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Amicus Curiae

MARSHALL-WYTHE SCHOOL OF LAW
America's First Law School



VOLUME VII, ISSUE TEN

MONDAY, MARCH 3, 1997

SIXTEEN PAGES

W&M Journals Fall Behind Schedule

By Sutton Snook

"After several many [sic] long months we sent issue 2 to the printer today!", exclaimed a memo dated February 2, from Editor-in-Chief of the *Law Review* Sara Gottovi, and Managing Editor Cristin Zeisler. With only two and a half months left in the academic year, only one of the four journals has published an issue. The *Law Review* published one issue in December and *Environmental Law and Policy Review* publishes this week. Although it is common practice for law journals across the country to publish mainly in the Spring semester, most of the journals at M-W have fallen behind. Only the *Journal of Women and the Law* remains on schedule, publishing its only issue of the year this Spring.

The *Bill of Rights Journal* expects to

publish twice this year, with the first publication to be soon, according to Editor-in-Chief Rod Ingram. "Unfortunately, we fell behind in our Winter issue," said Ingram. "But we are on track for our Summer issue." Ingram added that the board is being especially careful to keep the Summer issue on schedule. He stated that next year the journal will publish three issues, but was not able to do so this year because the Board re-worked the Bill of Rights Symposium.

Ingram commended his Managing Editors Pete Ismay and Beth Benko for their work in making sure the work was evenly distributed to the *Journal* staff. Unfortunately, because of computer problems, the Winter issue fell behind schedule. The issue is now waiting on two authors, one who wrote partially in Rus-

sian, and another whose article was very long. "We haven't gone to press yet, but we're almost there," stated Ingram. Ingram added that it was unfortunate that the Board had to shift a lot of the work usually done in the Fall semester to the Spring semester.

The Summer issue, however, recently added an article and the board sent a memo to staff members asking for eight volunteers to do an extra sub-check. The memo, signed by Benko, promised volunteers that they would be excused from the team-read process at the end of the semester and that their work would be considered should they consider running for a board position. The memo added that "the author's acceptance of our offer cannot be described as timely, but for various reasons we will be including the

article in our next [Summer] issue."

Editor of the *Law Review* Gottovi commented that the *Law Review* is only "somewhat" behind schedule, even though the *Law Review* has published only one issue this academic year. Gottovi stated that the second issue has gone to press and will arrive in two weeks, after Spring Break. The first issue was published in the middle of December. Last year, the first issue was published on November 29. The second issue last year was published on March 11. Gottovi added that while the *Law Review* is behind schedule now, the new timetable will place the review back on schedule by the last issue, which will be published in June. "We have a great incentive to finish on time because this year's board can't leave until

See JOURNALS on 4

National Trial Team Holds Finals; Goes National

By Danielle Berry

Competitions have dominated the month of February for the members of the National Trial Team, both new and old. The two week selection process for the 1997-1998 Trial Team ended on Tuesday, February 18, when Windley Hofler and Kevin Muhlendorf squared off in Courtroom 21 for the tournament finals. Judge Thomas Hoover presided over the championship round, ultimately naming Hofler as the victor. This year's tournament problem placed the privileged son of a local Congressman on trial for the armed robbery of his father's presumptive rival in the next election.

As 2Ls prepared to compete for a place on the bar, many of the Trial Team's 3L members prepared their own cases for regional and national competitions. Mary

Binkowski, Cynthia Cutler, and Dave King travelled to Pittsburgh, Pennsylvania on February 12 to compete in the Allegheny County Moot Court Competition. Binkowski and Cutler argued the case which involved a personal injury action. As a result of their advocacy, their client (played by King) was found zero percent negligent. M-W's team defeated the team from the University of Michigan.

On the national level, Mike Friedman, Steve Grocki, Tim Hughes, and Dave Smith represented the Trial Team at the National Trial Competition in Alexandria, Virginia. Attracting teams from 17 law schools, this competition revolved around a criminal prosecution for conspiracy to obtain a controlled substance. W&M's four representatives divided

See TRIAL TEAM on 6



Windley Hofler and Kevin Muhlendorf with Juvenile Court Judge Thomas Hoover, who judged the National Trial Team Finals.

—staff photo

Former Solicitor General Presents Inside Look at Supreme Court Advocacy

By Paul Walker

On February 20, former Solicitor General Drew S. Days, III, Rankin Professor of Law at Yale Law School, delivered the Spring semester's Masters of Advocacy Lecture at the law school. Days spoke on "The Pleasures and Perils of a Repeat Player: The Solicitor General as Supreme Court Advocate."

The Masters of Advocacy Lecture Series was established last year to honor the long tradition of moot courts held at the

College of William & Mary. The lecture was held the day before the 1997 edition of the William B. Spong Invitational Tournament began.

Days personally argued 17 cases before the Supreme Court during his time as Solicitor General (1993-96) and supervised the government's role in hundreds of others. Some of the more significant cases argued by Days were *Adarand v. Pena* (involving federal set-asides), the congressional term limits case,

and numerous legislative redistricting cases.

As a speaker, Days was softer-spoken than one would expect of someone who made a living facing down the likes of Scalia, Rehnquist, Breyer, and, of course, the ever-feared Justice Thomas. Yet, from the beginning of his speech, Days captivated his audience with numerous anecdotes about his family and work.

In the style of a consummate story-teller, Days presented the

history and background of the position of Solicitor General, including some of the little known facts about the position. For instance, the Solicitor General is the only high level Department of Justice official who is required to be "learned in the law" (finally, answers about the Reagan Justice Department!).

The Solicitor General makes 99 percent of the decisions regarding which cases the government will appeal to the Court. In addition, as the unofficial dean

of the Supreme Court bar, the Solicitor General is also responsible for such tasks as organizing memorials when current or former members of the Court die.

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From the Editor's Desk . . .

The Student Bar Association recently received its funding for the next academic year. This allocation has fallen under intense scrutiny, from both the Student Assembly and the law school community. The Student Assembly expressed its intention to cut off two academically oriented law school organizations at some point in the future. In addition, several members of the current SBA Executive Board have stated that they oppose the allocation of student funds to Beach Week. While both groups have several valid points, they are both wrong in their conclusions.

The Finance Committee recently cut the funding for the SBA, specifying that the Moot Court Bar and the National Trial Team are cut \$2000 and \$1700, respectively. The Committee argued that because the two teams are academically oriented, they should not be funded through the student activity fees, which are generally reserved for wholly extra-curricular activities. What they failed to con-

sider is that most of the law school activities have some relation to the law, making most academic in nature. For example, the Military Law Society studies the relationship between the law and the military, and specializes in the Military Code of Justice. The Environmental Law Society studies environmental issues in the law. Finally, the Virginia Trial Lawyers Association studies Virginia trial practice and holds a tournament every year. These are all academically oriented, and must be funded through the Student Bar Association, as it would be impossible to support them through funds allocated from the administration.

The College has chosen to fund most of the journals through the Publications Council, an arm of the Student Assembly. Because of their nature, it is impossible for the journals to solicit advertisements to publish as part of each volume. Consequently, they are entirely dependent upon the funding given them through the Council. This funding does

come from the student activity fees, but is taken into account when the College allocates a general budget to the law school. If the Finance Committee wishes to remove funding from any academic student activity, then the College must make up the difference through the general budget. It has not been suggested to remove funding from the journals, but it is possible if the Finance Committee logic is taken to its natural conclusion.

Although it is true that the law school receives a larger share of the student activities fees than its students pay, running a law school is more expensive per student than running an undergraduate campus. The law school, in order to maintain its reputation within the legal community, must publish several journals, with each journal publishing several times per year. The law school must have a Moot Court Team

and a National Trial Team, and be represented at the respective tournaments around the country.

It is also important to note that the Finance Committee of the Student Assembly has undertaken to micromanage the law school. This unacceptable attempt must not be allowed to continue. At first, the Committee allocated funds to specific groups, effectively ending the SBA's role in the budget process. The main campus Finance Committee is in no position to understand the budget of the law school, as it simply doesn't know the needs of each organization. While one organization may need extra funds one year to purchase a computer, it certainly would not have a need to maintain that budget the following year. Another organization may need those funds for a specific project or event. The Finance Committee could not know of these spe-

cific needs. The SBA is the only organization capable of allocating the funds in the most judicious manner possible.

After discussing the issue with SBA President Shaun Rose and Treasurer Tim Morrison, the Finance Committee recanted and allowed the SBA discretion in the allocation of funds. The Committee did, however, convey its intent to eliminate the funding from the National Trial Team and the Moot Court Bar in the long run. Their point that these mostly academic organizations should not be funded by student funds is valid, as the teams would be much better off with a stable source of funding from the administration, rather

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THE AMICUS CURIAE

Marshall-Wythe School of Law

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Editorial Policy

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

Letters to the Editor are not intended to reflect the opinion of the newspaper or its staff. All letters to the Editor should be submitted by 5 p.m. on the Wednesday prior to publication. We cannot print a letter without confirmation of the author's name. We may, however, withhold the name on request. Letters over 500 words may be returned to the writer with a request that they be edited for the sake of space.

An Open Letter to the Law School Community From SBA President Frank Sabia

I would like to express my gratitude to all of you for electing me your new SBA President. I hope that I can fulfill the expectations placed upon me as President of the Student Bar Association of the oldest law school in the country. I would also like to congratulate the other new members of the Executive Board. I have met with most of them already, and they all seem willing and anxious to get the SBA off and rolling on a good start toward accomplishing some of the objectives that we had in mind when we ran for office. Our first meeting as a new Board will be Tuesday, March 4, at 6:30 p.m. (room TBA), during which the new Board will be sworn in by Chief Justice Sciortino (3L). As always, SBA meetings are open to everyone and your attendance will be welcome.

Starting Monday, March 3, I will begin accepting the applications of those who are interested in serving on committees for the upcoming year. A complete list of the committees and their functions will be placed on reserve in the library for anyone interested in serving the SBA in some way, but may not be quite sure about what the individual committees do. Committee applications will be available on the SBA office door and will be due on Friday, March 7,

at 9:00 a.m. in Frank Sabia's (2L) hanging file or the SBA hanging file. I will appoint chairs to the committees during Spring Break and hopefully have the committees in place by the end of March.

Also starting Monday, applications for positions on next year's Honor Council will be available on the SBA office door. Applications for the Honor Council will be due Wednesday, March 19, and interviewing for the Chief Justice position will begin on March 20. Interviews for the Associate Justice positions will begin shortly thereafter, in consultation with the new Chief Justice.

I also would like to congratulate all the new members of the editorial boards of the various law reviews and journals, and all the new student leaders elected in the other law school organizations. Liz Jackson has requested that I put together a master calendar (of sorts) of all the various functions of law school organizations for the upcoming year (for example: Dinner Date Auction, Fall From Grace, etc.). I need to give this information to her by March 7, so I would appreciate the leaders of the various organizations giving this information to me by March 5, so that I may compile it and submit it to her. Only a general date, such as the month in which the

event normally occurs, need be given. I appreciate your cooperation in this matter.

After Spring Break, I will be posting office hours during which I will be available to listen to student concerns, complaints, issues, etc. I would appreciate suggestions on convenient times when students, especially 1Ls and 2Ls, would be available to stop by the SBA office. Once again, thank you for electing me, and I promise to serve you well in the upcoming year.

Have a great (and much deserved) Spring Break!

Sincerely,
Frank T. Sabia
SBA President

Editor's Note: Frank Sabia officially assumed the Office of President on March 1, as mandated in the SBA Constitution. The official swearing in ceremony for all newly elected members of the SBA Executive Board will be held on March 4, at 6:30 p.m.

