Amicus Curiae (Vol. 2, Issue 2)
Three women attacked

Two graduate students victims of attempted rape; city resident accosted and chased

By HEATHER SUE RAMSEY

Police are investigating the attempted rape of two female graduate students and an assault on a female city resident.

On Friday, September 6, at 4:30 p.m., an unknown assailant attacked a female graduate student in the parking lot adjacent to the Williamsburg-James City County courthouse. The following day, another student was attacked as she approached her apartment off Capital Landing Road at about 8 p.m. On Sunday evening at around 12:30 a.m., a female city resident parked her car on Prince George Street and was chased into a nearby dormitory by a man who emerged from the bushes.

Both student victims gave similar physical descriptions of their attackers: a light-skinned Black male, approximately six feet tall, wearing black shorts and a baseball cap. The third victim described her attacker as a tall, slim Black male.

On Sunday afternoon, September 8, Vice President for Student Affairs W. Samuel Sadler had notices describing the first two incidents posted prominently.

College bails out bankrupt SBA
SBA foregoes future revenues; directory may not appear

By KEVIN KRONER

The big question around Marshall-Wythe lately has been, "Will SBA members be gaining any personal experience in bankruptcy law?" According to representatives from the Student Bar Association meeting last Wednesday, the answer is almost, but not quite.

According to President Richard Brooks, the SBA very nearly ceased to exist financially, due to a $6,000 debt owed to Colonial Williamsburg (CW). As of Tuesday evening, there seemed to be no alternative but to shut down all operations. By 11:00 a.m. on Wednesday, however, Brooks and Ken Smith, Dean of Student Activities, had worked out an agreement which will keep the SBA running.

Details of the agreement are not fully available, but it involves the College paying the remainder of the debt to CW and dispensing with the money the SBA would have received from next semester's student fees. Brooks said that while he is satisfied with the agreement, it does not eliminate the SBA's budget problems.

One consequence of the budget debt will be a change in the business relationships between the SBA and CW. Representatives from CW have said that if the debt is paid in full this month, the foundation will continue to do business with the SBA in the future. However, in the future CW will require a deposit of up to 75% of the cost of any scheduled event.

At Wednesday's meeting, Brooks urged SBA members to come up with creative fund-raising ideas. Because of the agreement reached by Brooks and Smith, all of the usual law school functions, such as Fall from Grace and Barrister's Ball, will be held this year. However, all SBA functions will have to be planned with extra care. Brooks said that every SBA activity will have to operate at a profit this year.

Many questions regarding the budget problems remain unanswered. Both Brooks and SBA treasurer Stephanie Cangin (3L), expect the ongoing audit of SBA finances to answer many of them. Results of the audit are not expected for another week.

On Friday, September 6, Police are investigating the attempted rape of two female graduate students. In both cases, the victim said that she was accosted by a man who appeared to be in a hurry and who disappeared into the bushes.

Both student victims gave similar physical descriptions of their attackers: a light-skinned Black male, approximately six feet tall, wearing black shorts and a baseball cap. The third victim described her attacker as a tall, slim Black male.

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Out of our heads

Is it time to sue?

Most law students would probably agree that the reason the parking situation irritates us so much is that many aspects of it seem unjust. For example, both freshmen and sophomores received literature that made owning a parking sticker seem like a good idea. So they bought stickers by mail, or during orientation, only to discover later that the $50 stickers were virtually worthless.

Likewise, other law students who made the wise decision not to buy stickers have recently been outraged to learn that (1) cars parked on campus without a sticker can be ticketed at any time, not just before 5 p.m., and (2) any student who receives a ticket is automatically required to purchase a sticker.

It seems wrong for Parking Services to try to trick, bamboozle, or coerce law students into shelling out $50 for stickers they don't need. Fortunately, in a society founded upon law, if something seems wrong, it may very well be wrong. Perhaps the law can protect us. Perhaps we should sue. You don’t need a lawyer to sue Parking Services, especially if you're a law student. Just draw up a complaint and file it (see below and in forma paupercis). Like Legal Skills, you don’t have to go hunting for fancy legal theories, either.

Look at the way Parking Services duped first-year students, for example. Is that misrepresentation? Deceptive advertising? Or just out-and-out fraud? And if you're required to buy a sticker because you were parked in a vacant parking lot at 1 a.m., without one, you've got plenty of arguments, too. Like breach of contract, or deprivation of property without due process of law. Or the creation of administrative regulations ultra vires. Just pay careful attention to Federal Rule of Civil Procedure 11 and its Virginia equivalent, § 8.01-271.1, and you should be fine.

So go ahead. Add to the litigation explosion. If you do, we might actually get some attention around here.

From the Editors’ desks...

My mother always told me that the best place to find a helping hand is at the end of your arm. In the wake of the recent attacks on college campuses, students, the Marshall-Wythe community has learned the wisdom of mom’s adage.

To give credit where credit is due, Vice President for Student Affairs Sam Sadler did inform the community of the attacks within 48 of the first occurrence. The question now is what, if anything, the College will do to increase safety for the students at Marshall-Wythe. In the past week, a number of men in the school have been向外者 to offer escort services for students leaving the building at night, and proposals for forming an escort service have been discussed. Of course, the ideal situation would be for the College to have an organized escort program, but that doesn’t seem to be much of a priority for the folks over on the main campus. As things change, law students will need to keep looking out for each other.

The current situation is an awkward one for both sexes. Some women don’t like to admit they’re frightened, and some men worry about inadvertently implying that women can’t take care of themselves. It’s time to put those feelings aside and recognize that anyone asking for, or offering, an escort is not making a value judgment, but rather, trying to avoid another tragedy on this campus.

Letters

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Wilder aide recounts her trip down road to disillusionment

By BRIAN GOLDEN

Laura Dillard, former press secretary to Governor L. Douglas Wilder and a 1987 graduate of the College of William and Mary, visited campus last Wednesday to speak at the College’s “Town and Gown” luncheon. In her first public remarks since returning to private life, she delivered a bitter attack on her former boss exactly twenty-four hours before he announced his candidacy for the presidency of the United States.

Dillard hit the events leading to her meteoric rise in Virginia politics and her eventual unhappy departure from the governor’s office. She was at William and Mary, she explained, neither to offer a “kiss-and-tell” version of her days at the state house, nor to give a “Pollyanna view” of the Wilder administration. She said her intent was to deliver a “respectable but truthful” commentary on her experience with the state’s chief executive.

“He [Wilder] has accepted and encouraged the national spotlight, and everything he does now is judged in a national context,” Dillard said. According to her, this spotlight has led the administration to focus only on matters of interest to the national media. As press secretary, she said, it was clear that the national press corps was “uninterested in rural development,” or in many of the other less

By NATALIE GUTTERMAN

Virginia Attorney General Mary Sue Terry will address the student body of Marshall-Wythe on Monday, September 23 at 4 p.m.

First elected Attorney General in 1985, Terry is the only woman ever to hold an executive position in the Commonwealth of Virginia. She was reelected in 1989, receiving more than one million votes, an unprecedented number for any candidate in Virginia history. Prior to her successful bid for statewide office, Terry served five terms in the House of Delegates.

During Terry’s six years as Attorney General, a variety of highly publicized, politically charged issues have come before the Attorney General’s Office, including the unconstitutionality of the hearing admissions policy of the Virginia Military Institute, the prosecution of Lyndon H. LaRouche, and the First Amendment implications of a case involving a fraternity which violated the civility code of George Mason University. Under Terry’s direction, the Attorney General’s Office has prepared a five-year strategic plan. The plan focuses on the office’s goals of increased public awareness, increased public service, and increased fiscal responsibility. The plan is expected to be released by the end of the year.

Terry is expected to run for Governor in 1993 and is already being considered a viable candidate by some observers as a likely Democratic prospect for the national ticket in 1998.

Terry, who holds a bachelor’s degree from Westminster College at the University of Richmond, received both her Master’s Degree and her J.D. from the University of Virginia. She is a former President of the National Association of Attorneys General and the first woman ever to hold that position.

Terry was invited to Marshall-Wythe by the William and Mary Law School’s Speaker’s Forum, a newly formed committee chaired by Dee Cohen (2L). The Forum plans to host at least two speakers a semester. The committee includes faculty advisor Dave Douglas, and students Elizabeth Dopp, Rob Barber, Robert Dickinson, Brian Golden, Patty Erikson, and Richard Brooks.

By JOHN FERNANDO

By now all Marshall-Wythe students and faculty are familiar with the difficulty of obtaining a functional computer in the library, especially prior to a major memo deadline. An essential aspect of each law student’s life is the use of a computer.

Mary is the use of a computer.

Student loan sources to pay for student loan programs. This determination is not based on a budget prepared by the school that must be approved by the Department of Education. Currently the cost of a computer is not included in the student budget at William and Mary. Many students agree that a computer is necessary part of law school.

The library’s computer center houses twenty computers and six printers when fully operational. “There certainly is a need considering that there are only 20 computers for 660 students,” said third-year Richard Brooks, Student Bar Association president. The lack of computers, combined with the new system that charges the student for using the laser printers, has been extremely frustrating to many students. “When the printer jams or has a misfeed you get charged $400 anyway” said Griffith. Griffith also pointed out that the large number of students using the relatively few computers now available contributes to the infrastructural pressure. As a benefit of ownership, Griffith cited the home use of Lexis and Westlaw; both computer research services made available without charge to students who have a computer equipped with a modem.

Brooks has been working with Griffith in convincing the administration that the student budget should be changed to reflect the cost of a computer. Griffith recently drafted a proposal outlining the need for computers and the benefits of adding the cost of a computer to student budget allotments. The proposal was presented to Dean Sullivan last week who “responded in a positive manner,” according to Brooks. Griffith has also contacted LAL representatives who said they would have no problem loaning funds for a computer if the expense is included in the approved budget.

Before any budget change can be adopted, it must be approved by Ed Irish, director of student financial aid, on the undergraduate campus. If Irish approves the change, final approval must be obtained from the Department of Education. “Considering that this financial layout is used by another law school, I see no reason that it would be disapproved,” Griffith said. Dean Sullivan is expected to present the proposal to Irish in the near future.

