1995

Amicus Curiae (Vol. 6, Issue 6)
Mark Tushnet, "Con Law God," visits M-W

By Cristina Zeisler
Don't want to take the bar exam but still want to be a legal superstar? You should have talked to Georgetown Law Professor Mark Tushnet, who graced M-W with his presence from Oct. 30 until Nov. 2 as this year's second distinguished Lee Professor.

Tushnet has never taken the bar and yet he is the author of the number-one selling constitutional law textbook in the English-reading world and of the definitive two-volume book on Supreme Court Justice Thurgood Marshall (for whom Tushnet clerked).

While at M-W, Tushnet visited two constitutional law classes, impressing students with comments given while Professors Michael Gerhardt and Rod Smolla lectured. Professor Neal Devins hosted a large turnout of BLSA members at his house to get Tushnet's impressions of Justice Marshall.

Clerking for the Justice and remaining friends with him throughout the years gave Tushnet a unique insight into Marshall's life. Tushnet expressed his respect for Marshall's lawyering and suggested that a close reading of Marshall's opinions reveals that Marshall held a much more conservative ideology.

Cold, nervous runners battle with early morning hangovers at PSF's Ambulance Chase starting line

Koch resigns: Administrative Law Review may leave M-W

By Stephen T. King
Professor Charles Koch announced last Wednesday to the students of the Administrative Law Review that he would be resigning his position as Editor-in-Chief. "The reasons are varied but, in general, I found that seven years is simply long enough," he wrote in a letter to students and alumni of the Review, dated Nov. 16.

Funding for the Review comes from both the school and the ABA Section of Administrative Law and Regulatory Practice. Koch faced a letter to the section on Thursday, Nov. 17 announcing his decision.

It is too early to tell what the response of the section will be, particularly whether the journal will be allowed to remain at M-W, or whether instead a new host school will be chosen.

The journal, which is the official journal on administrative and regulatory law, has had its home at M-W for the last seven years. Koch hopes it will remain here.

Typically the ABA wants a professor at the host law school to be the editor-in-chief, especially for the purpose of picking manuscripts for publication. Considerable doubt surrounds the journal's future at M-W, as no one is certain if there is a member of the faculty who has both the time and qualifications to assume Koch's position.

Managing Editor Frank Lynch (3L) echoed Koch's sentiments about the journal. "We've done a good job," he said. "I'm disappointed Koch's resigning," added Lynch, "He's well-known in the field. I've enjoyed working with him."

Lynch and a committee of second year journal members will be working on proposals to submit to Dean Krattenmaker and Koch hoping to keep the Administrative Law Review at M-W. Second year staff members are particularly affected by Koch's decision. If the journal moves to another school, these students may miss out on the benefits of third year membership. Lynch indicated that many students forgo membership on other publications because everybody on the Administrative Law Review gets published and there is a one in two chance of becoming an editor.

Koch said that second year staff members will get credit for their project. The project is a group effort done by each

M-W goes mobile, seeking backyard trailer

By Sutton Snook
Someone once asked me what tornadoes and "nick" divorces have in common. I simply replied, before turning away. "Sooner or later, someone is going to lose a trailer." At which point Dean Krattenmaker reported, "That's manufactured housing to you, buddy." M-W's about to become the proud owner of one "manufactured housing unit." No, the oldest law school in the country is not becoming a trailer park, but is seeking approval for one trailer, to be used as a classroom.

The manufactured housing unit will serve as a 40-person classroom, roughly the same size as G-5, which was recently converted to the Law Review office. "This will put us back where we were before G-5 was converted into the Law Review office," Dean Connie Galloway commented. Because of the size, it will not be used for first year classes, but instead for second and third year courses. "We lost a classroom last summer, and we need it back. It will be a tremendous help," Krattenmaker noted.

The unit will be located behind the classroom wing, and connected via a walkway. Galloway noted that it will not be visible from the street. It will have a pitched roof and will be equipped with the furniture from G-5, which is currently in storage. She added that the school does not want to invest a significant amount of money in the project as it is only intended to be temporary. Both Krattenmaker and Galloway stressed that because it is only temporary, the walkway will not be equipped with lights and the building will be locked daily at 5 p.m. for safety. They said it is meant to be used only as a classroom, not for evening meetings or study ing.

Funding for the new building was provided from the Provost and an alumnus, who has generously agreed to help the school alleviate its space crunch. Both Krattenmaker and Galloway thanked the alum, and added that he has been a "tremendous help."

According to Krattenmaker, M-W
From the Editor’s Desk . . .

It ain’t broke, don’t fix it. So why is the College considering altering its self-governing Honor Code? Our profession demands strict adherence to ethical principles, and our policy mirrors not only those principles, but also our judicial system. Our system works — it just ain’t broke.

From whence does the need for change arise? We have not seen serial cheaters receiving diplomas, nor thieves sporting their classmates’ stolen clothes. We do not lie, cheat or steal. In fact, the proposed campus-wide code will not strengthen or improve the existing law school code. Ironically, the proposed code would weaken it substantially.

Under the current system, the faculty trusts students and students trust each other. We leave our umbrellas at the door on rainy days. We leave our laptops and book bags in the library. We take our exams in the courtyard in the spring. In other words, not only does the system work, but we work within it.