Watch for the SBA Report Card next November, 1997, and March, 1998. Let's see if the new SBA Executive Board lives up to its campaign promises.

Watch for the Report Card on this year's SBA Executive Board, coming out in the next issue of the Amicus, March 31, 1997. Did outgoing President Shaun Rose live up to his campaign promises?

Student Assembly Cuts Funding For Moot Court and National Trial Team

By Sutton Snook

Last week the Student Assembly cut the budgets for the Moot Court Bar and the National Trial Team by thousands of dollars. The Finance Committee of the Assembly felt that the two organizations were academically oriented and thus not well suited for allocation of funds from the Student Activity budget.

"Originally the Finance Committee planned to allocate specific amounts to specific law school organizations," said Shaun Rose (3L), outgoing SBA President. "So Tim [Morrison (3L), SBA Treasurer] and I went and argued to them that by doing so, they destroy a main function of the SBA."

Rose also argued that the SBA is in a better position to understand the needs of law school organizations. The Finance Committee expressed concern that two organizations consumed large portions of the SBA budget, and consequently severed those two organizations and cut their

funding significantly.

Another concern of the Finance Committee was the number of participants of the two teams. They felt it was unfair to spend thousand of dollars on only approximately 65 students. What the Committee did not consider was the number that apply and take part in the competitions to join, the help to the reputation of the school that the teams provide, as well as the fact that neither team can afford to support any more members.

Moot Court was cut by \$2000. "I was shocked and disappointed because Moot Court does a lot for the school," stated incoming Chief Justice Maqui Parkerson (2L). This forces the Moot Court to look elsewhere for funding, such as to the Alumni Association or the law school administration.

The National Trial Team faced a similar cut — \$1700. While Moot Court receives some funding from alternative

See FUNDING CUTS on 15



Awards such as these may be less frequent in the future if both Moot Court and Trial Team budgets undergo the severe cuts proposed by the Student Assembly. —staff photo

Beach Week Funding Inspires First Year Flap

By Danielle Berry

The traditional caravan of M-W students to the sands of Nags Head after the Spring exam period may be in jeopardy as a result of the stance recently taken by first year members of the SBA Executive Board. The objection levied against Beach Week lies in the belief that the event attracts only a minority of upper-classmen, although the student activity funds of everyone help to comprise the fund used to underwrite the activities.

Every year, the SBA allocates between \$500 and \$700 of its budget to subsidize several of the activities during Beach Week. These funds are used to sponsor the time-honored "Beach Week

Olympics," as well as to provide funding for bands and Karaoke during some of the Bar Reviews during the week. Any money the SBA designates for Beach Week is applied to events open to all present on the venture, and are never used to defer the costs (such as housing or food) incurred by any individual or specific group of people.

Funding for Beach Week almost became nonexistent this year as the three first-year members of the Executive Board vocally opposed the proposal. Primarily, the 1L Representatives questioned whether the SBA should fund something which only 3Ls and 2Ls will attend. As a result of the position taken by

the first year representatives, the \$750 allocated for Beach Week this year passed the Executive Board by a narrow margin, with only five members voting in favor of it.

The basis for the first years' complaint lay in their belief that their class' attendance at the event effectively is foreclosed by the *Law Review* write-on competition. No conflict existed until several years ago when the *Law Review* changed the timing of its competition from Spring Break to the week following Spring exams, when it currently is held.

"This is a tradition and it's open to everyone," said incoming SBA President Frank Sabia (2L), "If the first-years are com-

plaining that they can't get involved, they should complain to the *Law Review* because Beach Week has been going on forever and the *Law Review* just changed its policy a few years ago."

When asked about the emerging controversy, outgoing SBA President Shaun Rose (3L) controverted the claim that the SBA should not fund events allegedly open only to certain groups or classes. Noting that Beach Week attendance is not restricted only to 3Ls or 2Ls, for that matter, Rose mentioned that the SBA had paid for a First Year Social during the Fall semester, open only to 1Ls, so that they could become acquainted with their 1L representatives.

Sabia echoed Rose's remarks, describing the timing of the *Law Review* write-on process as "part of being in law school."

Rose does fear, however, that continued opposition to Beach Week such as that voiced this year may place the tradition in jeopardy. Because those who complained this year may again take to the soapbox next year, the risk looms that the funding proposal may be defeated at that time, creating a situation in which the SBA assumes no role in orchestrating the activities for Beach Week.

"Planning events for Beach Week is one of the motivations for going," Rose commented, "If See BEACH WEEK on 8

Meet Master Advocate Drew S. Days, III

By Paul Walker

When one thinks of a lawyer who has argued in front of the Supreme Court seventeen times, one thinks of someone tall, with a strong, loud voice, well-positioned to take the repeated abuse delivered by the most arduous judicial panel in the country.

When I picked Drew S. Days up from the Hospitality House, imagine my surprise at seeing a man somewhat shorter than myself and quite soft-spoken. I soon relearned the old adage about not judging a book by its cover.

Even without the height or booming voice, Days has a captivating presence about him. I quickly learned that he is an excellent storyteller, quick with an anecdote or response to every question — whether on the law or his personal life.

Days spent his early youth in a Florida where the schools were still racially segregated and blacks rode in the back of the bus. Later, his family moved to New York where a neighbor of the family was Victor Rabinowitz, a famous labor lawyer. Days decided early on that he was interested in becoming a lawyer, with the goal of working for the NAACP. During his time in Yale Law School, Days spent a summer in Georgia as part of the "Second Wave" of civil rights workers.

Following graduation and rejection by the NAACP because of "lack of experience," Days ended up at a small labor law firm in Chicago, where he met Martin Luther King, Jr. Days did eventually work for the NAACP as an associate counsel for the Legal Defense Fund in New York. Along the

way he served a stint in Honduras with the Peace Corps.

Days is married and has two daughters, one in her second year at Yale Medical School and the other a junior at NYU.

When asked about the current state of race relations in the United States, Days expressed his view that the Nation has taken two steps forward and a large step back. Between the Carter and Clinton administrations, "We lost a lot of ground in a lot of time," according to Days.

He went on to say, "I am struck by how damaging the 12 years between Carter and Clinton were in terms of advancing relationships between the races." Days attributed this damage to the breakdown in the bipartisan consensus that existed for forty years be-

fore the Reagan administration.

When asked about possible turnover in the current Supreme Court, Days downplayed rumors of Chief Justice Rehnquist's departure, saying "My sense is all the justices like what they're doing." When I asked him about the possibility of there ever being a "Justice Days," he dismissed the suggestion out of hand, but when pressed admitted, "I would find it hard to reject such an invitation."

Days stated that he didn't quite know what to make of Kenneth Starr's sudden resignation [which has subsequently been rescinded], indicating that it would have made much more sense for Starr to go back to private practice, especially given the bidding war for Starr's services when he left the Solicitor General's office.

-Law Watch-

It's a House, Not a Sty

Less than one year after she had purchased an 8-week-old piglet, Lucy Lassi is belying up to the bureaucratic trough to do battle with city officials in her hometown of Babbit, Minnesota. Citing a city ordinance barring certain animals — including swine, sheep, goats, and horses — from the residential district, the city wants to oust the pot-bellied porker (the pig, named Pixie, not Lassi). Pixie's housing arrangement became an issue in January when Lassi applied for, and was denied, a \$3 license for the pig. Wishing only to keep her piglet and not to spark a battle, Lassi commented, "She's so quiet, but her kisses are awful," while Pixie licked her face. Lassi already has accumulated 40 signatures on a petition supporting her quest to keep the pig in its residential blanket. The City Council will discuss the fate of the black-spotted, 35-pound pig during the next few weeks.

Say What?

No matter how brutal those floor hockey games might become, W&M's Intramural Competitors have seen nothing compared to the event Octavio Thomas experienced while playing in soccer. During a game on June 18, 1992, a group of spectators stormed the field and held him down while a player on the opposing team bit off Mr. Thomas' ear. Seeking redress for

this grievous act (and a bit of cash from the deepest pockets), Thomas sued the United States Soccer Federation which had organized the event. A New York Appellate Court recently ruled that Mr. Thomas could not sue the Federation, finding that the organization holding the event was not a proximate cause of the injury.

Honey, why is this knife in a sealed bag?

The Third District Court of Appeal in Sacramento, California ruled that the loss of trial exhibits does not mandate the reversal of a trial court's conviction. Instead, the appellant must attempt to have the exhibits reconstructed before the appellate court can determine whether the appellant has suffered prejudicial error.

Such an unusual ruling arose after a trial court convicted Steven Ray Coley of assault with a deadly weapon and sentenced him to 25 years to life after finding that this would be his third felony conviction under California's "Three Strikes" law. After the trial, the knife found to have been used in the assault and the documentary evidence of Coley's prior convictions disappeared from the court's exhibit room.

Absent the knife and records, Coley argued that there was no longer evidence sufficient to support his conviction. The appel-

late court defined the issue on appeal as whether the evidence could be sufficiently reproduced so as to determine that there was no prejudicial error at trial. Noting that any record on appeal is, at best, an approximation of the events before the trial court, the Court of Appeal determined that the parties must provide the best approximation of the original trial materials as possible. Since Coley had not attempted to reconstruct the evidence, the court found that he could not argue for reversal based on their absence. This sounds like a case for Professors Lederer or Moliterno.

Never underestimate the power of Altoids

Kimball Physics of Wilton, New Hampshire, enacted a strict anti-smoking policy in 1994 which forbids not only lighting up at work, but also subjects each employee and visitor to a sniff test of his breath and clothing before he may enter the building. The honor of investigating the pheromonal outputs of putative entrants to the complex falls upon the firm's receptionist, Jennifer Walsh. If, after a rigorous sniff test, Ms. Walsh determines that the individual emits an odor so strong that is likely he or she smoked within the last two hours or so, that individual may not enter the building. Let's hope, for her sake, that all the local eateries offer breath mints with every meal.

Advice from the Master

LECTURE from 1

As part of the pleasures of repeat advocacy before the highest court in the land, Days discussed the Solicitor General's role in the orderly development of the law. This role occurs not only from the position of repeat advocate, but also because of the numerous *amici* briefs filed on the government's behalf.

According to Days, the Court often looks to the Solicitor General for a middle ground between the often extreme positions taken by the parties. One example he used was the "knock and announce" case when the Court's decision tracked the government's *amici* brief focussing on the "reasonableness" requirements of the Fourth Amendment.

From a strategic standpoint, Days considers the Solicitor General's office to be uniquely placed to advance the goals of government because of the ability to gauge the temperament of the Court on a day-to-day basis by tracking the cross-currents between hundreds of

cases.

On the downside, Days stated that the Solicitor General and his staff must be much more careful than the one-time advocate to avoid misstatements of law and fact. This is because, as a repeat player, the Solicitor General's reputation is always on the line. Days also discussed the problems encountered when presidential administrations change and the stress that change places on the need for consistency and logic in the Solicitor General's presentation to the Court.

Days also discussed techniques for preparing for oral argument. During his time as Solicitor General, they ranged from formal and informal moot court arguments (often videotaped for later review) to watching Tom Cruise in *A Few Good Men*.

When all was said and done, however, Days felt the pleasures far outweighed the perils, stating, "The Solicitor General's job is the best one any lawyer can ever have."

**Attention 3Ls:
69 Days Till
Graduation!**

Publish or Perish: Journals Behind Schedule

JOURNALS from 1

all five issues are published," stated Gottovi.

Gottovi blamed falling behind on the third issue on one author who added substantial amounts to his article. The third issue will be published in April. The fourth issue will be published in May.