By NATALIE GUTTERMAN

E. Milton Farley III, a partner at the Richmond firm of Hunton & Williams, recently stepped down from the editorial board of the American Bar Association’s Trial Ad to focus on the new practice of litigation consulting.

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He was a very good trial lawyer,” said Powell. "He was respected by lawyers around the state, including by his adversaries."}

Born in Hampton, Farley attended Benedictine High School in Richmond and Mount St. Mary’s College in Emmitsburg, Md.

He served the U.S. Army for two years after World War II and earned his law degree from the University of Notre Dame in Indiana.

Farley was active with the American Bar Association and was a past president of the Bar Association of the City of Richmond. He served on the boards of directors of Notre Dame Law School and Benedictine High School in Richmond.

Memorial contributions may be sent to St. Bridge’s Church, 6006 Three Chop Road, Richmond.
Recent assaults raise concerns about campus safety

SBA discusses unlit parking lots, broken emergency phones, and sexual assault hearings

By KEVIN KRONER

The attempted rapes of 2 graduate students last week have raised concerns in the Marshall-Wythe community that students are working to address. The SBA received an update on the areas of concern from the Safety and Security Committee at Wednesday's meeting.

Committee chair Kate Atkins reported that many first-year students have approached her with concerns about safety at the law school at night. Questions regarding escort services, safety programs, and free whistles have all been raised in the wake of last week's assaults. Atkins told the SBA that security awareness programs are being planned for the near future.

Two areas of concern are lighting problems and the need for an escort service. Atkins noted that not all of the lights in the front drive were functioning one night last week. She said that she had notified Vice President for Student Affairs Sam Sadler about the need for lights in the grassy parking lot on South Henry Street.

According to Atkins, Sadler said that he would consider lighting the lot. However, in the Docket information sheet distributed by the law school administration last Friday, Campus Police announced that because of the lack of lighting for the grassy lot, students parked there after 5:00 p.m. would be ticketed. At Wednesday's meeting, Atkins also told the SBA that a student had reported that the emergency phone in the paved parking lot south of the school had not been working. When a staff member of the Amicus Curiae checked the phone on Friday afternoon, it was still out of service.

It was not immediately clear how long the phone had been unusable. A switchboard operator for the Campus Police said that she would file a work order with the maintenance department to have the phone repaired.

Several students at the school have expressed a desire for an escort service. Different options were discussed at the Wednesday SBA meeting.

One proposal involved asking male students to sign a pledge to escort Marshall-Wythe women after dark. Those supporting this proposal said that signing the pledge would increase awareness of the need for increased nighttime security.

Other students suggested devising a system using the library's intercom system. Under this proposal, any student in need of an escort could request assistance at the desk, and an announcement would be made over the intercom.

Atkins also informed the SBA that a student had reported that some aspects of the College's new sexual assault policy are not binding at the law school. Specifically, the new policy's requirement of a hearing is not applicable at Marshall-Wythe. Under long-standing College policy, all graduate schools are considered autonomous.

Atkins said that as far as she is aware, Marshall-Wythe does not currently have a policy regarding hearings for persons accused of sexual assault. When asked after the meeting about reasons why the hearing policy would not be applicable to Marshall-Wythe, SBA president Rich Brooks cited the differing natures of the undergraduate and graduate schools.

Brooks said it was his understanding that while the undergraduate school has established a separate body to deal with violations unrelated to the Honor Code, it is within the discretion of each graduate school's Administration to adopt such a policy.

"We really don't have the same kinds of problems that the undergraduate campus does in terms of dorms and fraternity or sorority houses," said Brooks. "I don't think it is a matter of people in the graduate school administrations not being concerned, as much as there just really hasn't been a need for this type of policy because graduate students don't live on campus property."

Atkins also told the SBA that the free whistles normally distributed to first-year women have not arrived yet. In the past, Chi Omega Gamma has been responsible for distributing the whistles. However, this year, Atkins said that there has been no activity by the group as yet.

M-W political clout increases

Law student to sit on traffic ticket appeals board

By KEVIN KRONER

The political representation of the Law School on the main campus is set to increase this year. SBA President Richard Brooks has announced that six Marshall-Wythe students will serve on campus committees where law school representation has previously been lacking.

During Wednesday's SBA meeting, Brooks said that six student appointments will be made. Marshall-Wythe will now have a student to represent the school on the Transportation Advisory Council, the Transportation Appeals Board, the Recreation and Sports Advisory Committee, and the Concerts Committee.

In addition, two law students will serve on the Graduate Housing Advisory Council. Marshall-Wythe students have not been included on any of these councils in the past.

According to Brooks, these new positions are in addition to the law school's representation on the Board of Student Activities (BSA). Brooks said that he was "very happy that the College is recognizing the need for increased law school representation when deciding issues directly affecting us."

Brooks sought representation for the law school on the Transportation Appeals Board after a recently-ticketed law student asked him about the citation appeals process. According to Brooks, this Board actually reviews and decides the outcome of appeals filed by students who protest parking citations issued by the Campus Police. "Considering the problems we're having with the parking situation here, I thought it was especially important that the school be represented on the Board," he said.

Brooks told the SBA that he gave up a position on the Commencement Committee in order to obtain the position on the Transportation Appeals Board. The rest of the new positions represent a recognition by the administration of the need for greater law school representation.

"Vice President (Sam) Sadler has made a new commitment to seek greater input from the law school student body, and I am very happy about that," Brooks told the Amicus on Saturday.

One of Brooks' campaign promises was to gain representation for the law school on issues involving the expenditure of student fees.
Injunction against Kinko’s means headaches, higher cost $510,000 in damages awarded to publishers for copyright violations

By DAVID PFEFFERKORN

As many first year law students thumbed nervously through the opening pages of the Legal Skills packet from Kinko’s, they were met not with sage advice about the practical aspects of lawyering but with 28 pages of responses to standard requests for copyright permission. Those familiar with Kinko’s or other commercial copiers who have joined the burgeoning business of professor publishing knew that something must have prompted this wasteful inclusion.

The additional pages are a direct result of a successful lawsuit filed against Kinko’s Graphic Corporation by a group of eight major publishing houses last Spring. The publishing houses charged Kinko’s with numerous violations of the 1976 Copyright Act. While the ruling itself protects the original authors and publishers of written work, the short-term results here at the law school are major headaches for professors who piece together the commercially created anthologies and higher prices for students who buy them.

Commercial copying for educational institutions is big business, and Kinko’s has worked hard to secure the patronage of many professors at universities across the country. By offering an attractive package of services that appealed to the professors’ wishes, Kinko’s was able to capitalize on the innovative idea of professor publishing. Professors were given the freedom to include exactly the material on which they wished to focus, students paid less-than-textbook prices, and Kinko’s created a profitable division within its business.

However, Kinko’s often cut corners in seeking permission and paying royalties for the use of the material in the packets, denying the authors and publishers the revenue they rightfully deserved.

Since the mid-1980s, Kinko’s had been selling “course packets” to students at many universities. Professors would pick out articles, chapters from books, and other resources that they wished to compile for their students, and Kinko’s would then assemble and bind the packets for purchase by the students. Kinko’s also offered to seek out copyright permission for the documents enclosed in the packets—a responsibility they sometimes ignored.

The publishing houses didn’t have to go far to come up with evidence that Kinko’s was shirking its responsibilities. Armed with course packets produced in New York City for professors at Columbia University and the New School for Social Research, lawyers for the publishing houses noted that many documents in the packets were included without either permission from the publishers nor the standard payment of royalties.

Pointing to anthologies distributed to 230 students that included 110-page selections from books, the lawyers for the publishers claimed a blatant violation of the 1976 Copyright Act. Kinko’s countered by citing the “fair use” provision in the Act, which allows for some limited exceptions for educational purposes.

Judge Constance Motley, however, was unsympathetic to Kinko’s defense. In Basic Books, Inc. v. Kinko’s Graphics Corp., 758 F. Supp. 1522 (S.D.N.Y. 1991), she ruled that the “fair use” provision includes several factors which are weighed when determining whether the use violates the Copyright Act. Among these are the “purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes” and “the effect of the use upon the potential market for or value of the copyrighted work.”

Kinko’s claimed that it offered an invaluable service to education as a whole, that without the production of course packets professors would be forced to resort to ineffective traditional publishing. Judge Motley, however, found their intentions to be much more profit-oriented than altruistic. “The extent of [Kinko’s] insistence that there are educational concerns and not profiteering ones boggles the mind.” Motley said in her lengthy opinion.

Although profiteering does not necessarily preclude the “fair use” defense, Judge Motley noted that Kinko’s widespread use of the various documents unquestionably put a dent in the wallets of publishers and authors. The market effect of the distribution of thousands of copyright-infringing documents was, at least, detrimental.

Professors Marcus and Hardy agree that this decision was a fairly straightforward application of the Copyright Act. Marcus added that the law is necessary to “encourage people to write.” He said he routinely seeks the permission of authors or journals for use of substantial pieces and receives numerous requests for the use of his own work.

While Kinko’s was required to pay $510,000 in damages, the injunction against future infringement has proven a more unwieldy burden. To comply with the ruling, Kinko’s must seek permission from the publishers, a task which they have passed on to the professors.

While Kinko’s is not required to include the documentation of permission in each individual course packet, the copier has chosen to do so. Marcus noted that the message to the commercial copying industry from this decision has not gone unheard. Other commercial copiers have adopted policies similar to those of Kinko’s, and have required professors to submit letters of permission with each and every document.

Professor Devins said the administrative aspect of complying with the commercial copiers’ new policy has created “a living nightmare.” Devins, who essentially creates his own textbook for Constitutional Law classes by anthologizing the works of others, has been forced to seek permission from between 200 and 300 separate sources. Devins said that while many publishers are quite good about responding promptly, others are intolerably slow. This has necessitated a daily flurry of phone calls by his research assistant seeking final releases from the publishers.

The costs of the course packets have gone up as well. While Kinko’s does not charge specifically for the pages of permission, the cost per page for the professor publishing service has increased. Though the packets may still be cheaper than textbooks, the gap has definitely shrunk.