Several notable changes in the proposed code would radically alter our Honor Code system. First, law students will not adjudicate any violations; a group drawn from the entire College would. Consequently, any idea of judgment by peers is gone. Instead, we are judged by a collection of undergrads sprinkled with graduates, with no review by the law school administration. No student defense counsel. No student prosecution.

Second, our conviction standard, requiring proof of guilt beyond a reasonable doubt, would likely be lowered to one requiring only clear and convincing evidence. When a common punishment for conviction is expulsion, do we want a lower standard of proof?

Third, the new proposal no longer includes a prohibition on stealing. One wonders why this provision is so unimportant as to be unnecessary. Are undergrads and the other graduate students such miscreants that they cannot be held to a non-theft principle? We know otherwise, and would like to remind the College administration that this prohibition has contributed to a friendly and trusting environment. Removal of this provision will create suspicion and destroy trust.

Finally, and most importantly, the proposal removes the duty to report violations of the Honor Code. This has been the foundation of enforcement at the law school, and an important tenet of the law profession’s self-policed disciplinary system.

It is, perhaps, this provision that has allowed the law school community the great freedom and trust we currently enjoy. This is why we can take our finals under a tree in the courtyard or in the library. This is why we are treated as we should be — as honorable and trustworthy adults. This will change if the proposed code is enacted. Some professors have indicated that they would curb students’ exam-taking options if the duty to report is dropped.

It is true that the law school needs closer and warmer relations with the main campus, suffiently evidenced by the problems with Student Activities alone. Destroying the best elements of our carefully crafted honor code in order to make it palatable to the undergrads is hardly a step forward in this direction. Our system works. It helps train students to live and work in our chosen profession. Why remove this element of our legal education simply to foster a cosmetic unity? We have already seen the regard the main campus holds for our administration and student organization funding. Do we really need to see their opinion of our system of discipline?
Dean cuts administrative costs by ten percent

By Mario Pacella

On Oct. 11, 1995, Dean Krattenmaker circulated a letter to the law school community describing the administrative downsizing mandated by the College's Strategic Plan. In attempting to cut the school's administrative costs by 10%, Krattenmaker proposed to eliminate the administrative assistant position at the Institute of the Bill of Rights, currently occupied by Millie Arthur. The Provost has recently agreed to the plan submitted by the school that also reduces the library's budget. The plan still faces further review before it is implemented.

According to Krattenmaker, the Strategic Plan designed to guide the College well into the next millennium mandates that all units of the College make 10% cuts in administrative costs in order to conserve resources. Krattenmaker said that "half of this will go to fund new academic programs, while the other 5% would be a savings." The law school plans to cut over $160,000 in annual administrative expenses. After examining the school's budget, Krattenmaker lamented, "There is no deadwood here." He stated that he "is not pleased about... eliminating a position."

Krattenmaker said he hopes that the law school community would see the broader picture based on the Strategic Plan. "The College will be able to concentrate more resources on the instructional side of the budget including developing new programs," Krattenmaker said. These resources, however, would not necessarily revert back to the law school. Instead, savings will be pooled among all departments. Decisions on the use of the administrative funds reclaimed will be decided in the future based on the commitments and assessed needs outlined in the strategic plan.

As for Millie Arthur, Krattenmaker acknowledged to the law school community that she is "a very capable worker and a valued member of our community whom we will miss tremendously." Krattenmaker emphasized his desire that "this new school will hopefully relocate her to a suitable existing post somewhere at the College."

The College cannot create a new position for Arthur because of the new state guidelines on hiring. For new and recently vacated positions at the College, the Provost must submit a proposal to Richmond based on need. The ultimate decision rests with Richmond. Given the statewide hiring freeze, it is unlikely that any new positions will be developed.

M-W's newest legal interest group: Military Law Society

By Sheila Ruth

The Military Law Society (MLS), envisioned as a forum for discussing legal issues affecting the military, is the newest addition to the ranks of M-W student organizations. Charlie Young (2L) led the inaugural meeting on Nov. 1 and introduced fellow organizers Calvin Anderson (2L), Laura Felman (2L), Drew Swank (2L), Louis Birdsong (1L), Terry Costello (1L), Joe Kieffer (1L), and Dan Jordan (3L). Professor Fred Lederer serves as faculty advisor.

Lederer said he believes that MLS will provide a valuable service. He supported MLS's founding by referring to Louis de Gaya's entreaty in The Art of War: "Justice ought to bear rule everywhere, and especially in armies; it is the only means to settle order there, and there it ought to be executed with as much exactness as in the best governed cities." Lederer concluded by saying that "law is as essential in the Armed Forces as it is elsewhere."

Initially, MLS's leaders seek to provide a forum through which law students can address the many issues facing the United States Armed Forces. Topics under discussion, notably "Don't Ask, Don't Tell" policy on gays, lesbians and bisexuals in the military and the role of women in combat units, promise fertile ground for spirited debate. MLS currently anticipates an appearance next spring by the attorneys litigating the "Don't Ask, Don't Tell" policy in Thomason v. Perry, scheduled for an en banc hearing before the Fourth Circuit on Dec. 4. Young predicted that the Supreme Court will eventually review the case of Navy Lt. Paul Thomasson's discharge from military duty following his disclosure of his homosexuality in January, 1993.