Many second-year law students on *Law Review* complained that they have been asked to an extra sub-check this semester. Gottovi responded that no second-year has been asked to any extra work for this volume, but added that next year's board has asked the second year students to do an extra sub-check. Next year's Editor-in-Chief Darren McCarty confirmed that this is true, but defended his action by saying that this is nothing unusual. Last year, the second-years were asked to do one sub-check in the Spring. He said he understood why students were angry, as Gottovi had told new members that they would only be required to perform five sub-checks. He felt this was slightly misleading because five sub-checks are needed for each volume.

McCarty stated that work on the first

issue of the next volume must begin now in order to stay on schedule. He added that this sub-check was a surprise to the Board and so they told the staff as soon as possible. "It is impossible to do five issues in a year without starting now," commented McCarty.

The *Environmental Law and Policy Review* has also fallen behind schedule. According to Managing Editor Dan Summerlin, the original schedule called for three issues, one in the Fall, one in the Winter, and one in the Spring. While the new schedule maintains the number of issues, the schedule has been pushed back to one issue for publication in the Winter, one in Spring, and one in the Summer. Summerlin commented that the first issue returned from the printer last Thursday, and will be published this week. He added that the second issue will go to press this week. Summerlin expressed optimism that the review will be back on schedule soon. Summerlin commented that the journal added an additional issue last year, so naturally it is still in the experimental stage of timing for three issues. The journal recently chose its new



Editor of the *Law Review* Sara Gottovi says review is "somewhat" behind.

board and is currently in transition.

The only journal on schedule is the *Journal of Women and the Law*. Because the journal is new, it is scheduled to publish only one issue this year. According to Editor-in-Chief Katherine Chen, the journal remains on schedule and will publish later this Spring. She added that



Law Review Managing Editor Cristin Zeisler says "Funland sucks!"

the journal is currently selecting the new board for next year.

With three of the four journals behind schedule, M-W is lacking in legal publications this year. All three journals currently behind expect to be back on schedule soon, but at the moment, M-W has only one issue of one journal published.

Urbonya and Ward to join William & Mary Law Staff

Kathryn R. Urbonya and Cynthia V. Ward will join the faculty of William and Mary School of Law as Professors of Law, effective July 1, 1997.

Urbonya, whose areas of expertise include civil rights, constitutional law, and criminal procedure, currently is a professor at Georgia State University College of Law. After graduating from the University of North Dakota Law School, where she served as Special Projects Editor of the *Law Review* and graduated with honors, she completed two judicial clerkships, one with a justice on the North Dakota Supreme Court and another with a federal district court judge in Atlanta. Urbonya has authored more than a dozen scholarly articles and has delivered talks throughout the country on excessive force by law enforcement officials.

A scholar in feminist jurisprudence, Ward is a faculty member at Arizona State University College of Law. She graduated from Yale Law School, where she served as Articles Editor of the *Law Review*. She has published articles in the *Chicago*, *Columbia*, and *Northwestern* law reviews. Prior to beginning her teaching career, Ward worked for eight years as a journalist and editor.

New National Trial Team Board Announced

Congratulations to the 1997-1998 National Trial Team Board. Windley Hofler is the incoming Chief Counsel; Wendy Warren was selected as Finance Counsel, Aisha Sykes will be Selection Counsel; James Vann is Problem Counsel, and Danielle Berry is Administrative Counsel.

And the Winners Are . . .

Frank Sabia was elected as 1997-1998 SBA President. The other positions are as follows: Quinton Roberts, Vice-President; Judy Snead, Treasurer; Krista Newkirk, Secretary; Jimmy Robinson, Student Assembly Rep; Nicole Gayle and Angel Lyon, 3L Reps; and Ian Iverson and Ellen McBarnette, 2L Reps. The Honor Code referendum was approved with 76 percent of the SBA voting for the referendum. The SBA constitutional amendments also passed.

William and Mary Environmental Law and Policy Review Editorial Board

The *William and Mary Environmental Law and Policy Review* is proud to announce its new Editorial Board for the 1997-1998 academic year. The new board is as follows: Christopher Wiemken, Editor-in-Chief; Kimberly Welsh, Managing Editor; Kimberly

Levine, Student Note Editor; Harrison Blankmeyer, Research Editor; Lisa Bray, Daniel Cody, Jeannette Meacham, Priscilla Muhlenkamp, and Anne Nelson, Articles Editors. Congratulations to all.

New Honor Code Passes on All Campuses

The proposed honor code passed by a large majority on all campuses. The law school passed it overwhelmingly with 84.4 percent voting in favor. Four hundred and three people voted. The undergraduate campus passed the code with an 83 percent majority. President Tim Sullivan has said that he will honor the students' wishes and will implement the new code.

Patton Elected Student Assembly President

Travis Patton was elected last Tuesday as the new Student Assembly President with 771 of the more than 2000 votes cast. Patton based his campaign on increasing student awareness of Assembly activities and was the only candidate to post any signs at the law school. The undergraduate honor council, however, will hold a runoff for rising juniors as one losing candidate's name was misspelled.

Adrien Wing and Joseph Nxusani Deliver Lecture on Current Developments in South Africa

On Friday, February 28, Adrien Wing and Joseph Nxusani delivered a lecture sponsored by the Black Law Students Association on the current developments in South Africa. Professor Adrien Wing is a professor of law at the University of Iowa and lectures regularly for the African Studies Program. Wing has also served as an advisor to the African National Congress Constitutional Committee and the Palestine National Authority on the adoption of their first constitutions. Professor Nxusani teaches at the University of Fort Hare and joined the African National Congress when it was underground. He also was a member of the Umkhonto we Sizwe, the politico-military wing.

Law School Republicans Elect New President

Congratulations to Jim Scott (2L) for being elected the new president of the law school Republicans. Jim takes over for Mike Coe (3L). The *Amicus* looks forward to seeing the insightful crossfires that Jim so often writes. By the way, Jim, the next issue comes out March 31, so have your article in by March 26!

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Trial Team Finals Interrupted By Legal Skills

By Audra Dial & Anne Mayer

On Tuesday, February 18, 1997, the National Trial Team held the championship round of a two week long process to select new Trial Team members. Windley Hofler (2L) and Kevin Muhlenhof (2L) competed in the final round. After an impressive display of litigation skills, the jury, composed of five third-year National Trial Team members, declared Ms. Hofler the winner.

During the jury deliberations, a Legal Skills Professor interrupted the competition in order to use the McGlothlin Moot

Courtroom for a brief Client E activity, a client interview via video conferencing. The contestants, spectators, and the presiding judge were forced to move out of the Courtroom. Judge Hoover, taken aback by being removed from his courtroom, handled the situation graciously, suggesting to move the competition elsewhere. The remaining events concluded in Room 119 and included the announcement of the winner and an awards ceremony.

The interruption disrupted the judge's comments concerning the contestant's performance

during the trial. Many spectators felt the move diminished the importance of the National Trial Team competition and the accomplishments of the competitors themselves. Ryan Barack, (2L), stated, "While Legal Skills may be important, the lack of respect for the National Trial Team was disturbing."

National Trial Team member, Meghan Muldoon, (3L), noted, "The participants put a lot of time and effort into preparing for the competition. It was upsetting to see the contestants hustled off into Room 119 for what should have been the

highlight of the evening." Tim Hughes, (3L), also a member of the National Trial Team, stated, "This incident undermined the prestige of the tournament."

The Client E activity lasted less than ten minutes, and students participating in the client interview rejoined the National Trial Team finals in time to see the awards ceremony. The ceremony itself lasted only fifteen minutes in Room 119.

Robin Dusek, (2L), noted, "It is important to show members of the judiciary proper respect." Judge Hoover was visiting William and Mary School of Law

from Juvenile Court. Meghan Muldoon, relayed a concern that "it reflects poorly upon our school when distinguished guests are treated in this manner."

Barack, summed up the sentiments of many student spectators when he stated, "Courtroom 21 belongs to the entire school, not just the Legal Skills program." *Editor's Note: The Legal Skills Professor mentioned in this article is Fred Lederer. Due to time constraints involved with publication, neither the writers of this story nor the Editorial Board of the Amicus were able to contact Professor Lederer for comment.*

Hughes and Smith Take Trial Team to Nationals

TRIAL TEAM from 1

themselves into two teams of two (Hughes and Smith; Friedman and Grocki) and entered the first round in which teams were randomly paired against each other.

Advancement at the national tournament was based on head-to-head competition, rather than cumulative scoring, which allowed a team to advance only after defeating their opponent in a given round.

Practitioners judged the rounds, commenting on the par-

ticipants' prosecutorial and defense abilities and strategies.

Smith and Hughes made an impressive showing as they defeated UVA and eleven other teams to advance to the national quarterfinals. Hughes described the tournament as "a phenomenal experience... it was fantastic to experience as close as we can to a real trial."

Although he and Smith lost to Howard University in the round of eight, Hughes believes the progress made by both teams

marks "a good stride for the National Trial Team."

Hughes also noted that, whereas many law schools employ faculty members and professionals to assist their trial teams in preparing for tournaments, M-W's team has the luxury of neither, as students alone prepare themselves and other team members for competition. "If we made it to the Final 8 without [any assistance beyond Trial Team members], I can only imagine what we could do with

faculty help," commented Hughes.

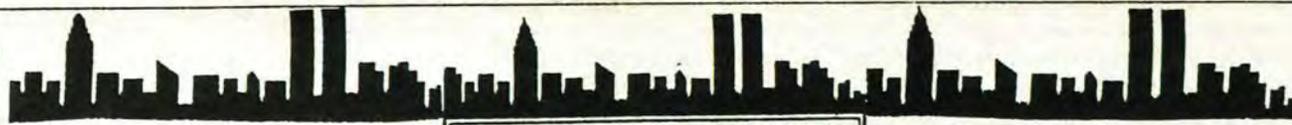
Friedman and Grocki allied to form the other team representing the law school at the national tournament. They faced a Georgetown team which Friedman described as "excellent."

Although the Hoyas had been practicing together for two and a half years and preparing for this competition for several months, Friedman and Grocki forced them to rely on everything they

had as the competition came down to one point.

Among three judges scoring the advocates in eight categories, Georgetown's team defeated Friedman and Grocki, 227-226. Friedman said, "It was disappointing not to go on, but gratifying to know we were as good as almost any team in the tournament."

The Trial Team will compete in one final tournament this year, in Savannah, Georgia, during March.



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Questions Presented

Chris Ambrosio

Anyone who has taken Legal Skills knows that the "Questions Presented" section is often the most important part of a legal memorandum or brief. Indeed, the Supreme Court requires that the questions presented appear at the very beginning of the brief, even before the table of contents (I think). Thus, a party may attempt to subtly influence the Court through the choice of words used in the question presented, even before the Court has read a single word of the party's argument. For example, in the recent VMI case, *United States v. Virginia*, 116 S.Ct. 2264 (1996), the Justice Department might have phrased their question presented as follows: "Whether VMI should be allowed, through perpetuation of the good ole' boy mentality, to exclude very capable and deserving women from participating in the hellish nightmare that is VMI, although God only knows why the women would want to?" VMI might have responded with: "Whether the tyrannical monolith that is the federal government should be allowed to impose its will upon a venerable, gentlemanly institution on behalf of a few uppity chicks?" These are not the actual questions presented, of course, but they're probably closer to the parties' modes of thought than the real questions presented, which undoubtedly contained a bunch of legal terms of art such as "intermediate scrutiny" and "sui generis." (I'm not sure either, but I think it means "pompous formulation of an archaic legal rule." Either that, or it's a form of venereal disease.)

I have prepared a few other examples of questions presented, although they don't necessarily address legal topics and quite often vary from the proper format. Also, many of them are rhetorical. By rhetorical, I don't mean "confusing and wasteful of class time," which is the normal definition in the law school context. I mean instead "thought-provoking and insightful, offering perspective normally provided by an educated philosopher (or anyone who has consumed at least four or five

beers)."