The future of course anthologies, though, is far from bleak. Clearinghouses for those seeking permission are forming, and that should make life easier for those, like Devins, who still wish to create anthologies. Self-designed textbooks may be the wave of the future. At least one publisher now offers a comprehensive computerized list of documents from which the professor can pick and choose those that will appear in the textbook. The technology is certainly available for this type of creation, and it may only be a matter of time before Professor Devins can have an actual textbook that includes just the materials that he has chosen.
An email from Richard Hricik discussing the U.S. economy and the need for action to stabilize it.

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Marshall-Wythe profs help draft Bulgarian constitution

Devins, Fisher, Verkuil fear new democracies restrict speech too much and make too many promises

By RICHARD A. HRICIK

Professors Neal Devins, Lou Fisher and College President Paul Verkuil, as part of an American Bar Association coalition, went to Sofia, Bulgaria, this year to aid the new government in the drafting of their constitution.

Through the ABA's Central and East European Law Initiative, a series of workshops were set up with various Bulgarian officials. President Verkuil visited Bulgaria in March while Professors Devins and Fisher arrived in early June.

In an interview with the Richmond Times-Dispatch, Verkuil said of the experience: "The Constitution came alive and changed me forever." Devins described the experience as "extraordinary," and continued, "I used to only pay attention to domestic issues. I viewed the U.S. as the center of the universe. Now, I no longer skip over international news."

The ABA group met with members of the Bulgarian parliament, their aides, members of the executive branch and other interest groups, including Bulgarian lawyers. Devins and Fisher were very impressed with the seriousness of the Bulgarian's study of western countries.

"They were not only familiar with the U.S. system of government, but were also knowledgeable of both European and Asian governments. The Bulgarians look to the U.S. as the strongest democracy in the world with the greatest freedoms and stability," Fisher said.

Fisher stressed that the delegates were there merely to provide advice and guidance. "We were careful in our words and actions not to offend them. We wanted them to know that we would not try to impose our constitutional values upon them."

Verkuil echoed these sentiments. "No one in his group was there to lecture anyone or tell them what to do," he said.

The delegation offered our constitution as a means of demonstrating the implementation of democratic principles.

"I was surprised at how often a group would propose a given provision and we would explain why it would be problematic and then later learn that our suggestions were adopted. It was gratifying to know I could help people understand what they can accomplish in a democracy," Devins said.

He also noted a sense of urgency among the drafters. "I got the sense that they were so afraid of doing the wrong thing. They believed this drafting had to be perfect. Many times the drafters merely sought assurances that they were headed in the right direction."

The new constitution, which was adopted in July, was not created in a vacuum. Fresh in the minds of the drafters were the painful memories of 45 years of totalitarian rule.

These memories left the Bulgarians with a profound fear of concentrating too much power with any one group. Verkuil noted the parallel to the early years of our constitution. "I got the sense that their arguments about a strong executive were no different from the Federalists and Anti-Federalists debating 200 years ago."

The parliament members were amazed at the independence of our judiciary and executive branches. Many questions directed at the delegation dealt with the separation of powers and the check and balance features of the U.S. Constitution.

President Verkuil also commented, "The notion of independent judges is foreign to Bulgaria. They lack the infrastructure to run the judiciary as an independent branch."

Fisher and Devins said that the Bulgarian government's recent history, which resulted in the deprivation of basic necessities has created serious problems in the new constitution. This has led to the inclusion of a laundry list of affirmative rights the government is obligated to provide.

Under the new constitution the government must provide free education, medical care and a host of other social services. Devins and Fisher agree that these emerging democracies are handicapping themselves at an early stage. Fisher noted that the economy is devastated and there is very little tax revenue to pay for such services. "These are lofty goals that will be almost impossible to meet given the state of the economy."

At the same time the Bulgarians are striving toward democracy, they are desperately clinging to the idea of state-owned property. Under the new constitution, the state will continue to own all property but will allow others to operate businesses, in a manner similar to a franchise. The government will allow citizens to bid on these business operations and award the "franchise" accordingly. There are also rigid restrictions barring foreign ownership of property.

Another major stumbling block in the area of individual rights appears in limitations on free speech. Fisher noted the new constitution contained sedition laws banning criticism of elected officials. He said, "Faithfulness to the country is sacred. They (Bulgarians) were incredulous to learn flag burning was a protected right of free speech."

Despite these provisions, all three professors agreed with and hoped time would take care of these problems. Dr. Verkuil plans on continuing his work with the Bulgarians, and Fisher and Devins have already worked with the Romanians and plan on possible future work with the Albanians.
Law school attempts to muzzle independent newspaper

Hastings Law News criticizes administration, editors denied bar certification

By STEVE SHEBEST

Two editors of a student-run independent newspaper at the University of California School of Law have filed suit against the school and its administration after being refused admission to their state Bar, resulting in their being denied admittance.

The suit, Ballantine v. Khachadour, seeks multi-million dollar punitive damages. It was filed in California Superior Court by James Ballantine and Christina Dalton on May 16 of this year.

The incidents leading to the lawsuit began in early 1990 when the Hastings Law News published an article, an editorial, and a caricature — over the course of two months — blasting the administration.

The article, printed February 22, recounted several alleged “historic abuses of power” on the part of the Hastings Board of Directors, including the diversion of scholarship funds for the purchase of real estate during the 1970s. The Law News uncovered a copy of the actual minutes of the meeting where the vote for the diversion of funds occurred. The “official” minutes released by the Board revealed nothing about the diversion.

The editorial, printed March 6, called for the resignation of Hastings’ general counsel Angele Khachadour. Reached at home, James Ballantine cited several reasons for the resignation request, including Khachadour’s ties to the 1970s Board, her “agonistic relationship with the administration surrounding the law school,” and her work against a student body proposal which would have placed a student on the Board of Directors. According to Ballantine, Khachadour’s effort to block the proposal involved the hiring of a private professional lobbyist to counter the lobbying efforts of both the student body and the Law News in the state legislature.

Repeated attempts by the Amicus to reach Khachadour for comment were unsuccessful.

Ballantine also took issue with the expenditures of the office of the general counsel. “It’s obviously excessive for the general counsel of a school with 1300 students to be required to hire an additional full-time attorney as well as shell out half a million dollars for outside research,” he said.

The caricature, picturing Khachadour beside Cruella De Vil, villainess of Walt Disney’s “101 Dalmatians” was entitled “Separated at birth!” and appeared as part of the April fool’s edition of the paper in 1990.

Ballantine said that just seven days after the editorial ran, he and Dalton were approached by the president of the student body who, at Khachadour’s direction, ordered them to submit to an audit of the paper’s finances. Ballantine and Dalton refused, citing the fact that the Law News was financed entirely by advertising and received no money from the law school. The editors also noted that there was no recent history of the school requiring an audit of other student organizations. Ballantine said that he and Dalton felt the Law News had been singled out by the administration.

According to Ballantine, the administration responded to the objection by requesting an audit of all student organizations receiving funding from the school. “However,” Ballantine said, “this request was issued on the last day of classes and met with little or no compliance on the part of student organizations.”

Continuing in their refusal to turn over the newspaper’s accounting books, the editors then received individual letters threatening disciplinary action by the school. The two graduating editors were also warned that the college’s Dean, Franklin “Tom” Read, would not certify their moral character to the state bar, a requirement for admission in California, as well as many other states, including Virginia.

Ballantine and Dalton went on to pass the bar exam, but found that the Dean had indeed failed to certify their moral fitness to the state bar association. The dean regularly submits both an acknowledgement of graduation and a short form on character to the bar.

Ballantine said that normally, the dean would check “no” for all of the questions, which inquire about his knowledge of any impropriety on the part of the student in areas such as academics, finances, or breaches of trust. For two questions on Ballantine and Dalton’s forms — the first involving the student being “knowingly delinquent on a financial obligation” and the second regarding “a breach of trust” on the student’s part — Dean Read created a third box labelled “don’t know” and marked it. As a result of this action, both Ballantine and Dalton were refused admittance to the bar until an independent investigation could be completed.

In addition, the school locked the doors of the Law News offices in the beginning of August 1990, forcing the paper to publish “underground” for the month. The school removed the lock at the end of the month, following a threat of legal action by the attorney for the Law News.

Ballantine and Dalton, citing fears of being audited by a biased administration, continued to deny the school officials access to the Law News records. Anxious to show the absence of any impropriety, they asked the independent accounting firm of BDO Seidman to conduct an audit of the 1989-90 finances.

The firm uncovered no mismanagement in its audit, which was carried out on a pro bono basis and would otherwise have cost the school approximately $10,000. The finances audited, according to U News, totalled only $18,000. However, the Dean has refused to notify the state bar of the independent audit, insisting that the Law News failed to comply with school regulations.

The two students were finally admitted to the California bar, after an investigation by the bar morality committee which certified their fitness to practice. Earlier this year, Ballantine and Dalton were honored by the Society of Professional Journalists for “their efforts in keeping the ideals of the free press alive.”

Khachadour, in remarks made previously to the American Lawyer Media publication, The Recorder, called the award to Ballantine and Dalton “a very, very sad joke.”

This August, the ABA named the Hastings Law News the top law school newspaper in the nation among law schools with more than 750 students. (The AmicusCuriae received the same award in the category for law schools with fewer than 750 students.)

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Crossfire

Equality can be achieved with incentives, not quotas

Peter Dutton

The words "affirmative action" have become a powdery fog of emotion and political rhetoric over the past two decades. Unfortunately this unleashed passion has obscured not only the real issues, but real opportunities for solutions as well. During his nomination hearings before the Senate Judiciary Committee this week, however, Judge Clarence Thomas cut through the emotion and rhetoric and placed the problem squarely before us so we might all confront its naked ugliness. "The problem," he said, "is that although the American constitution is colorblind, American society is not."

