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AMICUS CURIAE



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

VOLUME V, ISSUE TEN

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TWENTY PAGES

Public access vs. privacy

By Lee Ranieri

How much access should we have to government-held information? Does one person's access violate another person's privacy? And how worried should we be about governmental abuse of information? These were some of the questions addressed at a conference co-sponsored by the Institute for Bill of Rights Research and the Virginia Council on Information Management. The conference, titled "Access Versus Privacy: Approaches to State Information Policy," was held on Friday, March 18 at the University Center and featured a panel of experts on legal, technical, and policy areas of governmental management of information.

M-W Professor I. Trotter Hardy moderated the conference and set the stage with an introduction on how technological progress has affected storage and dissemination of information. According to



Prof. Trotter Hardy and UVa Prof. Lillian Bevier

Hardy, developments such as the photocopier and, later, the personal computer, have made the collection and transfer of information easy for a centralized government, spawning fears of "Big Brother." In response, legislation has been passed controlling the government's use of collected data, such as the Freedom of Infor-

See PRIVACY on 4

Faculty scrutinizes journals

By Sarah Newman

The newly proposed "Committee on Law Reviews" will meet for the first time this week. This committee will review the academic journals at the law school with several goals in mind. According to a memo from Dean Krattenmaker, the new committee's job is to "establish policies and procedures for (a) approving new law reviews; (b) awarding credits, both major

paper and academic hour, for law review participation; (c) faculty oversight of established law reviews; and (d) resource allocation among law reviews."

The committee was formed at the request of the faculty after concerns were raised about the present lack of structured policies in dealing with the handful of law

See REVIEW on 18

College woods, Institute funding probably saved

By Shelley Evans

Last week the Virginia General Assembly restored \$1 million of the 1.2 million in proposed reductions in state support of higher education. For M-W, this meant the reinstatement of \$69,897 to the Institute of Bill of Rights Law. The Lake Matoaka protection bill was also passed onto Governor George Allen. And,

the Assembly appropriated an additional \$400,000 for College initiatives in such areas as curriculum reform, technology development and economic outreach.

Apparently, the message sent by the Virginia Business Higher Education Council and its chairman, John T. Hazel

See FUNDING on 4

A new law library by 2000?

By Mario A. Pacella

By the year 2000, the College of William and Mary hopes to open a new library at M-W. As of yet, there is no available funding for this project. While the state is forcing the university to make budget cuts, plans for capital projects continue to be planned and funded.

The College has proposed an

11.8 million dollar figure to build a new 71,000 square foot library behind the current library to be connected to the main building by bridge. The figure set by the college includes renovation of the current library, classroom and conference room facilities.

The funding is currently not available. The law library, however, is near the top of the

College's capital projects list. Swem Library currently occupies the top spot. First, funding for the project must meet approval by the State Council on Higher Education and the General Assembly or by a bond approved by the voters. If everything goes well, the new library could open in the year 2000.

The proposed plan would double the size of the current library which is 35,347 square feet, thus ranking it 93rd out of 177 ABA accredited law schools. Other area law schools are currently expanding their libraries. The University of Virginia completed an expansion; George Mason just broke ground for their new facility. When George Mason's renovation is complete, M-W will have the second smallest facility in the State behind Regent. In the D.C. area, only Howard's library is smaller than the M-W Library. With respect to a new facility at W&M, Jim Heller, Director of our library, said "No one is holding their [sic] breath."

The currently law library was

See LIBRARY on 7



Pat Robertson

Robertson keynotes symposium

By Henry Jardine

The Student Division of the Institute of Bill of Rights Law sponsored a symposium on religion in the classroom this past February 23 at the University Center Auditorium. Entitled "How Much God in the Schools?" the discussion focused on defining the separation of church and state. Pat Robertson, Chancellor of Regent University, began the symposium with the keynote address. He was followed by a moot court argument presented by first-year M-W stu-

dents, a panel discussion by mavens of legal religious issues, and closing remarks by American Civil Liberties Union President Nadine Strossen. With a large audience and sometimes heated exchange among the participants, it was obvious that the organizers, 3Ls Peter Owen and Michael Homans, 2L Jim Cady, and the other members of the Student Symposium Organization Committee did an outstanding job of planning and running

See PRAYER on 11



Natalie Hawthorne

Texans win Spong

By Mike Grable

A team from South Texas College of Law captured the team title at the annual William B. Spong, Jr. Invitational Moot Court Tournament, held at M-W on February 24 and 25. James Bartlett, Jr., Jill Willard, and Mary Ann Olsen of South Texas edged the team of Shawn Moran and Jordan Hemaian of the University of Wisconsin in the finals.

The tournament problem, drafted by Spong Research Justice Theresa Pulley (3L), involved a woman who wished to attend a campaign rally orga-

nized by a local Democratic party in support of a gubernatorial candidate. She brought with her a sign advocating gay and lesbian civil rights, a cause which the candidate adamantly opposed. She was not allowed to carry the sign into the rally, ostensibly because of its size.

Counsel for the Petitioner had to argue that the party was a state actor within the definition of § 1983 and that it violated the woman's First Amendment rights by setting an arbitrary size restriction on signage. Counsel

See SPONG on 5

From the Editor's Desk *Natural Law*

by Jack Mackerel

Throughout my neighborhood in Manhattan there are small posters stating Contract on America, a pun on words regarding the Republican's platform but a reality for minorities. While I was home for break, the Republicans made good on their campaign promise and reinstated the death penalty in New York. The Republican Party's grim reaper will next visit affirmative action programs. Presidential candidate Phil Gramm even went so far as to declare that his first executive order, if elected, would be to abolish racial and sexual "quotas, preferences and set-asides."

Affirmative action was instituted during the civil rights era to redress the problem of discrimination. And it has worked, not just for people of color, but for women also. Both minorities and women have entered into job markets previously closed to them. Today there is a middle class of African-Americans

where 30 years ago there was none. Sexual discrimination and racism are much less tolerable today than in the recent past. However, progress doesn't mean that discrimination has ended.

People against affirmative action state that such programs oppress white males, but this is not true. White males still dominate in the most highly-paid professions. Meanwhile, of doctors and lawyers, less than five percent are African-Americans. Women fare a little better in both professions, but not nearly as high as white males do.

Such figures suggest that affirmative action is still needed to guarantee equal opportunity. Again, critics like to speak in hyperboles and state that affirmative action means quotas which will lead to hiring the unqualified. Such a statement is utterly racist for it suggests that there are more unqualified mi-

See EDITORIAL on 7

THE AMICUS CURIAE

Marshall-Wythe School of Law

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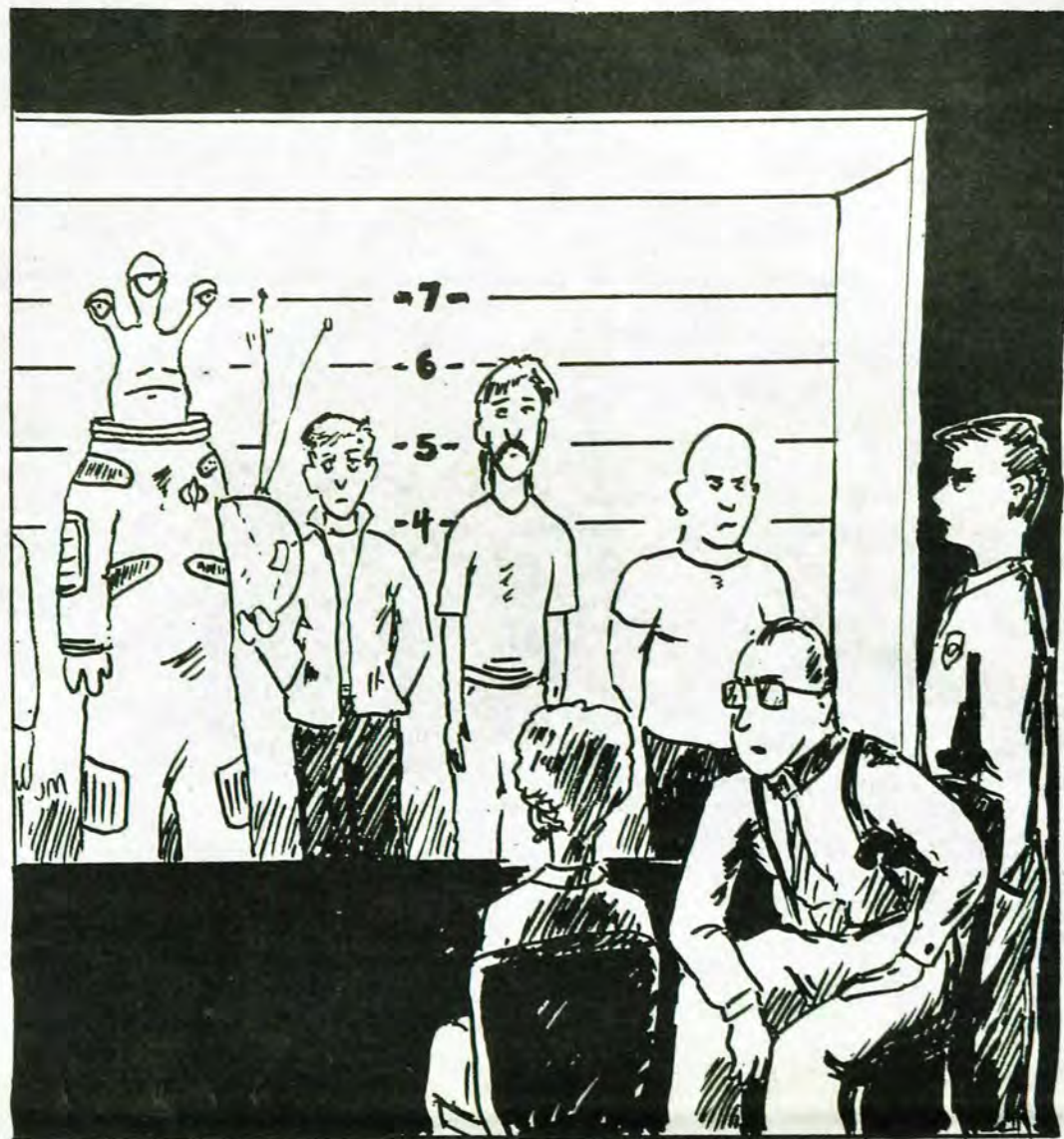
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Letters to the Editor are not intended to reflect the opinion of the newspaper or its staff. All letters to the Editor should be submitted by 5 p.m. on the Wednesday prior to publication. We cannot print a letter without confirmation of the author's 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.



NOW, MRS. MAGILLICUTTY, I WANT YOU TO THINK BACK...
CAN YOU IDENTIFY THE ONE WHO ABDUCTED YOU TO
PLANET NEPTOR? TAKE YOUR TIME... BE CERTAIN....

Letters

To The Editor:

Title: 69/25

In case anyone was wondering about my disappearance at the end of last semester, I thought I'd let you know what happened.

One night in December as I was studying for my last exam, I was hit - fully and finally - with a case of encephalitis. In simple terms, that's a disease of the brain. For those of you who were wondering if I had a brain, now you know. That's the good news. The bad news was that as a result of the encephalitis, I suffered a number of other problems. To name a few: a cycle of seizures, pneumonia, a collapsed lung, a blood clot, and a coma, which brings me to the title of this letter - 69/25. That was my blood pressure on New Year's Eve. After failing to elevate my blood pressure or reduce my temperature, which had been 104 degrees for days, doctors at UVa Hospital in the

Intensive Care Unit walked to the room where my parents were waiting, explained my condition, and prepared them for a bitter New Year.

An article with these facts *should* go on to tell you what a nice guy I was, but it won't. I survived. I am alive today because of the expert medical care of a select core of surgeons and because of the prayers of many people across the country.

Fortunately, my blood pressure has risen since New Year's Eve, and I'm feeling better every day. I plan to finish my last semester in the fall. I'll see you then.

Jon Nixon (3L)

To The Editor:

The air freshener is no substitute for Elvis.

Marshall-Wythe School of Law is steeped in traditions that have set the standards for Ameri-

can legal education and student life during law school. The tradition began when Thomas Jefferson appointed George Wythe to the first law chair in the United States. The most recent contribution from M-W to the tradition of American legal education is, of course, the highly regarded (at least outside of Williamsburg) Legal Skills Program. As do many of my peers, I treasure another M-W tradition beyond all others: the homage to Elvis in the student lounge.

Alas, once again, somebody has desecrated the beloved shrine by stealing the coveted lamp emblazoned with the King's effigy. Last year we suffered the temporary loss of the great Elvis masterpiece. The unscrupulous perpetrator of that heinous violation of the revered M-W Honor Code aggravated the grief of

See ELVIS on 14

Does the 14th Amendment let Congress expand liberty?

By Jennifer Tosini

On Thursday, March 16, Professor Douglas Laycock of University of Texas Law School delivered the 1995 Wythe Lecture. Laycock is the Alice McKean Young Regents Chair and the Associate Dean for Research at the University of Texas School of Law in Austin. His speech was formidably titled "The Congress and Dennis Cochran vs. The Supreme Court and the Commonwealth of Virginia: The Constitutionality of the Religious Freedom Restoration Act."

Dennis Cochran is a Virginia prison inmate. His religion requires that he eat only kosher food, which the Virginia Department of Corrections refuses to provide for him. In the past, this would not have been an issue. As long as the state did not single out a particular religion and dis-

criminate against it, the state was not required to affirmatively assist an individual like Cochran in practicing his chosen religion in prison.

All this changed in 1993 when President Clinton signed the Religious Freedom Restoration Act (RFRA) into law. Section 3 of the Act mandates a return to the "compelling interest" balancing tests of *Sherbert v. Verner* and *Wisconsin v. Yoder*. Under RFRA, an aggrieved person need only show that the practice of his chosen religion is being "substantially burdened" by government action. The burden then shifts to the government to show a compelling state interest that justifies the restraint on the individual's free exercise. The Cochran case is now winding its way through the Fourth Circuit.

While RFRA was being drafted, 23 state Attorney Gen-

erals, foreseeing the problems such a test would create in the prison context, petitioned for an amendment to RFRA excluding state correctional institutions. U.S. Attorney General Janet Reno did not support the exclusion on the grounds that, if the federal prison system, the largest in the country, could handle a "compelling interest" test, so could the states. The prison exclusion amendment was defeated 58-42 in the Senate.

Several states have argued that RFRA is unconstitutional because it violates the separation of powers. They argue that the vague language of Section 5 of the Fourteenth Amendment which states "the Congress shall have power to enforce, by appropriate legislation, the provisions of this article," does not give Congress the authority to tell the Supreme Court how to balance

interests and analyze issues by assigning a particular test for courts to apply.

Those who argue that RFRA is constitutional maintain that it is another example of the "Ratchet Theory" in action, and is exactly how Federalism is meant to work. Congress, through legislation, may expand on constitutional rights as they have been announced by the Supreme Court, but may not contract these rights. In such a manner, Congress and the courts act as a check on one another in enforcement of Constitutional protections.

This cycle of legislation and litigation has also applied in other areas, including the Voting Rights Act and its 1982 Amendments, Title VII, reasonable accommodation under the Americans with Disabilities Act, and the Pregnancy Discrimina-



Prof. Douglas Laycock

tion Act. Viewed in this context, RFRA is simply another example of Congress enforcing the First Amendment against the states. The Supreme Court has not yet decided the issue.

Watch for Professor Laycock's article in the upcoming *William & Mary Law Review* to learn more about this fascinating area of law.

Recent sexual assaults cause concern on campus

By Stephen King

Two assaults on female students over the last four months have raised some alarm in the college community as to safety on and around campus. In the first incident an undergraduate was attacked while walking home in the evening; in the second incident a woman was assaulted in the laundry room of her dormitory around supper time. In both cases the individuals were fortunately able to free themselves from their respective assailants. A suspect in the dormitory assault has been arrested.

According to Campus Police chief Richard McGrew, in the years he has been at W&M, there has been about one seri-

ous assault per year. "If you're that victim, that's one too many," but relative to the size of the student body and the trends in society as a whole, that's not such a bad record.

McGrew cautioned that our "sanctuary is being eroded." The college community is vulnerable to crime, ranging from assault to property crimes. The two latest assaults that occurred over the last four months have raised the level of anxiety higher than McGrew has ever seen in his four years at W&M. "We're always concerned," said McGrew, but the fact that one woman was assaulted in her residence halls "really concerns me."

There does not appear to be any con-

nection in any of the assaults that have occurred over the past several years. The assailant descriptions have not been similar. They "appear to be random acts," according to McGrew. In a couple of cases the assailants were later arrested in connection with other crimes.

Vice-President Sam Sadler indicated that the college took additional security measures after the assault that occurred in the residence hall. They increased the visibility and presence of police in the area where the assault occurred. They also encouraged residence halls to go onto a twenty-four hour card key system. "Students were really bothered by this [assault]. It's not just a physical attack,

but an invasion of home."