1. If the thermostat was invented in the 1830s, and the current law school building was constructed in 1979, why can't the physical plant department keep the temperature constant from room to room, even plus or minus thirty degrees? How is it possible that one room could feel like the Han Solo carbon freeze chamber, while the adjacent room feels like the core of the Chernobyl nuclear reactor, circa 1986?

2. What are the chances that Parker Stevenson, Mary Louise Parker, Parker Posey, and Jameson Parker will ever appear in a movie together?

3. If God isn't a UVA fan, then why is the sky occasionally dark blue and orange (depending on certain atmospheric and celestial conditions)?

4. Why would someone put a bumper sticker on her car that says "If you can't trust me with a choice, how can you trust me with a child?" when the people to whom it is directed trust her with *neither* a choice nor a child?

5. Don't you think we

could come up with a word other than "pianist" to describe someone who plays the piano?

6. Whatever happened to Robert Van Winkle, a.k.a. Vanilla Ice? Did he go back to his old 'hood? Did he return to "the streets?" Is he rollin' in his five-point-oh, with the rag top down so his hair can blow?

7. If only four out of five dentists surveyed recommend sugarless gum, what does the fifth dentist recommend? Cap'n Crunch? Gobstoppers? Unrefined cane sugar? and

8. Why does old poetry have apostrophes all over the place in words that don't normally have them, e.g. "the wing'd messenger sail'd o'er the shimmering sea"? Is it to be pretentious? Was it caused by the same spirit that later motivated the creators of *Diff'rent Strokes*? What percentage of the cast from that show is currently incarcerated?

9. Is Abe Vagoda alive or dead?

10. How about Mikey, the kid from the Life cereal commercials who supposedly suffered internal injuries while eating Pop Rocks and drinking Coke at the same time?



11. At what age is it acceptable for men to begin crossing their legs one knee over the other, sort of like women do, thereby abandoning the old ankle-over-the-knee method that seems more masculine?

12. What does "breakin' off a lil' som'n-som'n" mean? Does it refer to the process of obtaining a basketball after an opponent's errant shot and then propelling it down the length of the playing surface with great rapidity, culminating in a forceful thrust of the basketball through an iron

the floor?

13. Was the Artist Formerly Known as Prince, who wrote Sinead O'Connor's big hit "Nothing Compares 2 U," put in charge of naming the abortion pill called "RU-486"? Is this somebody's idea of a sick license plate gag, or does the name have actual pharmaceutical significance?

14. Why wasn't the movie *She's the One*, by Edward Burns, entitled *The Brothers McMullen II: Three Hot Chicks, a Few Irish Guys, and a Whole Lotta Smoking*?

15. What's a "foible"? Is it different from a fable?

16. What would possess Texas Christian University basketball coach Billy Tubbs to say, when referring to the difficulty of playing road games at the high-altitude schools in the Western Athletic Conference, that "altitude is never a factor, because [basketball] is played indoors"? If Mr. Tubbs had to play a game on

the Mir Space Station, would he still feel that altitude is not a factor, because basketball is played indoors?

17. Is it just me, or is Agent Scully kinda cute?

18. After a person hits a golf shot, why does someone always say "Oh, that'll play," regardless of whether the ball lands on the green or takes a ninety-degree turn and sails fifty yards deep into the woods?

19. Do you get a Mulligan every nine holes or every eighteen holes? say, when

20. Are they, like, revising the William & Mary Honor Code, or something?

21. When did Demi ("DEM-ee") Moore become Demi ("de-MEE") Moore? Was it when she stopped wearing clothes in her movies? Or was it to correspond with Ralph ("Ralph") Fiennes' decision to become Ralph ("Raef") Fiennes? Is there some clause in actors' contracts that requires them to become unbelievably pretentious the minute they have one hit film?

22. Not to be insensitive or anything, but if Fred Goldman is going to appear on TV every five minutes, can he at least do something about that moustache?

23. Whatever happened to Gary Gygax, the guy who created *Dungeons & Dragons*? Did he get consumed by a Gelatinous Blob? Did a fifth-level Magic User cast a spell on him?

24. Is it true that Greg Brady and Mrs. Brady were gettin' busy on the set of *The Brady Bunch*?

25. Shouldn't the characters on *90210* be delivering their post-doctoral dissertations by now?

26. Why do NASCAR drivers feel compelled to mention all their sponsors in every interview, no matter what question is posed to them? (E.g., "Tell me, Dale, do you think the United States will take a more active role in foreign affairs now that Madeline Albright is the Secretary of State?" "Well, we been real active in tryin' to win here at Talladega, and we got the Goodwrench-AC Delco-Pennzoil-Preparation H-Massengil Disposable Douche-Chevy MonteCarlo Number Three car runnin' real good...")

27. Do you think NASCAR driver Dick Trickle's mother had hoped that her son would call himself Richard?

28. Should I be alarmed by the fact that I can identify, by name, more than two current stock car drivers?

29. Why do people insist on saying "hot enough for ya'?" when the temperature is ninety-seven degrees and the humidity is 110 percent?

30. Was it crack or acid that caused Sherry Stringfield to voluntarily quit her role as Dr. Susan Lewis on *ER*?

25. Shouldn't the characters on

Techonology Corner

Find Free Jellybeans, Vivarin, and Just About Anything Else, All on the World Wide Web

By Alison Rosenstengel

If you're anything like my roommate from Freshman year of college, you like getting mail. When she got her college address, she must have called every 1-800 number advertised on late night television, because within a week of moving in we were receiving videotapes from Soloflex, brochures for Encyclopedia Britannica, samples of laundry detergent, and packets of information for everything from life insurance to the Vienna Boys' Choir Commemorative Gold Coin. She was a freebie-addict, and a non-discriminating one at that.

Perhaps it was a good thing that she only had access to a telephone and that industries hadn't taken to the fledgling World Wide Web at that point. We could have become a veritable fire hazard under all of the advertisements we received, especially after Soloflex passed her address on to Sports Illustrated or Lens Express or some other company which passed her address on to every direct marketing agency on the planet, apparently.

Such is the nature of commercialism in America. Companies just want to get you to try their product to get their foot in the door, their name in your head, their product on your shopping list. Lots of people find this distracting, even annoying, but rest assured that there is a portion of the population out there who live for the test market, who crave the commercial attention, who long to help companies determine the direction their products

should take. Or maybe it's just the free stuff.

Welcome to the world of alt.consumers.free-stuff. (If you don't have access to a machine with a Usenet news server, you can reach the messages through a Usenet archiving service called DejaNews, http://www.dejanews.com.) This discriminating group of consumers gather to advise each other of offers of free stuff available via the World Wide Web, 1-800 numbers, and the archaic SASE (self-addressed-stamped envelope). They further categorize the offers in one of three ways: (1) the pure freebie, meaning that you submit your address, perhaps a survey, via the web or call a toll-free number and you get something of value for free; (2) offers which require some expense, such as a SASE, S&H, or a free gift with purchase; or (3) contests. These are a people who celebrate Christmas every time they pick up their mail.

In my brief venture into the world of free stuff, I saw offers of all sizes (but mostly small) and the usual caveats about scams and giving out personal information. What happened to my roommate is likely to happen to you if you respond to many of these offers: your name will be on every mailing list that exists. I did, however, find a number of neat offers for free stuff that I found useful and entertaining.

One of the most popular offers which had the alt.consumers.free-stuff gang buzzing was the free

jellybeans that Jelly Belly is offering in return for filling out a brief consumer survey in which you pick out your favorite flavors, rate flavors that the company is considering, and suggest flavors you'd like to taste.

They give out only 500 samples per day and they go really quickly, so they've been staggering the times that the offer is available. Keep pointing your browser to http://www.jellybelly.com to get in on the offer.

If you don't think sugar will be enough to keep you awake while you study during finals in April, you might consider sending away now for your free sample of Vivarin (http://mainsail.com/cgi/viv_new_date.pl?dog). All you have to do is send them your address (via a browser which supports forms).

Need antacid? Surgical gloves? A new frisbee with a commercial logo on it? A brochure to tourist sites here in Virginia? Phone cards? Butterbuds? Tea samples? Temporary tattoos? Artificial sweetener? Vitamins? Stickers? Coupons, coupons, coupons? Check out the newsgroup or hit a search engine with the words "free stuff." Members of this widespread consumerist society maintain links to each other's free stuff pages and you could bounce around all afternoon registering for stuff to pack your mailbox. As usual, be careful what personal information you give out, and to whom you give it. Read the FAQ (Frequently Asked Questions) for tips from the "pros" and have fun!

Beach Week Under Fire from First Years

BEACH WEEK from 3 nothing is planned, there's not much reason to go."

Should the funding be eliminated for next year's Beach Week, it is likely that no individual or group will assume responsibility for organizing the parties or other diversions. If, as a result of such a situation, Beach Week ceases to be fun, people likely will choose not to go in the

next year and the tradition eventually will come to an end. "Beach Week is one of the SBA's successes, and that is in danger of being lost," lamented Rose.

Our tradition appears safe for now — but a question remains as to how much longer it may withstand opposition such as that faced this year.

Sabia expressed willingness to discuss the issue of Beach Week funding and

welcomes comments from the law school community. Although he personally supports continuing the practice of the SBA allocating funds to sponsor Beach Week activities, Sabia said, "I would be willing to support a cut in funding if it was the will of the whole law school and not just a few outspoken members of one class."

For this year, pack your sunscreen.

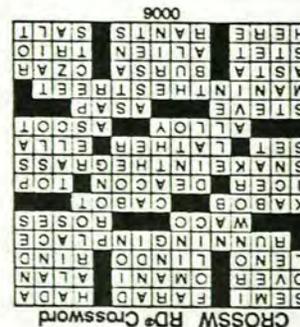
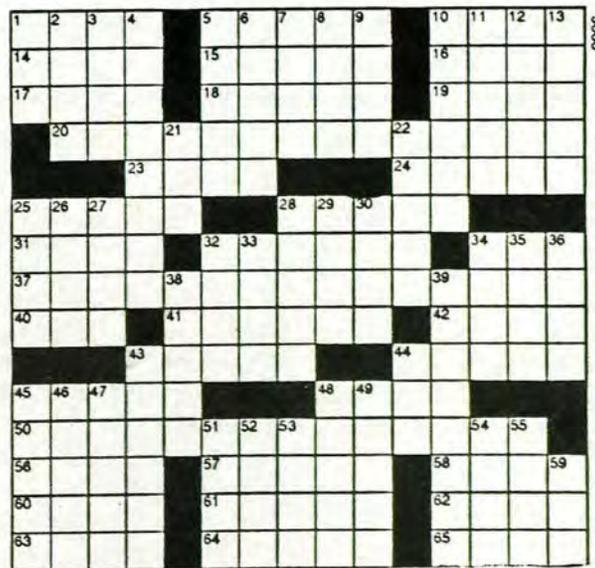
Next Amicus: March 31 Deadline: Wednesday, March 26