Our society has fought the equality battle with itself for over one hundred and thirty years. Yet today we still have a huge minority underclass. Statistics are simply not required to drive home this point. From Williamsburg you need only make the two and a half hour drive to the center of our nation's capitol to see that the policies of the past have largely failed. Take a drive up Route 13 on the Eastern shore, if you still remain a skeptic. You will see beautiful farms with neatly manicured white houses surrounded by fertile fields. In between these farms you will see unspeakable poverty where families, mostly minority, live close to squalor. Although Judge Thomas is living proof that the old policies of affirmative action have won some battles for equality, a drive through -take your choice - the city or the countryside makes it plain that we have not yet come even close to winning the war.

So what is our problem? I do not pretend to have all of the answers. I do not even presume to know all of the questions. But I do know that despite our glaring failures this nation has prospered most where it has most closely adhered to its fundamental values: equality of opportunity, incentive, and individual action.

One clear example of this is the success the American military has had over the last few decades in equalizing opportunities for an individual's advancement to his highest potential regardless of race. The military offers equality and enforces it to the fullest extent of the law. Advance ment is limited only by individual drive. The result is that today the highest ranking military officer in the nation is an African-American.

No quasi-constitutional racial norming of test scores or hiring quotas were required to achieve this type of success in the military, and none are required to achieve it in the private sector. If we are to continue to advance toward our social goal of true equality of opportunity - and we must or we are a nation without a soul - then our political focus must be to structure strong incentives for individuals to act directly toward this aim. However, in keeping with the truths enshrined in our Constitution, these incentives ought not to be aimed specifically at racial minorities, but at all people of any race who are disenfranchised for any reason. As Justice Harlan said nearly a century ago in his ringing dissent in Plessy v. Ferguson, "Our constitution is color-blind, and neither knows nor tolerates classes among citizens."

To this end of bringing about a more just society, Congress could, for instance, use its broad powers to create incentives for social change through tax law. This avenue has been used with some success in the past to encourage employers to offer employee health plans, to promote the use of life insurance policies, and perhaps most successfully to encourage private home ownership. An attractive proposal in this area might be to offer a full business deduction for all costs associated with the first year of employment of anyone hired off the welfare roles. With some imagination this could even include such costs as on site daycare for single parents. Another tax idea with potential: parents could be encouraged to look after their children's education by allowing a tax deduction for their children only as long as they continue to be enrolled in school. These are win-win solutions. More individuals are employed and educated, and the government spends fewer tax dollars on welfare and teenage crime. More employment means more tax revenues to offset the increased education costs.

Jack Kemp, at the Department of Housing and Urban Development has come up with another plan to turn what were once expensive federal housing projects into opportunities for low income people to acquire property of their own. Access to such economic opportunities as these increases the choices available to that whole class of people who under previous policies were doomed to unending reliance on government handouts.

This is not some return to laissez-faire capitalism. This approach presumes an involved government elected by a people which chooses to look, at rather than away from, our nation's political problems. In a country where society actively involved in fostering social change -change that comes about through incentives that reward the cooperative and punish the belligerent.

Equality of opportunity. Economic incentives. Individual action. If society wants a chance they will try to enfranchise those who have been left out. American society may not yet, like its constitution, be color blind. But our traditional values have proven themselves reliable in solving problems over the two centuries since our nation was founded on them and, creatively applied, they will serve us well to solve our problems today.

Affirmative action is an opportunity to prove competence

Belinda Hatzenbuhler

Ideally, America is the land of equal opportunity. Realistically, it's not. Our socio-economic stratification promotes unequal treatment of individuals. Recognizing that we fall far short of our American ideal, affirmative action is a way to get beyond some of the malignant and pervasive inequalities that hamper our society.

Under affirmative action programs, a prospective, qualified, racial minority or female employee can be given preference over an equally qualified, prospective racial majority male employee. The justification for such a program is generally couched in terms of remedying past wrongs. To get beyond the problem of racial or sexual discrimination, we may have to use affirmative action to provide access to positions previously denied to racial minorities and women.

Given America's strong Judeo-Christian roots, affirmative action may also be viewed as an atonement for our country's past sins of racial and sexual discrimination. In this view, those previously privileged may need to make some sacrifices so that in the future such distinctions as a person's race or sex will not need to be used in determining who should be chosen for a job.

Clinging to the color-blind Constitution, one could clearly see that any type of discrimination on the basis of race is wrong, but such a quick dismissal hides the real issue.

"Crossfire" is a regular feature of the Amicus Curiae. It is an open forum for students to present views on controversial issues. Any student interested in writing on an issue for "Crossfire" should drop a note with his/her name, year and topic in the Amicus Curiae hanging file. It is not necessary for a student interested in writing on one side of an issue to find a party to write the opposing view. Although "Crossfire" topics are subject to editorial approval, opinions submitted will not be edited by the Amicus staff. "Crossfire" submissions will not be printed anonymously.
Critics of Bush's foreign policy are digging their own graves

Jarrell Wright

The "leaders" of the Democratic Party, for lack of anything better to do, have accused President Bush of neglecting domestic policy. Notwithstanding the fact that the Democrats have yet to formulate a convincing, credible, or even coherent agenda of their own, they argue that Bush has been spending far too much of his time and attention abroad. If the Democrats are hoping to use this presidential lull to voters in their side in 1992, they would be well advised to use better bait.

Any bright line distinction between foreign and domestic policy must be based upon an antiquated and isolationist perspective of world affairs. In a world as interdependent as ours, what happens abroad inevitably affects what happens at home. No "domestic problem" is without its international component, and no global development fails to touch us within our borders. Any effective resolution of the drug problem must include concerted action in Central America and the Far East. The spawning of democracy and capitalism in the Soviet Union and Eastern Europe presents new opportunities for investment, which could be of enormous benefit to our economy. Unstable or tyrannic regimes in the oil-rich Middle East, if left unchallenged, have the potential to hold our nation hostage. Opportunities for lasting peace in several regions of the globe offer us a chance to restructure our relations with other countries, and to restructure our priorities at home.

Foreign policy is domestic policy. Perhaps one of the reasons why a Democrat has not won a presidential election since 1976 is that the Democratic Party has failed to grasp this concept. A president must be responsive to the central issues that arise during his term. George Bush has presided over an era of unprecedented global change, so it is hardly surprising that he would place most of his emphasis on foreign affairs. What else would we expect him to do? When the Berlin Wall fell, should we have expected Bush to drop everything in pursuit of a national day care policy? During the Soviet coup should he have been chairing a task force on homelessness?

According to the Democrats, Bush views himself as a Super-Secretary of State, manipulating nations like chess pieces on some global checkersboard. But President Bush's apparent fetish for foreign affairs is simply the function of the events which have occurred during his term of office. We would ignore these significant changes to our detriment. A "New World Order" is emerging, whether we like it or not, and the only alternative to direct and active participation is to be left on the sidelines after the dust has settled. Bush is to be commended, not condemned, for his role in shaping these events to ensure that America's interests are safeguarded in the Post-Cold War world.

Those who criticize the president for ignoring domestic policy also fail to recognize that President Bush has been very involved in domestic issues throughout his term. His Crime Bill was domestic policy pure and simple. Bush has worked very closely with Samuel Skinner to develop a far-reaching set of proposals to revise America's transportation policy. Also, in fulfillment of Bush's campaign commitment to education, he and Education Secretary Lamar Alexander have offered a package of reforms to bring much-needed improvement to our nation's schools. All too often, the Democrats accuse Bush for neglecting domestic policy when what they really mean is that they disagree with his agenda.

If they have any better ideas, they have been keeping quiet about them. Maybe they don't have any better ideas. Could that be why so few Democrats of standing have expressed an interest in running for president? Could that be why the last three (soon to be four) Democrats to win their party's nomination have gone down in flames on Election Day? Finally, could that be why the Democrats have grasped onto Bush's foreign policy emphasis as their only campaign issue to date?

Every time the Democratic Party makes this criticism, it drops another handful of dirt on its own grave because this issue plays right into the hands of George Bush. The most recent Democratic foreign policy statement was its opposition to the Persian Gulf War. The last Democrat to have a real foreign policy was Franklin Roosevelt. And when was the last time the Democrats advanced a domestic policy agenda? One that worked, I mean. Unless their party can come up with something a bit more promising, the Democrats might consider whether they should sit things out in 1992. They could use the rest — it won't be long before they'll have to find someone among their withering ranks who could compare favorably to Dan Quayle in 1996.
Ask Miss Demeanor

By MISS DEMEANOR

What a joy it is to return to the Happy Students at Marshall-Wythe! I am terribly sorry to have missed the first issue of this lovely publication, but the heat in Virginia is so oppressive in August, I simply couldn’t bear to end my vacation until the time had come to put away my white shoes for another season. From what I hear, many in the third year class encountered the same problem. I see that in my absence, many pressing matters of law school etiquette have arisen, so let’s turn now to your queries.

Dear Miss Demeanor,

During law camp I was randomly selected to join a particular “law office” and this — along with the heady excitement of being away from college for the first time in a strange new place — caused me to form an extremely tight-knit close circle of friends. Now, after a few weeks of real classes, the first letter which group do I owe allegiance? With an entirely different group of extremely tight-knit comrades. Now, after a few weeks of real classes, the first letter I see in your name is thrown in my absence, many pressing matters of law school etiquette have arisen, so let’s turn now to your queries.

Dear Miss Demeanor:

I’m a first year and want to know to end my vacation until the time had come to put away my white shoes for another season. From what I hear, many in the third year class encountered the same problem. I see that in my absence, many pressing matters of law school etiquette have arisen, so let’s turn now to your queries.

Dear Miss Demeanor:

It is obvious that I should have returned to Marshall-Wythe in time for Law Camp, for I see by your letter that insidious forces have once again been at work within the law school. Unfortunately, you have fallen victim to a form of social engineering which, no matter how benevolently intended, I feel I cannot condone. I refer of course, to the efforts of the Legal Skills staff to create instant peer groups for new students through the “law firm” concept. As I understand it, the people within your “firm” were chosen after a compilation of highly complex statistical data which, when distilled to its essence, resulted in your being grouped in a “firm” with people who are roughly your own age. As in any other social setting, you will soon learn whether or not you truly have anything in common with these people.