In a related matter, last week the college held its second annual Sexual Assault Awareness Week. Among the events scheduled were a mock rape trial at UC, a candlelight vigil at the Crim Dell and a panel discussion which included Virginia's Attorney-General James Gilmore. The panel discussion emphasized the need to take less of a band-aid approach, and work on changing people's attitudes towards sexuality. For example, it is not proper to get drunk and take advantage of another individual. Also, women must be aware that when they

See ASSAULTS on 6

Cutler Lecture on sexual assault and consent

By Caroline Boutwell

To begin The 1995 Cutler Lecture on "The Many Faces of Consent," Professor William Eskridge of Georgetown University Law Center read an excerpt from a story about two lesbians engaging in consensual bondage. Now that he had everyone's attention, Eskridge addressed the issue of what constitutes meaningful sexual consent.



Prof. William Eskridge

Eskridge used the story, which was written by Pat Califia, an author who writes lesbian and homo-erotic literature, to highlight the problems of basing consent laws on status: consent to sex acts can be negated by who is involved in the act and by the type of act being performed.

Virginia law relies on status-based consent laws. Although Virginia law views the individual as an autonomous decision maker, not everyone can engage in certain sex acts even if the act is consensual. Therefore, in Virginia, sex depends less on consent than on the parties and the acts they choose to perform; a valid choice cannot be separated from status and the status of acts an individual performs.

Eskridge discussed six categories where consent is negated either by the parties or the acts involved. First, consent is negated only by serious physical injury. This is the marital rape exception which occurs only

when nonconsensual sex, such as marital rape, results in serious physical injury. Second, physical coercion, or rape, negates consent. Third, economic inducement negates coercion, and this includes prostitution and sexual harassment in the work place. Fourth, consent is negated by certain forms of activity. Sodomy, which is defined as oral or anal sex, is illegal in Virginia regardless of the consent of the parties involved. Fifth, the relationship of the parties, such as relationships based on adultery, fornication or incest, negates consent. Finally, the identification of one of the parties negates consent, and this includes pedophilia, bestiality, and mental or physical disability.

"It is hard to tell what the law requires of sexual partners," said Eskridge, and it is easy for prosecutors to choose from a "menu" of crimes. The consent of both parties does not make an illegal sex act legal, and the laws in

Virginia "continue to have legal bite" even though they are not always enforced by criminal arrest. However, Eskridge claims that the law is slowly changing, and new ideals are "gradually displacing status based regimes." The current legal regime serves to promote marriage. The sanctity of marriage is protected by refusing to allow the government to invade marital privacy, and by allowing the law to regulate sex acts performed outside of the marital relationship. Also, Virginia's sex laws promote the "project of marriage," which is to bear children. Acts such as sodomy do not further the project, and are therefore disfavored.

The feminist and gay rights movements have challenged these status-based sex laws. The feminist movement has caused the marital rape exception to be more narrowly defined. Rape law has been liberalized so that rape is more broadly defined, and federal prohibitions, such as sexual

harassment laws, have been created.

However, the feminist movement has not presented a unified challenge to marriage as the basis of consent laws. The gay power movement, however, has provided this challenge.

Eskridge described the gay experience as being "systematically different" from the heterosexual experience. Same-sex intimacy is not based on marriage or procreation, and it is therefore "openly connected" to other values such as sexual diversity and knowing oneself. The "coming out" process and the gay community's response to HIV and AIDS has created an environment tolerant of sexual diversity, individualist rather than traditionalist orientations, nonjudgmental attitudes, and an environment in which partners are able to candidly discuss sex. All of these values are included

See SEX LAWS on 17

The man behind the tournament: William B. Spong



-Natalie Hawthorne

By Jason Aldrich

The 24th annual William B. Spong Moot Court Tournament was held at M-W on Feb. 24 and 25. Each year, the man after whom this prestigious tournament is named presents trophies to each of the winners. Who is William B. Spong? Born in 1920 in Portsmouth, Va., Spong's decades long career has included among other things, service to his country, to the state of Virginia and to M-W:

Spong received his degree from UVA and was admitted to the Virginia bar in 1947. In the 50's, he entered politics. Spong was elected to the Virginia House of Delegates in 1954 and served

there for two years before moving on to the Virginia Senate for another ten.

During this period, Spong somehow found time to start a law firm. Along with former Lieutenant Governor Richard Davis, he founded Cooper, Spong, and Davis in 1956.

In 1966, Spong was elected to the U.S. Senate, where he served on the Foreign Relations and Commerce Committees. After serving for seven years, he left the Senate and returned to academics, arriving at M-W in 1973.

He taught Constitutional Law for three years before being selected Dean in 1976, a post he

held for nine years.

Since leaving M-W, Spong has been a visiting professor at several other institutions, teaching primarily Constitutional Law and foreign policy. He taught at Washington and Lee in 1986, was the Ewald Distinguished Visiting Professor at UVA in 1987, and in 1989 taught at the National University of Australia at Canberra.

A half century of work in three different occupations does not seem to have slowed Spong down. He still works every day at the Cooper, Spong and Davis office in Portsmouth, practicing primarily estate law and mediation.

Feminist defends pornographers' free speech rights

By Walter Benzija

Introduced by 3L Scott Drabenstadt as a "defender of what is best about our country," New York Law School Professor and President of the American Civil Liberties Union (ACLU), Nadine Strossen addressed a small crowd Feb. 23. Strossen was at M-W as part of that day's symposium on religion in the schools sponsored by the *Bill of Rights Journal*.

Professor Strossen's presentation did not address the topic of the symposium, but rather centered on her recently released book entitled *Defending Pornography, Free Speech, Sex and the Fight For Women's Rights*.

The ACLU president commented that the front cover of the book was purposely designed in very bold and bright day-glow colors for two reasons. One was a marketing ploy, as one of her colleagues thought it would be an attention grabber on the bookstore shelves.

Secondly, Strossen wanted to de-stigmatize the word "pornography." She commented, "The word has been demonized and used simply to describe something you don't like."

To illustrate her point further, Strossen

related the story of a bookstore in California which made a poster of the front cover of the book to display in the doorway. The community was in an outrage that the word pornography should be displayed so prominently.

The main argument of the lecture was that notions of obscenity and pornography are inherently subjective. As Justice Potter Stewart said, "I know it when I see it." As such, if the feminist movement seeks to ban all pornography as degrading, Strossen warned that they might be legitimizing many other subjective views that will in the end restrict women's rights.

It is interesting to note that no two feminists can agree exactly on what is or is not pornography. "Once we give the power to the Government or our fellow sister citizens to proscribe sexual content, nothing is safe," Strossen remarked.

Strossen gave a few examples of how historically anti-obscenity laws have been used to limit women's rights. She said, "The anti-obscenity laws were at one point used as a justification to quash information about birth control."

Further, Strossen commented on a recent law passed in Canada that would give

the government the power to limit speech that was considered de-humanizing or degrading. The first thing the government did was to close down the only gay and lesbian bookstores. The law was thereby used to eliminate "unpopular" speech or expression. "It was quite ironic that one of the biggest proponents of this measure was a feminist group whose membership included many of the bookstore owners."

Strossen concluded her remarks by pointing out that she is not in favor of expressions that blatantly exploit or harm women. Nevertheless, she is strongly

opposed to any measures that seek to treat women as a weak lot who need to be protected. "Any laws that treat women as children and men as satyrs is hardly a step forward for women's equality. If you love freedom and like sex, censorship is bad news."



-Stephanie Lewis
Nadine Strossen

FUNDING from 1

was heard: Virginia cannot have the best system of higher education in the nation by investing the least.

The college community is now hopeful that the aforementioned reinstatements will begin to reverse the \$500 million reduction to education that has occurred over the past six years.

Regarding the Institute, Student Chairman Peter Owen (2L) remarked, "It's gratifying to know that an organization that provides such a great educational benefit to students continues to receive support from the Commonwealth."

The next hurdle for the College Woods will be signing the Matoaka bill by the governor. However, due to the amount of

support for it, the legislature expects Allen to sign the bill which will protect the woods from future sale.

Restoration items include an increase in faculty salaries of 2.25 percent, the funding of Eminent Scholars and maintenance funding. Dormitory renovations and VIMS funding of state mandated research is now also secure.

College President Tim Sullivan said the College's success was based "upon the active efforts of our community who helped make an effective case - both for higher education and W&M." He looks "forward to working together in the future to realize our more important mission of securing long-term support for excellence in higher education both at the College and across the Commonwealth."

PRIVACY from 1

information Act and the Privacy Act. Hardy believes that the Internet has spawned the next round of access and privacy issues, since it has made almost anything available to anyone at any time.

Other panelists at the conference included: Henry Perritt, Jr., a law professor from Villanova University; Lillian BeVier, a law professor from the University of Virginia; and Marc Rotenberg, director of the Electronic Privacy Information Center in Washington D.C. In addition, representatives from Wisconsin and Florida were present to discuss the results of laws in their states favoring privacy or access,

respectively. In between the individual presentations, the panelists fielded questions, comments, and discussion from the audience as well as the other panelists.

Although many of the panelists had different opinions about how to ultimately balance access versus privacy, most agreed that technology was evolving faster than the law. Because of this, the panel generally believed, the law should follow information technology, and not try to lead it. As one panel member pointed out, however, government tends to monopolize access to information. Whether this tendency will be checked seemed to be the question of the day. Unfortunately, it remained unanswered.



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A servant to the public: The practice of family law

By Shelley Evans

The satisfaction of getting a client through emotional times was the theme expressed by panelists in a discussion on Family Law Practice held on Tuesday, Feb. 21. The panel consisted of Betsy Elliott, Senior Counsel Child Support Enforcement, Merri Hanson-Eckles, of the Peninsula Mediation Center, Lawrence Diehl, sole practitioner in Hopewell, and 3L Caroline Boutwell who interned last summer at the D.C. Office of Corporation Counsel in the Child Abuse/Neglect Division.

Diehl began the discussion by attempting to dispel the "bad rap of divorce lawyers" by stating the various roles one must play in family law. "One must be a psychologist and sociologist..." which result in one acting "not as an attorney, but as a counselor."

In representing the public sector, Elliott agreed that her work involves interpreting state policy, property settlements, tax law, and of course non-payment

of child support. "It's amazing how many people feel no responsibility to support their children and will do anything to get out of it ... and this includes all [economic] echelons," noted Elliott.

The ability to handle people is very important. Diehl compared his practice to "coming to the set of a soap opera everyday, but not knowing what the plot is." On behalf of clients, he has even arranged for dog and bird visitations.

"It's a wild area of law," summed up Diehl. Elliott agreed that "you must be a quick study...but it's something you get used to." As a mediator, Eckles mentioned the angry spouse who calls daily. But she said that in her practice, one sees "less of it as people learn [through mediation] how to focus on problems and to make their lives and their kids' lives better."

Family law can also let one create law. According to Diehl, "Real practice involves building



Natalie Hawthorne

Betsy Elliott, Caroline Boutwell (3L), Merri Hanson Eckles, and Larry Diehl

on existing case law." He stressed the creativity of trial work in family law because all cases go to the appellate court.

And, court work is becoming quite high tech with computer programs on child and spousal support, and the science of DNA testing. Diehl remembered when "paternity cases used to consist of who was living with whom."

The day-to-day private practice of family law can be tedious with clients calling regarding visitation and support payments. For Diehl, operating a practice is a business. Elliott began in private practice where the benefit is the development of an expertise. For Elliott, the con to private practice was doing the same thing, but she realized that "any practice will have a lot of repetition...[yet] some cases will add a spice of life."

Employed by the Attorney General to represent the division in its case work, Elliott is involved in litigation four days per week in Norfolk Juvenile Court. A large part of her work includes the establishment of support orders and various other enforcement actions. Elliott cited welfare

reform as one of the most important elements of her job because once the "obligations are established, more children will be off of welfare." Through her work, Elliott feels that she is "keeping children off the welfare rolls."

Eckles offered the views of a non-lawyer in family law practicing Alternative Dispute Resolution (ADR). Mediation is now viewed as an authority for judges to refer cases to as part of dispute resolutions.

Mediation allows Eckles to help people through not only the legal aspects but with the relationship issues. To this end, she helps attorneys see their roles as coaches to their clients. As a mediator, one cannot advise; one acts with neutrality. "It is difficult for attorneys to take off that hat of advisor and say there are legal ramifications in this," said Eckles.

The rule of thumb for deciding if a family needs mediation is if the partners must have any ongoing relationship. Eckles found that with mediation, "people take more responsibility since these are decisions they have decided on."

Mediation is a career option that can begin as early as law school. One can do mediation as a law student and charge an hourly rate. M-W's General and Family Mediation classes fulfill the state requirement. More information on mediation (and other aspects of family law) is available in the Office of Career Planning and Placement, which sponsored this event, or by calling Eckles's office.

As an intern in the division of Child Abuse and Neglect in D.C., Boutwell was given a lot of responsibility without a lot of time to learn. This was because the attorneys had 150 cases open at any given time.

Reports of child abuse came to the division from many sources, most notably neighbors, caretakers, and the police. If the court found abuse or neglect, the options included foster care, drug reform for the parent(s), or parenting classes. In the most extreme cases, the court imposed a Termination of Parental Rights, which severs parental rights to allow the child to be put up for adoption.

Like Elliott, Boutwell was in court almost everyday. It allowed her to "see the court process from beginning to end." Her work involved interviewing children, family members, witnesses and developing trial strategies. "It was a lot of work and very fast paced."

Boutwell enjoyed her work but found it very depressing. Because of the horrors of child abuse that are innate to such a position, there is a massive turnover rate for attorneys. But, said Boutwell, "it was also very rewarding because there were success cases where parents did get off drugs, families were reunited, children were adopted by relatives or foster parents."

All of the panelists agreed with the statement made by Elliott that by working in family law "you are doing something to benefit mankind.... We're on the side of right and that's good to be on from time to time."



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SPONG from 1

for the Respondent argued that the political party did not act under color of state law, and that the First Amendment was not implicated because the size restriction was reasonable and content-neutral.

Other awards announced at a Wren Building reception following the tournament included Best Brief, which went to a team from the University of Georgia, and Best Oralist, awarded to Richard Nikes of the University of Southern California Law Center.

The M-W Moot Court Board and the Virginia Trial Lawyers Association co-sponsored the tournament, which was directed by 3L Carla Archie.

It has been held at M-W since 1972, and was renamed in 1986 to honor former M-W Dean and U.S. Senator William B. Spong,

Jr.

Archie said she was pleased with the results of the competition, which went smoothly despite the unexpected withdrawal of several judges who were scheduled to judge in the competition.

"We had four judges drop out at the very last minute, and normally you don't expect to lose more than two that late," Archie said. "We had alternates, but more judges dropped out than we had alternates to replace them."

Archie said she had to recruit several judges, and wanted to thank M-W Professors Davison Douglas, John Levy, and Sheri Lynn Johnson for agreeing to participate at the last minute.

"The tournament is a huge amount of work, but it brings a lot of recognition to the law school," Archie said.

Law Watch

By Jon Sheldon

Restriction on Abortion Financing Illegal

A federal magistrate in North Dakota has thrown out that state's restrictions on public financing of abortions. The state law banned the use of public revenue for abortions except to save a woman's life. (*USA Today*).

Mississippi Bans Slavery

130 years after the ratification of the 13th amendment, Mississippi has chosen to finally ratify the bar to slavery. The state was apparently upset at not being reimbursed for freed slaves. (*USA Today*).

Abortion-Clinic Access Law Struck Down

After several federal courts, including the 4th Circuit, have upheld the ban on obstructing access to clinics, a federal judge in Wisconsin, Rudolph Randa, has said the law goes too far. (*USA Today*).

Ban on Doctor-Assisted Suicide Upheld

The 9th Circuit has held that doctor-assisted suicide is "antiethical to the defense of human life" and therefore a law banning such assistance is constitutional. The ruling upheld the state of Washington's law. (*USA Today*).

President "Not Above the Law"

Or so said a federal judge in voiding the agreement between former president Bush and the National Archives that allowed Bush to keep some government computer records private. (*Washington Post*).

Free Speech on Trains

Congress cannot simply declare Amtrak a private company to avoid free speech concerns, the U.S. Supreme Court re-

cently held. (*U.S. Law Week*).

Amtrak cannot remove homeless people from New York's Penn station based solely on their appearance, a federal judge has ruled. (*USA Today*).

Chain Gangs Back in Alabama

Inmates will be picking up litter on public highways in leg irons this spring in Alabama. (*USA Today*).

C and D Cell Batteries Banned

Police in Detroit Michigan have been banned from carrying flashlights that take C or D cell batteries. Similar heavy flashlights were used in the fatal beating of Malice Green. (*USA Today*).

HIV is a Deadly Weapon

Willie Palmer, an HIV carrier, was sentenced to eight years imprisonment in Mississippi for assault with a deadly weapon. He bit a store clerk. (*USA Today*).