The MLS expects to address other areas of law, such as labor and international law, that have ready application in the military environment. Young said he foresees roundtable discussions, a symposium, and several addresses by key players both in military and civilian quarters to further the organization's mission of providing occasions for debate and discussion.

As a future goal, MLS hopes to launch the first military law review at a civilian law school. Plans call for the journal to be published online. A more immediate invitation is extended to the W&M community to attend Tuesday's presentation by counsel litigating the Virginia Military Institute's male-only admission policy. The address is scheduled to take place Tuesday night at 6 p.m. in Room 239. MLS's kick-off event was a smashing success. Last Monday, several current and former members of the armed forces attended the law school wore their uniforms to commemorate Veteran's Day. While many civilians remembered the day by donning red, white, and blue ribbons. Free coffee was available to all.

Thus far, the society has met with resounding success. The MLS's introductory meeting attracted over 40 new members, both civilians and members of the armed forces. Young advanced several reasons for joining MLS. It is for students interested in joining the Judge Advocate General Corps (JAG), anticipating working with military personnel in a legal setting, or who are fascinated by the issues confronting the military.

Legacy Committee out for justice - higher rankings

By Frank T. Sabia

When Ray Raya (2L) visited the pre-law advisor at an upstate New York university and inquired about the law school at the College of William and Mary, he was told, "I think I may have a number for them around here somewhere." This is representative of the problem with M-W's reputation, or lack thereof, around the country. Although in recent years the school has gained some national prominence, it is a long way from the Top Ten. Even though we have the ability to do so, according to Raya. The Legacy Committee was born of Raya's frustration about this matter.

WWW access coming soon to M-W 1Ls

By Paul Walker

Thanks to LEXIS/NEXIS, Courtroom 21, and the Legal Skills Program, the 1L class will soon be exploring the frontiers of the Internet's newest addition, the World Wide Web. Access will be available by a legal software program called Student Office, contracted for by Courtroom 21 and the Legal Skills program. According to Professor Fred Lederer, the man behind Courtroom 21, the LEXIS communications node that will move M-W into the next century might be complete by the end of November. That event, according to Lederer, "will allow those with the [Law Student On-Line software] and an analog phone line to access the Web and the internet."

The software is one leg of the Student Office software. The other is a program called Folio Views. Folio Views is billed as an "infobase manager." An infobase is typically a document created in a word processing program and brought into Folio Views to be manipulated. Folio Views allows the user to set up "jump links" within the document, whereby an entirely different section can be read simply by double-clicking on a word with a "jump link" attached. The user can also create pop-up windows to appear by double-clicking on selected words. Best of all, each user can set up and tailor his own infobases. Currently the Legal Skills Rules of Evidence and the Federal Rules of Civil Procedure are in infobase format and available for use next semester. Lederer also is planning to make his Criminal Procedure II book available as an infobase.

The Student Office package will see increasing use in the Legal Skills Program in the coming years. The idea is that students can pass documents back and forth using the Internet and collaborate on them using Folio Views for editing work. Under the auspices of Courtroom 21, the Student Office software has been obtained at no charge and distributed free of charge from LEXIS.

This is one way "Courtroom 21 can be of value to the entire law school community by allowing the student body, even the student body members currently out of the country, to become accustomed to the technology that will be accessible to them in the future," Lederer said. Lederer also pointed out that a trial notebook program, ZapFolio, which normally costs $49.95, has been made available to trial advocacy students for $49.95.

See WWW on 11
Alumni Affairs: Serving both students and alums

By Frank Lynch
Last in a Series of Three Articles

The last major function of the Office of Development and Alumni Affairs is to provide a vital service to both alumni and current students - to have alumni help each other and to have alumni help students.

This office works closely with the Law School Association, founded in 1979 and headed by a 20-person board to "further the development and improvement of [M-W] and to foster a spirit of fraternity among graduates." There are several benefits to being a member of the Association.

First, alumni receive the Alumni Directory, which lists virtually all of M-W's 4200 alumni in alphabetical order, by class year, geographic area, and practice area. The Directory is updated on a yearly basis and is the "first tool for graduating students to work with alums," according to Dean Rick Overy. In fact, in the semester before graduation, a student can pick up a free copy of the Directory. In addition, there is also an alumni magazine, The William and Mary Lawyer, and a newsletter published by the Office and Association.

Second, there are alumni receptions in major cities across the nation, including Boston, New York, Philadelphia, Atlanta, Baltimore, and Charlotte. These receptions are open to any student and are a great way to start networking with interested alumni and to hear the Dean’s assessment of the law school.

Third, it sponsors on-campus activities for Homecoming, Class Reunions, and CLE programs. In the next few months, the Office hopes to take the CLE programs on the road.

Fourth, alums receive a password for the Law Leads Life, a phone-in access system to OCP's recorded job listings. Lastly, the Office presents two annual awards: the Citizen-Lawyer Award, the highest award given to an alumnus, and the Thurgood Marshall Award. The person receiving the Citizen-Lawyer Award "represents selfless service to the legal profession, his or her community, and the law school."