I can only hope that you will not follow the example of some your classmates who seem to feel that they owe allegiance only to their own class ranking. Given the swiftness with which some have learned to steal precious and valued study aids, your class shows a remarkable reverence for this deity already.

Additionally, “comrade” is a perfectly lovely word to describe those whom you outwardly appear to like, but cannot truthfully call “friend”. Much as your comrades may try to persuade you, it is doubtful they can ever be your friends if they have the time for anything save preservation of their ranks.

Dear Miss Demeanor:

I’m a first year and want to know why we have three classes on Fridays till 2:30 P.O’D (IL)

Dear Miffed:

In the infinite wisdom of the official scheduling committee, it was decided that they would take this drastic step in response to a perceived problem in last year’s first year class, who had only one class on Fridays. The faculty noted an alarming group of symptoms among these students: bloodshot eyes, hushed tones and an inability to remain awake in Constitutional law. Some poor souls suffered so much they had to forego their single Friday class altogether.

As the faculty noted that there seemed to be no cure for these symptoms, save large amounts of sleep and aspirin, they gallantly implemented a bold prevention plan. The scheduling committee rushed into action and scheduled an additional two classes on Fridays in the fervent hope that this years entering class could be spared.

Unfortunately, even this measure has not saved a hapless few. Their appearance and demeanor on Fridays should serve to remind you and your comrades of the great service the scheduling committee has done for the class of ’94.

Questions concerning law school etiquette may be addressed to Miss Demeanor and left in the Amicus Curiae hanging file. Letters can be anonymous, and will remain that way unless Miss Demeanor figures out who you are.

Top Ten reasons ’91 gradshaven’t left yet

BY GREG BRUMMET

10. Continuing romantic attachment to a current student.
9. Hopes of establishing a romantic attachment to a current student.
8. Hired by Dean Kaplan to provide additional incentive for current students seeking employment.
7. Slept through graduation, hoping to try again next spring.
6. Still haven’t been in every building at the Pottery.
5. Really thought 89 hours would be enough.
4. Getting psyched up for an LL.M.
3. Still haven’t figured out this “think like a lawyer” business.
2. Trying to make parents really crazy.
1. Hoping to be selected as a Client “E” for Legal Skills.

Liability-A-Go-Go!!!!!!

First-year study aid: Mid-term hypo

BY KEVIN WALSH

First-year students are often anxious because they don’t know what to expect when exam time finally rolls around. As a public service the Amicus Curiae is providing the following sample Torts hypothetical question to help students get a start on exam preparation. (To Professors LeBel and Hardy: the Amicus Curiae hereby grants and relinquishes all rights and copyrights in the aforesaid hereinafter question, quod erat demonstrandum you may use it on your examinations, wherefore, hereby, witnesseth, sealed, by our hands, etc., etc...) Law School X is doing renovations around its school and has been forced to temporarily move the official student parking lot a further distance from the school. Students who use the lot—who paid $50 for the privilege—must now walk for three or four minutes to get to the lot. The walk includes a stretch of about one hundred yards along a busy road where no path has been provided.

One day, one of the law students, A, Retentive, is walking from the parking lot to the law school, trying to make it to one of his classes. The professor in this class has made it quite clear that attendance is mandatory. A is walking by the curb because no sidewalk has been provided, when he is hit by a car and thrown into the dirt nearby. The driver later says that he was paying attention, but he just didn’t expect somebody to be walking in the road. Injuries from the accident kill A., thus bringing a temporary halt to the development of an otherwise promising legal career.

Question: What liability, if any, will the school have for A Retentive’s death?
Meet “Felicity,” the $80 doll from old-time Williamsburg

A valuable learning tool or another example of yuppie excess?

By GREG BRUMMETT

Almost 12,000 people visited Williamsburg this summer to attend “Felicity’s Elegant Tea Party,” a series of parties held to introduce the latest doll in the “American Girl Collection” from Pleasant Company. The doll is advertised as being representative of a Williamsburg girl in 1774.

About 6000 girls aged 5-14 attended the series of special events which included a play, a fashion show, and a formal tea. According to a Colonial Williamsburg (CW) spokesman, the 24 sittings of the tea party attracted more visitors than any other event in the history of Williamsburg.

The ticket prices, $50 per child and $30 for each accompanying adult, were in addition to admission to the cost of admission to CW, and the $80+ price of Felicity herself. But the tea parties were just the beginning. Pleasant Company also offers over $700 worth of additional clothing, furniture, and other accoutrements for the 18-inch doll.

This, as well as the availability of matching outfits for doll owners, has led some critics to hold Felicity and the other “American Girl” dolls out as yet another example of yuppie excess. Others, especially in Williamsburg, have criticized the historical accuracy of the Felicity doll and the related story books marketed by Pleasant Company. Felicity joins Samantha, a rich orphan who lives in New York City in 1904, Kirsten, a pioneer girl from the mid-1800s, and Molly, a middle-class girl from the 1940s in the company’s line.

Those who defend the dolls point to the series of books that trace their adventures in various historical settings. Many school libraries find it impossible to keep any of the 18 books on their shelves and young readers often take it upon themselves to invent additional adventures for their dolls.

Parents and educators find this interest in reading, history, and imaginary play a welcome change from MTV and video games. The 18 stories deal with many of the formative events in a young girl’s life, such as birthdays and holidays, while celebrating the child’s identity as a girl rather than as a young woman rushing toward adulthood. Some parents have said they appreciate the fact that the dolls are girls rather than deformed women (Barbie), mutant babies (Cabbage Patch Kids), or violent reptiles (Teenage Mutant Ninja Turtles).

Pleasant Rowland, the founder of Pleasant Company, rejects much of the criticism about the price of the dolls as unfounded. When compared with $100+ Nintendo units, $40 game cartridges, or a $400+ Barbie palace, the $80 dolls seem much more reasonable. The “American Girl” dolls also nurture young girls’ creativity and their sense of history, benefits that most other toys do not provide.

Whatever their opinion about the wisdom of those who purchase the dolls, critics cannot deny Pleasant Company’s status as a toy-world success. Founded in January 1985, the Wisconsin based company has grown rapidly with 1986 sales of $1.8 million rising to just under $50 million for 1990. The most recent mailing of the company’s catalog went to over 16 million addresses and the tea in Williamsburg was attended by girls from every state except North Dakota.

Future offerings from Pleasant Company may include a black doll in the period of the Civil War, a native American, an Asian American doll, and perhaps even some historic American boy dolls.

Whatever the future may hold, Pleasant company has achieved success in three highly competitive markets — toys, publishing, and clothing — by offering an integrated product with historical and educational foundations.

Collect them all! This week: Robber-barons of Marshall-Wythe!

More clip ‘n’ save Marshall-Wythe trading cards
Bushrod competition begins Friday

The preliminary rounds of the 1991 Bushrod T. Washington Moot Court Tournament will open Friday, with 94 students from the second year class slated to compete. Although all rounds are open to the public, spectators are usually most interested in attending the quarter-final, semi-final and final arguments.

Quarter-final arguments in the tournament will be held on Saturday, September 28, from 9:30 to 10:45 a.m. Locations for the arguments will be posted on the argument boards in the lobby. Semi-final arguments will be held immediately afterwards, in Rooms 124 and 127.

The final round of the tournament will be argued in the Moot Court Room from 1:00 to 2:30 on Sunday, September 29. Judging the final round will be Virginia Supreme Court Justices Barbara M. Keenan, United States District Court Judge T.S. Ellis and the Honorable Richard S. Bray of the Virginia Court of Appeals.

Save those rejection letters!

As the recruiting season enters high gear, Dean Kaplan wishes to remind students to save their entries for the annual Platinum Plunger Awards. With the job market tighter than ever, this year should provide stiff competition for the many students who covet this prestigious award.

Last year's winners included Stephanie Rever (3L), who received multiple rejection letters from not one but three firms within the course of a single week last October; Annette Elseth (91), who was invited by the U.S. Department of Veterans Affairs to apply for either a Clerk-Typist or a File Clerk position; and Sonya Spielberg (2L), whose application for an unpaid position as a clerk resulted in a rejection from not only the judge she applied to, but every judge in the Federal District Court in Norfolk.

Those vying for the Plunger will be asked to submit their entries in late March or early April of next semester. In the meantime, students should keep their eyes open for possible contenders for this distinguished award.

Eat with the Prez

College President Paul Verkuil will host a series of luncheons for small groups of students at the President's House this semester. The luncheons are designed to give students an opportunity to meet with him as a part of their regular schedules.

Verkuil is especially interested in lunching with those students who will not have an opportunity to meet with him as a part of their regular schedules.

Vendorama

Several students have complained recently about poor servicing of the vending machines in the student lounge. A new company, CRH, purchased Ogden Allied Services over the summer, and has taken over servicing of the machines.

Scheduling problems, which have been blamed for frequent problems with the dollar bill changer, are now under control, according to the company. Students who encounter problems with the machine are encouraged to call CRH at its toll-free number in Norfolk 1-800-359-1352. The number is displayed at the top of all of the machines in the lounge.

You don't need a date...

Most of the details for this year's annual Fall From Grace are set, according to Tammy Moss (2L) SBA social person. November 2 is the date slated for the semidormal dance/first fest to be staged the Student Center Grand Ballroom from 8:30PM to 1AM featuring a live as yet unnamed band and an open bar.

Moss stresses that the event is open to both disgruntled singles and happy loving couples: "You don't need a date," she states emphatically. Of course, Tammy won't be there alone.

Tickets for the Fall From Grace will be priced at $20 if purchased in advance and $25 at the door, for couples. For singles the cost will be $10 in advance and $13 at the door.

As a side note, Moss is considering selling T-shirts commemorating the event. Any interested artist-types should contact her if willing to draw up a design. Moss also requests that persons contact interested in joining the Social Committee contact her via hanging file.

- Gregg Schwandt

ΦΑΔ crab fest

The Phi Alpha Delta Legal Fraternity will be sponsoring its Second Annual Crab Fest on September 28, 1991. Last year the event, featured "all you can eat" crabs and plenty of beer and soft drinks. Advance tickets will be required and can be purchased for $8.00. A sales table will be set up soon in the law school lobby. For those who wish to join Phi Alpha Delta (P.A.D.), the entrance price to the crab fest will be waived.