Computer Error Within Leon's Good Faith Requirement

A computer error mistakenly listed an outstanding warrant for Isaac Evans. When Evans was stopped for a routine traffic violation, he was arrested and his car was searched, uncovering marijuana, as a result of the warrant. The Supreme Court held that the exclusionary rule shouldn't apply because the police acted in "good faith" based on an error made by a distant computer operator. (*U.S. Law Week*).

VA Bar Question on Mental Illness Banned

A federal judge ruled that the Virginia bar's broad question on mental health served no valid screening purpose, discriminated against those who have re-

to college. About six or seven of those report a campus related incident every year. Only one or two actually end up taking a case forward for prosecution.

Sadler distinguished the two types of assault that the campus is dealing with. On the one hand there are "outsider assaults" which occur infrequently. On the other, there are acquaintance rapes. According to national figures, in ninety percent of all rapes the victim already knows the assailant.

"One thing regrettable is that some people tend to look at acquaintance rape as a different category, but rape is rape" as far as the victim is concerned, said Sadler. In some respects, acquaintance rape is worse because there has been a violation of trust, a "double victimization."

If W&M mirrors the United States statistically with respect to rape, then there are "many people who may need help and are not getting it," according to Sadler. The college and the community both have resources that are easily accessible and confidential if individuals are just willing to seek them out. Sadler concluded by saying, "if there are victims, they owe it to themselves to come forward" and seek help.

55 DAYS

ceived counseling, and discouraged prospective applicants from getting counseling. The U.S. Justice Department agreed, filing briefs maintaining that Virginia is violating the ADA. The judge also noted that no one on the licensing board has psychiatric expertise. (*Washington Post*).

Stanford University Speech Code Struck

A speech code that bans insults based on race or gender was struck down by a California state judge, holding the ban unconstitutionally broad and content based. (*USA Today*).

Death Sentence for Graffiti Overturned

Salamat Masih, 12 at the time of his crime and a Christian, was sentenced to a mandatory death sentence when he was found guilty of writing blasphemous graffiti against the prophet Muhammad. A Lahore, Pakistan appeals court has overturned his conviction for insufficient evidence, citing the fact that Salamat is illiterate and therefore could not have committed the crime. Another defendant was killed when Muslim militants fired at them with shotguns on the way to trial. (*Washington Post*).

Mandatory IOLTA Repealed

Virginia became the first state to discard forced IOLTA, a program that took interest on client trust accounts and gave it to legal aid and many public interest groups. In the new voluntary program, all funds will go to legal aid. (*Virginia Lawyers Weekly*).

Capital Punishment Returns to New York

Governor George Pataki signed into law the death penalty, accomplished via lethal injection. (*USA Today*).

Lesbian Seductress Liable

A Janesville, Wis. jury awarded \$710,000 to a woman who claimed a psychiatric nurse lesbianized her and thus made her lose her husband and children. (*USA Today*).

Disabled Nudies

"No clothes, no tan lines, no obstacles" is

apparently the motto of Dade County, Fla.'s only nude public beach, which has recently made almost \$50,000 of improvements in ramps and parking for disabled nudists. (*The Associated Press*).

Heavy Duty Taxes

The Supreme Court has denied cert. on a ruling that rejected an attempt by the IRS to collect more money from Gabriel Baptiste Jr., who already paid all of his \$50,000 inheritance to cover estate taxes. (*USA Today*).

Reptilian Bastards

George Bushnell, president of the ABA, called conservative leaders of Congress "reptilian bastards" and, in an attempt to soften the remark, said "some Democrats are trying very hard to be reptiles too." (*USA Today*).

Free Speech in Other Lands

The law of treason, § 40(1), of Kenya's Penal Code: "Any person who encompasses, imagines, invents, devises or intends the death, maiming, or wounding, or imprisonment or restraint of the president is punishable by death."

On sedition, § 56, Chapter 63: "any utterances, remarks, words or insinuations which carry a seditious intention is" punishable by 10 years imprisonment. A seditious intention is any words, expressions, remarks, utterances or insinuations which are likely to bring into hatred or contempt, or to excite disaffection against the person of the president or the government of Kenya. §66(1) imposes two years' imprisonment when an untrue statement which causes alarm and despondency among the public is made.

Jailaholics

Some Alabama prisoners are refusing to be paroled, prison commissioner Ron Jones claimed. (*USA Today*).

Motherly Advice

Bronx judge Lorraine Backal, 68, was disbarred for telling a felon not to hide \$700,000 in the walls of his mother's house because rats would eat it. (*USA Today*).

Law World

By John Crouch

Atrocity Prosecution Too Late

It is too late to try a WWII soldier for massacring civilians, Germany's Supreme Court said. (*London Times*).

Accept no Imitation Imitation

"Jesus Boat" is a private, protected trade name, a Nazareth court held. Jesus Boats are replicas of a first-century fishing boat found in the Sea of Galilee. (*London Times*).

Divorce Laws Liberalized

Israel's parliament decreed that men who refuse to divorce their wives can only be jailed for ten years, but their checkbooks and business licenses can be taken away. (*London Times*).

New DUI Defense

Darren Phillips was acquitted of drunk driving in Gloucester, Engl. because his girlfriend was literally driving from the back seat of his moped. (*London Times*).

Mein Kampf Legalized

Israel's parliament legalized translating

Mein Kampf into Hebrew, but said a warning must accompany it. (*London Times*).

Bad Charge, Perfect Sentence

A Teeside, Engl. judge convicted David Draper of possessing racially inflammatory propaganda, and sentenced him to do community service for Pakistani groups. (*London Times*).

Right to Cheat

An electric company may legally rig a man's coin-operated meter to grossly overcharge him if the company wrongly believes he owes it money, an English High Court held. "I had to choose between feeding the meter and feeding myself," the unemployed customer said. (*London Times*).

Right to Smack

A social services department could not "de-register" day care provider Anne Davis for refusing to promise never to smack children, a Sutton, Engl. court held. (*London Times*).

Learned feet run minithons

By Lisa O'Donald
and Julie Patterson

Initiated by 3L gurus Joe Guarino and Bryan Fratkin, running has become a craze at M-W. Joe's and Bryan's inspirational completion of the Marine Corps Marathon has encouraged swarms of other M-W students to compete in two local half-marathons: the Pomoco Race in Hampton and the Anheuser-Busch Race in Colonial Williamsburg. Now between the hours of 1 and 4, the lobby looks more like it should be equipped with stretching mats than Naugahyde.

After months of group runs and inspirational lectures given (at no charge) by Joe, those of us running in the Hampton half-marathon (Joe Guarino, Leslie Sides, Louanna Godwin, Julie Patterson, Lisa O'Donald, and Nina Hval) knew we were ready. The night before the race, the crew planned a pasta dinner to carb-up and strategize. After our initial plan to eat at

Julie "24 Hours After Date Auction and I Still Can't Keep Food Down" Patterson's failed, we ate at Sal's. On the morning of the race, we drove to Hampton in 30 degree weather, donning any high-tech Cool Max running tights, ear warmers, shirts, gloves, socks, and hats we could find. As a special treat, Lisa and Nina dressed alike, looking like a couple of Power Rangers in their purple Nike gear.

Joe ran ahead, making new friends. The rest of us ran at a considerably slower pace, chatting about anything and everything; we had 13.1 miles to bond. We even had fans: Bryan Fratkin, who took pictures and caught the layers of clothes we stripped off by the tenth mile; Ted Atkinson and Jonathan Rotter, who cheered us on after completing the 5K; and the three Hampton residents who made it out to their front lawns. Bryan, a veteran runner, claimed an ankle injury and didn't participate in this race, although we suspect that he was really afraid that Louanna would dust him. The most exciting part was hearing our names announced with our times when we crossed the finish line, but some were happier with the free beer and pizza.

The Colonial Half-Marathon was a short two weeks later. Again a pasta dinner, this time at Jonathan's, began the bonding. The morning of the race, the



3Ls Lisa O'Donald and Louanna Godwin

second crew was prepared with Vaseline (ask Ted what it's for), gum, and Power Bars.

Alum Susan Seiger ('94), Jim Harvey (finishing at 1:30 after knee surgery), Professor Raj Bhala (1:37), and Chris Leibig were the most competitive. Bill "I Love Pain" Kennedy ran with Lisa "But I Don't" O'Donald, but Bill wasn't much company in his Marine trance. Kim Dustin and Dawn Raines ran with Diane Preston until she took off to flirt with some cute paramedics. Frank Lynch was outdone by his wife Kristi, who came in 3rd in the 5K at 20:21. Kevin Miner earned points for tripping at the 11 mile point - there were witnesses. Points also go to Jim Love and his wife, Jennifer, who hadn't run in three months, and to Joe and his brother, whose mother made the two boys run in matching outfits. Ted and Jonathan get awards for starting at ground zero less

than one month before the race. The inseparable pair ate, slept, and ran together, chanting "there's no I in TEAM."

Many thanks to fans Lucy White, Mick Moore, Suzie Schroeder-Mrava, George Snead, Kirsten Mueller, and John Ashley who cheered everyone on. Good effort by would-be fans Jenny Goldstein and Bill Brick who showed up a little late. And to the injury prone runners at M-W - John Osborne, Bryan "My Ankle Still Hurts" Fratkin, Eileen McNeil, and Susan Ludi - we missed you at the race. But remember - no pain, no gain! The rest of the Hampton crew (Louanna, Julie, Leslie, and Nina) heard there was no pizza and didn't show.

The running craze may prompt the formation of a running club - one suggested name is "Learned Feet." The group would, of course, seek SBA funding for towels, showers, locker rooms, and stretch mats.



3Ls Joe Guarino, Luanna Godwin, Jon Rotter, Leslie Sides, Julie Patterson, Ted Atkinson, Nina Hval, and Lisa O'Donald

EDITORIAL from 2

minorities than white males to fill each position available. Such logic continues to strengthen the divisiveness between the races and is promulgated by Presidential candidate Bob Dole, who said that one reason 62 percent of white males voted Republican last year was because "sometimes the best qualified person does not get the job because he or she maybe one color. And I'm beginning to believe that may not be the way it should be in America."

The issue is not race, as the Republicans suggest. The problem is the American Dream and an economy that doesn't work as well as it did in the past for the working class Joe or Jane. The

Republicans have used the issue of race to turn working class people against each other rather than addressing the real issue of the economy.

The education system is failing the working class by not properly preparing them for jobs that will allow them to prosper. Certainly not everyone can be a doctor or lawyer, but that has always been true.

What has not always been true is that now there is an ever increasing class of working class poor who look at the African-American and female in white collar jobs and resent their presence.

The media and the Republican Party has not increased John Q. Public's awareness of the minute numbers of minorities in

these professions as compared to white males, and so his ire grows as he works harder and attains less.

Affirmative action is thought of by many today to be just a euphemism for reverse discrimination, but in actuality it is a euphemism for economic competition. When affirmative action was first implemented in the 1970s there was a job for everyone who desired one.

The same is not true today, but what is true is that affirmative action has diversified the job force. And there will always be a loss from any benefit. But the benefits from diversification, rather than hiring the unqualified as Bob Dole implies, have made performance the key factor rather than the social conve-

nience of the "old boy network" or nepotism which many times meant hiring whites.

Jobs and academia are two of the few areas where people will meet and interact with people unlike themselves on a day to day basis. School is the first place where many whites will meet their first minority; personally, it was where I met my first Jewish person and was exposed to that culture.

Before affirmative action the work force could be viewed as a place of social in-breeding. Langston Hughes wrote in the 1950s that "all bosses are white." Thanks to affirmative action, that statement is no longer true.

Individuals and society as a whole benefit from the life experiences, the knowledge, the ad-

vice of people from other countries and races. The diversification of the work force and school add to one's growth as a human being and to society as a whole, especially in the international marketplace which is becoming more prominent.

The fact is that today white males are not just competing for jobs with African-Americans but with Asian-Americans, Hispanics, blind people, overweight people, and the physically challenged, to name a few.

Affirmative action is not the enemy. It has greatly enhanced hiring, recruitment and human resource management. The losses of affirmative action, of a Bakke, do not balance the benefits attained by the equal opportunity gains of affirmative action.

LIBRARY from 1

built in the late 1970s and opened in 1980. It cannot meet the technology demands of today's world. There is a need for external computer and learning labs that could be accessed 24 hours daily. In addition, the current facility is 80 percent full in terms of shelf capacity. According to Heller, a library is considered full when it reaches 84-86 percent of its capacity. To go beyond that figure would mean shifting books from aisle to aisle. At the current rate of growth, Heller said, "The library would be 100 percent by the turn of the century." A new library would

create needed space for patrons and accommodate the collection.

No plan is set for the new facility. Heller stated, however, that 11.8 million dollars minus the renovations of the current facility would leave enough funding for a four story, 71,000 square foot library building. Heller said he would push for an 80,000 square foot facility, but the College has set 11.8 million dollars as the price tag. No plans have been made as to how to use this additional space.

Heller feels that "student input is obviously critical" to help make the best use of the facility. One of his hopes is that there would be more conference rooms

and enough carrels to assign one to every student. These carrels would have full electronic capabilities to link into the campus wide system. The renovations of the current library would include additional classrooms to accommodate small Legal Skills classes and additional space for student organizations.

Without a new library, the administration does not know what to do to maximize its current facility. There are no new

plans to wire carrels to the university system. "The library has maxed out its electrical capabilities," said Heller. Legal Skills classes will still be held in Rooms 119 and 120. Student organizations will continue to make do with what little space they are currently allotted. If a new building is not approved, Heller lamented, "I don't know what we can do."

The funding for this capital project has not yet been approved.

NEXT AMICUS: MONDAY, APRIL 3
STORY DEADLINE:
WEDNESDAY, MARCH 29

Learn About 21st Century Africa Tonight

Michael E.M. Sudarkasa, President of 21st Century Africa, is speaking on the legal and business aspects of furthering the development of African countries through cooperation of American and African businesses tonight at 7 p.m., Tyler Hall, Room 318, located behind Blow Hall. The event is presented by International Law Society and Black Law Students Association.

M-W Commencement Speaker Announced

Judge Abner Mikva will be the speaker at the Law School Diploma Ceremony on May 14. Judge Mikva served as the Chief Judge for the U.S. Court of Appeals for the D.C. Circuit before becoming White House Counsel in 1994.

Law School Ranked 28th

M-W has been ranked 28th nationally in a survey by *U.S. News & World Report*. That figure is up from the school's 29th ranking by the same publication in its annual survey last year, and its ranking of number 32 in 1993. M-W jumped ahead of two previously higher-ranked law schools: the University of Washington and the University of California at Hastings. However, the University of Georgia (previously #30) leapfrogged over M-W to #27.

Researchers for the survey, called 1995 America's Best Graduate Schools, used five criteria: student selectivity, placement success, faculty resources and two separate measures of institutional reputation. *U.S. News* also reported "disturbing discrepancies" between the numbers that some law-schools self-reported as compared to numbers they gave the ABA. Penn, Iowa and Washington & Lee (all of which ranked ahead of M-W) were among those on the list of shame. The complete survey results are listed in the March 20 issue of the magazine, available on newsstands since March 13. A book with the results will be available on newsstands March 27.

New Leaders for Journal of Women and the Law

William & Mary Journal of Women and the Law is pleased to announce its editorial board for 1995-1996: Editor-in-Chief: James G. Connell; Managing Editor, Jennifer R. Healy; Business Editor, Dartaganan L. Jackson; Research Editor, Katherine Chen; Article Editors, Michelle C. Anderson, Lynn T. Dickinson, Marjorie B. Fichter, Nicole H. Fradette, Scarlett H. Spence, Laura M. Sullivan. Congratulations!

Platinum Plunger Contest

The Office of Career Planning and Placement has announced the 9th Annual Platinum Plunger Rejection Letter Contest. For the uninitiated, one must submit the most outrageous, revolting stab to your pride in the form of a job rejection letter to Rita Schellenberg or Dean Kaplan. The awards ceremony will be held in April.

Death Penalty Panel and Discussion

Professor Paul Marcus is moderating a panel discussion on the death penalty on Wednesday, March 22 at 8 p.m. Panelists will include John Tucker, a defense attorney and M-W faculty member; Rick Conway, Assistant Commonwealth attorney for Prince William County, former police officer and member of the Attorney General's office; and 2L Lori Sinclair, who will discuss racial bias.

The discussion will be held in Tucker Hall, Room 120. A question and answer session will follow. Amnesty International is sponsoring the event.

Justice Ginsburg To Speak at M-W

Supreme Court Justice Ruth Bader Ginsburg will be the recipient of the 1996 M-W Medallion. Justice Ginsburg was President Clinton's first Supreme Court appointment, and she is the second woman ever to sit on the Court. She and her husband will visit the law school in April, 1996.

No Smoking During Exams

As of this spring, Room 239 will no longer be set aside as a smoking room during the administration of exams.