CROSSW RD® Crossword

Edited by Stan Chess

Puzzle Created by Richard Silvestri

- ACROSS 1 Hauler on the highway 5 Capacitance unit 10 "I ___ Dream" (1967 hit) 14 Egg order 15 Saudi's neighbor 16 Football Hall of Famer Page 17 Jocular Jay 18 "Cielito ___" 19 Marmalade ingredient 20 Location 23 City on the Brazos 24 Kentucky Derby prize 25 Skewered meat 28 Fifteenth-century explorer 31 Jack Frost's profession? 32 Dick Van Dyke Show actor 34 Outquip 37 Sandspur 40 Prepared 41 State of agitation 42 Salmon tail? 43 Metallic mixture 44 Beau tie? 45 Martin or Miller 48 Quickly, quickly 50 Thoroughfare 56 Sleuthing pooch 57 Sadike cavity 58 Winter Palace resident 60 Proof annotation 61 ___ Nation (1988 film) 62 The Stooges, e.g. 63 Now's partner 64 Gets all worked up 65 Cellar contents? DOWN 1 Helios, to the Romans 2 Green head? 3 Dinner reading 4 Smeltery product 5 Kind of acid 6 Another kind of acid 7 Called up 8 The Egg ___ 9 "Drip Drop" singer 10 Painted woman 11 Smith, perhaps 12 Twist or stomp 13 Vicuna's habitat 21 Haul in 22 Antler point 25 It's sometimes stolen 26 Adolescent affliction 27 Ringo's responsibility 28 Ms. Guisewite or her strip 29 Hanker 30 Warrior of 1899 32 Face on the wall 33 Inner, in combinations 34 Mg₂Si₂O₇·(OH)₂ 35 Akershus Castle site 36 H.S. exam 38 Actress Greene 39 They're often paid 43 Play the ace? 44 Swiss waterway 45 Overhead 46 Sample the sherry 47 Log in 48 Piece of property 49 Secretary of commerce: 1969-72 51 Stowe sight 52 Honolulu bowl game 53 She was Joanie on Happy Days 54 Book before Nehemiah 55 Peacock's pride 59 Rubbish



A Lettington Chronicle

Have you ever noticed how things have a habit of slipping by? Maybe it's senility setting in, but I've managed to miss my last two deadlines for this, my weekly outing in print, while also now being informed that we're half way through the semester. We can't be, I don't know anything yet. Then again, now that I think about it, I didn't know anything at the end of last semester, so I'm actually half a semester ahead of myself. Now that's not bad for about 30 seconds of thought. I bet you never knew law school could be so easy. Of course my doctor tells me that I should expect things to slip by occasionally, black-outs being part of my cultural heritage. So what excuse do the rest of you have?

There have been a couple of other things that have just slipped in around the place, too. The big non-event lately has been the changing of the guard in the SBA. Is it just me or does it seem like too much of a coincidence that Deng Xiaoping slips from the scene at exactly the same moment as the SBA? I'm being paranoid, they're totally different — the world could always see what Deng was up to, while insiders tell me that the SBA often doesn't know what it's doing itself.

For example, take one of their more recent votes — did you know that we, the student body, subsidize a beach trip in May to the tune of \$750? Sounds like fun to me too, as long as I don't have to take my shirt off. You'd thank me if you knew, unfortunately I can only aspire to James Bond's phy-

sique. The only catch is that many of us poor mortals aren't allowed to go, only when we grow up into big people (which is why the SBA does us the favor of not telling us that they're doing it) — although there isn't space for lots of the big people to go either. So I hear you cry, who does go? Since I have the bad habit of being too lazy to actually do research for this column, I couldn't tell you, but I have a funny feeling that quite a few of the people who voted for the subsidy probably do.

Why don't you assert your rights and ask them? I asked (ok, so I did some research) and the answers I received varied from "I voted against it" to "I can see your point, I think I might have abstained." It seems to be a little like Jesse Helms, everybody knows who he is but you'll never meet anybody who voted for him.

I'm not averse to a free party, I don't even need the excuse of a graduation to be honest, but I'm also a sociable creature and like to give everybody else a chance to come along too — particularly when as much of their money goes into it as mine. Of course, if Billsburg were D.C., this would be an official profit making trade mission to promote the use of law students and eighteenth century costume in Nag's Head. Since we're not, it strikes one as a little rich. And I'm not one of the new, membership open to all, societies that was told the SBA could only give it \$50 because it created itself too late.

On a lighter note, did you

know we'd elected a new justice for whatever it is that has justices? (If you know what has justices, answer on a postcard and bring it round to Paul's one night and I'll buy you a Guinness. If you know what the justices actually do, then you're obviously an insider and can buy me a Guinness). Well he wasn't actually elected, he was appointed as somebody that we didn't elect the first time around — democracy in action. If at first you don't succeed, try, try again.

Once again, things seem to have worked out as he looks like the perfect chap for the job, but a one inch square notice doesn't count as notification unless it's the only thing on the board; that's the kind of trick a husband pulls on his wife when the credit card bill comes in and he knows there's an illicit motel room on it (but being a 90s man I know nothing about that, I just heard from a friend).

The proclivity of politicians for appointing one another to things is quite phenomenal, but at the same time it's relatively harmless as it keeps them away from the rest of us. Would you want to hang out with a middle aged guy who called himself Newt? You know you'd have to if he didn't appoint himself to lots of committees to exonerate himself of things. I'm going to go see if Paul is ever plagued by failed politicians, and, if he is, ask him if he wants to sneak off to Fidel's Havana cigar party instead. But don't tell the politicians — they might want to subsidize us. . .

New Law School Organizations Join the Fam this Year

By Dave Riordan

Since there have been a veritable plethora of new law school organizations formed this past year, here is a brief profile of some of them in case you want to get involved.

The Asian Law Students Society was formed this year by Sonya Lee (1L). They have approximately 20 members, half of whom are non-Asian. The purpose of the group is to promote awareness of legal issues affecting the Asian community and of cultural diversity generally, and to facilitate the matriculation of Asian students. Members stress, however, that the group is open to all students and encourage everyone to attend an upcoming meeting to be announced.

ALSA was a welcome addition to the bake sale circuit with their wonton, Korean hand rolls, Indian Samosas and Asian pastries. Please come and do another sale soon! If you would like to join, please contact Sonya Lee by hanging file.

The Law & The Arts Society really stormed onto the scene last semester racking up a whopping 85 members, including faculty sponsor Paul Marcus. The focus of the group is to study developments in art, copyright and entertainment law, as well as enjoying the cultural resources of the area. They planned a dizzying array of events for last semester and are trying to top their record this Spring. There are no dues and new members are always welcome. If you would like to join, contact Victoria Blakeway (2L) by hanging file.

The Intellectual Property Law Society was recently formed by Jerry Gnuschke (2L) to look into patent and trademark law. Jerry is just getting rolling with this group, but has had a significant amount of interest expressed after a recent hanging file drop. He is planning to hold an organizational meeting soon, watch for announcements. The group has Trotter Hardy as its faculty sponsor and will be planning speakers and discussions of developments in intellectual property law.

Law Parents is another of the many successful new clubs on campus. There are many more families in law school with young children than people realize, and the chance to socialize together is a welcome addition to the many opportunities now. Dwight Yoder (2L) is the man primarily responsible for the club's formation as well as the success of the first two outings.

In November, several families got together for a picnic at Kidsburg and had a great time getting to know each other. That was followed up in January with a well attended pot-luck dinner at David Riordan's house. The dinner resulted in the formation of several sub-groups to share baby-sitting duties, thereby allowing couples the luxury of nights away without the cost or worry of traditional baby-sitters. The Law Parents club intends to hold an event every month or so. This month they are planing on an outing to the Discovery Zone in Newport News. Next month, with better weather expected, perhaps another outdoor picnic.

See ORGANIZATIONS on 10

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

This week: The King and His Court . . .



Frank Sabia
President



Quinton Roberts
Vice-President



Krista Newkirk
Secretary



Judy Snead
Treasurer

At Your Service: Amicus Restaurant Review

The Thai Room Delivers

By Ian Siminoff

We were going to Richmond to see some band last Thursday at the Flood Zone. The plan, made about an hour before we left, was to get some Thai food first because it is, and I quote Tim Hughes, "so nice" to eat. Church, the music maven, said the band was good, so I was game. He called the Flood Zone late in the afternoon, and the lady told him that we better get there by seven or else it would be sold out. Church decided, in his typical laid-back style, that she was just bluffing, that she was simply trying to get us to come get tickets for the show. Well, she wasn't bluffing.

We left for the show at 6:40, got down to the Flood Zone at 7:40, after getting pulled over by a cop who didn't give us a ticket because he was a trainee learning how to use radar. As Church pulled up to the Zone, I jumped out to be greeted by a hoard of people milling around the entrance. I finally made it to this big-ass bouncer and said with tremendous confidence "I need two tickets for tonight's show." The guy said, "You can't get tickets."

Well, I didn't know what the hell that meant, so like a shmuck I said "Why's that?" Some dude from behind me provided the answer in a condescending tone, "Because they're sold out, pal." I responded, "Thanks," kind of pissed off and got in the car. Oh yeah, I knew it. I really didn't care because I was starvin' like Marvin'. Man could I eat; we were out all day in the Sunken Gardens and on the Parkway tossing the ball around; you know it was that 80 degree day last week. I built up some appetite, let me tell ya.

Although Church tried to change the topic, I could not get off the food. That didn't help the hunger. Church appeared a little frightened, concerned that if we didn't find the restaurant soon, or somehow we got lost on the way there, he might be a little appetizer. No worries, we pulled up to the **Thai Room**. I started

booking for the front door. I was yelling "Oh yeah, mama mia, Thai food, satay here I come, yahoo."

A minute after I had been seated, Church slowly meandered up to the table. My napkin was on my lap, I was chugging water, and I was ready to rumble. The waiter came up, but he looked kinda doped up and like he hadn't showered in a week (and he had some sore on his lip — it looked like it hurt a bit). I didn't care — "Show me the satay" I yelled at him, pretending to be Jerry Maguire. Show me the satay he did. A large order (\$8.25), 8 pieces of curry marinated grilled chicken skewers were rushed to the table in less than 5 minutes, served with peanut dipping sauce, and homemade cucumber salad.

All I can say is "so nice." They served it up "fresh for me." The chicken was hot, tender, and a little peppery, yum. The peanut sauce was a smooth, creamy, peanut-buttery sauce, with a touch of spice from chilies and a hint of oriental from sesames. I whoofed those things down, skewer and all — well, not really but I did almost bite a finger off by accident. "Man those were good" Church exclaimed. "Especially that cucumber salad. It's got a sweet taste, you know." "Yeah" I said. The cucumbers were marinated in a sweet sauce, served unpeeled, cut into salad-size pieces, alongside the satay.

The main course showed up five minutes later. "Hooah!!" I yelled. It was chicken in red curry (\$8.95) and ginger shrimp (\$10.95). The chicken was served in a sauce of coconut milk, basil, and red chili, a little spicy — served aside a mound of white rice. The sauce was not incredibly thick and rich, but rather smooth, flavorful sauce where you could taste the different wonderful flavors. The ginger shrimp were small, yet succulent, shrimps with the shell still on their tails, simmered in a sauce of fish stock flavored with ginger, and accompanied by caramelized onion and straw mushrooms. Very light

and flavorful.

Well, it always works the same in Thai restaurants; not enough food. I was starving after that meal. Church was pretty full, but I was ready to fire it up for another round. So I ordered another satay chicken. The waiter watched in horror as I devoured the appetizer, using the big soup spoon to scoop the remaining peanut sauce left after I dunked the satay chicken chunks in there. Church looked on in disbelief as the episode unfolded.

All I could think about while eating the satay was that dessert tray I had seen on the way in as I ran by it to get to my table. Oh lordy! "How about dessert guys?" the waiter asked. "Oh you better believe it" I responded. I forced Church to get the chocolate ice cream. It is homemade and made "with the finest of Belgian chocolates" the menu said. I ordered the white chocolate bread pudding, served with a warm caramel sauce. It was good, especially with a little coffee alongside it. After we scarfed it down, I rubbed my belly and said "Oh yeah, that was good." We took off after a detour to the Alleycat for Emmet Swimming, some band; it was pretty funk.