Dean Rick Overy - Native Stithome

The Marshall Award was created two years ago by the local law firm of Hale & Hale to recognize anyone associated with M-W who exemplifies the spirit and life of Justice Marshall. The Hon. Margaret Spencer, a former M-W professor and state court judge in Richmond, received this award last year.

The Office also provides many services to current students. The Co-Counsel program involves one half of the student body. The program matches a current student with a practicing attorney by geographic area and/or career interest. The Senior Co-Counsel serves as a mentor to the student to provide practical advice about law school, the legal profession, and job search strategies. The program sponsors three major social events annually: an early fall reception, a Homecoming get-together, and a mid-winter party.

Overy has found that the alums are "terrified of trying to contact the students" and the "students are terrified of calling a practicing attorney." Not all of the matches are successful, but the program is a great way to break down the barrier between alumni and students. Where there is a good match, it is beneficial to both parties. Even though the program is still new, there have been several cases where a Junior Co-Counsel has graduated and has returned to participate as a Senior Co-Counsel, leading to a big brother/big sister fraternity-style family tree.

The Office also sponsors a Mock Interview Program for ILs.

See ALUMNI on 6

Street Law: Earn credit and serve the community

By Mario Pacella

At the beginning of November, an memo appeared on the Administrative Bulletin Board at the Law School advertising a new field -- Street Law. Actually, it is not officially a clinic in the sense that you need a third-year practice certificate in order to participate. Instead, it is among the wide array of options that Professor John Levy and the community offer under the all encompassing title of Legal Clerking.

Last year, Professor Susan Grover initiated this program, taking 15 students from Enterprise Academy in Newport News to teach about the law and civil rights to troubled youth.

Since Grover is away for the year, she designated Lorrie Sinclair (JL) to coordinate the program. Sinclair hopes that at least 15 students will again participate this spring. Sinclair described the Enterprise Academy as "a satellite school which caters to students with special needs." Disciplinary problems are the primary reason that students are sent to the Enterprise Academy for nine weeks. Some students were dismissed from their original schools for fighting. One student attending the academy last year was removed from his original school for bringing a gun to class.

Sinclair added that the program was very well received by the students and teachers. In fact, the school asked the M-W students to return this spring. This year the participating students will be divided into seven pairs and be assigned to a homeroom from grades six through 12. Classes are small and serve to positively portray education. They focus on constitutional rights and ways to avoid confrontation.

Despite the topics, the students are very focused. Sinclair says that the "work is really teaching the lesson.

The inaugural program last year did not pass without incident. One parent, a police officer in Newport News, was concerned about her son being taught law. Therefore, program leaders invited the concerned parent to attend one of the classes. He responded positively to the program.

Enterprise Academy students were encouraged to participate in discussions and the development of the class. According to Sinclair, "One class even put on a trial." To show their appreciation to their M-W mentors, the students put on a program at the end of the year.

The Street Law program consists of a weekly planning meeting and a weekly teaching session at the Academy for an hour and a half on Fridays. One concern about last year was that 50 minutes classes were not long enough.

The Enterprise Academy responded by giving law students an extra half hour of instruction and discussion time. Anyone still interested in the program who has not yet applied should contact Sinclair by hanging file.

Wilcox addresses legal aspects of international terrorism

By Paul Walker

The International Law Society (ILS) continues to live up to its reputation for bringing high-quality -- and timely -- speakers to M-W. With the assassination of Israeli Prime Minister Yitzhak Rabin as a compelling context, the ILS sponsored a talk by Ambassador Philip Wilcox, the State Department Coordinator for Counter-Terrorism, on "Legal Aspects of Counter-Terrorism."

Wilcox is a Stanford Law graduate who taught in Sierra Leone for a year after receiving his law degree. From there he soon made his way into the Foreign Service, which he described as a good alternative career for those with law degrees. Because the State Department is the lead government agency on international terrorism, Wilcox said he is thoroughly familiar with the emerging trends and practices in that area. He pointed out that there is a declining trend in international terrorist incidents, even though the number of domestic incidents (such as the World Trade Center and Oklahoma City bombings) is on the rise. The international decline is evidenced by the decline in the number of worldwide incidents, from 665 in 1987 to 221 in 1994. Wilcox, however, was quick to point out that another trend: international incidents are typically more violent and against larger targets.

As an example, he discussed his numerous trips to Argentina following the bombing of the Jewish cultural center in Buenos Aires.

Even though the incidents are rare, Wilcox said combating terrorism remains an important element in U.S. foreign policy because "the toll of terrorism is very psychological. The fear and anxiety that terrorism creates, its real effect desired, not really the deaths." It is the psychological impact, Wilcox pointed out, that inflames and prolongs conflicts around the world. The challenge for the United States is to use the tools of diplomacy to counteract terrorism's effects and allow agreements such as the Israeli-Arab peace accords to be achieved, as Wilcox stated, "The Arab-Israeli conflict could have been resolved years ago were it not for terrorism." With the assassination of Rabin and the various Arab bombing waves, however, terrorists are attempting to remain a force by stalling the peace process.

A key portion of Wilcox's address centered on the legal tools that are used in fighting terrorism, especially extradition ("a powerful tool") and the various "long arm" statutes. Wilcox indicated that the U.S. is updating and strengthening its extradition treaties as fast as possible. He mentioned the unwillingness of U.S. courts to extradite people to countries that do not have strong due process guarantees as one concern.