Free Sumo Suit Wrestling at U.C. Cafe

Students can sumo wrestle from 8 until 10 p.m. at the University Center Cafe on Saturday, March 25. If you can't be there, you can read about it in the next *Amicus*.

Asian Food Festival at U.C. Saturday

"A Taste of Asia," featuring food, dance and performances from seven Asian countries (including India), will be held at 7 p.m. on Saturday, March 25 in the U.C.'s Chesapeake Room. Admission is \$1. A dance follows at 10 p.m.

Good News for Madrid Summer Students

Madrid is the world's cheapest place to have a party, according to *USA Today*. You and your friends can achieve true happiness for only \$63, which is about half as much as it would cost in London or Tokyo.

Moot Court Competitors Excel

Congratulations to Laura Hunt, Gretchen Knoblauch, and Leslie Sides, winners of 2nd Place in the Duke Medical Legal Ethics Moot Court Competition. Laura Hunt also won 2nd Best Oralist.

Also, congratulations to Greg James, William Mitchell, and Jeff Regner, who advanced to the quarterfinal round of the Pace Environmental Moot Court Competition out of 77 teams.

More kudos to the W&M team members placing in the Top 10 Oralists: J. Connell, 1st place; Lucy White, 5th Place; and Rani Russell, 9th Place.

Kim Dustin and Chuck Sweedler placed third in the National Environmental Negotiation Competition. National Appellate Advocacy Moot Court Team Members J. Connell, Shawn Overby, and Josh Wulf were First Place winners in the Regional Competition and have earned the right to attend the National Competition in Chicago this summer. Congratulations to all!

Summer Courses in Environmental Law

Vermont Law School offers 32 two-week and eight-week courses in environmental law and policy and alternative dispute resolution. New courses this summer include Corporate Law for Environmental Practitioners, Global Impacts of Energy Use, and The Environment On-Line. Summer students may enroll in just one course or as many as five. Students from other law schools may attend for transfer credit or as auditors. The program is also open to environmental practitioners, advocates and attorneys.

For a brochure and application, write to Summer Session, Vermont Law School, Environmental Law Center, P.O. Box 96, South Royalton, VT 05068 or call 1-800-227-1395. Applications are due May 1.

New Bar Review Course

A new bar review course, the West Bar Review, has been launched by West Publishing Co., the nation's premier publisher of legal materials.

West is now hiring student representatives and staff attorneys. Anyone interested in applying for a position should contact West at (212) 535-6811 or by fax at (212) 861-3244.

Muscarella Photography Exhibit

The Muscarelle Museum of Art presents "The Passionate Observer: Photographs by Carl Van Vechten." Between 1932 and 1964, he produced 15,000 photographs, capturing some of the most celebrated individuals of our time, including Georgia O'Keefe, Eugene O'Neill, and Aaron Copland. Van Vechten was also a patron of many of the leading figures of the Harlem Renaissance of the 1920s.

The exhibition runs from April 1 through May 21 with an opening reception on Friday, March 31 from 5:30 until 7 p.m. For more information, call 221-2703.

Orchesis Presents Annual Spring Performances

"An Evening of Dance," the annual spring performance by Orchesis, the College's modern dance company, will be presented Thursday through Saturday nights, March 23-25 at 8:15 p.m. in PBK Memorial Hall. Each program includes nine original choreographic works by student choreographers. Performances are free and open to the public.



Colonial Barber and Beauty



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In defense of a campus-wide honor system

Paula Hannaford

No sooner had W&M President Timothy Sullivan announced that the College would adopt a campus-wide Honor System, than a sizable number of law students began to gnash their teeth, beat their breasts, and rend their garments. In spite of very sound reasons for consolidating the College's many Honor Systems, and the fact that neither the substance of the new Honor Code nor the form of its administration have been decided, there is a pervasive fear among some law students that the end of the world is close at hand.

The decision to unify the College's Honor Systems resulted, in part, from the desire for consistency with the new unified Student Government. A more important factor, however, was recognition that maintaining separate Honor Systems too

often produced outcomes that are fair neither to students accused of Honor Code violations nor to students affected by the dishonorable conduct of some of their peers.

The Codes of some W&M schools, for example, lack adequate due process protections for students accused of violations. In addition, many of the W&M Honor Codes contain inconsistent, and often conflicting, standards of conduct. As a result, conduct which is a very serious violation under the standards of some Codes is not even considered misconduct under others. For the increasing number of students enrolled in more than one school, this creates an intolerable conflict. On two occasions since enrolling in W&M's joint law and public policy program, I have faced this very problem myself.

To be sure, some of the concerns voiced by law students

about a campus-wide Honor Code are well-founded. Foremost among these is the possibility that some valuable provisions of the M-W Honor Code may be discarded in the process. There is no question in my mind that the current M-W Code is an extraordinarily well-crafted document. Due to several notorious trials in recent years, a number of substantive and procedural deficiencies in the Code have been identified and remedied. Moreover, we are not only right to insist on high standards of conduct for ourselves, we are also well-justified in expecting high standards of our peers enrolled in other W&M schools.

Insisting on high standards, however, does not necessarily warrant the inclusion of strict Honor Code provisions. Before jumping to the conclusion that omitting these provisions will deprive us of an essential moral compass, we should seriously ask

ourselves two questions: whether establishing rules to sanction misconduct is the only way to maintain the integrity of law students; and whether those rules can be fairly applied to all students in the College community.

The proposition that Honor Code provisions are an effective deterrent against student misconduct necessarily assumes enforceability. The existence of an exemplary Honor Code, however, should not be confused with the ability to administer it. After being privy to the details of three Honor Code trials in the past four years, I seriously question whether a community of fewer than 600 individuals is capable of policing itself. We sit next to one another in class. We work together on *Law Review*, Moot Court, PSF, and a host of other school-related organizations. We live together. We socialize together. We know which students like each other and which

ones despise each other. We co-exist in a fishbowl that robs us of our ability to judge one another fairly. Regardless of how stringent we design our self-imposed rules, we could definitely benefit from the increased objectivity that would come with a larger pool of potential judges.

Similarly, rules that theoretically are enforceable in a small community of law students does not necessarily mean that they would be equally enforceable in a larger community. Take the M-W Confrontation Clause, for example. Implicit in that provision is the assumption that most law students know each other well enough to be capable of seeking out another student for the purpose of confronting him or her with suspicions about an Honor Code violation. The same assumption cannot be made in many undergraduate classes where students often do not know each other well enough to contact them for confrontational purposes. The effect of retaining the Confrontation Clause in a campus-wide Code would be to create a rule that, for the majority of the student body, would only be observed in the breach. Some law students will argue that holding the entire student body to extraordinarily strict standards has significant symbolic value. For myself, however, I prefer reasonably enforceable rules to the hypocrisy of setting standards that would be almost universally ignored.

Often accompanying these very legitimate concerns about the substance of a campus-wide Honor Code, however, are assertions that non-law students lack both sufficient real life experience and an appreciation for the competitive rigors of law school to be trusted with the task of judging law students. Neither assertion stands on very firm ground. Even accepting, for the sake of argument, the extremely remote possibility that an Honor Code trial panel would not reflect a broad range of students (including other graduate students), the insinuation that non-law students are incapable of understanding the norms under which we operate is nothing less than arrogant and insulting. The fact that, on average, W&M undergraduates are younger than M-W students does not imply

Meet Prof. Dorothy Della Noce

By Ruthie Litvin

After practicing law in a traditional setting for almost seven years, Professor Dorothy Della Noce, who teaches both General and Family Mediation, made a change in her professional life. Between the time demands and the lack of control that comes with being a litigator, Della Noce says she was unable to maintain the type of family life she desired. So for the past four years she has exclusively practiced the art of mediation, focusing primarily on family, domestic and community issues.

But the demands placed on her personally were not the only reasons she began working as a mediator. Della Noce says the litigation process didn't meet all the needs of her clients, often hurting them more than helping.

As a divorce lawyer, Della Noce won most of her cases but "clients were rarely pleased with the process," she says. "Now I get thank you notes from clients."

Della Noce received her J.D. from Western New England School of Law in Springfield, Massachusetts, and holds a B.A. in Psychology and Special Education from LaSalle College in Philadelphia. She is pursuing a Ph.D. in Dispute

Resolution from Union Institute of Cincinnati.

The mediator generally, and Della Noce personally, can best be described as an advocate for individuals' needs. "The greatest benefit to the client is actual control over their future," she says, adding that mediation allows the parties to make fully informed decisions. Clients can work at their own pace, present information in their own way (without the hindrance of evidence rules), and save money and time, she explains. One study she cited found that mediation could save anywhere from 67 to 80 percent of the cost of a litigated divorce.

A big misconception by both attorneys and laymen is that the goal of mediation is to make everyone feel good, Della Noce says. "The role of a mediator is primarily to facilitate communication." Mediators are neutral third parties who help clients focus on the issues and reach a solution. In Virginia, the role is defined by statute.

Virginia statutes also make the process confidential by disqualifying anything said, done, or produced in mediation from being introduced as evidence in court. The statute does allow exceptions if both parties voluntarily agree to them. For example, most mediators require

parties to waive confidentiality regarding information revealed if it relates to future harm to one of the parties or alleged child abuse, Della Noce says.

Maintaining neutrality may be one of the most difficult parts of the job. "Often the mediator is faced with things that make you want to step out of the role." There are times, however, rare, when a mediator may feel that a solution reached is inequitable.

Under Virginia's Code of Ethics, the mediator is required to raise the issue with the parties, or if the solution is "manifestly unjust" in the eyes of that mediator, remove herself from the process, Della Noce explains. The parties can then secure a new mediator, negotiate between themselves or pursue other legal avenues.

To be a good mediator, Della Noce believes that a person must not be afraid of conflict since mediators deal with it all the time. Most importantly, she says, "a mediator must be willing to listen more than speak."

Contrary to what many people may think, mediators do not have to be attorneys in this state. According to Della Noce there are two sides to this issue. "One advantage is that attorneys have a substantive knowledge of the law... a disadvantage is that attorneys sometimes can't stop



being attorneys and are not true to the role of mediator." She also notes that there is debate among mediators as to whether mediators should have special skills relevant to the subject matter at issue.

Since it is the mediator's role to ask the right questions, she says, some knowledge of the subject matter is helpful. "You want someone who speaks the language but not impose their expert opinion."

Della Noce emphasizes that mediation is not designed to replace litigation. "It's an option, not a guaranteed solution," although she points out that studies have shown that compliance with mediation-born solutions is higher than court-ordered or attorney-negotiated solutions.

Crossfire

The Foster nomination

The issue is credibility – something Clinton should be concerned about

Pat Lee

As the Senate debates the nomination of Dr. Henry Foster, it will consider a man with a controversial past. More significant, it will consider a man who has not been entirely honest when answering concerns about that past. The Senate should reject this nominee who has tried to hide his record. The Senate also should send a message to the President who nominated him: try again, and do your homework next time.

The controversy surrounding Foster extends far beyond the abortion issue. For example, Foster has admitted performing hysterectomies on retarded women for the purpose of sterilization. Supporters dismiss this as a practice accepted at the time and discarded since.

More significant is the allegation that Foster knew of the Tuskegee experiment, which left patients exposed to syphilis for extended periods of time without treatment. Contrary to the rhetoric from the President, this accusation does not come only from extremist groups. Dr. Luther McRae, a physician who practiced near the site of the experiments, claims that Foster was present when he learned of the study and that Foster failed to report it. Sen. Nancy Kassebaum, chair of the labor and human resources committee, has ordered an investigation. Whether it is true or not, Foster will have to answer this serious charge during his hearings.

Perhaps more emotional is the controversy surrounding Foster's performing abortions. The White House first reported that Foster had performed only one abortion. Foster later undercut this claim by reporting that he performed roughly a dozen abortions. That number soon increased to 39. Conservative groups such as the Family Research Council claim that the number may be much higher. These discrepancies should not seem insignificant, even for those who support a woman's right to have an abortion.

This brings back memories of the doubts that surrounded Presidential candidate Bill Clinton when he confronted reports of his alleged draft-dodging, drug use, business-related improprieties, and marital infidelities. Then, too, the public listened to evolving admissions and explanations. Then, too, we had to wonder if the dishonesty was worse than the alleged wrong-doing. How many times do we have to ask the question before we get a complete and truthful answer?

Foster has not been honest with the American people. As someone who seeks to serve as a public officer, he must earn the public trust.

This lack of honesty has broadened opposition to Foster significantly. The facts do not support Clinton's claims that Foster's troubles stem only from the un-

Foster's lack of credibility should disqualify him. The Surgeon General's main role is that of an advocate, and credibility is central to his or her effectiveness.

fair tactics of an anti-abortion, right-wing smear campaign. The moderate, pro-choice Kassebaum has criticized Foster and the Clinton Administration because of their failure to answer her questions forthrightly. *The New York Times* has called for the withdrawal of the nomination. In a February 10 editorial which praised Foster for his professional achievements and reaffirmed support for abortion rights, the *Times* staff nonetheless argued that Foster's dishonesty "disqualifies him from serious consideration." And no one can argue that the *New York Times* is a tool of the religious right.

Foster's lack of credibility indeed should disqualify him. The Surgeon General's main role is that of an advocate, and credibility is central to his or her effectiveness. Joycelyn Elder's experience serves as a good example. Elders began her tenure under the cloud of her past failure to warn Arkansas students that the condoms they received in schools were defective. In addition, Elders rarely could open her mouth without causing herself and the President embarrassment. From her biting insults to Catholics to her advocacy of teaching children the value of masturbation, Elders repeatedly caused public-relations problems for the White House. As a result, Clinton decided to keep her in a back room and eventually to cut her loose. He attempted a major overhaul of our nation's health care system without effective promotion by his Surgeon General, who should have been a key asset.

This nomination battle is as much about Clinton as it is about Foster. The doctor joins a long list of troubled Clinton nominees: Zoe Baird, Kimba Wood, Lani Guinier, Bobby Ray Inman, Henry Cisneros, and Elders. In each of these cases, more significant preparation by the President's staff might have led the President to reconsider his choice.

In light of the substantial power and budgets of the offices they would command, Clinton pays insufficient attention to his choices for these important administrative posts. For this reason, Sen. Joe Biden, usually a Clinton ally, originally spoke out against the Foster nomination.

The President, his staff, and the nominee only make the situation worse when they add to the mix elusive and dishonest answers. We should be able to expect more from our leaders.

The issue is health – which is also the central aim of Foster's career

James Connell

Dr. Henry "Hank" Foster, the person nominated to fill the Surgeon General vacancy left by Dr. Elders, has become the newest pawn in the battle over abortion. He is under attack not for his qualifications, but for his pro-choice beliefs.

Foster's ability is beyond dispute. An African American OB-GYN from Tennessee, he was recently endorsed "wholeheartedly and unequivocally" by the American College of Gynecologists and Obstetricians. The president of that organization described Foster as "a fine doctor and a great educator." Ironically, Foster's "I Have A Future" program for young people in housing projects earned him an endorsement from former President Bush as one of America's Thousand Points of Light.

Foster's pro-choice stand, however, has come under attack from conservative extremists. As part of the campaign against Clinton appointees, particularly minorities, the newly galvanized right wing is seeking to defeat Foster's appointment on the basis that Foster has put his pro-choice beliefs into action by actually performing abortions.

In the atmosphere of terror and hate created by groups like Defensive Action, Rescue America, and Missionaries to the Pre-Born, and killers like John Salvi and Paul Hill, the number of gynecologists willing to perform abortions is dropping rapidly.

The legal right to abortion means nothing without access to health care providers. For example, North Dakota has only one clinic that provides abortion services. Dr. Foster has performed abortions as part of an overall commitment to women's health.

Whatever our personal beliefs about the ethics of abortion, we must support the provision of abortion services in a safe

As part of the campaign against Clinton appointees, particularly minorities, the newly galvanized right wing is seeking to defeat Foster's appointment on the basis that Foster has put his pro-choice beliefs into action by actually performing abortions.

Foster performed 39 abortions in 35 years, and teaches that abortion is a last resort. He was not present when sterilizations were discussed.

Right or wrong, abortion should be safe. But with doctors leaving the field in droves, many women may lose access.

and responsible manner. In his "I Have A Future" program, Dr. Foster teaches that abstinence is the only absolute guarantee against pregnancy.

Dr. Foster also provides complete and accurate information about contraceptives, and teaches that abortion is a last resort. This position represents the vast majority of Americans, and Dr. Foster should be applauded for his service to women and to minority communities.

Here are the facts on the other criticisms of Dr. Foster:

Equivocation on the number of abortions. When first asked how many abortions he had performed, Dr. Foster answered off the top of his head, "about a dozen." After checking 35 years of hospital records, he revised his answer to 39, the actual number.

Tuskegee. Anti-choice activists charge that Foster approved the infamous Tuskegee Experiment, where African American men were infected with syphilis, then left untreated.

At the time of the experiment, Foster was in Tuskegee, Alabama, offering obstetric services to rural African Americans, and served on the board of the local hospital.

