and so I have no idea who won the final game. Grab some 1L and ask them if you're that eager to find out. But one of the teams did win the right to go to Charlottesville in April and represent the W&M. Best of luck.

All in all, it was another great day, a great escape and distraction, and some of us can now claim to have "exercised" at least once in the last calendar year. Still, it was bittersweet in a way, seeing as how it was the last of my three attempts at winning the tourney. I would like to thank Katie Browar for her efforts in making things run smoothly and to all those who came out and participated.

---

PDP 2nd Annual Ghost Tour

Join Melissa Newton for a night of spooky stories about things that go bump in the night. This is a special student-lore tour not given to the public, and is not to be missed!*

Tuesday, October 30th at 7:00 PM

Meet in front of the drug store in Merchant Square (right next to "Confusion Corner")

* Death is not a valid excuse for missing this tour. Since Melissa is a 3L, this might be the last PDP Ghost Tour ever! Don't set yourself up for a lifetime of regret!
Amicus In-Depth Faculty/Staff Interview Questions with Professor Hynes
By Andrea D'Ambraga

1) What's your favorite word?
Cheap

2) What's your least favorite word?
Justice – I keep seeing it in class and I can't figure out what it means.

3) What's your most vivid childhood memory?
Playing in the canyons behind our house.

4) When you were a child, what did you want to be when you grew up?
Independently wealthy = idle rich.

5) What's your favorite smell?
I don't normally associate smell with positive things.

6) What's your least favorite smell?
A cup of milk left in a car for weeks on end.

7) What other profession would you like to try?
Independently wealthy = idle rich.

8) What other profession would you NOT want to try?
Mortician

9) If you have a tattoo, what does it say (or depict)?...if you don't have one, and decided to get one, what would it say (or depict)?

Now you have a chance to pose a question to the next faculty member to answer this questionnaire....

10) What's the best thing about your job? What's the worse thing about your job?
Best: chance to become independently wealthy = idle rich.
Worst: grading.

11) If you could talk to one person living or dead, who would it be?
Jesus.

12) What's one little known fact about William and Mary School of Law that everyone should know?
4:30 P.M. hacky sack on Wednesdays.

13) If you could appoint the next three Supreme Court justices, who would they be?
I would auction off the rights so that I could become independently wealthy = idle rich.

14) Professor Barnard’s Question: If you are as smart as we think you are, why aren't you making seven figures somewhere as a lawyer?
You mean that this is not the right way to become independently wealthy = idle rich?

*Questions borrowed heavily from Bravo's Inside the Actor's Studio's Bernard Pivot Questionnaire and the National Journal's Media Monitor spotlight questionnaire. A few actually conceived by William and Mary law students.

COLONIAL COUNTRY INN
1413 RICHMOND ROAD, WILLIAMSBURG, VIRGINIA
TEL: 757-229-3400 FAX: 757-229-7316

SPECIAL RATES FOR HOMECOMING WEEKEND
OCT 25TH-28TH

39.95 + TAX (FOR 2 PERSONS)

CALL NOW ON 757-229-3400 TO MAKE RESERVATIONS
KING SIZE & DOUBLE BED ROOMS AVAILABLE

Just bring in this Ad!
Rewards of Working Smarter

1L’s...2L’s...3L’s

Win!

Full Law School Tuition!

$100
weekly winners from your school!

$1000
monthly winners from your school!

Enter!

lexisnexis.com/lawschool

Promotion runs September 2 — November 10, 2001

Simply go to the Rewards of Working Smarter banner on the lexisnexis.com/lawschool home page to register for the Promotion. After that, each time you sign on to the LexisNexis service for your research projects, you’re entered to WIN! (up to 5 entries per week)

For official contest rules, visit our Website at: lexisnexis.com/lawschool

"LexisNexis™
It's how you know"
Baseball and Cal Ripken in Light of September 11th

By Adrienne Griffin

My friend Brit is a Captain in the United States Army. She invited me to a Yankees-Orioles game in Baltimore the weekend before she was to leave for her next assignment in Wiesbaden, Germany. The September 23, 2001 game was supposed to be Cal Ripken Jr.'s last game at Oriole Park at Camden Yards in front of the home crowd. When Brit and I figured this out, we looked forward to the game with heightened excitement about the special ceremonies and tributes to take place at the game as well as a satisfaction in knowing we would be present for a history-making day in the game of baseball, but we also wondered how the game might be different in light of the terrorist attacks on America.