Wilcox also discussed the anti-terrorist legislation pending before Congress, stating that it is getting caught up in politics. The legislation is also running into snags over policies on the use of secret intelligence in deportation proceedings. The legislation apparently allows summaries of secret material to be given to defendants and their attorneys, while the full material is given to the judge. Many in Congress have pointed concerns over such a policy. Wilcox vehemently defended the administration's approach to this issue.

"This is a much more liberal law than other countries. Canada, for example, can deport with the stroke of a pen," Wilcox said. Wilcox also took the opportunity to lambast the Republican Congress, stating that "Congress is displaying a dangerous isolationist trend by undermining our
Coffee gives Wythe lecture: Eastern European capitalism

By Catherine Poole

The 1996 Wythe Lecture, given by Professor John C. Coffee, was held this past Wednesday, Nov. 15. Coffee’s lecture was entitled “Present at the Creation: The Birth of Corporate Capitalism in Eastern Europe.”

Dean Krattenmaker introduced Coffee to the audience, which consisted of almost equal numbers of faculty and students. Dean Dean, after sharing the starting news that he, too, was young once, said that he had been privileged to know Jack Coffee in both a professional and personal capacity. Coffee is currently the Adophile A. Berle Professor of Law at Columbia University School of Law. He received his LL.B. from Yale, and his LL.M. from NYU, and has taught at Georgetown, Stanford and UVa. His area of expertise is corporate governance. In addition, this year he served as a member of the Securities and Exchange Commission’s Advisory Committee on the Capital Formation and Regulatory Processes. Although Coffee said we live in exciting times. The fall of the Berlin Wall, in addition to its many political ramifications, started the greatest natural experiment in corporate governance ever seen. Apparently, the adoption of private corporate law in the capitalist model was by no means as inevitable as we in the West perhaps thought. The Czech Republic was used as an example of a country making the transition from centralized communism to privatized capitalism.

To effectuate this transition, Czech citizens purchased vouchers for a relatively cheap price, roughly equivalent to one week’s wage. These vouchers could then be exchanged for shares in the newly privatized companies. This same system was used in Russia, and will be used in Poland, Romania and Bulgaria. This system created a very dispersed shareholding, however, with no one person or group owning more than a small percentage of any one company. No shareholder had an incentive to take more than a passive role.

To resolve this problem, financial intermediaries, called privatization funds, began to evolve. These funds pooled citizens’ vouchers into a larger fund. The privatization fund used these hundreds of vouchers to buy larger portions of companies. They could then achieve an amount of control that was impossible for individual citizens to obtain. This scheme enabled citizens to diversify their stock holdings. The system really began to expand once the Czech citizens were offered cash inducements to join certain funds.

Professor Coffee explained that there are two types of privatization funds that exist in the Czech Republic -- those that are bank-sponsored and those that aren’t. The former tended to dominate, especially in the rural areas, and bought a smaller percentage of more companies. The non-bank-sponsored firms, on the other hand, tended to concentrate on fewer companies but bought a larger stockholding interest in them to obtain more control. Interestingly, often the banks themselves, since they were also being privatized, ended up being part-owned by the very funds they were supposed to be sponsoring. This has raised issues of insider trading, which is illegal in the Czech Republic, and where the informational partition should be placed.

Aldrich: Most likely to chase down ambulances

By Mike Grable

Jason Aldrich (2L) took first place in the Fourth Annual Ambulance Chase, a 5K race sponsored by the Public Service Fund (PSF), with a time of 17 minutes, 24 seconds. John Osborn (2L) and Donald Wright finished second and third, respectively, in the Nov. 12 race. W&M graduate student Wendie Ribiroy was the top female finisher at 23:36, edging out M-W 3Ls Dawn Raines and Diane Preston.

Although the race was not nearly as eventful as last year’s, the women were also attracted a new and hopefully permanent sponsor in the local law community. This is one of the early results of the Judicial Council’s recent survey of the school community’s views on the proposal to unify the College’s six current honor systems into one College-wide system. Kim Dustin (3L), chairperson of an ad hoc committee conducting the survey, said the results will be used by the Council to write a position paper reflecting the law school community’s views on the proposal.

The position paper will be submitted to College President Timothy Sullivan within the next few weeks as he considers the final draft of the proposal, which is still being written by a committee chaired by M-W Professor Richard Williamson, Dustin said. That committee’s draft proposal for the new system will also be submitted for comments within the next few weeks.

Dean Krattenmaker was reluctant to influence the ongoing surveying. Krattenmaker did say that he is supportive of the balloting efforts of the Judicial Council. He also said he believed the survey was well written, and that it was important that the College administration be informed of the opinions of M-W students and faculty.

Whether or not M-W opinions will be heeded by the administration is uncertain. “It’s possible that there is an agenda outside of the law school,” Krattenmaker said. “There is a...

Virginia Bar Exam pass rate drops

By Victoria Blakeway

Virginia law schools recently reported the numbers of 1995 graduates who passed the 1995 July Virginia Bar Examination. W&M, with an average of 86%, came in second only to UVA at 87.7%. Both schools are well above the state average of 71%. Of the six Virginia schools, all but George Mason showed a drop in averages.