At one meeting of the board from which Foster was absent, the Public Health Service, which conducted the experiment, described it to the board. There has been no evidence to suggest that Foster knew of the existence of the program, much less approved of it.

The "white right-wing extremists" comment. During a speech to the First Baptist Church-Capitol Hill, Foster said, "I ask for your help and prayers in working with me again to fight the latest attacks from white right-wing extremists that are using my nomination to achieve their radical goals." Amen, Dr. Foster. Preach on.

PRAYER from 1

the event.

The tenor of the discussion was set early by the incendiary language of Pat Robertson's keynote speech. Robertson, fountainhead of the Christian right and founder of the Christian Broadcasting Network and Regents University, spoke as a latter-day Jeremiah calling down fire and brimstone on the heads of the secular humanists who would prevent religious instruction in schools. He likened the present day tendency of courts to limit religious instruction in public schools to "rape of [American] society and of the nation's religious heritage."

He started by relating the true story of a woman's rape on a pool hall table in which a number of patrons participated or stood by and cheered, while no one stopped the horrible act. Reflecting not just a pervasive lack of morality in today's society, Robertson felt the story was analogous to the brutalization of all members of society by the absence of religious teaching. With much fervor, he exclaimed, "the garments of civic virtue have been torn asunder!"

The response of the audience was mixed. Some, like George Hartnell (1L), felt that Robertson may have gone a bit

far, as "it was a little tasteless to use rape for rhetorical purposes." However, the Regent University folks, present in sizable numbers, seemed to murmur with general approval.

Robertson finished his speech and quickly left the auditorium with his entourage in tow. The stage was then cleared for the Moot Court argument. The scenario, drafted by Romans, presented a public school class, "Religions of America," that provided an overview of religion in the United States for historical and moral instruction, and did so using religious writings, symbols, and speakers to represent the various denominations. The respondents, ably represented by Mike Grable and Emily Jenkins, successfully challenged the constitutionality of the class. On the petitioner's side, Laura Feltman and Matt Johnson also demonstrated great rhetorical flourish.

The arguments occurred before the incandescent pate of Chief Justice Neal Devins and his bench of equally shining justices, Professors Davison Douglas and Sheri Lynn Johnson, Visiting Distinguished Lee Professor of Law, Tim Singhel (3L), and Lucy White (2L). The justices' questions to the advocates were probing and at times upset the smooth deliveries of the faux lawyers. However,

with good sportsmanship in mind, not much blood was spilled.

The real gorings came later, with the panel of lofty thinkers. Representing a spectrum of views, the panel included, on the side of God and all that is holy, Jay Seklow, Chief Counsel of the American Center for Law and Justice, supported by Professor Lynn Buzzard of Campbell University. On the side of the Seven-Headed Beast of Revelations were Strossen, Elliot Mincberg, Legal Director of People for the American Way, and Professor Ruti Teitel of New York Law School, with the middle ground being held by Professor Steven Goldberg of Georgetown University Law School. Our very own Dean Thomas G. Krattenmaker brought much credit to our school with his solomonic moderation of the discussion.

Sekulow, who bore an uncanny likeness to Robert DeNiro, argued as if he had attended the "Are You Talkin' To Me?" School of Law. At one point, he even went so far as to pull out a condom, saying that "schools in Massachusetts permit distribution of these without parents consent



Panelists Ruti Teitel and Jay Sekulow

-Natalie Hawthorne

but in Georgia where a student was unable to bring his Bible to school . . . no God!" However, as the ever quotable audience member, 1L George Hartnell, muttered under his breath, "most Bibles don't come with nonoxynol-9."

Strossen did not take the brandishing of the condom laying down, asking, "Why was Jay waving that condom at me?" She felt the condom obscured the real issue and that "government ought to stay away from sex and religion." Strossen's remarks did not go over well with some members of the audience, especially those who arrived en masse from Regent University. Like a group of pharisees itching for a good stoning, they hissed as she uttered her blasphemes. Strossen continued her point in her closing speech. She recognized "there are horror stories on both sides," but "we all agree that constitutional rights ought not to be violated" and "any perceived government endorsement makes a nonreligious person feel like a second-class citizen."

Closing the symposium with useful guidance to M-W students, Strossen urged us "to put your talents to good use; to stand up for people's rights." With those words ringing in their ears, the audience left, visibly pleased with the entire evening. Owen, Director of the Symposium, was also pleased with his handiwork. He felt that student participation had been outstanding and noted that attendance was overwhelming. The auditorium had been filled and many more people watched the discussion on closed-circuit television in an overflow room.

Owen said he only regretted "not being able to publicly thank all the faculty and students who helped behind the scenes."

Ask Mr. Smart Guy

Dear Mr. Smart Guy:

When I came to Williamsburg in August, I heard some crazy rumor that there was a serial killer who worked the Colonial Parkway and has never been caught. I was going to ask you about it earlier, but I got drunk and forgot. Is this story true? What else was I not told during orientation?

-- Easily Spooked

Dear Spooked:

You'll be displeased to learn that two years ago Brad Wagschul (3L) actually researched this rumor when he first heard about it and discovered that there's some truth to the tale. It seems that every few years a couple disappears and their car is

found sitting on the side of the parkway, sometimes with the engine still running. Their bodies are either found nearby, or never found at all. There's never a sign of struggle, and all the victims seem to have gone willingly with the murderer. The last killing was about six years ago. Perhaps the murderer stopped because he started channeling his attention away from mindless, frenzied blood-letting and began focusing on doing his job right as a placement administrator again.

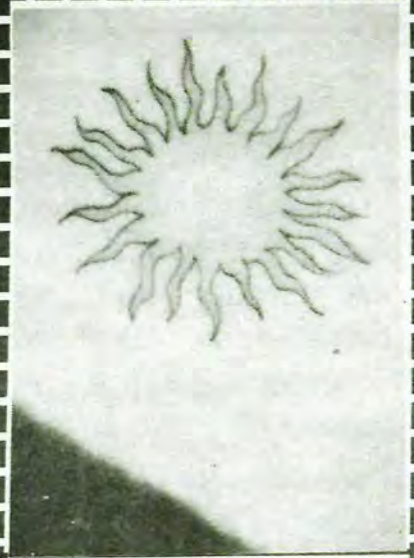



The legend of "The Colonial Parkway Killer" is not the only such tale of Williamsburg, however. There's also the myth that deep within the James River lives a beast of such horror that few who

see it live to tell the tale. Coincidentally, a rare sighting of the creature occurred last Friday as a group of 1Ls gathered on the bank of the river to celebrate St. Paddy's Day. Without warning, the James River Monster emerged from the water and reared its ugly head shortly after 1L Shaun Rose went swimming (an act which probably roused the creature from its sleep). According to one eyewitness, the horrible monstrosity was described as "very short and very pale. It kind of looked like a weasel. We obviously disturbed it in its lair, because it seemed very angry with us, threatening to strike as it

See SMART GUY on 18

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

This week: Clandestine flesh tattoos of Marshall-Wythe

 <p>SUN</p>	 <p>HEART</p>	 <p>FRED</p>	 <p>DRINKING DUCK</p>
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Outer Limits

By John Crouch

He's finally lost it

Chief Justice Rehnquist had somebody sew four gold stripes onto his robe. (*ABA Journal*).

Genuine health care reform

A Tampa hospital said it would start writing "NO" in magic marker on everything that shouldn't be amputated. Doctors there had removed the healthy left foot of a man with a gangrenous right foot. (*Daily News*). A Welsh hospital promised to stop putting stillborn babies in cardboard boxes and sending them home by a parcel service. (*London Times*).

Bulldozer suicide

Stanley Karey of Warren, R.I. committed suicide by somehow running over himself with a bulldozer, and then shooting himself in the chest, according to town coroner Joseph Sudimack. Investigators dug Karey up again to see if the coroner might have

made some mistake. (*USA Today*).

Dog wreaks injustice

A Colchester, Engl. judge refused a new trial for contractor Graham Gregory, who claimed the judge's snoring dog kept him from concentrating during his testimony. The judge did award him "Brownie points," however. Gregory said he did not object at trial because he had no idea there was a dog under the bench, and thought it was the judge snoring. (*London Times*).

Jailed for marrying

Gisele Savage and Eugene Roberts of Barre, Vt. were jailed for getting married, which violated a court order that kept them from contacting each other. (*USA Today*). Israel's rabbis recently refused to marry a descendant of a suspected bastard who died 2,500 years ago. (*London Times*).

Cooking with live ammo

Joe Carlisle of Fort Wayne called

the police because someone was shooting at his house. Actually, he had left his gun in the oven and forgot about it. (*Reason*). A California teen argued that his school could not expel him for having a gun in his car, because his Attention Deficit Disorder made him forget to remove it. A judge reportedly agreed, citing the Americans With Disabilities Act. (*Id.*)

Illegal mannequin pose

Lonnie Davidson was arrested for impersonating a mannequin in a Twin Falls, Id. shop window while naked below the waist. (*USA Today*).

At least he tried

Fred Ontivieros of San Francisco sued an airline for his injuries in a New York plane crash. The suit was dismissed when TWA proved that the plaintiff was at work in San Francisco when the plane went down. (*National Jurist*).

Whatever

For some reason, residents of Empire Mountain, Arizona are building a wind turbine that they hope will interfere with a new federal radar facility intended to detect wind shear, according to *USA Today*.

Blockage

William Keith of North Pole, Alaska had trouble flushing his toilet after a moose plugged his septic tank. (*London Times*).

Deer in demolition derby

Two deer crashed through Philip Grove's cathedral window in Baton Rouge, ripped up his rugs and butted holes in walls. He says they thought their reflections were other deer. (*USA Today*).

Most parking meters cheat

In Keene, N.H., 60 percent of parking meters cheated customers, a study found. (*USA Today*).

Neat trick

Musician Kid Creole has had six

children by seven women, the *Daily Press* reported.

Police OD on TV

A Kidderminster, Engl. man got his shotgun engraved and was taking it home when he was pinned down by team of police on the grounds that he must be some kind of terrorist or something. (*London Times*).

Breaking the cycle of abuse

Susan Hornby of Portsmouth, Engl. would not stop playing a tape of irritating sixties pop songs, so her German shepherd ate it. (*London Times*).

Trial by combat

A mattress company challenged ZZ Top to a battle of the bands, judged by applause, to settle a trademark suit. (*USA Today*).

A new low

In nearly all the weird news items I come across, the bad guys have made themselves look ridiculous. [This is not intended in any way unduly to draw further attention to Chief Justice Rehnquist in particular.]

However, there are some decadent episodes which offer no such silver lining, no moral victory for those of us who have kept our senses and forgone the rewards of joining in the shrill craziness of the times.

Nonetheless, I have come to believe that it is my responsibility to chronicle every truly unprecedented advance into utter mindlessness, whether amusing or not.

I promise that in the future I will report such grim news only if it is substantially worse than the following two items:

Milker José Ramos Nuñez shot a Las Vegas dairy owner and killed himself because of a dispute over milking techniques. (*USA Today*). Someone skinned a live beagle in Putnam Co., N.Y.; a vet was able to put the skin back on. (*USA Today*).



To heighten awareness during Sexual Assault Awareness Week from March 13 - 19, the Avalon Clothesline Project travelled across campus. It consisted of T-shirts decorated by victims of sexual abuse, who included W&M students. The exhibit was intended to promote discussion and educate members of the college and community concerning the issues of sexual assault.

FURTIVELY-PLACED TATTOOS OF THE STUDENT BODY

DRINKING DUCK

How did someone who obviously obtained this tattoo in prison wind up at M-W? Could this be some past law student who was expelled for an Honor Code violation or sexually deviant behavior? Or maybe it's a librarian.

FRED FLINTSTONE

Wilma!! Has anyone seen her since the evening of June 18? And what about the plaintive wailings of Dino? And what is Fred hiding behind his back? And what about Barney who was returning Wilma's sunglasses? Keep smiling Fred, it's not over yet.

HEART

Abs of steel? I doubt it when a sappy heart lives over one's private parts. At least this one knows where to find good lovin'. One good thing though, this heart will never break unless the individual gains considerable weight. And long live safe sex.

SUN

Worship of the sun god continues at M-W. Surely, you've heard the cult members hollering at the sun's rising at the Gradplex. But the sun doesn't also rise on this part of the body!

Music for the Masses

Two of the year's best: Matthew Sweet and Live

By Scott Layman

Matthew Sweet: 100% Fun

On his fifth full length release, Matthew Sweet has put out another excellent collection of infectious melodies. *100% Fun* is a refreshing blast of guitar-pop in the midst of grunge and punk. It's not that Sweet does not have a modern sound. In fact, *100% Fun* was produced by Brendan O'Brien, who has worked for the likes of Pearl Jam. Sweet, who plays several instruments and wrote all the lyrics, has become a master at concocting a pop song.

The CD grabs the listener on the first track, "Sick of Myself," with its crisp guitar licks and melodic chorus. Sweet writes almost exclusively about his relationships, mostly critiquing and deconstructing them. In "Not When I Need It," Sweet laments that "Late at

night I'm filled with fear/ That I can't take for granted that you'll always be near/ And it makes me hate myself/ To think I can't see it." On "Everything Changes," Sweet calmly sings "It's not hard to tell/ Like a bird you'd sooner fly away."

Even though many of the songs deal with failed relationships, the CD does not have a depressing tone. The bounce of the music makes this an energetic endeavor. The upbeat "Super Baby" has spacey sounds and a droning guitar which give it a real funky flavor. Another great track replete with high-soaring harmonies is "We're the Same."

100% Fun is excellent, and perhaps Sweet's best to date. It has a cohesiveness that his previous two efforts, *Girlfriend* and *Altered Beast*, lacked. Furthermore, Sweet has lost neither his talent for crafting true pop gems nor his gift for writing

poignant and bittersweet love songs. *100% Fun* is highly recommended.

Live: Throwing Copper

This sophomore effort from the band out of York, Pennsylvania is a stand-out piece of rock and roll. Live doesn't fit into a neat category although their music certainly contains the vigor of punk and the abrasiveness of grunge. Produced with the assistance of former Talking Heads guitarist Jerry Harrison, this CD is definitely one of the best of rock's best releases out today.

Throwing Copper is enjoying a boost in sales thanks to the single "Lightning Crashes" which is a haunting song about death and birth. The song begins slowly, then builds up to an emotional climax, both vocally and musically. Lead vocalist Ed Kowalczyk's powerful voice infuses the CD with an energy that conveys

a sense of anger and desperation. On "Top," Kowalczyk cries "Pick me up and put me on the ground/ Set me up and spin me all around/ No, you are not the one I wish to see."

The band stirred up some controversy in their hometown with their track "Shit Towne" which rails on life in the small community of York. Yet the song isn't about some rock and rollers getting too big for their roots, but rather a personal commentary on growing up in York. First rate tracks include the already-released "I Alone" and "Selling the Drama."

Throwing Copper is a vast improvement over the band's debut, *Mental Jewelry*. On the latter, Live sounded muddled, but now the band has a tighter and harder sound. Solid from start to finish, *Throwing Copper* is one of the best rock albums of the year.

Hold the onions but eat at the Downtown Short Stop Cafe

By Kim Tolhurst
and Lori Petruzzelli

A reliable menu, friendly service, and good prices await you at the Downtown Short Stop Cafe, conveniently located across the way from PBK Hall (well, convenient if you have any business that brings you to PBK Hall). Nonetheless, we recommend that you take the half mile stroll from the law school down Jamestown Road. Why stroll, you may ask? Why can't I drive my spanking new Dodge (with W&M Law decal)? Isn't there parking? Sure there is, but there is also a mighty attractive dessert menu, and with

swimsuit season upon us....You get the picture.

The menu offers a wide selection of sandwiches, ranging from elaborate subs to standard one-meat deals. There is also a grilled chicken sandwich, which Lori would have reviewed, but was threatened with pain or death to feign culinary creativity and order something different. Lori chose the turkey club; Kim chose the vegetarian sub. Kim's sub consisted of a hearty helping of lettuce, tomato, two cheeses, and hot peppers, served on a bed of onions between a toasted roll.

Lori asked the waitress to hold

the tomatoes, but the waitress seemed to think she wouldn't notice, and left those noxious red veggies hidden in between the lettuce and bacon. As if Lori wouldn't notice! Well, she noticed all right, and dissected the club like it was Sister Joan's biology class all over again. She liked the club, despite the unpleasant flashback to the days of plaid and saddle shoes.

Kim had the opposite problem. She wanted the onions. She craved the onions. Those onions were hers. Yet, when she received her sandwich, the onions were too much. "Urgh!", (or

some similar sound) Kim exclaimed while she made an onion mound on her plate to rival Lori's tomato mound. She explained to Lori, (who was mesmerized, if not partially disgusted, by the idea of a warm sandwich) that the cheeses and roll were warm, while the vegetables maintained a cool temperature. Even Kim conceded that if the vegetables were equally warm, "It would be really gross."