Orioles fans are supposed to hate Yankees fans. I know they do. Brit and I went to a Yankees-Orioles playoff game in 1996. I saw signs that said "Yankees Suck," "Honk if you hate the Yankees" and other things unprintable in a school newspaper. I had to hide my hat after the Yankees won the game. Orioles fans hate New York and the Yankees, their Eastern Division rivals. Also, after six and a half innings are over, the fans stand up for the seventh inning stretch. Everyone is supposed to sing "Take Me Out to the Ballgame." I don't know when or where this tradition started, but it has happened at every game I have ever been to.

Baseball players are supposed to be heroes. Kids look up to them and dream of playing like them some day. Even grown ups collect their baseball cards, at least partly out of admiration for their accomplishments. Most fans have known the joy of watching a favorite player move from obscurity to fame and great success on the field.

The terrorist attacks of September 11th took the lives of thousands of people who are personally mourned by thousands more. Yet the insidious effects of the attacks extended to those who did not lose family or friends on that terrible day. Perhaps the most pervasive effect felt by the nation as a whole is a sense that the world does not seem to make the same sense that it did on September 10th. We have been shocked out of our comfortable zones into an unexpected feeling that our old assumptions can no longer be relied upon. What we supposed to be true or natural to think or feel does not match our experience in this new, more uncertain world.

Out of respect for the dead and a concern for safety at the ballparks, Major League Baseball canceled its scheduled games for five days following the attacks. Brit and I were disappointed to discover that these games would be made up during the first week of October and our game would not be Ripken's last at home. Our resentment of this change quickly evolved into guilt for feeling upset about a baseball game when so many were physically and psychologically suffering in New York and in Northern Virginia. Still, we agreed that the terrorists would have enjoyed knowing that they had confounded the plans and desires of unextraordinary Americans like us.

As the day approached, I wondered what the atmosphere would be like. At a typical baseball game, there is polite silence for the National Anthem, followed by a measure of applause at its conclusion. Most men remove their hats, though some forget, and certain players have been observed to talk to each other during the anthem. What we saw on September 23rd at Camden Yards was each player standing solemnly at attention, fans carefully unfurling flags, and many people even singing with the soloist. A renewed sense of national pride also characterized the seventh inning stretch. The traditional "Take Me Out to the Ballgame" was replaced by "God Bless America" and the crowd sang along loudly. A visitor to our country would have been justified in thinking it was a national holiday from the number of flags being flown or waved in the stands. Strangely enough, the spirit of national unity seemed to extend to the actual game as well. A group of Orioles fans seated a few rows in front of us held a large banner that read "We Love New York." While Orioles fans rooted heartily for their team to win, I witnessed none of the name-calling or ugly fights that had marred the playoff game in '96. This may have been related to the fact that the Orioles had long been eliminated from contention, but no one bothered to remark on my "World Series Champion Yankees"-t-shirt, even after the Yankees won on a bases loaded walk in the tenth inning.

In recognition of the fact that many fans bought tickets to see Cal Ripken's last game in Baltimore, September 23rd was renamed "Fan Appreciation Day." Many players, including Ripken, graciously manned the front gate, handing out souvenirs of baseball cards and personally greeting fans. As I looked at my cards, I recalled a popular editorial cartoon published in several papers over the past few weeks. It depicted kids trading cards, but instead of featuring their favorite baseball heroes, the cards pictured firefighters, police officers, and emergency workers. These were the men and women whose self-sacrificial acts on September 11th focused attention on the kind of heroic work they normally perform in silence or anonymity. A nation that has witnessed such heroism cannot help but wonder about the fame and adoration we bestow upon men who play a game for disproportionately large sums of money.