Call them up if you want directions, because I don't know how to get there.



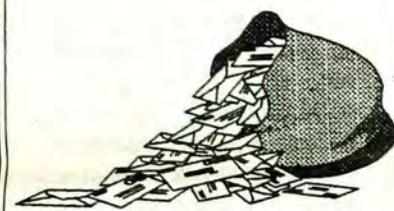
New Student Groups Add to Variety at M-W

ORGANIZATIONS from 9

The Dinner Group was formed last semester by Heather Anderson (2L) and Ian Siminoff (3L). They wanted to provide an alternative to the bar scene for meeting and socializing out side the law school. Students signed up in pairs and are matched with two other pairs for a group of six. This "dinner group" has three dinner parties for each other, each pair taking a turn hosting.

They have had about 75-80 people sign up each semester, with very encouraging feedback from all participants. Professor Felton and Dean Krattenmaker both are participating and more faculty are encouraged to get involved next year. The groups have already been formed this semester, but pencil them in for next semester.

Send Us Letters!



If you have something to say, why not say it in the *Amicus*? Drop letters in the *Amicus* hanging file by Thursday, March 27, at noon.

TRADING CARDS: The King and His Court

Judy Snead Treasurer

Uniquely suited to the position of Treasurer because of her experience working in the business world, don't be fooled by Judy's serious, yet youthful aura. Judy revealed to the *Amicus* that she is neither severe nor young. Rather, Judy confided the secret to her youthful appearance as one involving chasing pigs and not getting married. There may be a deeper connection, but we're not going to touch it.

Krista Newkirk Secretary

Although she ran a low-key campaign for the position of Secretary, Krista promises to take exceptional minutes at every meeting. One of the few people on the planet who has devoted large amounts of time to herding and branding cattle in South Dakota, Krista plans to use her experience in castrating farm animals to ensure high attendance at SBA meetings. Kind of gives a new meaning to cutting the SBA, huh?

Quinton Roberts Vice-President

A former Air Force man who proudly served the first-year class this year in the SBA, Quinton makes an unprecedented move up to the big Number Two for next year. He should begin adjusting to that second in command position as he prepares to wed his fiancée — a woman whom, interestingly enough, few members of the law school community have actually seen. Just remember, Quinton, as in the military, a hierarchy based on seniority exists at M-W.

Frank Sabia President

The King. The Godfather. El Presidente? Frank proved his muster at the polls not once, but twice, only to be defeated by Tickle Me Elmo in a huggability contest at the local IHOP — Frank lost points for singing *Jailhouse Rock* while Elmo giggled. One thing we know for sure, the combination of Frank's Italian heritage and law school experience guarantee that he is the man to make every law student an offer they can't understand.

Music for the Masses

Leave Secret Samadhi and Freak Show on the Shelves

By Dov Szego

There are some times where you hear a band's album, and you just feel *bad* for them. You've actually *heard* them do better. They force rhymes, recycle rhythms and riffs, and you really wish that they'd had the self-respect to just not put the album out. That's pretty much the case with both of this week's albums; Live's *Secret Samadhi* and Silverchair's *Freak Show*.

Live, *Secret Samadhi*

What the hell is a Samadhi?

Bands pretty much have a cycle. They start out, and are not very tight. They put out an album, maybe even a good one, and spend a little time finding themselves. Then they decide they'd like to make some money, so they put out an album designed to make them popular. After doing this, they become "sensitive artists," and put out some pathetic "sensitive artist" album, where they entertain their *fantasies of rock stardom*.

Sometimes, a band skips a stage, sometimes a band never puts out a good album at all, sometimes they fail to get popular, and sometimes a band is lucky enough to skip the first step and

go straight for the popularity jugular (as it were). Live, however, follows the path perfectly. *Mental Jewelry* was a good, hard, interesting album. *Throwing Copper* was clearly watered down in pursuit of an income, and now *Secret Samadhi* sounds like the artsy disk in the sequence.

This album actually *sucks*. I can't find a single lyric that doesn't sound cheesy, one rhyme that isn't forced, a single song-plot (or song title) that doesn't seem to be just obnoxiously contrived, or one rhythm or riff that I haven't heard before. The chord changes and modulations are even predictable.

For example "Graze." It's five and a half minutes long. It opens with breathy lyrics and a slow, steel string chorded riff over a steady bass and drumstick beat. The first stanza's lyrics go: "People should not be afraid, we came to the Earth to graze. No shortcuts to the face, this means you. A child gives you his shoes." Then the volume on the instrumentals picks up. The vocalist (Ed?) actually does that "singing above your range/shrieking thing." Gak. Puke.

Do yourself a favor and skip this one.

Silverchair, *Freak show*

Silverchair is one of the bands that skipped the first step in the sequence. Actually, it's arguable that their first album was the finding themselves one and that it *did* make them popular, but whatever. This is the rock star one.

Silverchair is sort of a cool concept, though. A bunch of 16 year olds from Australia who play in clubs that would never allow them in if they weren't playing. Chances are, like all young "artists" (actors count), they'll burn out, but in the meantime, they're not a bad band. They lack the tight, seasoned feeling of "older" bands, especially those in the area that they try to extend into on *Freak Show*, but as far as going through the motions, they do most of it as well as anyone.

On its second effort, Silverchair seems to betray something of a metal/hardcore bent. At times they sound a lot like the band Helmet, at others, a lot like the death metal band Entombed, but very rarely like the Soundgarden wanna-be's that seemed to be on *Frogstomp*. For example, on the song "Freak" which is one of the many singles

that was released early, they try the wall of sound approach of hardcore.

They get the parts well enough, but they can't really put it together the way bands like Pegboy, Helmet, and Earth Crisis do, so what you get is a really hard rock sound. On "Learn to Hate" they try the looser death metal approach of Entombed and countless 80s bands. They get a bit closer to that than the wall of sound. They get the vocals right even.

Lyricaly, Silverchair is pathetic. But they'll get better when they get older (we hope). They force rhymes, they say stupid things, their songs lack musical-lyrical cohesiveness. But still, with the level of talent that they have at the ages that they are, they are fairly impressive. And what can we expect from Australians.

Frogstomp was better, and this is definitely no gem, but some people might find the idea of a really young band sort of cool.

And now I get to bitch.

I went to an unnamed fast food restaurant (we'll call it Croissant Queen) at about 11:05 this morning, hoping to get some

breakfast. For some reason, they had already stopped selling breakfast, though they were offering me the ham and cheese croissants they had left. Ugh. So I asked for a large salad and a large fries, and a large Dr. Pepper. This should be easy, right?

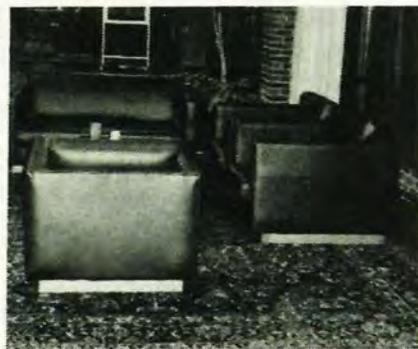
Let's pretend it was your job to simply take pre-cut vegetables, mix them together, put them into a box, and close it. How can you mess this up?

They managed. The box wasn't closed, and the bag slid while I was driving. I looked on the floor of the passenger's side of my car and saw *shredded cheese*. I'm here thinking, "huh?!!" So there was this mass of salad on my floor.

The last thing I want to deal with on a Saturday morning when I have work to do is salad all over my car.

I'm convinced that there are two species of people: those that can, and those that can't. Those that can't, *can't*. They can't close a salad box, for example. The rest of us *can*. We can close the salad box. And we *can* clean the salad out of our car on a rainy Saturday morning. But, we are in *no way* related to those of you who *can't* . . .

The Naug' Gets A Facelift



Concert Corner

By Dave Mincer

I hope you all have seen some of the good area shows recently, because it is slim pickins' between now and Spring Break. Save your money, and buy an extra beer over break. As always, Agents of Good Roots play The Flood Zone every Wednesday, and Pat McGee plays there every Thursday. All tickets can be purchased by charge at 671-8100. Prices at the door will be slightly higher. For more information, call the Flood Zone at (804) 643-1117, the Boat House at (757) 622-6395, the 96X Concert Line at (757) 622-3679, or the Cellar Door Concert Line at (757) 463-7625.

Here is the calendar of upcoming shows:

- Thur., Mar. 6: Everything and Lake Trout
@The Abyss, Va. Beach
- Sat., Mar. 8: Paula Cole @The Boathouse, Norfolk
- Fri., Mar. 7: Vince Gill and Brian White @The
Hampton Coliseum, Hampton
- Sun., Mar. 9: Shawn Colvin, Freedy Johnston, & Patti
Griffin @Chrysler Hall, Norfolk
- Tues., Mar. 11: Chalk Farm and Cool for August
@The Abyss, Va. Beach
- Sat., Mar. 22: .38 Special @The Boathouse

Monday, March 3

Did You Get Your FAFSA Form In? Well, guess what? It's already late if you haven't. They were due last Saturday. Better get on that phone and do some real ass kissing or else its burger and fry land for you.

Tuesday, March 4

William & Mary Concert Series: Want to go to New Orleans for Spring Break? Too bad, you have work to do. But you can get a taste of it when Jazz bassists Christian McBride performs in Phi Beta Kappa Hall at 8:00 p.m. Call 221-2674 for ticket information.

Hey, Jude! Not the cool song by that ever so popular British group named after a collection of bugs, but a stirring adaptation of the Thomas Hardy classic: *Jude*, described as a Victorian romantic comedy, this movie is playing at the DOG Street Theatre at 7:30 p.m.

AIDS' Dark Terrain: An exhibit by Robin Tichane at the Muscarelle Museum through March 9.

An Artistic Friendship in Relief: An exhibit by Will Barnet and Bob Blackburn at the Muscarelle Museum of Art, through March 9.

Moody Sexual Experimentation Guy Talks: Kirk Moody, Visiting Assistant Professor of Biology at W&M will deliver a lecture entitled "Sexual Experimentation: Science and the Construction of Gender." In Washington 201 at 7:30 p.m. Lab goggles recommended. Nuff said.

Wednesday, March 5

Women's Gymnastics: vs. Indiana University (Pa.), 7:00 p.m. Where else would Indiana University be other than Pennsylvania? Chris, can you explain?

Want an "A" in Professor Hardy's Class?: Go see his brother's movie: *Jude*, a Victorian romantic comedy. 7:30 p.m. at the DOG Street Theatre. OK, so maybe it's not by his brother, but if you're a good lawyer, you should be able to convince anyone of anything.

I'm a Joker, I'm a Smoker: Panel discussion on the legalization of marijuana in University Center tidewater A at 7:00 p.m. "Refreshments" to follow? BYOT: Bring Your Own Twinkies.

Thursday, March 6

Back to the Tri-bar Area: The SBA Social Committee continues its mission to boldly lead the law student where no law student has ever gone before. You guessed it, Bar Review at Paul's this week. \$1 off Bud & Bud Light; \$.50 off Bud pitchers from 7-9 p.m.

Friday, March 7

Spring Job Fair: Commonwealth Law School Consortium is hosted by William & Mary. Make the students from UVA, Washington & Lee, and Richmond Law feel welcome. Remember: when walking through the fair, wear that PSF t-shirt that says "Will Litigate for Food."

SBA Committee Applications Due: Make a difference in the law school, or at least add a line to your resume. Due at 9:00 a.m. (yes, that is a Friday morning).

Ransom: Not what the *Law Review* is doing with your note, but the movie with that man who can't get his bare butt off the screen. No, not Brad Pitt, but that geriatric Mel Gibson. 9:15 p.m. at the DOG Street Theatre.