The bar pass rates for women and minorities at W&M was not available. Liz Jackson in the Admissions Office reported that while the information exists, it has never been broken down into those categories. Although apparently this is the type of information a site accreditation team would ask, like the one that visited W&M last spring. Jackson said she would be hesitant to release any more precise information because of the possibility that it could be used to infringe the privacy of past exam takers.

Virginia Bar Pass Rates

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<th>School</th>
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<th>1995</th>
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<tbody>
<tr>
<td>George Mason</td>
<td>69%</td>
<td>74.4%</td>
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<tr>
<td>University of Richmond</td>
<td>78.13%</td>
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<td>91.6%</td>
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<td>80%</td>
<td>76.7%</td>
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<tr>
<td>William &amp; Mary</td>
<td>88.79%</td>
<td>86%</td>
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Honor Council unification: “Duty to report” important

By Ryan Ketchum

At least four M-W professors have indicated that they will alter their examination procedures if law students were subject to an honor system that did not include a duty to report offense. Such a provision may very well be adopted under a proposed College-wide honor system. This is one of the early results of the Judicial Council’s recent survey of the faculty and students of M-W on the proposal to unify the College’s six current honor systems into one College-wide system.

Dean Krattenmaker was reluctant to influence the ongoing surveying. Krattenmaker did say that he is supportive of the balloting efforts of the Judicial Council. He also said he believed the survey was well written, and that it was important that the College administration be informed of the opinions of M-W students and faculty.

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Jim Cady selected as the 1996-1997 Drapers Scholar

By Catherine Poole

It was announced last week that 3L Jim Cady has been selected as the 1996-97 Drapers Scholar. This scholarship is awarded each year to a graduating M-W student to enable the student to study for a L.L.M. at the University of London. The arrangement is reciprocal — this year we are playing host to Michael Wadley, who was interviewed for the Amicus earlier this semester.

Winning this scholarship was a three year process for Cady. The existence of the program was one of the reasons he came to M-W in the first place. In fact, it could be said that Cady’s ambition to become M-W’s first ambassador to England had an early, and unlikely, genesis.

Captain Cady said that during his time in the Air Force he traveled around the world a great deal. It was this experience that prompted his desire to study international law. During his time at law school, he has been heavily involved in the International Law Society, and is currently serving as president. During the summer of ’94, he studied abroad in Moscow, Budapest, and Vienna, and also served as a law clerk in an Austrian firm.

While in London, Jim will study at Queen Mary and Westminster College, part of the greater London University campus. When asked for his reaction to the news, Jim said “Thrilled.”

A little “bit” of information for your exam-taking pleasure

By Mary-Grace Hune

Computer Use Policy: We recognize the need to be flexible as exams approach. During this hectic time some of you may want to relax with a little non-academic game-playing. We ask however that students needing PCs for academic use have priority over those students involved in more “trivial” pursuits. The MWLL Computer/AV Services staff (Mary Grace Hune, Mike Phillips, and student consultants) may ask a student engaged in non-academic use of the lab’s computers to exit the system and make the terminal available for students with academic needs for the computer. In addition, students needing to print on the laser printers have priority to those terminals. Students may use these terminals for drafting if others do not need them for printing.

Lab Use During Exams: In conjunction with policies on Law Library use by non-law students during exams, the Computer Lab will continue to remain open to law student use only December 1 through December 20. Undergraduate and non-law graduate students may use the other campus computer labs during this time. Please let Computer Services or the Office of Deans know if law students are working in the Computer Lab, and we will ask them to leave.

Computer Assisted Legal Instruction: As the panic of exam time hits, students begin scrambling for study aids. A study aid many of you may not know of is the CALI program found in the MWLL Computer Lab. CALI (Computer Assisted Legal Instruction) contains numerous interactive exercises designed to assist students in understanding and applying the legal principles they learn in their classes. The CALI collection includes exercises on Civil Procedure, Commercial Transactions, Contracts, Criminal Law, Employment Discrimination, Family Law, Federal Courts, Insurance, Labor, Professional Responsibility, Federal Courts, Property, Torts, Trial Advocacy, Administrative Law, and Wills and Trusts.

To access the CALI exercises from the PC-Law system you can choose M - Windows; A - Standard (or B - Experimental). CALI will appear on the Windows menu. Once you are in the program, you can see a description of any of the programs by pressing <F1>. To access one of the exercises, highlight it on the menu bar and press <Enter>. At this point you can either run the program or copy it to a floppy disk to run on an IBM compatible computer at home. A Mac version is available on Reserve.

If you have any questions about CALI, please see one of the PC Lab consultants during their office hours or Mary Grace Hune in the Computer/AV Services Department in Room 130.

Technology Prognosticators: “Computers in the future may weigh no more than 1.5 tons.” —Popular Mechanics, forecasting the relentless march of science.

“...there is no reason anyone would want a computer in their home.” —Ken Olson, president and founder of Digital Equipment Corp., 1977.

...“640K ought to be enough for anybody.” —Bill Gates, 1981.
Another Library Theft Reported

In the last issue of the Amicus, we reported the theft of a student’s wallet from the library. Jennifer Hob (3L) had a credit card and phone card stolen from a bag that she left sitting on a table near the federal reporters that same weekend. She canceled the cards before the thief was able to use them. As a result of these security concerns, the Student Bar Association is investigating the possibility of requiring ID’s to enter the library.