Yet there we all were, ready to pay tribute to a man who had played the game for twenty-one years. As Ripken signed items to be auctioned to benefit the NYPD, the sound system played Aaron Copland's "Fanfare for the Common Man." I wondered about that too. Surely Ripken, by virtue of his talent and accomplishments, is an uncommon individual. But then I remembered what Ripken is most famous for: breaking the record for consecutive games played and setting a new mark with an amazing 2,632 games played in a row. Throughout the streak, Ripken maintained he was just doing his job, showing up for work every day, even when hurting. He performs to the best of his ability without the egoism that tarnishes the reputations of other accomplished athletes. At that moment, I think I understood why Mayor Giuliani has been so successful in helping New York City through this difficult time. He, like Ripken and the brave rescue workers, just shows up and does his job, no matter what the personal cost. The mayor, the city and the entire country have been hurt. We have lost much, but we have also gained national pride, a real measure of unity, and a renewed sense of purpose. When leaders first began calling the people to return to their everyday activities, I thought it sounded a bit insensitive. Now, I realize they were issuing a summons to the kind of heroism displayed in abundance on September 11th and in its aftermath by those who carry on.

Cal Ripken, Jr. played his final game on October 6th, 2001 in Baltimore. After the game, he said, "I was happy to be a baseball player and happy to be able to go out there every day."

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

The annual SBA softball tournament featured all the thrills, spectacular plays, and entertainment of big-time major league baseball. Of course, that was just the off-the-field performances, some of which Amicus was fortunate to capture
I organize has compiled a list of speaker ideas, lawyers who have volunteered themselves to speak at American Constitution Society events. The student chapters will be able to access this list to facilitate their events. Additionally, students will have the opportunity to network with other like-minded individuals, maybe getting jobs and clerkships through their Society contacts.

If you are interested in getting involved in William & Mary's American Constitution Society, contact Professors Dwyer or Gerhardt for more information. You may also want to visit the national website at There is a lot of initial planning left to do in terms up setting up the William & Mary chapter. As no student leaders have yet been elected, there is ample opportunity to get involved in the new group. There will be a meeting on Wednesday, October 24th at 1:00 p.m. in Room 120 to begin the drafting of a chapter constitution.

First off, there was no beer at the tournament, as these teetotaling members of the law school preferred lemon-ade and Grape Nehi. These softballers refused to say whether the "cup-on-head" gesture was some obscure batting signal, such as "hit it at Carly, she's not paying attention!" or whether they were rehearsing for a to-be-axed PDP variety show song-and-dance number. Mark Schofield hurries to catch up with the group, grimacing because the fizzy bubbles in Grape Nehi really tickle.

From the Cutting-Room floor- A Variety Show Act that didn't make it.

Carrie Klitzke
Like the cerebral Tony LaRussa, manager of the St. Louis Cardinals (and earner of a J.D.), Carrie treats softball as an academic exercise. She spent all afternoon poring over these books, which the 3L team figured must be compilations of batting statistics versus opposing pitchers and fielders. Strangely enough, she never once advised whether to pull the ball, sac fly, or take a walk. By the time she had it figured out, the 3Ls were playing like the Pirates.

William Lamberth
William expresses his elation, clutching a classmate with verve and passion. We'd like to believe he's celebrating a thrilling RBI by a teammate or a Barry Bonds-like home run. More likely, though, is that this spectacular highlight of teamwork celebrates his success in getting his classmate to be his Fall from Grace date, in case he can't lure one from tourists at Outback, sorority girls at the College Delly, or Walsingham Academy.

Please submit your entries for the Amicus Events Calendar to Katie Riley (3L), Deborah Siegel (3L), or the Amicus hanging file. Entries may include activities sponsored by law school organizations, main campus or community events.