The dessert menu was tempting. There was a peanut butter pie with Reese's Peanut Butter Cups on top that caused Lori to fantasize. Kim seemed enthralled

with the idea of a Bumbleberry pie (apples, rhubarb, blackberries, and raspberries). So enthralled was Kim that she chanted the ingredients over and over to commit them to memory for the review. There was also cheesecake, Oreo cookie ice cream, and "Jim's Brownie."

Neither Kim nor Lori ordered dessert because they failed to take their own advice and drove to the Short Stop so that Kim, Virginia Procedure nerd, could once again get to class on time. **Recommendation:** Go there for cheap casual eating (slightly over \$5 per person).

Cinema Cynicism

Forget betting on NCAA — put your money on the Oscars

By Steve Youngkin

Well, it's that time of the year again. In just one week, the 1995 Academy Awards will be on the air. And like every other movie critic in the country, it's my job to look at the tea leaves and the tarot cards and predict who will get the trophies. I'll also admit that while some of the categories appear to be easy guesses, there are always some surprises. Who would have guessed that an 11-year-old girl with only one movie to her credit would take home the trophy for Best Supporting Actress last year? Because of this fact, and because most of the time the Oscars don't tend to go to the person who DOES deserve it, I'm stealing a format from *USA Today*. For each of the main categories, I'll list who WILL win and who SHOULD win.

With that in mind, let's roll the dice and see what we get:

BEST SUPPORTING ACTRESS:

WHO WILL WIN--Dianne Wiest. This is one of the easy categories but also the category with unexpected winners for the past two years. Wiest managed to steal *Bullets Over Broadway* from everyone as the comic center of the film. Uma Thurman could win as an upset but probably won't because she was clearly overshadowed by her male co-stars.

WHO SHOULD WIN--Dianne Wiest. For all of the reasons stated above. While the entire cast was excellent, this was clearly Wiest's show.

BEST SUPPORTING ACTOR:

WHO WILL WIN--Martin Landau. The moment he appeared on the screen in *Ed Wood*, the Oscar was being engraved. The movie has all the qualities that the Academy loves. Landau has a lengthy career (ranging from Hitchcock's *North By Northwest* to Woody Allen's *Crimes*

and *Misdemeanors*) that will be honored by his winning. Further, Landau played a real person convincingly. It also doesn't hurt that this would be his third nomination, so the Academy can make up for the first two and give him the trophy this time.

WHO SHOULD WIN--Samuel L. Jackson. To be honest, I would happy if there was a five way tie and all of the nominees took home trophies. There isn't a mediocre performance in the bunch, but since that probably won't happen, I have to go with Jackson. His performance was the very essence of *Pulp Fiction*. Most of the great moments belonged to his character, Jules, whom he played to the hilt. Hey, anyone who can make a quote from the Book of Ezekiel memorable deserves an award.

BEST ACTRESS:

WHO WILL WIN--Jessica Lange. This is one of the toughies. Jodie Foster's

performance ordinarily would be an automatic shoo-in for the Oscar but she already has two trophies in her closet and the Academy might like to spread the wealth. Sarandon has never won and the Academy might like to alter that, but *The Client* hardly seems the movie to do it for her. Winona Ryder stands a very good chance, but she's a young actress whom the Academy can tell will probably have many more chances in the future to win. That leaves Lange. She managed to overcome one big obstacle: to get nominated for a movie that was actually made two years ago and was just released this year. She also has an impressive career that the Academy would like to reward. I have a feeling this is the category I'm going to be wrong in but I'm going to go with Lange.

WHO SHOULD WIN--Jodie Foster.

See OSCARS on 20

Decaying movie biz forces great actors into cheap thrillers

By Steve Youngkin

Before I begin my review this week, I want to make a recommendation. Thanks to the Academy Awards, studios are re-releasing a number of movies that you probably missed because they were out for only a couple of weeks last fall. Now you have the opportunity to see *Bullets Over Broadway*, *Quiz Show*, and *Shawshank Redemption*. In addition, Williamsburg Theater is showing *Pulp Fiction* and *Hoop Dreams* this week. All of these films are both smart and entertaining. The studios are giving you a second chance. Don't blow it.

Now for the review. Before the film, I'm going to discuss television because for years critics and the intellectual elite have denigrated it as a place completely devoid of intelligence or creativity. It was described as a medium where one would have to look long and hard for something that was challenging or inventive.

How times have changed. While admittedly there are still a fair number of inept, worthless programs on the air (*Full House* and *Blossom* have been on for HOW LONG?!?!), there are more than ample shows that respect your intelligence and, in fact, assume you are a thinking adult. If you want well written and well performed entertainment, just watch programs ranging from *Friends* and *Seinfeld* to *Picket Fences* (easily the best drama) and *X-Files*.

Now what about movies? Alas, I can't

give as high of praise for this medium nowadays. Oh, there are still good movies out there (see my list of films at the top of the column) but with the exception of *Quiz Show* (which was released by Disney studios), all of those movies were released by independent studios. And even *Quiz Show* was so ineptly marketed by Disney, you'd almost be convinced that they were ashamed of it and were trying to get no one to see it.

In fact, it's plenty obvious which medium is the champ in terms of intelligence and thought provoking works when both movies and television tackle a similar subject: television is clearly superior. That leads me into this week's movie (and you were beginning to think that I wasn't going to review one, didn't you?). *Outbreak* is about a disease carried over into the US by a monkey exported onto our shores. The disease is as contagious as the flu and kills a person within a couple of days.

Naturally, this concerns a group of scientists led by Dustin Hoffman and Rene Russo. Hoffman tries to stop the disease before it becomes an epidemic but is stopped by his superior (Morgan Freeman). Freeman and another general (Donald Sutherland, the best actor to play unfeeling SOBs) encountered the same disease over in Africa in the late 60s. Their solution, though, was a tad less humane than what Hoffman would probably suggest (they nuked the village).

Nowadays television is intelligent; movies are brain dead

Very quickly, it becomes Hoffman and his team vs. the military in trying to decide who will save the world.

While watching *Outbreak*, I was reminded of *And the Band Played On*. This was a terrifying 1991 HBO movie of how the AIDS virus quickly rose from a small little disease to become the epidemic it now is. Similarly, a small group of doctors were trying to do everything they could to stop the virus but were halted by bureaucrats and organizations that couldn't be bothered by what they termed as a "gay man's disease." It was just as fascinating.

Both movies were written by Arnold Kopelson. Seeing his name on the credits, I was expecting a fictional and higher budgeted version of *And the Band Played On*. And, admittedly the first hour does work. The movie shows the steady course of the disease as one person after another gets it. But instead of remaining on its promising course, *Outbreak* abruptly becomes a standard action movie.

Television executives assumed the audience was bright enough to follow a story this complicated through without a happy ending. Hollywood, though, assumed that the audience couldn't under-

stand this. They figured we wouldn't be happy just with Hoffman finding a cure for the disease. No, he had to also get into not one but two showdowns in his helicopter.

Just one comment about the casting of Dustin Hoffman. It says something about this medium when actors like Hoffman and Meryl Streep, who are a credit to a craft and more than capable of doing difficult material, are resigned to doing this. It says something (though I'm not sure what) about the state of affairs when Streep and Hoffman are making like Rambo and Keanu Reeves is playing Hamlet on stage. When I hear that Jean Claude Van Damme has taken on the role of Macbeth and Al Pacino is starring with Kim Basinger in a mad slasher flick, then I will know for certain that things are completely screwed up. The scary thing is, it's just a matter of time until that happens.

Thus I'm led to this sad conclusion. I'll still see movies. I'm too much of a diehard optimist to believe that the medium is completely brain dead. Plus there are smaller studios like Miramax still willing to make movies that might not be "commercial" but are of high quality. But I now realize that, for the most part, if I want thoughtful, challenging and really well done stories that require you to pay attention, I turn on the TV. If I want mindless entertainment, I go to the movies.

ELVIS from 2

faithful Graceland pilgrims by posting a scribbled note claiming, "Elvis is dead!" in place of the frame centerpiece of the Elvis collection. What humiliation! We should all hang our heads in shame that the scoundrel was never dealt the swift blows he deserves from the M-W disciplinary authorities.

Elvis, however, returned, for which you all can thank me. Until now, few knew that I recovered Elvis. I will enlighten the rest of you. It seems that Elvis's disappearance was merely a practical joke. A week or two after Elvis vanished, during the earliest morning hours (around 8 a.m.), I sat in a yellow naugahyde chair next to the now absent Elvis lamp. Bored by reading *American Property Law*, I decided to practice the old "yawn-and-stretch-the-arm-around-the-date's-shoulder" trick for my next romantic rendezvous (at the time anticipated to be some time after the turn of the century). When my arm landed on the back of the chair next to me, my fingers slipped behind it and I felt a soft tickle shooting a tingling sensation throughout my body. My mouth opened so wide from the shock of seeing Elvis alive that you could have crashed an American Eagle commuter plane on my tongue.

Having restored the Elvis shrine, I was content to forgive and forget. Now, however, my dander is up again. By golly, this time somebody is serious. The Elvis lamp has been missing since shortly after we returned from winter break. (Some people have only recently noticed the King's

absence and have theorized that our dearly departed life-threatening phone stalker kidnapped the King to pursue other perverted romantic interests but I corrected them and chastised them for their lack of attentiveness.) Yet there has been no investigation, no return of the precious lamp, and not even a report by the *Amicus*' news hounds. I suspect a conspiracy. (I am still waiting for Oliver Stone to return my calls.)

For a while, I presumed that Elvis had gone on tour with the Moot Court Team. After all, the team was raking in the accolades from its competitions. Elvis's charms work magic beyond Las Vegas, you know. I fear my presumption was premature.

Elvis has been gone too long. I miss him. Despair engulfs my soul every time I must walk into that lounge knowing that the porcelain monument to Michael Jackson's ex-father-in-law will not be there to greet me.

I demand that action be taken. We must restore the shrine to the King if M-W is to remain on the cutting edge of American legal education. How can we ever expect to break into the top 20 of *U.S. News & World Report*'s list of law schools if we continue to demoralize the student body? The crown automobile air freshener with which somebody has defiled the Elvis lamp's space is no substitute for the King himself. For George Burns's sake, somebody do something. But don't bother searching behind the naugahyde chairs in the lounge. I already checked. He is not there.

Danny Reed (2L)

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Monday, March 20, 1995

Recital: Patti Carlson, clarinet; Charles Woodward, piano; and Debra Fong, violin. Ewell Recital Hall, 8 p.m.

Hoop Dreams: The coolest documentary of all time (hey, it's basketball - what's more cool than that?). Williamsburg Theatre, Duke of Gloucester Street, 8:15 p.m.

Tuesday, March 21, 1995

A Cappella Concert: The Gentlemen of the College, together with the Intonations, host Northwestern's "Melodious Thunk." Enjoy great songs and great harmony for only \$1 or a similarly priced food item (one box of Kraft Cheese and Macaroni would do). Proceeds go to FISHBowl and local charities. Door prizes, too. Great Hall, Wren Building, 8 p.m.

Moment of Truth: Body fat testing available from in the Rec Center Lobby, 3-4 p.m.

Hoop Dreams: Williamsburg Theatre, DOG Street, 8:15 p.m.

Movie: "BARAKA," (meaning "blessing"), a film shot without words and shot in 24 countries. Siskel & Ebert called it "amazing." Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: "Interview with the Vampire," UC Auditorium, 8 p.m.

Wednesday, March 22, 1995

Hoop Dreams: Williamsburg Theatre, DOG Street, 8:15 p.m.

Movie: "BARAKA," Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: "Interview with the Vampire," UC Auditorium, 8 p.m.

Thursday, March 23, 1995

Modern Dance: Orchesis, W&M's modern dance company, presents "An Evening of Dance," featuring performances choreographed by senior members of the company. PBK Hall, 8:15 p.m.

Town and Gown Luncheon: Capriole will give a musical presentation. University Center, Commonwealth Room, 12:15 p.m.

Speaker: Conflict Resolution Group brings Bosnian Ambassador to the United States Sven Alkalaj to discuss the current crisis in the former Yugoslavia. Reeves Center, 7:30 p.m.

Concert: Two piano jazz concert with Harris Simon and John Toomey. Ewell Recital Hall, 8 p.m.

Hoop Dreams: Williamsburg Theatre, DOG Street, 8:15 p.m.

Friday, March 24, 1995

Modern Dance: Orchesis in "An Evening of Dance," PBK Hall, 8:15 p.m.

Movie: "Forrest Gump." Is there anyone out there who hasn't seen this yet (besides Ellie)? Bring a box of chocolates and go see it again. Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: "Pulp Fiction." Does anyone sense an Oscar theme here? Williamsburg Theatre, DOG Street, 9 p.m.

Hegoat/Make Up/Slant 6 Concert: WCWM's concert night in the Little Theater in the Campus Center basement, 8:30 p.m. \$5.

Late Show: "Sid and Nancy," Williamsburg Theatre, DOG Street, 11:45 p.m.

Saturday, March 25, 1995

Modern Dance: Orchesis in "An Evening of Dance," PBK Hall, 8:15 p.m.

Auction: Child Development Resources auction to benefit CDR's services to young children and their families. Free child care. Bruton

High School, 11:30 a.m.

Movie: "Forrest Gump," Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: "Pulp Fiction," Williamsburg Theatre, DOG Street, 9 p.m.

Late Show: "Sid and Nancy," Williamsburg Theatre, DOG Street, 11:45 p.m.

Music: Sam I Am at the Machine.

A Taste of Asia: Festival of food, dances and performances from seven Asian countries, including India. 7 p.m. at U.C. Chesapeake Rm. \$1.

Sumo Suit Wrestling: Dress in 500 pound sumo suits, get in the ring, and slam each other to death. Really, that's the premise of this activity - anyone can become a sumo wrestler. University Center Cafe, 8-10 p.m.

Sunday, March 26, 1995

Chamber Music: Gallery Players, Muscarelle Museum, 4 p.m.

Movie: "Forrest Gump," Williamsburg Theatre, DOG Street, 6:30 p.m.; matinee, 3:00 p.m.

Movie: "Pulp Fiction," Williamsburg Theatre, DOG Street (I get so sick of typing that - does anyone not know by now where the Williamsburg Theatre is?), 9 p.m.

Music: Verucca Salt at the Boathouse.

Monday, March 27, 1995

Movie: "Forrest Gump," Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: "Pulp Fiction," Williamsburg Theatre, DOG Street, 9 p.m.

Tuesday, March 28, 1995

Speaker: Political science experts Cr. Richard A. Norton, Prof. James A. Bill and others discuss "Quest for Change: Civil Society and Political Reform in the Middle East." University Center, Tidewater A, 7:30 p.m.

Movie: "Forrest Gump," Williamsburg Theatre, DOG Street, 6:30 p.m.

Movie: "Pulp Fiction," Williamsburg Theatre, DOG Street, 9 p.m.

Wednesday, March 29, 1995

Music: Sublime at The Abyss.

Thursday, March 30, 1995

Piano Recital: Christine Niehaud, artist-in-residence. Ewell Recital Hall, 8 p.m.

Friday, March 31, 1995

Movie: "Ready to Wear," Roger Altman's new film about the Paris fashion industry. Williamsburg Theatre, DOG Street, 6:45 & 9:15 p.m.

Music: Weezer at the Boathouse.

Saturday, April 1, 1995

Movie: "Ready to Wear," Williamsburg Theatre, DOG Street, 6:45 & 9:15 p.m.

Final Four: Prediction: all ACC! (I know - wishful thinking.) For those of you who can't get to Seattle (would that be everybody?), CBS has kindly agreed to broadcast it.

Music: Live, Love Spit Love, and Sponge. ODU Fieldhouse. You'd better have tickets for this one - it's sold out.

Sunday, April 2, 1995

Movie: "Ready to Wear," Williamsburg Theatre, DOG Street, 9 p.m.

Movie: "Nobody's Fool," a Paul Newman showcase. Williamsburg Theatre, DOG Street, 3 & 7 p.m.

Please submit your entries for the *Amicus* Events Calendar to Monica Thurmond (2L) or the *Amicus* hanging file. Entries may include activities sponsored by law school organizations, main campus or community events.

A Duck Out of Water

Jordan's a has-been; Duck prefers replacement baseball

By Alan Duckworth

You know what I used to like about sports: the true escapism available while watching and discussing them. Now, sports are as rotten as the rest of the world. Major League Baseball has committed hara-kiri. A look at the top sports stars is like looking at a police blotter, including the most famous murderer of all time. Greg Louganis has just revealed that he has AIDS. The real world has invaded my haven.

NBA

Michael Jordan returned to the NBA yesterday. I guess that makes the Bulls the favorite to be the next NBA champion. Or not.