Students who want more information about P.A.D. or the crab fest should contact Will Stylos (3L) or Sandy Rizzo (3L).

Faculty committee seeks student opinion

Students are encouraged to submit comments about faculty members under review for promotion and/or tenure. The Faculty Status Committee is interested in student input regarding three candidates.

Associate Professor Jayne Barnard is eligible for promotion to full professor. Associate Professor Neal Devins is up for tenure, and Assistant Professor Susan Grover is a candidate for associate professor.

The deadline for written statements pertaining to these faculty members is October 15. Please submit all comments to Professor Koch.

Computer Consultant Lab Hours

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* Carré1 is located outside the computer lab. Additional hours will be scheduled as necessary if you need something contact Todd Pilot (1L), Greg Brummen (3L), or Morgan Smith (2L).
Cinema review: Dead Again exemplifies Branagh's genius

By G. MATTHEW WARREN

Kenneth Branagh's new film, "Dead Again," begins with a whisper. The viewer is witness to the whisper, aware of its import even, but the content remains stubbornly out of earshot. The curiosity which the import even, but the content remains stubbornly out of earshot. The curiosity which results is the stuff that suspense is made of.

Someone once asked Alfred Hitchcock what made great suspense. He pointed not to actual plot but instead to the tension between what an audience knows and what its characters must discover for themselves.

Take, for example, a man and a woman sharing dinner in a quiet restaurant. For argument's sake, imagine that they are arguing. The woman points out the pros (clean windows, presumably) while the man counters each pro with a con (streaking, presumably). A reasonable audience could react only with boredom. Put a time-bomb under that table, however, and we got a story. Watch as the audience gapes as each time the man's leg brushes against the time mechanism of the bomb, grows impatiently with every word regarding the economic benefits to the ammonia industry. From out of nowhere comes the tension without becoming tedious or subverting his characters to the mechanics of the suspense.

Of the particular gifts of Branagh, as demonstrated in "Dead Again," is his ability to place time-bombs under all the tables in his restaurant without the film self-destructing. He does so by walking a taut and dangerous line between dead-seriousness and self-parody. The unheard whisper which starts the film is just one of many instances in which Branagh creates genuine suspense and then good-naturedly mocks the audience for its interest and curiosity an hour and a half later when the secret is revealed.

Suspense has both internal and external workings. Branagh and his crew have found a knack for turning that machinery inside out, ad infinitum. In the end we find ourselves alternately gripping the armrest and laughing at ourselves for being so involved. Even more admirably, he enables his characters to rise above the mechanics of his plot, no mean accomplishment in a story that twists and turns as often as this one does. The result is an often breathtaking ride which shows its working and straining only at the end when the audience is forced to make a choice between paroody and an honest resolution.

As scripted by screenwriter Scott Frank, the story vacillates between Los Angeles of the 1940s and its present day counterparts. In the 1940s, a serious woman (Emma Thompson), mute and with no discernible memory, shows up at the local abbey. The charitable Mike Church (Branagh), a hard-boiled detective along the lines of Philip Marlowe, is enlisted to investigate the origins and presumably horrifying past of Grace (Emma Thompson), a mute amnesiac. It is through the hypnosis of Grace that we are transported back in time to the darker hues of a Los Angeles filmed in black and white. Here we learn the fate of Roman and Margaret Strauss, who, ominously enough for the audience, are played by Branagh and Thompson respectively. As we have learned from previous introductions the pair are executed for the murder of her wife, Margaret. Since the present-day relationship of Grace and Church soon turns romantic, the crucial question for both the characters and the audience ultimately becomes whether fate is strong enough to transcend reincarnation. Here is the time-bomb under the table.

If the whole concept seems ridiculously implausible to you, well, it is. Branagh's genius stems from his ability to shape that implausibility into an effective tool. The implausibility is just part of his game. Branagh does such a fine job of rounding out his characters in aggressive broad strokes and sucking the viewer in through clever and subtle manipulations of suspense, that when he pulls away occasionally to parody his own genre, the implausibility becomes part of the joke, and indeed the breathtaking aspect of the film.

As director, Branagh constantly ups the ante. He takes chances. At every turn in the plot, there is a melodramatic pounding of piano chords. The camera spins around the room during a hypnosis scene. He switches back and forth in time not subtly, but audaciously, boldly using black and white for the scenes from the past.

In almost every instance, the director comes up a winner. With one daring wave of the hand, Branagh has proven that "Henry V" was no fluke. Even if the film breaks down in the end, as it arguably does, it almost redeems itself with its own grand ambitions. If nothing else, "Dead Again" is nearly a masterpiece of directorial bravado.

Don't get me wrong; the director has plenty of support. Thompson, in her dual roles as Grace and Margaret Strauss, does incredibly well for the little she's given. Derek Jacobi, as the quirky hypnotist, admirably squeezes his juicy role for all its worth, and Andy Garcia shows up along the way as a frazzled reporter in a performance which comes close to outshining Bruce Willis' work in "The Bonfire of the Vanities." Even Robin Williams, who these days seem to be becoming almost too serious an actor, demonstrates that he has retained his comic form in an underrated performance as a down and out psychiatrist. And let's not forget Branagh's contribution in his role as actor. His American accent might struggle, but at least he never loses his sense of humor about it.

By KEVIN WALSH

About five years ago, the Smithereens burst out of the New York club scene with Especially For You, one of the perfect pop albums of the 1980s. The group boasted strong songwriting, tight harmonies and muscular playing, as if the Who had been asked to play a set of great unreleased Beatles songs. Pat DiNizio wrote effective songs (like "Strangers When We Meet" and "Blood and Roses"), songs about the psychosis of heartbreak that avoided the regular clichés. Blow Up, the Smithereens' fourth album, finds the Smithereens stuck in a rut. There are bright spots, but overall it is a bland slice of bubble-gum heavy metal with a shout-along chorus. DiNizio has a way with a hook and the song is catchy and inventive, but it's buried under slabs of noise. What does the Secret of My Success have to do with the darker hues of the Smithereens' "Dead Again"? The answer is simple. The Smithereens' "Dead Again" is nearly a masterpiece of directorial bravado.

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Smithereens' Blow Up: Bland bubble gum

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Book review

The Firm: Harvard law student turns secret agent

By KEVIN WALSH

The Firm by John Grisham

Doubleday, 1991
$19.95 / Hardback

At the law firm where I worked this summer, there was only one other clerk. Finding that we had similar interests and attitudes toward work, we became close friends and confided in each other regarding what was going on at the firm. I soon discovered, however, that she was completely paranoid about saying anything negative about the firm in our offices.

She was afraid that they were bugged. She was sure we were being watched. It turns out that she had read The Firm the week or so before coming to work. The week after I finished work, I read it too and now I understand her fears.

The Firm is about a law student named Mitchell McDeere. He’s third in his class at Harvard, married to a beautiful woman, and all the top firms are knocking down his door offering him jobs. He’s also got an unjustly imprisoned brother (who looks exactly like him) and, oh yeah, a dog salivating yet?), McDeere takes it.

The first 100 pages of The Firm document McDeere’s first few months at Bendini. He works like a man possessed, breaking all firm records for first-year associates, and the firm keeps a close eye on him. A really close eye. We’re told that an evil man named DeVasher occupies the whole fifth floor of the firm’s offices and monitors every attorney’s every move. All the offices are bugged. Cars and houses are bugged. People follow the attorneys around with video cameras and film them. At one point, DeVasher even watches McDeere and his wife as they have sex.

To summarize the rest of the novel would be time-consuming as it would be pointless. Bendini is, of course, not what it seems and McDeere, after teaming up with the FBI, decides to do something about it.

One of the baffling things about the book is McDeere’s almost instant transformation from hard-working first-year associate to scheming James Bond-wannabe. Yes, he’s supposed to be brilliant and hard-working, but the reader is left wondering where he got all his secret agent training. Maybe it’s the Harvard Law degree.

The Firm is one publisher’s obvious attempt to cash in on the market for suspenseful law stories created by the success of Scott Turow’s recent successes. Beside McDeere and his wife, all the characters are pathetically one-dimensional. These “Stepford Lawyers” stumble through a plot that aspires to labyrinthine complexity, but is just confusing when it isn’t predictable. When they talk, the dialogue is stiff and artificial.

Instead of cleverly extricating his characters from difficult situations, Grisham often resorts to the perfect coincidence; at one point, the one person who can blow McDeere’s cover turns out to have had a bad experience with the police in his younger years and has a problem with authority. So he doesn’t turn him in. Come on, Grisham leaves too many unresolved plot contrivances at the end of the novel and the reader gets the feeling that Grisham just forgot about them in his rush to be the Legal Ian Fleming.

Some have suggested that The Firm might make a great movie, and they were right. The problem is that it will be more like “Die Hard” than “To Kill A Mockingbird,” which should give some clue as to the depth of the novel. I’d be lying if I didn’t say it kept me interested. It is a page-turner, for certain, but it is not a great novel about lawyers.

If Turow’s Presumed Innocent or Burden of Proof were law textbooks, then The Firm would be a “Nutshell.” And perhaps it’s fitting that I end on that strained metaphor.
Video reviews

Two new films about law and lawyers

By MICHAEL REYNOLDS

Blind ambition, friendship and betrayal are the focal points of the recent video release True Colors. The story centers on the lives and careers of two young men who room together their first year in law school at the University of Virginia. John Cusack portrays the very driven Peter Burton who comes from a very modest background of which he is ashamed. Burton’s roommate and soon-to-be best friend is Tim Garrety, played by James Spader. Garrety has had a privileged upbringing and even dates the daughter of Senator Stiles from Connecticut (Richard Widmark). Although the movie is presumably about both men, it really concentrates on Burton, whose desire to get to the top leads him to drop out of law school and work for the Senator. Garrety goes on to graduate and work for the Justice Department while Burton moves up fast on Capitol Hill, using somewhat questionable means and contacts. Eventually the two friends end up on a collision course that begins when Burton, rather than Garrety, marries the Senator’s daughter and ends when Burton runs for Congress with the backing of a shady businessman (Mandy Patinkin).