Moot Court Team advances to National Moot Court Finals

The team of 3Ls Wen Cheng, Courtney Collins, and Ann Davis finished third in the regional moot court tournament held at Richmond the weekend before last, advancing to the finals to be held in New York at the end of January.

This year’s topic is whether or not civil forfeiture violates the double jeopardy clause of the Fifth Amendment or the excessive fines clause of the Eighth Amendment. At one point in the competition, Cheng, arguing for the government, to the finals to be held in New York at the end of January.

Contract with America Survey Results Questioned

The Seattle Times has called into question the results of surveys used to bolster the image of the Republican’s Contract with America. The news article pointed to alleged flaws in the methodology. For example, when asked whether “we should stop excessive legal claims, frivolous lawsuits, and overzealous lawyers,” a positive response was counted as one favoring the Republicans proposed tort reform measures.

Project Open Mind Launched

A national educational campaign has recently been launched by PFLAG (Parents, Families and Friends of Lesbians and Gays) to increase awareness on the harm caused by anti-gay rhetoric. The campaign includes television advertisements and local outreach to educate the public.

Basic Virginia Law for Non-Lawyers Announces Staff

Editor: Mark Vucci; Voting Rights, Tax Editor: Josh Wulf; Property Editor: Dan Hessel; Family Relations Editor: Debbie Krassy; Estates Editor: Wendy Vann; Consumer Affairs Editor: Frank Lee; Illustrationist: John Robertson

Avalon Bike-a-thon

Six individuals participated in last Saturday’s bike trip from law school to Jamestown and back. Participants included: Neil Lewis (3L), John Valdivielso (2L), Lisa Fried (1L), Professor John Donaldson, Dean Krattenmaker, and President Timothy Sullivan.

The SBA has already set aside approximately $250 from Fall from Grace and T-shirt sales to benefit Avalon. The bike-a-thon raised an additional $30. Commenting on the small turnout, Lewis said, “this was just a practice run for next semester, when the weather is warmer.”

Holiday Notebook Computer Special

Stop by our expanded computer retail store on Jamestown Road where you’ll find many more great buys on notebook and desktop computers, printers, 100s of software titles, accessories, computer furniture and more – just in time for the holidays!

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Helping abused and neglected children through PSF

Jennie Goldstein

This summer I interned with the Office of the Corporation Counsel, which represents the interests of the District of Columbia and litigates on its behalf, in the Abuse and Neglect Section of the Family Division. The purpose of the civil litigation handled by the Abuse and Neglect Section is to have cases of abused and/or neglected children adjudicated so that the court has jurisdiction over the children and can order terms of visits, services for parents and children, temporary custody for the children, or can terminate parental rights and place the children up for adoption. These civil matters are independent of, and differ greatly from, criminal abuse and neglect charges. The child's safety and welfare is at issue rather than a parent's guilt or innocence.

Needless to say, the cases and issues were often quite disturbing, including parents who sexually or otherwise physically abused their children. Less brutal but equally devastating were cases in which parents failed to adequately feed or clothe their children, left small children alone for hours or days at a time, failed to obtain needed medical care for them, or simply abandoned their babies at the hospital after birth. The overwhelming majority of cases involved young, unwed mothers who themselves were not too long ago the "children" in the system for a variety of reasons, usually drug related. Most of the children in these cases were remarkably familiar with drugs, violence, and sexuality.

The tendency among the Corporation Counsel attorneys, as well as the interns, was to try to remain as detached as possible from children represented, which was sometimes not hard to do with the enormous case load. I found that by the end of the summer, however, though the cases continued to law students it was a bit too difficult to do this. The faces of the children I met will be hard to forget.

Family law and adventures in the courthouse

Tina Pampamichael

This past summer I used PSF funding to work at the Legal Services Center in Jamaica Plain, Massachusetts. Jamaica Plain, or "JP" as it is called locally, is a Boston neighborhood known for its cultural diversity (as well as being home to the Sam Adams brewery). The Legal Services Center assists low-income clients with their civil legal problems in the area of family law, landlord/tenant law, and public benefits. The Center also provides legal services to low-income people who are HIV positive. I was assigned to the family law unit. Although the office was prepared to handle a variety of legal issues, the great majority of the unit's cases involve divorce. The divorce cases I was involved with were at various phases of resolution. This allowed me to learn about the various aspects of the divorce process.

One client had just made the decision to divorce her husband so we started at the beginning. I prepared the necessary paperwork including the complaint stating the grounds for the divorce, fee waivers (so the client does not have to pay the $110 divorce filing fee as well as the fee for the final divorce decree), and financial statements. With this particular client, I prepared a motion to vacate the husband from the home and "marked-up" the motion for a hearing date. Vacate orders can be granted on an emergency basis by the judge if the safety of the party, or the children, is in jeopardy.

Filing papers in court was an interesting experience. It seemed to be regarded as somewhat of an initiation ritual among the folks working at the courthouse. The staff: they warned us about the odd going caseload, all student interns are writing experience.