Jordan may have been a great player and he may be again, but not this season. He hasn't played in the NBA for almost two years, and I don't care how many pickup games he has played in, that doesn't prepare you to face the best in the world. Even his widely reported one-on-one game with Jerry Stackhouse doesn't do it. A college sophomore doesn't prepare you to face Latrell Sprewell, Joe Dumars, and all the other great two guards in the NBA. In addition, he has spent the last year and a half training to play baseball. The two sports emphasize different attributes and if Jordan worked as hard as he appeared to, he has changed

his body to push the assets needed for baseball, meaning power, and decreased the assets needed for basketball, like flexibility.

Will Jordan help the Bulls? Sure. Look who is starting at the shooting guard spot for them right now: Ron Harper, and a Ron Harper who is even playing badly for Ron Harper.

Jordan could have played two weeks ago in a suit and still been superior. But with his return, not only will he not be the best player in the NBA, but he won't be the best player on the Bulls.

Scottie Pippen has raised his game again this year, becoming one of the top five players in the NBA. Jordan will have to return

to superstar level before he is better than Pippen. On a plus side, all this media speculation should lead to another wave of Jordan endorsements. God only knows how often we will see him in commercials if he does come back.

Baseball

The strike goes on. A funny thing happened, however. I watched part of a replacement spring training game and it wasn't that bad. Granted, we all see the nightly ESPN replacement blooper reel.

But truthfully, most of those mistakes would have happened even with the striking players. This is spring training, the time

for mistakes. Granted, the game for the most part lacks the spectacular (although, the replacement Braves pitching staff did combine for a no-hitter), but the game is still enjoyable to watch. They can't play at the same level as the strikers, but so what. College basketball and football teams can't play at the same level as the NBA and the NFL, but we still watch them.

Give replacement ball a chance. It is, after all, the national pastime. Now I want congratulations for having gone the entire column without discussing professional football. But next issue, my draft preview is coming. Mel Kiper, look out.

Amicus computer-like rankings

End-of-semester nickname contest: MBA Blue edged out

By Neil Lewis

Some of the most outrageous, stupidest, and the weirdest nicknames in the history of athletic competition have been seen this year in IM Sports. The competition was open to all grad schools in the

spirit of whole-campus togetherness inspired by the work of Executive Council founding mother IL Christy Moseley. Now let's see what manner of creativeness lurks deep in the hearts of students in the other grad schools.

The business school's entries--**MBA, MBA-Blue, MBA-Red.**

The school of Marine Science's entries--**VIMS, Co-Vims.**

The law school's most notable entries--**The Brothers Felch, Cunning Liti-**

gants, The Mighty Dorks, Flying Burritos, Well Hung Jury, Court Jesters, and The Daisies.

The winner for most sexually disgusting sounding nickname without actually saying anything bad--**Cunning Litigants.** The winner for most repulsive nickname (ask them what it means) **The Brothers Felch.** Most interesting play on a real team's nickname (credit to 2L Rick "Milli" Giovannelli) **The Mighty Dorks.** "What the hell do you mean by that" nickname goes to -- Tie! **The Daisies** and **Flying Burritos.** And not fitting in any category but being a cool nickname anyway is **Court Jesters.** MBA and VIMS tie for the "Get a Freakin Thesaurus" award.

Basketball

The playoffs are currently underway and law school teams are dropping out fast. Summarily dismissed in the first round of the playoffs were **M-W Gamecocks** (lost 67-51 to Parking Tickets), **Pugs** (65-57 to The Jazz), **Court Jesters** (37-31 to the Mitchell Butler Fan Club), **We Can't Play Basketball** (52-36 to Knicks-Olson), and **Men's C** (32-15 to Your Gram'mama --although they did post an astonishing total of 15 points!).

A number of teams were still waiting to play but advancing were #1 law school team **Well Hung Jury** in B1 57-32 over the Fire Dragons, **Defense** in the A League 42-39 over Pi Lam, and **Juice II** in the C league 60-25 over Prairie View A&M. The only law school team that's going to reflect well on the school though is forever champion **Hoops**, led by basketball bad girl 3L Erica "Double Knit" Swecker, who have the other women's teams so intimidated that they don't even bother to

Special NCAA tournament preview

By Todd Sherer

Once more, Spring Break has ended and the law students have wearily returned to M-W to see a certain third year's smiling face with his arms filled with NCAA brackets begging for your money. Yes, it is that time of year again. March Madness is in full swing. I'm sure everyone wants to know who will win it all and since I have this information I'll let you in on it. First, in order to build dramatic effect, let's see who can't win the tournament. As a no-brainer, scratch Wake Forest, Villanova, Kentucky, and Oklahoma State. They won the ACC, Big East, SEC, and Big 8 Conference Tournaments, respectively. Only once in the last five years has a major conference winner won the whole shooting match, and this year will be no exception.

In the Midwest Region, Aminu Timberlake makes his triumphant return to the tournament. Better known as the man who saw the soles of Christian Laettner's shoes in the legendary Duke-Kentucky game, Timberlake returns with the Southern Illinois Salukis only to have his team get stomped by the best 7 seed in the dance - Syracuse.

Virginia will finally wake up from the month-long dream they've been having to realize that pretentiousness doesn't add to the final point total. This leaves Kansas and Arkansas as potential win-

ners.

Arkansas can be eliminated by the three strike method. They are the defending champions (Strike 1) and must play Kansas, in Kemper Arena where the Jayhawks are undefeated in tournament play (Strike 2). Add to this mix the fact that Bill Clinton is their "biggest fan," and we know what kind of year he's had, (Strike 3) and Arkansas is on the outside looking in come April. Although the Jayhawks have stumbled a bit as of late, they should have enough talent to emerge from the Midwest.

North Carolina has no depth, especially with the return of Pat Sullivan taking valuable minutes from Pearce Landry. In combination with Rasheed Wallace's ankle injury, Carolina will get no further than the Sweet Sixteen. Teams with one star also don't fare particularly well in the tournament, so scratch Shawn Respert and Michigan State.

Georgetown is the sleeper in this bracket. Allen Iverson moves in hyper-speed and can give defenses fits, however sometimes his head doesn't move as fast as his body, see the Big East Tournament. Georgetown is as likely to lose in the first round as they are to advance to the Elite Eight. Without UNC, look for Kentucky to emerge from the Southeast Region.

In the East Region, Wake, Villanova and Oklahoma State have already been

eliminated by winning conference titles. Minnesota, Illinois, and Stanford all had below .500 records to finish their seasons. That leaves Massachusetts and Alabama. Alabama has no starter over 6-9 and Massachusetts lost its best clutch shooter in Mike Williams due to a suspension. Look for alumnus Dr. J, and the rest of the Massachusetts faithful to go to Seattle after beating Alabama in East Rutherford, N.J.

Look to Maryland to emerge from a weak West Region. UCLA has not had a decent tournament since the Carter Administration, and all the O'Bannons in the world can't change the fact that Jim Harrick is a terrible tournament coach. Connecticut has struggled terribly over the past month and even Ray Allen, the most underrated player in America, won't prevent their early exit. Watch out for Mississippi State in the West, balanced scoring and victories over Kentucky, Arkansas and Florida make them a legitimate sleeper.

And then there were four. Pick Kansas to beat Kentucky and take Maryland over Massachusetts. And the winner is.... Kansas. Too many big men who can run the floor, if the outside shooting from Jerod Haase and Sean Pearson returns to season form, they will be chanting "Rock Chalk, Jayhawk" long into the night in Seattle.

NEIL from 16

show up anymore.

Floor Hockey

1. **Ice Monkeys** (4-0)
2. **Hansen Brothers** (3-0)
3. **Dogged by Love** (3-0-1)
4. **Cal-Gary Isles** (3-1)
5. **The Joke** (3-1)
6. **Sticks in the Crease** (2-0)
7. **Kenan 3** (3-1)
8. **Gimpettes** (1-1-1)
9. **Gross Misconduct** (2-1)
10. **The Mighty Dorks** (1-3)
11. **The Flying Burritos** (0-4)

Law School vs. externs 25-12-2.

There is bad blood between #1 **Ice Monkeys** and #2 (but we try harder) **Hansen Brothers**. The **Hansens** have pointed out that they have won their games by a larger margin than have the **Monkeys** and that they should be #1, while the **Monkeys** assert that the **Hansens** have gotten fat on a lack of competition. The **Hansens** are good, but one player does not a hockey team make. No matter how good 1L Dave "Full" Hausmann is, he cannot carry his team past the crushing defense of 2Ls Dan "Big" McInerney and Tad "Pole" Fisher of the **Monkeys**. And when I say crushing I mean crushing. Poor Hausmann will find out if he ever has the misfortune of playing against those animals.

The **Ice Monkeys** ran their record to 4-0 by stomping 3rd South 8-3 behind hat tricks from 2Ls "Curly" Neil Lewis and Fred "Ty" Gerson. To quote captain 2L Steve King "for a day" "Lewis's usual cherry picking offensive laziness led to a few

early goals...and then Gerson, [who had scored five goals earlier for **The Joke**] put the finishing touches on a hat trick of his own." Lumpless Gravy was next to go down 6-1 behind the feeble goaltending of King and the relentless offensive pressure provided by 2Ls "Big Head" Todd Sherer, Gerson, and "Samen" Eric Misener. The fourth win, 10-0 over APO was a showcase for the defensive prowess of McInerney and Fisher. Not content merely with playing the entire game with no break they felt they had to contribute offensively--and they did as McInerney put in a goal from beyond the half court line, with an assist from Fisher. Sherer had a hat trick for the offense.

The joke was on **The Joke** as their last game was lost 3-1 to bring their record to 3-1. **The Joke** had started the regular season in fine shape shutting out their first two opponents 6-0 and 10-0 and winning their third game 4-1. The impetus behind their strong defense? Why it would have to be law school groupie Bitsy "Hee" Haws in goal. As any guy who's tried to slip past her defenses can tell you, she's a tough nut to crack. Haws attributes her prowess to growing up in the corn fields of Gary, Indiana in the 19th century in a prior life. "That was hard living back then," Haws said. "it really sucked." Standouts on **The Joke** include Co-Defensewoman of the Year 2L Amy "If the shoe" Fitzpatrick (sharing the award with 3L Carla

"Simon" Blake of **Sticks in the Crease**), 2L Steve King's "biology department lady friends" and the previously mentioned Gerson and McInerney.

Dogged by Love finished the regular season by beating the creatively named team VIMS 6-3, despite missing starting goalie and all around good guy 2L Mark Vucci "handbag." According to their release, "[t]he **Dogs** go into the post-season tails wagging and a sure favorite to advance far into the championship tourney." They would be a favorite except for the fact that in the playoffs they won't be able to "borrow" players from other teams to cover up their offensive shortcomings. The **Dogs** will be gone in the first round.

Saying nothing in defeat, the 1-3 **Mighty Dorks** dropped a game capsule to me when they won their only game 8-0. The victory wasn't surprising considering it came at the expense of the 3L **Flying Burritos**. The **Dorks** were led by 2L Jim "40-" Love and 1L (still) John Osborn "to be wild" who each registered two goals, and by the fine defensive stylings of 2L goalie "Mr." Bill Brick and Giovannelli. The defensive squad of 2Ls Gio, "Sweet" Lou Frost, Pete "the Weasel" Schiron, and 1L Jim "Fort" Hicks got a chance to show their offensive stuff in the third period of this game but only showed that they have a great talent for keeping the puck out of the net no matter where they are.

With wins comes controversy. That's what 3L team

Kenan 3 (3-1) is finding out. After some disappointment in a 4-2 loss in their second game despite some great play by "Mr." Ed Efke man ably assisted by Wendy "I've got" Hahn. "Rag-gedy" Andy Ollis also tallied for the 3. Week three brought an easy 7-2 victory for the 3 over Joe "Mama" Tighe's co-rec team Iced Pucks. A bloodmatch erupted between tiny goalie Mary Beth "Talkin' about my" Dingley and Pucks neanderthal Brian "who cares if she's a girl" Peco, who outweighed Dingley by an estimated 100 pounds. After covering up the puck and getting smacked in the face by a stick, and outraged Dingley charged Peco swinging her stick--she was immediately tossed out of the game. Peco retaliated in kind and a stick fight almost erupted--he was tossed. Cooler heads ultimately prevailed and the rest of the game was canceled and the two combatants were placed on double secret probation for the remainder of the year.

Kenan 3 took the controversy and turned it into motivation for a 4-0 win over Rage in their final regular season game. 3L "Curious" George Snead tallied twice on assists from Hahn, and Hahn and Ollis each scored once.

That pseudo-sport people play with their feet

1. **Continuity** (A) (1-1)
2. **Daisies** (co-rec) (1-0)
3. **Fuck the Draft** (B) (0-0)
4. **Sandpiper Air** (B) (0-0)
5. **Rainy Day Team** (B) (0-0)
6. **Without Balls** (Women) (0-0)

7. **Cunning Litigants** (A) (0-2)
8. **Yes, More Now** (co-rec) (0-0)

9. **Team Formerly known as Prince** (Women) (0-0)

#1 law school team **Continuity**, a mixture of 3Ls 2Ls and 1Ls, blasted 1L team **Cunning Litigants** in the first week 4-0. The man the fans of the **Cunning Litigants** loved to hate was 1L Dan "Ridges" Pringle, who was jeered every time he touched the ball. Scoring for **Continuity** were 1L still Osborn (twice), and 3Ls Blake Guy "Smiley" and John "Sidney" Sheldon. **Continuity** stumbled in the second week and got hammered by Phi Tau 3-0. Bad luck can be blamed for some of the loss as the team hit the post three times but still failed to score.

The **Daisies** were missing team go-to girl 3L Sam "I am" Stecker yet still prevailed over the appropriately named Minor Threat 3-0. Goals were scored by 3L's Snead, Scott Layman "Terms," and Ollis.

The question isn't whether they will win a game anymore. We know they won't. The question is whether or not they will score.

Looks like the **Cunning Litigants** picked the wrong league and will pay for their mistake much as Dan Pringle's football team did in the fall. Good luck guys.

The teams that drop me info get written about. The teams that drop me nothing get ripped. It's that simple.

HONOR from 9

that they are any less intelligent--or that they would be any less conscientious if asked to serve on an Honor Code trial panel--than older, more worldly students.

More troubling to me personally, however, is the extent to which these unsubstantiated assertions camouflage a pervasive sentiment among law students that we should never be held accountable to non-law students. The justification which is sometimes offered to support the contention that we should adhere to a "higher" standard of conduct is that this adherence prepares us for the different standards that will be expected of us when we become lawyers.

The argument is facially attractive, but contains much inherent danger. It tends to breed self-delusion, hypocrisy, and outright cynicism. In part, declining public respect for the legal profession stems from lawyers' stubborn insistence that only lawyers should be permitted to define rules for the legal profession. Disregarding for the moment lawyers' embarrassing reluctance to enforce these rules, this view ignores the public's legitimate interest in contributing to this process. I seriously question the wisdom of

extending this self-serving logic, which is so prevalent in the legal profession, to the process of formulating standards of academic conduct for law students.

More to the point, this argument ignores the reason for having different standards for lawyers. Lawyers play a very specific role in society that differs from the roles played by physicians, accountants, teachers, engineers, scientists, and other non-law professionals. To be able to properly fulfill that role, lawyers are often prohibited from acting in ways that are permissible for non-lawyers. Conversely, lawyers are sometimes permitted to engage in conduct that would be impermissible for non-lawyers.

Acknowledging the different roles between lawyers and non-lawyers in maintaining a good and just society, however, does not change the fact that we are not lawyers. We are students of law. And in the context of the College community, our role is no different from that of students of physics, fine arts, computer science, or any other discipline for which the College awards an academic degree. Cheating on a Trust & Estates exam is no different from cheating on an undergraduate English exam; plagiarizing a *Law Review* student note is no different from

plagiarizing a Master's thesis; and misrepresenting oneself to a potential employer (by exaggerating one's GPA) is no different from misrepresenting oneself to Financial Aid (by lying about the existence of roommates). If there is a principled distinction to be found between any of these situations, I fail to see it.

The process of formulating a new campus-wide Honor Code doubtless will continue to generate criticism, uncertainty, and unadulterated partisanship. And, to be certain, law students are not the only ones unsettled by this process. Similar arguments are emerging from all corners of campus. Before the level of hysteria becomes too excessive, however, I would like offer the possibility that *both* law students *and* non-law students might actually benefit from the consolidation of our respective Honor Systems.

Law students have a great deal to contribute in the formulation of a campus-wide Honor Code. In the wake of several well-publicized Honor Code trials, we have acquired a unique expertise in drafting carefully tailored Honor Code provisions. We are trained to be sensitive to the importance of due process for all students subject to Honor Code trials. And we are justified in demanding high

standards for ourselves and our peers. But we should not overlook the many ways that we can benefit from being held accountable to persons other than ourselves.

SEX LAWS from 3

in the concept Eskridge calls "mutuality."

According to Eskridge, mutuality is a more acceptable basis for consent laws than the marriage/status basis currently used.