Friday March 7 through Sunday, March 16

Spring Break: Known to 1Ls as a good time to go home and make that obligatory visit to the family, known to 2Ls as a good time to start your reading, and known to 3Ls as, well, pretty much like every other week this semester — a good time to get away. For professors, a good break from all those whiny law students who won't stop asking asinine questions.

Friday, March 14

George Clooney Makes It a Fine Day in Williamsburg: Not that everyday in Williamsburg doesn't make one want to burst into song. *One Fine Day* arrives at the DOG Street Theatre, starring Dr. Ross and Michelle Pfeiffer. 7:00 p.m.

Saturday, March 15

Memories of Childhood: So I remember . . . hot chocolate on cold days, naps all the time, and my biggest worry being whether that damn coyote would ever catch the Road Runner. Apparently, the Muscarelle Museum has other ideas, and is showing them in an exhibit curated by Bernice Steinbaum. Ten artists were asked to create ten artworks that tell about their earliest childhood memories.

Reflections of Childhood: If the first exhibit doesn't throw you back enough, try this one, curated by seventeen year-old Sarah Melton. Companion exhibit with "Memories."

Monday, March 17

St. Patrick's Day: Are you feeling green? Well, you will tomorrow after you attend the International Law Society green beer party at the Lake Matoaka Shelter. In honor of the holiday, we present an *Amicus* limerick:

There was a young man from Nantucket.
Who came to law school with a bucket.
But after so many days, without any "A"s,
He decided to say **** it.

(You thought we were going to say it, didn't you — come on, this is a family publication, put the mouse back in the house!)

A Stranger Among Us: Martin P. Golding, Professor of Philosophy and Law at Duke University will visit M-W as a Visiting Fellow from March 17-19. The author of numerous books on Philosophy and Legal Theory, Professor Golding will participate in classes and visit with students in small groups. Bring out your dress clothes, remember your manners, and don't bite for a couple of days.

Tuesday, March 18

Men's Baseball: vs. Norfolk State, Carey Field, 2:00 p.m. Well, we tried to make a joke, but baseball just isn't funny.

Thursday, March 20

Something Reaks Down At Matoaka: Yes, those odors *are* coming from your fellow law students. It's a Cigar Bash down by the lake. Food and beer provided. 7-9 p.m.

Men's Baseball: vs. Maryland Eastern Shore (not, Virginia, Eastern State — that's our team), Carey Field, 2:00 p.m.

Saturday, March 22

Faculty and Staff Talent Show: The Black Faculty and Staff Forum presents its fourth annual talent show from 7 to 10 p.m. (you know how they have to go to bed early and all). The show will be held in the University Center Auditorium. For more information, such as whether students can actually attend or whether any of our beloved law professors will be on stage, call 221-2840.

Monday, March 24

Visiting Fellow: Charles Ogletree, Professor of Law at Harvard University will be visiting from March 24 to March 25.

Thursday, March 27

Don't Ask, Don't Tell: OK, do tell — and bring a friend to the Institute of the Bill of Rights Student Symposium. This year's symposium focuses on the military's policies regarding homosexuality among servicemembers. Among other featured events, four first year students will participate in a Moot Court argument.

Eat with the Big Cheese: Lunch with President Tim Sullivan. Noon. For reservations, call ext. 1258 or see Gayle Sears in Brafferton 10. Or even better, let's invite Tim over for the fine dining offered in the student lounge.

Friday, March 28

Givin' You The Bird: Rockin' Robin plays host to Bar Review tonight. Dancing, drinking, people making fools of themselves (oops, I mean) Karaoke. 7 p.m. until ?

Tell Me More, Tell Me More!: *Grease*. Sing along with John Travolta. Actually, please don't. 11:00 p.m. at the DOG Street Theatre.

Saturday, March 29

Men's Baseball: vs. George Mason, Carey Field, 2:00 p.m.

LSIC: Third Annual Children's Fair. Volunteers needed. Keep your calendar open for fun. Contact Nate Green (2L) for more information

Pink Ladies and Black Leather: Not the outgoing *Law Review* Editorial Board, but the movie: *Grease*, 11:00 p.m. at the DOG Street Theatre.

Sunday, March 30

Men's Baseball: vs. George Mason, Carey Field, 2:00 p.m.

Monday, March 31

Another Visiting Fellow: Professor Mitchell Polinsky, of Stanford University, arrives as the semester's last Visiting Fellow. He remains in residence until April 2.

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

What To Do On A Ranieri Day . . .

Nothing Wrong with Absolute Power or Donnie Brasco

By Lee Ranieri

Absolute Power

Oh, Hollywood. You've come a long way, baby. Remember when criminals were the bad guys, and presidents were the good guys? Remember how, through the 40s and 50s, a president character in a movie would appear only from behind, as a sign of respect for the office and the men who held it? But of course, we are much more sophisticated now — these are the 90s after all. Now, we show presidents' faces in our movies. We also show them drunk and beating up women. *Ike Turner's Pipe Dream*, you ask? No, *Absolute Power*.

I suppose it isn't fair to blame *Absolute Power* for exploiting the stunning collapse of our culture, though. Besides, *Absolute Power* is very entertaining, in a miserable sort of way. Clint Eastwood — who directed, produced, and starred in the film — managed to take an otherwise unimaginative and implausible story and turn it into something worth watching.

In a nutshell, Eastwood plays Luther Whitney, an aging thief, who decides to rob a prominent billionaire. During the robbery, the billionaire's wife comes home with the President, played by Gene Hackman (of course), and Whitney watches as rough sex turns into violence, which turns into murder. After an attempted cover-up, the President's flunkies learn that there was a witness, and try to hunt him down.

All of this is standard fare for political thrillers, and some of the plot twists are too much to swallow. In fact, the basic idea is suspiciously similar to *No Way Out*, except with a thief instead of a spy. Eastwood, though, saves the movie completely. Not only is his acting superbly fun to watch, he pushes the plot in some interesting ways to make it more engaging than a typical thriller. In particular, the entire subtext of the film revolves around Whitney's relationship with his estranged daughter, to the point that the story starts to follow *her* for a while, instead of him. Shifting the perspective this way helped to give some depth to the characters, and make them more interesting than I expected.

Of course, the bad guys are almost cardboard cut-outs instead of actual characters, but this can be excused. Given what little he had to work with, Gene Hackman did a decent job as the craven, malicious President. I wish the idea of a corrupt, evil chief executive had been more shocking, but hey — this is the 90s.

Rating: ☺☺☺ (out of four)

Donnie Brasco

Lest you think, like I did, that Al Pacino had pretty much exhausted the mobster genre, *Donnie Brasco* will show you the error of your ways. Based on a true story, *Donnie Brasco* is about FBI agent Joe Pistone, who infiltrated a branch

of the New York Mafia in the late 1970s, under the name Donnie Brasco. Pistone is played by Johnny Depp, who takes another interesting role and does it justice. There's something about Johnny Depp that has *Saved By The Bell* or "direct-to-video" written all over him, but he keeps putting out serious, respectable work.

Pacino plays Lefty Ruggiero, the mobster who "adopts" Depp into the mob. Ruggiero is practically bathed in pathos: he's a low man on the totem pole after almost 40 years in the mob, constantly passed up for "promotions;" he doesn't take him seriously; his real family is distant; and, to top it off, he's got cancer. Four decades of loyalty to the mob have gotten him pretty much nowhere. If Willy Loman shot people and cursed a lot, he'd be Lefty Ruggiero.

When Lefty brings "Donnie" into the fold, then, it's more than a business move; he's almost literally adopting Donnie. Donnie gives Lefty what his bosses don't, and what he seems to deserve: some respect, compassion, and companionship. It's the relationship between Depp and Pacino that gives away the fact that *Donnie Brasco* is not just another *Good Fellas*. Instead of focusing on the mob, or the undercover infiltration, the film focuses on the characters. In this respect, *Donnie Brasco* has a lot in common with *Absolute Power*. Since *Donnie Brasco* was di-

rected by Mike Newell, who also did *Four Weddings and a Funeral*, it's no surprise that Lefty and Donnie are the story, and not the Mafia itself.

I think Newell's approach was a good idea, though. While it may not be as thrilling or romanticized as some might expect from a Mafia movie, thrilling and romanticized versions of the mob are cliches that are getting pretty threadbare by now. There's still violence, intrigue, and a lot of cursing, but like every other profession, those are the exceptions to the rule. The rule is long hours of tedium, just getting the same old job done day in and day out. Newell isn't the first director to strip away the pretense from gangsterism (*Pulp Fiction* comes to mind), but he leaves the characters interesting and engaging.

Despite all of this, *Donnie Brasco* isn't just *My Dinner With Lefty* — there's plenty of suspense to go around. Even when Donnie is driving home to New Jersey in the middle of the night to visit his wife (Anne Heche, with another strong performance), you wonder if it's going to be a fatal mistake. And given the fact that Donnie does not convert over to the Mafia, the resolution is inevitable and predictable, but still compelling. It wasn't exactly the pins-and-needles 1970s Mafia thriller it could have been, but *Donnie Brasco* was still a very entertaining film.

Rating: ☺☺☺1/2 (out of four)

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Graduate, Georgetown Law Center

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Graduate, New England School of Law

"The software was great."
Graduate, Univ. Of Alabama School of Law

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Sports Round-up**Men and Women Hoopsters Finish Out Regular Season**

By Kristan Burch
Men's Basketball

After winning five straight games in February, the Tribe lost the last two games of its regular season schedule. The five game run began with victories against Old Dominion, Richmond, and American at home in W&M Hall. This streak was continued when W&M defeated George Mason, 89-85, on Feb. 15. With this win, the Tribe avenged its earlier season three point loss to the Patriots in January. By beating GMU, W&M earned a school record for the most CAA victories in a single season and, with this fourth victory in a row, it recorded its most ever consecutive Colonial Athletic Association wins.

The Tribe was up by as many as 20 points in the second half, but the squad let its lead dwindle away. During one part of the second half, the Tribe was able to score only on one of its 15 possessions and, in the last ten minutes of play, W&M managed to score just two baskets. It was free throw shooting which held the Tribe in this contest. The Patriots had two technical fouls called against them in the last six minutes of the contest. During this stretch of time, W&M went 17 of 21 from the free throw line.

With less than ten seconds left on the clock, the Tribe led by only two points and the Patriots were forced to foul. Tribe guard **Randy Bracy** went to the line and sunk both free throws to give the Tribe a 89-85 lead. These two points were the last of

Bracy's 28 points for the game. Guard **Terence Jennings** hit all four of the free throws generated by the Patriot's technical fouls, and he ended the game with 18 points.

The last game of the winning streak came against James Madison in Harrisonburg, Va., on Feb. 19. The Tribe defeated the Dukes for the second time this season when it handed JMU a 82-74 home loss. The Dukes led by seven points at halftime, but the firepower of Bracy and forward **Bobby Fitzgibbons** was able to pull the Tribe through to victory. Bracy had 19 points and six assists while Fitzgibbons hit 11 of the 17 shots that he took for 29 points. Six of Fitzgibbons baskets were three pointers.

The winning ways of the Tribe were stifled when it matched up against American on the road on Feb. 22. The Eagles had a 40-39 lead with less than a minute left to play in the first half, and they maintained the lead for the remainder of the contest, recording a 85-67 win. Three games earlier in the season, W&M had defeated American at W&M Hall. With this loss, W&M had a 8-7 record in the CAA which placed in a tie for fifth in the conference standings with Virginia Commonwealth University.

Against American, the leading scorer for the Tribe was Bracy who earned 20 points, five rebounds, and two assists. Four of Bracy's baskets came off three point shots. Jennings added 17 points of his own, hitting seven of the 14 shots that he took.