While True Colors is rather entertaining, it is a bit unrealistic and somewhat pretentious and overblown. The film has some good moments, often due to Cusack’s acting, but it never quite rises to the dramatic (or even thematic) heights at which it aims. The betrayal of the friendship for the sake of getting ahead offers a very negative and sad view of both relationships and the drive to make something of oneself. Nevertheless, for a video rental it’s not a bad choice, and I’d give it three out of five stars.

For those of you who just don’t get enough law at school there is another fairly recent video release that takes a look at the legal system in a big city. In Criminal Justice, Forest Whitaker convincingly stars as an ex-con accused of robbing and slashing of a drug-using prostitute (Rosie Perez) in a crack house. The story basically follows the accused as he winds his way slowly through the overburdened “justice” system in Brooklyn. Jennifer Gray and Anthony LaPaglia portray the prosecutor and legal aid attorney, respectively, who guide the victim and defendant along in their journey through the system.

This movie is largely realistic with fairly good writing, acting, and directing. However, Criminal Justice seems to sacrifice a little too much drama and excitement in the name of realism. It is an interesting and educational movie in many regards, but it offers almost nothing that is new or provocative in terms of the justice system as a whole. The film comes across as neither an indictment of the legal process nor a flattering portrayal. Thankfully, the movie does depart from the all-too-common portrayal of lawyers as either good and righteous heroes or sleazy and clever villains. On the other hand, there is very little character examination or development, and that is somewhat disappointing considering the acting talent involved. Criminal Justice does not try to answer any truly difficult questions, but it might have benefited from at least asking more such questions in the context of the criminal justice system and the characters we are shown. It is a good video rental, nonetheless, and I’d give it three out of five stars.
Campaign statements of candidates for first-year Student Bar Association representative

Gina A. Love

My name is Gina Love (yes—that is my real name). I am a 1988 William and Mary grad who has spent the last two and a half years as an asbestos litigation paralegal for Thompson, Hine & Flory in Cleveland, Ohio. (Well, at least I know what I don’t want to do when I get out of here.) I came to William and Mary again not because of the extensive night life but because I loved the area and have always been impressed with the caliber of the law school (and the Green Leafle). I have met quite a few of you and from what I can tell, we have a great first year class and we are going to have a great first year, socially if nothing else. I must admit, I have never run for student government before but don’t let that minor detail stop you from voting for me. Why? Because I think I can do a good job representing out interests to the rest of the school and the administration and I am excited about doing all that I can to make this year as enjoyable as it can be under the circumstances. Here’s to a good year! Thanks.

Steven Meade

What are the requisite qualifications for a successful SBA representative? There are many opinions but one important answer is commitment. To be truly effective as a 1L, there must be a commitment to the goals and needs of the organization. But the commitment must be more substantive than a mere desire to be part of the organization. It involves a willingness to accept the time requirements and perform the necessary work. I have the desire and determination to be a success as a 1L representative to the SBA, and I will make the necessary commitment to be a productive and effective representative of the class of 1994.

Many of us have the experience of serving as members of student government at the undergraduate level. Almost all have some knowledge of the requirements and common expectations of student governments. My personal experiences during two years of working with self-government groups has convinced me that commitment and attention to detail are the key ingredients of an accomplished student government representative.

As a recent graduate of the University of Virginia I have the experience of working within a large community and with large numbers of people. But I have also had exposure to working with a small community of students and a quite different set of expectations. I am confident of my ability to adapt to the conditions of Marshall-Wythe, the requirements and needs of the SBA, and the conditions inherent in our specialized community.

I ask for your support in the election and offer my commitment to work for the common good of our law school.

Todd Pilot

Soon you will be asked to cast a ballot for your choice of Student Bar Association (SBA) representative. You will probably ask yourself what these people are expected to do before you will be willing to tackle the principle question of who to vote for. I will attempt to discuss qualities essential for doing an effective job as a representative and illustrate why Todd Pilot should be your choice as a first year representative on the Student Bar Association.

The SBA shares responsibility for many important tasks. Most notably, the SBA allocates funds to other law school organizations, elects honor council members, members serve on the admissions council and social, professional and educational forums are arranged by SBA members. After evaluating the responsibilities, you will probably agree that the skills needed to best serve responsibilities of the SBA is a commitment to the goals and needs of the SBA, and that provide a healthy release. As an SBA representative, I would like to ensure that there are activities which suit the diverse needs of our student body. I am enthusiastic about making the next three years as rewarding and pleasurable as possible, and I welcome the opportunity to discuss any suggestions or ideas with each of you.

Please vote on Tuesday, September 17th!

Laura Livaccari

Laura Livaccari, Boston College, ’90, Marshall-Wythe, ’94(?!?). Contrary to the horrors depicted in “One-L,” law school seems to be a place where it is possible to focus on more than just Torts or Civil Procedure. In an environment which breeds stress, it’s important to be involved in activities and organizations that provide a healthy release. As an SBA representative, I would like to ensure that there are activities which suit the diverse needs of our student body. I am enthusiastic about making the next three years as rewarding and pleasurable as possible, and I welcome the opportunity to discuss any suggestions or ideas with each of you.

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Tara Flynn

My name is Tara Flynn. I graduated from Williams College in 1989. I was a litigation paralegal for two years at Cravath, Swaine & Moore in NYC. I decided to come to William & Mary Law because of its strong reputation and because I was really impressed with the friendliness and energy of the students I met during the prospective weekend in April.

I haven’t met everybody in our class yet, but so far I’m really psyched about how great we are and I’m really glad to be here. Although I do not have a lot of experience in student government, I’d like to be a class representative because I “know with substantial certainty” that I’ll do a good job conveying your ideas and concerns to the SBA and I also think that this would be a great way to get to know the first year class.
Flashy Students Frolic at Fall From Grace

Photos by Greg Brammett

Casper (NOT a law school band) kept the crowd on its feet as hapless boogiers sloshed their cocktails onto the dance floor.

In a desperate attempt to find a girlfriend, Andrew Herzig gave several women balloons. Suzanne FitzGerald was unimpressed.

Recently married John Edwards caught in a public display of affection with his stunning wife Sheila. Classmates were amazed.

In a scene reminiscent of undergrad frat parties, a gang of first-years heckled the bartender for stronger drinks. For some party-goers, half and half mixes were simply too weak.
Ansel Adams exhibit at Muscarelle continues through Sunday

The Muscarelle Museum of Art exhibition Ansel Adams: The American Wilderness will close Sunday, September 22. The exhibition, organized by the University of Arizona’s Center for Creative Photography, includes some of Adams’ best known works, along with some rarely seen photographs.

During his lifetime, Adams was devoted to preservation of the environment. He believed that people seek their “spiritual and emotional existence” in nature, and through his photography and writings displayed an unswerving devotion to preservation of America’s wilderness areas. He is particularly noted for his photos of the American West, which have achieved a status as cultural icons.

While the exhibition continues, a 60-minute video Ansel Adams: Photographer, is available for viewing upon request. In the film, Adams demonstrates the techniques that have made his work legendary, and discusses his life and achievements.

In conjunction with the Adams exhibit, the Museum has also organized the exhibition American Indian Pottery, which will also close Sunday. Featured in the exhibition are earthenware works created by members of several Southwestern Native American tribes. Complementing the display are works of contemporary pottery from local Native American tribes which demonstrate both the revival of prehistoric methods and current trends in pottery making.

The exhibition, organized by the Center for Creative Photography and the Trustees of the Ansel Adams Publishing Rights Trust, will be on view through Sunday, September 22, 1991. Admission is free.

“Winter Sunrise, Sierra Nevada, from Lone Pine, California, ca. 1962.”

Courtesy of the Center for Creative Photography and the Trustees of the Ansel Adams Publishing Rights Trust. All Rights Reserved.
By MYCHAL SCHULZ

The other day I saw a clip of Lou Duva, Evander Holyfield’s manager, at a press conference promoting the upcoming Holyfield-Mike Tyson fight. I was shocked to hear him say, “This is more important than life or death.” I thought that the integrity of sports, and boxing in particular, couldn’t sink any lower. I guess I was wrong.

Boxing has been suffering from a series of setbacks over the past several years which leaves me filled with disgust. Who can forget the Tyson-Spinks knockdown brawl, over in seventeen seconds? Or the Sugar Ray Leonard cocaine admission after his latest (never say “last”) comeback failed? Or the controversy over who was going to train the Olympic boxers for Seoul? Even some of the great boxing moments have been dampened by events outside the ring.

George Foreman’s inspirational comeback was marred by his lawsuit against Holyfield and company for breaking an agreement for a Foreman-Holyfield rematch. Even Buster Douglas’ knockdown of Tyson was spoiled by the antics of, who else, Don King. And now we’re told that a fight between two men, one of whom has been indicted for sexual assault, is more important than life or death? Please. There are those who say that men like Mike Tyson are heroes to young men in the inner city trying to “get out” and make something of themselves. I worry about our society if a person like Tyson is anybody’s hero.

I don’t know if anybody has noticed, but some of the best, most explosive, most exciting college football this fall, will be played over at William and Mary’s football field. The Tribe features a team similar to the Air-Coryell Chargers of the early ’80s; i.e., their best defense is trying to outscore the other team. So tear yourself away from NBC (a.k.a. the Notre Dame Broadcasting Corporation) and see Chris Hankel, Robert Green and company in action. Best of all, it’s free.

Go Braves! Few people, me included, can believe the Atlanta Braves are in the midst of a pennant race. I would like to see them win the pennant for one simple reason: wouldn’t it be great to see that Darryl Strawberry, the supposed savior of the Dodgers, the man who would bring another championship to Los Angeles, isn’t that all? In a year of over-priced, free agent flops, he is the probably the most notorious. Strawberry has hit most of his home runs against the Houston Astros. Surprised? Don’t be. Even Jesse Erwin got a tryout once with the Astros, but Charlie Kerfeld told Astro management there wasn’t room enough in the bullpen for both him and Jesse. Literally. The deal fell through. The floor, that is. Literally.