By allowing for sexual diversity, Eskridge envisions several effects over time: procedural protections, including candor about subjects such as HIV/AIDS, substantive protections, where there is a greater tolerance for non-marital sex, and a "fiduciary duty" law.

Virginia proposed a fiduciary duty protection in 1978, and this type of law would regulate relationships such as employer-employee and doctor-patient.

In his conclusion, Eskridge stated that a new regime is unthinkable now, but because of storytelling and political visibility, laws can and do change.

Eskridge's Feb. 28 lecture will be reprinted in an upcoming issue of *The William & Mary Law Review*.

SMART GUY from 10

stared at us menacingly with its one misshapen eye."

Although no one was hurt, several students drank heavily to forget that the whole thing ever happened. The Park Service could not be reached for comment. Several witnesses declined to be interviewed for this column.

Dear Mr. Smart Guy,

I had to stay in town over break because I was broke. So instead of fun and sun like last year, I spent the week in the 'Burg watching law review types kick back and unwind with O'Douls and a light sub-check while they tanned themselves under fluorescent lights.

Needless to say, I contemplated taking my own life. What did I miss? And now that break's over, what the hell am I supposed to do for the rest of the semester with this chronic case of Spring Fever I now have?

-- Playing Hooky 'Til May

Dear Hooky:

Informal polling suggests that most folks had a great break and came back refreshed, except King Tower, who inexplicably came back with a shell-shocked glazed look in his eyes, muttering something about two-month's salary or something. Folks went to Jamaica, Bermuda, the Bahamas, and other tropical paradises. Others went and visited loved ones and significant others.

We here at Ask Mr. Smart Guy, however, went down to Key West with a sizeable number of other law students. Our little band of men and women danced, drank, flirted shamelessly with people two-thirds our age (as if those implausible i.d.s could be believed), whooped, hollered, hooked-up like little monkeys, listened to bawdy old men sing drinkin' songs about things that would make Prof. Grover shake in feminist apoplexy, and even took in some cultural broadening by observing interpretive dance through the medium of the

moist cotton T-shirt (an event by chance which I did not attend--like I expect you to believe me, you judgmental cynics). We had fun.

You, on the other hand, stayed here. You ate your mac'n' cheese, stared at your T.V., and watched those law reviewers make sure that the silly little lamps they love so much got to their carrels every morning and went home with them every night, the dweebs.

Okay, so maybe one day they will be earning twice as much as I'll ever see, but right now, I'm *tan* (alright, maybe not 'tan.' Maybe 'jaundiced' is more like it, but you get my point). Now you have no outlet for the spring-time fidgets. What to do?

There's any number of activities you can do to satisfy your need to get outdoors.

There's the 1st Annual Easter Egg Hunt which is being hosted by Dean Krattenmaker (Bevra Krattenmaker loves the look of glee on little Tommy's face when it comes time to paint

the eggs and that tiny joyous squeal he gets when he covers them with glitter!), or you can enter the grueling 2k fun walk with Professor Williamson--who's going to finish this year, by God.

However, the "Burn The Most Despised Professor In Effigy" Spring Picnic planned by PDP was cancelled for this year after everyone realized that Sepinuck was no longer around and the Fred Lederer effigy's suit proved too flame retardant to burn. Maybe next year.

If you're an indoorsy type, you can always enter one of Prof. Devins's illegal pyramid-scheme-wealth-redistribution poker tournaments (I want my \$30 back, Neal, or I go to the authorities), pass the time playing keep-away with Steve Grocki's hairpiece, or lament the fact that once again the year will have come and gone without a much-needed Libel Night & Bad Talent Show (somebody please organize this thing!).

It's Williamsburg, Hooky!

There's no end to the fun you can muster!

Dear Mr. Smart Guy:

For an advice columnist, you hardly ever discuss sex, so here's one for you: I'm dating another law student, and our sex life is becoming mundane. How can I spice up the relationship?

-- In a Rut

Dear Rut:

According to eminent brainy sex therapists in Cosmo, nothing jazzes up the lovemaking like experimentation. As you are both law students, use that commonality to try things you both might feel excited by and yet comfortable with. According to a survey, here are law students' favorite bedroom activities: Polling the Jury, Entering the Plea, Getting to 'Oh God Yes!,' Filing the Subpoena, 'Here Come De Judge!,' Banging the Gavel, Oral Advocacy, Thumbing Through the Briefs, Eminent Domination, The Hardwick Shuffle, and, of course, The Learned Hand Job. Good luck!

REVIEW from 1

reviews at M-W. These issues were brought to the forefront last year after *The Journal of Women and the Law* and *The Bill of Rights Journal* both came forward last year with proposals seeking school credit for work on the publications. The proposals of both journals were accepted by the Curriculum Committee, but the faculty felt the law school needed to form some more definitive policies and standards as to determining when to allow journal work to provide academic credit and other areas of managing the reviews.

Members of the Committee on Law

Reviews include Professors Schaefer, LeBel, Douglas, Dickerson and Liz Jackson. The Committee chair is Vice Dean Jayne Barnard who stated there is no need for students "to worry about" what the committee's decisions might mean for their journals. She added that the Committee's work "may or may not result in new policies." According to Barnard, the overall goal is to "streamline" the processes that the journals go through for credit approval, supervision, etc. in order "to make [them] work most efficiently." The Committee will establish a time line for implementing any new decisions at their initial meeting on Thursday.

Courtroom 21 Program Schedule

Students may sit in on any demonstrations by prior arrangement through Professor Fred Lederer.

Friday, March 24 at 2 p.m.

Arizona video conference and courtroom demonstration (Nick Leonard)
No real time reporting; Video required

Monday, March 27 at 10 a.m.

Canadian Lawyer demo/interview via two way video from Toronto, Canada

Monday, March 27 at 2 p.m.

Singapore court administrators. Real time reporting (2:15 p.m.); Optional Executone video (3:15 p.m.)

Thursday, March 30 at 11:30 a.m.

ABA/AALS inspection team. Possible real time.

Thursday, April 6

Multi-service Military Judges Conference Courtroom 21 presentation at Maxwell Air Force Base, Alabama

Friday, April 7

Inside the Law ABA television production in New York City.

Saturday, April 8 at 1:45 a.m.

M-W admitted applicants

Sunday, April 9

Judges from Moldavia [tentative]

Monday, April 10 at 1:30 p.m.

Williamsburg-James City County Courthouse Committee. Real time transcription (1:40 p.m.)

Tuesday, April 11 at 10:30 a.m.

Judges from Holland. Real time reporting (10:45 a.m.); Executone video (11:45 a.m.)

Tuesday, April 18 - Thursday, April 20

First DOJ Computers and Legal Technology in Litigation and Investigations Program. [Category One Program, i.e. all capabilities; selected technical and vendor augmentation]

Demonstration is April 18 at 2:30 p.m. Real time reporting (2:45 p.m.); Executone video (courtroom) at 3:45 p.m.; Executone video in chambers at 4 p.m.

Friday, April 21 at 9:15 a.m.

First American College of Family Law Litigators Program. Real time reporting; Executone video.

Saturday, April 22

50 Law Related Education State Coordinators {cancelled; pending rescheduling}

Friday, April 21 or Saturday, April 22

[Tentative] Association of Defense Trial Attorneys

Monday, April 24

[Tentative] Georgia judges

Wednesday, April 26

Indiana court administrators

Thursday, May 4 at 3:15 p.m.

Virginia judges (major program). Real time reporting (3:15 p.m.); Executone video

Attention 3Ls**and people with parents!
Subscriptions for next year**

Subscriptions cost \$12 per year. To subscribe, mail checks and subscription forms to the *Amicus Curiae*, Marshall-Wythe School of Law, P.O. Box 8795, Williamsburg, Virginia 23187 -- or drop them in the *Amicus* hanging file.

Pet parade, pony rides will hit DOG St. Saturday

The Merchants Square Pet Parade begins at 11 a.m. at Merchants Square this Saturday, April 1.

At 11:30 a.m. prizes will be awarded for the best pet costume, the best-dressed litter [or human family of five or fewer], adult and child costumes, and the best-decorated umbrella. Prizes are considerable gift certificates and free meals at restaurants.

Pony rides will be offered in front of Binn's from 11:30 a.m. to 2 p.m.

Music and other performances will continue until 4:30 p.m.

Proceeds from the event will benefit the Animal Shelter Association of Williamsburg.



2L Mick Moore gave a birthday party for his lab, Neptune. From left to right: Rigby, Delilah, Molly, Beau, Neptune, Murphy, Scout.

More voir dire questions from the Third Judicial District of Iowa, reported in *Trial*.

Q: Well, a dentist's office doesn't have any trade magazines such as *Farm Machinery*, does it?

A: You have been going to the wrong dentist!

Q: If your children tell two different stories about which child broke the cookie jar and you simply cannot decide who is lying and who is telling the truth, what do you do in a case such as

this?

A: I call their mother. She will always know.

Q: Do you think it is important to tell the truth?

A: Yes. You know where all the liars go!

Q: Do you understand that things have to be done the way they're done?

A: Huh?

Q: Do you know anyone who may have been killed in an auto accident?

A: Say that again.

Q: What are you going to do when you retire?

A: Sit back and watch everyone else go to work.

Q: Did you enjoy your prior experience on a jury?

A: To this day I wonder what

really happened.

Q: Mrs. Smith, are you related in any way to the [criminal] defendant, Mr. Smith?

A: Oh, my, no!

Q: I see that you have a large family [of 16]. Have you and your husband been able to spend any time alone together?

A: That is apparent, isn't it?

Q: Men are not looking for sex

all the time, are they?

A: Well, maybe not all the time.

Q: I see you have 11 children.

A: What does that have to do with this case?

Q: I assume by your last name that you are Irish?

A: You know there are only two kinds of Irish.

Q: I don't think I will ask you that question.

CROSSWORD® Crossword

Edited by Stan Chess

Puzzle Created by Richard Silvestri

ACROSS

- 1 Toy-pistol ammo
5 A heap
9 Struck an attitude
14 Algerian port
15 Agenda segment
16 Mary Richards' best friend
17 *Star Wars* princess
18 Point at the dinner table?
19 Tended to the Tin Man
20 Koestler novel
23 Stirrup site
24 Hogwash
25 Cone-bearing tree
28 Steady
31 Cat, perhaps
36 *The College Widow* author
37 "___ you so!"
39 Pocketed bread

DOWN

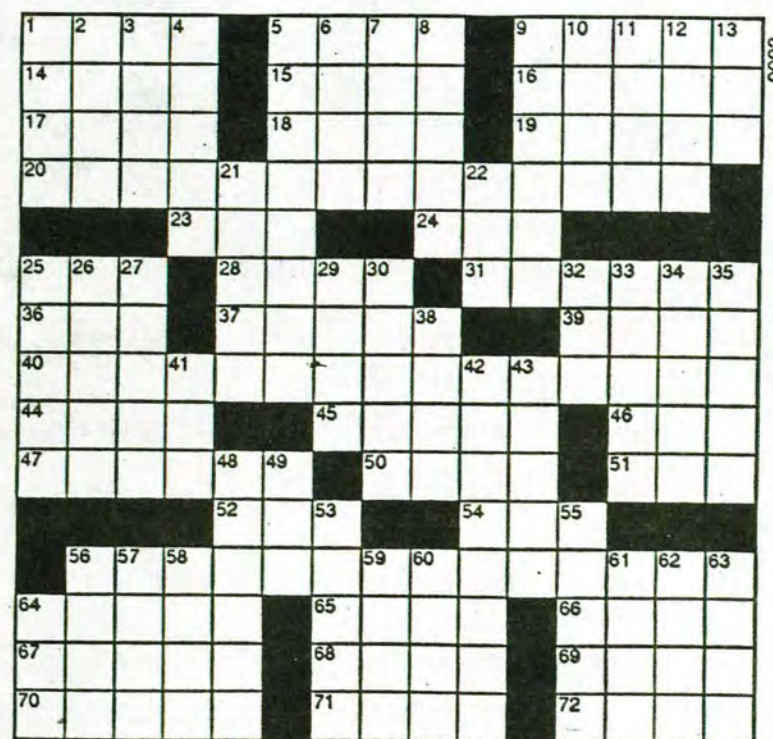
- 40 Head of the Secret Squadron
44 You, once
45 Comic lead-in
46 Tablecloth substitute
47 Joining alloy
50 Sit a spell
51 Whatever
52 Neighbor of Col.
54 He ran against DDE
56 Henry Fonda movie
64 Kerman native
65 Swordplay memento
66 Newspaper section, briefly
67 Grain elevators' kin
68 Albany-Buffalo canal
69 As far as
70 Composer Gustav
71 Kind of vision
72 Look too soon

DOWN

- 1 Without preparation
2 Precinct
3 Stud holding
4 Plumber's tool
5 Educated folks
6 Soul singer
7 Redding
8 Wallet items
9 PDQ
10 Riverfront
11 Stadium's river
12 The man from U.N.C.L.E.
13 Delightful region
14 TV's *Major*
21 Sweetheart of the 1976 Olympics
22 A Smothers brother
25 Friday request
26 Potato type
27 Drive back
29 Tanker weights

DOWN

- 30 Gantry of fiction
32 Reuters rival
33 Standard-deviation symbol
34 One of the Allens
35 Unkempt
38 Desperately urgent
41 Cartoonist Key
42 Be at odds
43 Eyewitness
48 Sign for a hitch
49 Gun the motor
53 Harried
55 Sundae topping
56 Small combo
57 Berlin casualty of 1989
58 Cain's nephew
59 Piece of land
60 Catch cold?
61 Act glum
62 Distaff ending
63 Recess
64 Suffix with boy or girl



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OSCARS from 13

Her performance was remarkable in *Nell*, although not for the reason you might suspect. It wasn't because she spoke in a complete unintelligible language (Van Damme does that in nearly every movie he makes). It's that Foster took a part that could have been over the top and over-acted by lesser actresses and took away all of the gimmicks. A remarkable performance by a remarkable actress.

BEST ACTOR:

WHO WILL WIN--Tom Hanks. This is another toughie. Hanks ordinarily would

have been an easy pick. In fact, the only obstacle he is facing is himself--he just won Best Actor last year for *Philadelphia*. If Hanks takes home the award, he would be the fourth actor in history to win two years in a row in the same category (Jason Robards, Spencer Tracy and Louise Raneir were the others). However, because he won last year, the door is open to either John Travolta, the sweetness in a very dark *Pulp Fiction* or Paul Newman who is "Paul Newman," the last of the true movie stars. Hanks will probably overcome that obstacle to speak on the Dorothy Chandler stage again.

WHO SHOULD WIN--John Travolta. Prior to *Pulp Fiction*, he was completely forgotten by most of the public (yours truly included) who doubted Travolta could actually act. And he could have easily just blown this movie off, but he didn't. While Jackson was the brains of *Pulp Fiction*, Travolta was the heart. He took scenes that could have been grisly and dark and lightened them up enough for the audience could enjoy them.

BEST DIRECTOR:

WHO WILL WIN--Robert Zemeckis for *Forrest Gump*. He is already a foregone conclusion because he won the Di-

Monday, March 20, 1995 THE AMICUS CURIAE rector's Guild of America (DGA) award. Even though this is a completely different award race, the general rule is that whoever wins the DGA award wins the Oscar. Thus, no one else even has a chance.

WHO SHOULD WIN--Quentin Tarantino for *Pulp Fiction*. His work was the most inventive and energetic of all the directors. Unlike Oliver Stone, who also used a lot of different film styles in *Natural Born Killers*, Tarantino's efforts didn't leave you numb like Stone. Tarantino energized the audience leaving it wanting for more when the closing credits rolled.

BEST PICTURE:

WHO WILL WIN--*Forrest Gump*. I was predicting this back in July when it first opened and EVERYONE went to see it and said how it was the best thing since sliced bread. This movie is what Oscars are made of--it's tone is sweet, it's big in scope and has a noble character. Further, as a general rule, the Best Director's film is also awarded Best Picture. Since Zemeckis is a shoo-in for Best Director, *Forrest* is now a sure thing.

WHO SHOULD WIN--*Pulp Fiction*. Between the review I wrote about it last October, my top 10 list (where I listed it as the Best Film of the year) and various mentions throughout this column, I think I have managed to praise *Pulp* in every conceivable way. Suffice it to say that *Pulp Fiction* reminds you of one thing that most movies seem to forget--smart, risky movies can also be enormously entertaining. Any film that can do this much and make 2 1/2 hours fly by this fast deserves to be mentioned and to win numerous trophies. If it doesn't win Best Picture, then Tarantino better take home an Oscar for his screenplay. If there is any justice in this world, he will be up on stage at some point saying thanks.

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Looking for the June/July 1984 issue of *The World Wrestling Federation Magazine* with Sgt. Salughter on the cover.

Call Joe Woitko at 564-3901 if you have it or know someone who does.

Correction

Hazleton beating victim Matt Korb's mother did not set up "Drugs Fry Your Brain" speeches.