Fitzgibbons scored 14 points, making four three point shots.

The Tribe's last game of the regular season was played against East Carolina University on Feb. 24 at W&M Hall. The Pirates led 34-28 at intermission, and they ended the game with a tight 59-58 victory. The Tribe was behind by six points with less than three and a half minutes on the game clock.

With less than a minute remaining, Fitzgibbons made a lay-up to give W&M a 56-55 lead. ECU then regained control of the lead after Morris Grooms hit two shots from the charity line to give the Pirates a 57-56 advantage. Fitzgibbons hit another basket on the next possession to give W&M a 58-57 lead, but ECU immediately responded with a tip-in to take the lead for good. Bracy got off a last-second shot for W&M, but it did not go in. Bracy hit four three-point shots and had a total of 21 points in the game.

With the loss to ECU, the Tribe finished the regular season with an 11-15 overall record, ending 8-8 in the CAA. This conference record earned W&M a No. 5 seed in the CAA Tournament. The Tribe played Virginia Commonwealth in the opening round of the tournament at the Richmond Coliseum on March 1.

Women's Basketball

After winning its first game of February, the Tribe lost four straight contests. The first two losses came on the road against JMU and VCU. On Feb. 14, W&M battled against Richmond at W&M Hall and ended up falling to the Spiders, 95-76. Rich-

mond led by 13 points at halftime and used the second half to extend its lead.

In terms of shooting from the floor, both squads got off almost the same number of shots, and Richmond was 50 percent from the floor with W&M finishing with a 46 percent shooting average. The difference in the game came at the free throw line. The Spiders hit 33 of the 40 free throws that they attempted while the Tribe hit 14 of the 20 attempts they had. W&M was led in scoring by forward **Julie Hamiel** and guard **Nekisa Cooper** who had 15 and 17 points respectively.

The Tribe continued its regular season play on Feb. 16 when it faced Old Dominion at W&M Hall. The Monarchs beat W&M by 43 points earlier in the season, and the story in February was no different. In the first contest, the Tribe scored 36 points, and they managed to score that same amount in the second meeting. Yet, ODU extended its margin of victory in the second matchup, coming away with a wowing 96-36 victory.

On Feb. 18, W&M was able to redeem itself. The team scored its second win in the month of February. This victory came against UNC-Wilmington as the Tribe downed the Seahawks, 68-38, on Senior Night at W&M Hall. W&M has split its two regular season meetings with UNC-W, having fallen at the end of January to the Seahawks in overtime. Hamiel led the Tribe in scoring with 16 points, and she was assisted by forward

Bridget Wagner who added nine points and six rebounds. Center **Nina McIntyre** scored eight points, blocked three shots, and grabbed three rebounds. This was Hamiel, Wagner, and McIntyre's last home game as Tribe players.

The Tribe closed its regular season with two more losses. The first came against George Mason on Feb. 21 when W&M fell, 75-57, to the Patriots. The Tribe was led in scoring by Hamiel who hit 11 of the 14 shots that she took for a total of 25 points. This is the most points that Hamiel has ever scored in one contest for W&M. Cooper added seven points, and guard **Julie Sommer** had nine.

The second loss came to American, 80-70, on the road Feb. 23. The Tribe led the Eagles by 19 points early in the first half and had a 12 point advantage at halftime. Yet, W&M let its advantage gradually slip away. Hamiel led the Tribe in scoring with 12 points. With this loss, W&M finished the regular season with a 6-19 record overall and a 3-13 standing in the CAA.

The Tribe played in the CAA Tournament play-in game on Feb. 26 against UNC-W. This was the second time that W&M had played the Seahawks in eight days, and the Tribe was able to come away with another win against UNC-W. In the 78-63 win at the Richmond Coliseum, W&M shot 56.4 percent from the floor. Wagner scored 14 points while Sommer added 13 of her own. With this win, the Tribe advanced to play ODU on Feb. 27.

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Student Assembly Cuts Law School Organizations

FUNDING CUTS from 3

sources, the Trial Team depends upon the SBA budget for its entire funding. The Team has begun an alumni outreach program this year, but the plan is still in its fledgling state and will not provide much income for the next few years. The budget cut, consequently, has a much larger effect upon the Trial Team than upon Moot Court, whose budget is almost double.

"Its unfortunate because the Team helps the entire school," said Krista Weber (3L), Selection Counsel. "When the Team is doing well all across the country, it is unfortunate to just cut them." Weber noted that the Trial Team already functions without a faculty sponsor, so the cut

in funding becomes especially harsh. Weber noted that if the team can do so well without a faculty sponsor, then adding one would greatly enhance their abilities. She worried, however, whether the cut in funding would have the opposite effect.

Both teams are already suffering from previous cuts. The Moot Court Team was forced to decrease the number of its members as they simply did not have the funds to send more people to tournaments, nor to support any more members. The Trial Team was forced to not hold a tournament this year because of the lack of funding, and can only afford to rent cars for its members to get to tournaments.

Rose commented that this cut in fund-

ing was meant to be a message from the Student Assembly to the law school administration. They felt that because the two activities are academic, the administration should fund them rather than having to depend on student fees. Rose added that this really is a direction in which the teams want, and should, to go. He also said that the Finance Committee has conveyed its intent to cut the two programs again next year.

Because of this, the overall budget the law school receives has been cut. Rose pointed out, however, that if one removes Moot Court and the Trial Team from the SBA budget, then what is left has been increased, which looks good for the remaining activities.

Rose commented that although the Finance Committee has severed the two organizations from the SBA budget, the SBA is not precluded from providing extra funds to them. Rose warned that this may be dangerous as the Finance Committee has expressed its dissatisfaction with doing so and this may result in further cuts the following year. "The decision to cut Moot Court and the Trial team was political," said Rose.

Rose and Frank Sabia (2L), incoming SBA President, will meet with Dean Krattenmaker this week to discuss alternative funding sources for the two organizations. Other schools support their teams through the administration, and provide significantly higher sums of monies.

Student Bar Association Budget Under Scrutiny

EDITORIAL from 2

than having to cross their fingers every year as the SBA attempts to divide increasingly dwindling funds. It is hard to continue to provide thousands of dollars to two organizations, while other organizations must be continually cut, as the law school forms new organizations in need of funding and as the Finance Committee continues to cut the law school budget.

The best source of funding for these teams would be the administration, but the question looms: Where will the administration find the necessary money? With the law school budget being very tight, Dean Krattenmaker is already pushed to stretch each dollar as far as possible. It is hard to hire new members of the faculty, expand the facilities, and support student organizations with a budget that can barely support what we presently have. Dean Krattenmaker is under enormous pressure to increase our rankings, which have and continue to fall in recent years (check out the new rankings from *U.S. News and World Report*: we

have fallen again), with a shrinking amount of money and more hands outstretched to take a share of it.

If the administration cannot find an alternative source of the funding, the SBA will have no choice but to continue to subsidize the two programs, at least until they can find independent sources themselves. Finding independent funding, however, may be harder than the Finance Committee thinks. The Alumni Association is already stretched far, as our alumni base is smaller than most schools. While our alumni continue to help us very generously, with a very high percentage donating funds, we can only ask so much of them. They already give a significant amount and have taken upon themselves to raise money to expand the library and to build a new wing. It would be hard now to ask them to give additional monies to help support student organizations. Other sources may be law firm sponsors, but this is rare, and the teams may find themselves hard-pressed to find a firm willing to sponsor a law school team.

The other controversy over the SBA budget comes not from outside the law school, but from within. Several 1Ls have complained that the SBA helps fund activities during Beach Week. They argued that, because 1Ls are precluded from participating because of the *Law Review* write-on competition, the SBA should not provide any funds.

What they fail to realize, however, is that Beach Week has been a tradition for many years, and the write-on competition was only moved to its present time a few years ago. The proper organization to whom disgruntled first years should complain, would be the *Law Review*, for changing the date, not the SBA.

First, it is important to note that none of these students, who are currently complaining, complained when the SBA sponsored a party exclusively for the first-year class, while the other two classes were not invited. To argue now that it is unfair for the SBA to sponsor and help fund an event in which not everyone can participate is hypocritical at best. If these students do believe this, why did they not complain when the SBA was planning their party? Will they complain next fall when the SBA plans the party for next year's first-year class? Do these same students feel the funding for the National Trial team and for Moot Court are unfair, as not all students are allowed to participate, but student funds continue to be used for the activities?

They also do not realize that the write-on competition is optional. Students are not required to participate in the competition. While it is true that placing the *Law Review* on one's resume helps in finding a job at a law firm, Beach Week is a sacrifice that one must make in order to have the opportunity to do so. Law school is all about choices: I may choose to attend Bar Review one Thursday, and risk missing class on Friday morning. I may miss the Tucker Lecture because I have a class, or I may miss my class to attend the lecture. I must choose, and prioritize. So must the first-year class. Just because the SBA is sponsoring an activity that one may not have time to attend is no reason

to cancel that activity.

Another option for the first-year class is to take the write-on packet to Nags Head. Students are not required to write the comment at school, or even in Williamsburg. The *Law Review* has a procedure by which a student may send his or her comment to the law school, and students have taken advantage of this in the past. There is no reason why 1Ls cannot write from Nags Head. Once again, they may have to sacrifice some activities, but this is a choice that every law student faces.

Beach Week traditionally has been a time when law students can get away from the law school and spend one last week together before the third year class departs. It is a time when all students can leave Williamsburg and go to wind down from the stress of a year of classes. To remove funding from this activity would be to decentralize the event, which would have the effect of eventually eliminating the program altogether, as it would lose its appeal as fewer students attended.

Some students may feel it is hypocritical of me to argue on the one hand that the cuts in Moot Court and the Trial Team are unfair, while on the other hand, defend Beach Week. They have a point in that Moot Court and the Trial Team should take priority in the funding line. I do not intend to argue otherwise. The issue, however, is moot, for this year at least. The cuts in funding take effect next year, and there is no way to give the teams extra money now for them to save for the impending storm. If this were possible, I would be the first to stand up and argue that the SBA should reallocate those funds. If next year, the two organizations are faced with budget deficits, and the question arises whether we should pay for a week of drinking or give that money to the teams to help place them back on budget, I think the choice is a no-brainer — the teams come first. For now, however, the issue is how to spend that money this year.

The more important and more troubling issue is how much control are we going to allow the Student Assembly on the law school campus.

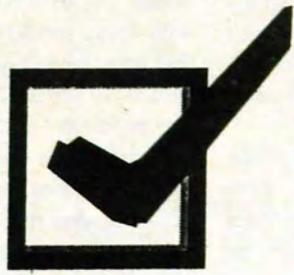
The next Issue of the *Amicus* will feature

The Annual Ambulance Chaser

A lampoon of the law school,
the administration, and anybody else who happens to
come within a fifty-mile radius
of Marshall-Wythe

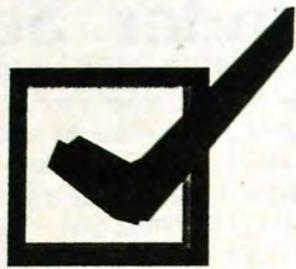
The *Ambulance Chaser* will be published on Monday, March 31.
Deadline for submissions is Thursday March 27, at 5:00 p.m.
Students, faculty, and anyone remotely related to the law school
are invited to submit articles for publication.

They chose us:

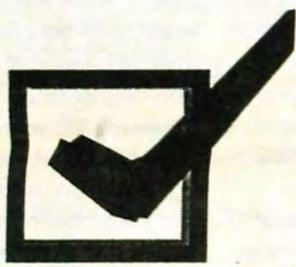


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