Contrary to popular belief, Professor Dave Marcus, criminal law guru, was not pointed from Douglas, Rosenberg, etc., Wyche were hoping to see Professor LeBel petitioned the League to put warning labels on tickets sold. The league was leading the AL West. LeBel claims that talent, nothing more, is the cause of Minnesota’s success. Yeah, right. Last year, the Twins were so bad that Professor LeBel petitioned the League to put warning labels on tickets sold. The league refused, claiming that if the Cleveland Indians didn’t put "Poorly Designed" on their tickets, nobody should have to do so. In the meantime, Professor Marcus continues to investigate whether Dean Wil-liamson is the second coming of anything. Seeing the Dean in his running shorts, one has to wonder. Stay tuned.

The ballots from the second and third year classes are now in, and the first-year women were picked to prevail over the first-year men. The ballots neglected to mention what the women would prevail in, but those returning the ballots said that intellectually they didn’t matter. One look at the first-year men was enough to convince most that the women would prevail, whether the contest was academic, domestic, and especially athletic.

How about that U.S. Open? Bratty as he is, Jimmy Connors provided a thrill to everybody in his marvelous run to the semifinals. One need only listen to the moaning and groaning of various professors in this law school about their numerous aches and pains (i.e., Aces, ankle, maybe legitimate; Rosenberg, ankle; Douglas, knee; Butler, baby, probably legitimate; Hardy, shoulder; Molternio, razor burn three years ago, hence the beard), to realize that Connors’ run at the age of 39 was remarkable.

Of course, at the other end of the spectrum, it’s a little depressing to see women too young for me to date advancing to the quarter, semi, and finals. We at Marshall-Wythe were hoping to see Professor Michael Gerhardt display his tennis prowess at the Open, but after some useful pointers from Douglas, Rosenberg, etc., he came up with an injury to prevent his participation. Luckily, he’s teaching health law.

Finally, a big thumbs down to the sports press across the country for their coverage of Bo Jackson’s return to the big leagues. Why does a guy get so much hype when he is only an average baseball player? On top of that, he’s only at 80% of his average self. Average. Bob Deer gets as many home runs, strikes out as much, which is a lot, and doesn’t get the press that Bo gets. Average, guys, average. Peace.

Let the games begin

By R.L. "Somebody give me a helmet" CLAY

Sure, there are other sporting events taking place this fall, but the best entertainment value is certainly taking place at Busch Field on the College of William and Mary: Intramural Softball. Marshall-Wythe has spawned two entries in the “A” Division this year. One of those teams, Marshall’s Marauders, is the defending champion (enough said). The other, Abuse of Discretion, is a young group that holds great promise.

Marshall’s Marauders opened their season this past week with a hard-fought win, edging their opponent by a single run. All accounts of this game characterize it as "a true team win.” Congratulations!

Abuse of Discretion’s opener was against a team that went undefeated in last year’s regular season. Showing off a bit of their offensive prowess, Abuse won convincingly, 15-8, with home runs provided by Scott Lesmes, Eric Chasse, Greg Richards, and Jim Entas.

In an interesting experiment conducted during Abuse of Discretion’s game, the College attempted to install an air conditioning unit to heighten fan enjoyment of the proceedings (Total Attendance -18, 10 fans rooting for the good guys, 8 for...them). Unfortunately, while the unit did provide great gusts of air flow, it was a bit inconsistent. Thanks to Pat Connolly Heating & Air

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MYCHAL SCHULZ

**BOXING’S INTEGRITY FALLING AND TRIBE FOOTBALL LOOKING UP**

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THE AMICUS CURiae
Monday, September 16, 1991

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ATTACKS, from page 1

throughout the law school. The notices gave physical descriptions of the attacker or attackers. One female student said she was pleased the notices went up quickly, but was surprised the College administration had them posted. She said the college usually is not so forthcoming with information of this sort.

Sadler refuted this statement in an interview with the Amicus, saying that the notices "are always circulated whenever an assault like this is done on college property." Some students nevertheless voiced concern after the Pia Hui, in its Friday, September 13 edition, reported that a third incident had occurred on Sunday, September 8 involving a woman being chased on Prince George Street by a man fitting the same general description as the assailant involved in the earlier attacks. In that case the woman, though not a William and Mary student, escaped her pursuer by running into a nearby dorm.

No notices informing the college community of this attack were posted.

Sadler said that when assaults are committed off campus, he uses his discretion in determining whether notices are warranted. Because the first two assault victims were graduate students, he felt the notices should be posted. Sadler said such notices are usually distributed within twelve hours of the reported assault, even if it occurs in the middle of the night.

According to Sadler, the notices serve two purposes: to alert students to the danger and to control rumors. Apparently rumors were not completely avoided as the Office of Student Affairs has received several telephone calls concerning the incidents. On Friday, Sadler sent a memo to the Advocate, the Amicus Curiae, and WCWM asking the news organizations to clarify that while the students were sexually assaulted, the attacks were defined as attempted rape, not rape.

Sadler said he had daily communications with the Williamsburg Chief of Police and, as of September 13, knew of no suspects apprehended in either case.

Sadler said he intended to notify Dean Connie Galloway if and when a suspect is apprehended.

While both victims were graduate students, the assaults did occur on College property. John Coleman of the campus police said, "for the most part this has been a City [police] investigation."

Coleman indicated that campus police have been assisting in the investigation by checking addresses, verifying information and doing similar work. Coleman asked that students be reminded that the College does have a sexual assault hotline. The number of the hotline is 229-7358.

While some female students have changed their behavior due to the incidents, others have not. "I'm always cautious," said Lisa Nicholson (2L). She added that she was never lulled into a false sense of security by the small size of Williamsburg.

Jody Anderson (2L) said that she always tries to look aware of her surroundings, and walk as if she has a purpose and knows where she is going. Regarding the assaults she said, "it bothers me, but there is not much I can do about it."

A student said the attacks have not changed her behavior at all. She purchased a can of Lightning Bolt mace for about $23 and keeps it with her at all times.

Belinda Hatzenbuhler (2L) said that the attack had changed her behavior. She is more reluctant to come to the law school at night and now tries to get her workshop done in the daytime. She commented, "I have no great fear, but I want to put myself at less risk."

Several male students commented on women's safety. Rich Erick (2L) said, "we all should take on a greater responsibility to be sure women get to their cars or wherever they're going safely."

He added that men should be more aware of the problem and offer to walk women to their cars. Bret Johnson (2L) added, "I'm always willing to walk my female friends to their cars."

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glamorous concerns of Virginians, and that such a situation led the administration to shun its priorities.

Dillard also attacked the frequency of the governor's absence from the state, and his lack of involvement in important policy determinations while laying the groundwork for his presidential bid. "The cabinet's responsibility is not to lead," she asserted. "That responsibility is the governor's and this governor has not met it."

The former press secretary, nicknamed "Mad Dog Dillard" because of her vehemence defenses of Wilder at the state house, had sharp words for the manner in which others curry favor with the governor. While she continued to refer to Wilder as "extremely personable," she said手机版 her boss was thoroughly unimpressed with the governor's talents and intense loyalty of Dillard. Dillard kept the governor's office more accessible, giving the press secretary for then lieutenant governor L. Douglas Wilder at the age of 23. Within two years, both she and her boss received important promotions. He became governor and she advanced to a $65,000-per-year job at his press secretary.

But by July of this year, the former student of religion called it quits and announced her concern for the position many political junkies would spend a lifetime coveting.

Dillard grew up in affluent Chesterfield County near Richmond. As a teenager, she recalled being thoroughly unfurrowed with state senator Doug's Wilder, an ambitious "media hound."

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Dillard's relationship with the Williamsburg Chief of Police and, as of September 13, knew of no suspects apprehended in either case.

Sadler said he intended to notify Dean Connie Galloway if and when a suspect is apprehended.

While both victims were graduate students, the assaults did occur on College property. John Coleman of the campus police said, "for the most part this has been a City [police] investigation."

Coleman indicated that campus police have been assisting in the investigation by checking addresses, verifying information and doing similar work. Coleman asked that students be reminded that the College does have a sexual assault hotline. The number of the hotline is 229-7358.

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Dillard felt she "needed a break from religion" and sought a college internship with the state government in Richmond. While most prospective interns had studied political science or economics, her background seemed a curious, even ironic, choice for the political realm. Not knowing where she would best fit, coordinators of the program placed her with an officeholder who also rarely "fit in," maverick lieutenant governor, Doug Wilder.

Though not an initial Wilder fan, Dillard said she quickly became a devoted sniffer. She came to admire the personable Wilder for his excellent political instincts, sense of humor, and obvious concern for people. Once her internship concluded, Wilder had also come to appreciate the talents and intense loyalty of Dillard. He offered her a job as his press secretary.

After writing the lieutenant governor speeches and handling his press relations for a year, Dillard returned to less worldly pursuits and began degree work at Yale Divinity School. Within a year, she was again summoned to Richmond to serve as press secretary for Wilder's gubernatorial campaign.

"In Doug Wilder, for the first time, there was a chance that all the people of Virginia would have a real voice in state government and decision-making.... [T]here was great reason for hope," she told the William and Mary audience.

After Wilder narrowly defeated Republican J. Marshall Coleman in the general election, Dillard recalled with pride the decision by Virginians to "place the past full-square behind them" by electing the nation's first black governor.

Dillard prided Wilder for doing more for minorities and women than any governor in Virginia history, and also noted the success of his anti-drug policies.

She credited him with making the governor's office more accessible, citing the open-house he holds once a month in different parts of the state. Anyone who wishes to speak with the governor may attend one of these events.

But the priorities of the administration eventually led Dillard to the conclusion that she no longer had a role to play in the executive branch. Last Thursday she put the responsibility for correcting what she sees as misdirection in the State's government squarely on Wilder's shoulders. "Most important," she said, "the governor must recreate an atmosphere in which senior staff and cabinet can offer honest opinions. The choice lies with Doug Wilder alone."