We're in a unique situation that the courthouse belongs to the student body and not to the staff and faculty. It is our system and therefore it is up to us to report infractions... I do believe however, that confining members of a judicial system to a "high horse" I do not believe that law students hold a monopoly on determining honorable or dishonorable behavior.

In contrast, another student, "WILCOX from 4 well-funded foreign policy." Wilcox also acknowledged that the U.S. would not respond kindly to another country using a similar doctrine against a U.S. citizen, suggesting that the U.S. law poses a definite double-standard between the U.S. and the rest of the world.

HONOR from 5 strong desire to see a unified honor system for the entire college. Dustin estimated that between 200 and 225 student surveys were returned but have not yet been tabulated. At press time, 8 faculty surveys had been returned. Dustin said that no clear consensus has yet emerged among faculty members about some aspects of the proposed changes. For example, in response to the question, how important is the "duty to report" provision, specifying that the failure to report an Honor Code violation is itself a violation, four of eight faculty members indicated that it was very important. Faculty responses indicated that they would change exam procedures, presumably allowing students less freedom and flexibility in taking exams.

One question, however, elicited a conclusive response pattern: "How important is the inclusion of a punishment for violation of the Honor Code violation?" Seven of the eight reported that it was very important.

The complete results of the student opinion poll were not available at press time, several students wrote comments on the back of the survey. One student wrote, "A duty to report instills a sense of ownership or guardianship of the system whereby the students themselves police their own system rather than have the staff and faculty do so. The Honor Code and the Honor System belong to the student body and not to the staff and faculty. It is our system and therefore it is up to us to report infractions... I do believe however, that confining members of a judicial system to a "high horse"... I do not believe that law students hold a monopoly on determining honorable or dishonorable behavior.

In contrast, another student, "WILCOX from 4 well-funded foreign policy." Wilcox also acknowledged that the U.S. would not respond kindly to another country using a similar doctrine against a U.S. citizen, suggesting that the U.S. law poses a definite double-standard between the U.S. and the rest of the world.

About Mexico's reaction to the use of long arm statutes, saying, "The president has circumvented its use, but it is still there as a matter of policy." Wilcox also acknowledged that the U.S. would not respond kindly to another country using a similar doctrine against a U.S. citizen, suggesting that the U.S. law poses a definite double-standard between the U.S. and the rest of the world.
Not a bar review, but a beer review

By Dan Mcinerney

In recent issues, the beer and food reviews appeared in this paper. Not to be critical, but these articles ignored the most popular beverage of the law school community. A lot of us enjoy fine wine and good food, but beer is what is near and dear to our hearts. Beer is what we drink, but there is a big void when it comes to beer articles.

I decided to step in to remedy this sorry situation, enduring much constestation at home. "Oh, you're writing a beer review. Are you going to ask everyone you want to be friends with to brew a beer so you can say how good it is and kiss their ass, like in that damn fashion article?"

"That's right," said one unnamed roommate. "Yeah, beer -- it's that perfect phunky phat accessory," commented the other.

As Charlie Papzian, a leading authority on beer in America, said "becoming a knowledgeable beer drinker takes practice." As the "King of the Bar Reviews," an avid beer drinker for more than fifteen years, and the reigning champion of this tireless effort on beer in America, said "an avid beer drinker for more than fifteen years, and the reigning champion of this tireless unfamiliar with beer. I have plenty of practice. For those of you who know me, this comes as no surprise.

I enlisted the assistance of other beer drinkers, to prevent this review from becoming a platform for expressing political and social slants. Those views should be kept on the op-ed page and in the wine reviews. This is a forum for views on beer, and only beer. [Editor's Note: Is there going to be any actual BEER reviewed in this article or what?]

I picked each panelist because of his expertise and familiarity with the subject. Steve Chin (3L) is on a first name basis with the employees at the Anheuser-Busch Hospitality Center. Mike Phillips (3L) claims that he spent his college days at the original "Animal House." These days, he is on a strict training program supervised by his wife Julie. Jim Love started "drinking and puking" at the tender age of fifteen.

Recently he has settled down and reserves such behavior for weddings and vacations with his in-laws. I forced Greg "The Big Rapt" Rougeau (3L), the host of this panel against his wishes, because he too is so accomplished in this arena.

I selected four different beers for review. The first two because they are available at an establishment located on Scotland Street that is popular with law students. These are Sam Adams' Boston Lager and Bass Ale. I also picked Anchor Steam and Pete's Wicked Ale. All four are widely available. They represent four different styles of beer, all with medium-light to medium body. The different ingredients and brewing techniques used in these beers give them contrasting tastes.

Sam Adams' Boston Lager is a very popular premium beer. It has a bronze tint and is the lightest in color of these beers. The head is nice and long-lasting. It has more carbonation than any of the other beers. The body is light, although it has more than the common mass-produced beers. It has a very slight malt aroma. There is a slightly sweet flavor and a hop bitterness that is present, but is not harsh.

The hop bitterness lingers for a few seconds, accompanied by a mildly spicy hop flavor. This is a crisp lager that leaves little aftertaste in your mouth. It tastes like good beer is supposed to taste. The flavor is agreeable and well-balanced, too well-balanced, almost calculated. A lack of character may be Sam Adams' only flaw.

Bass Ale is clear and copper, almost red. It is somewhat flat, with little carbonation, but the head is neither large nor disappointing. The body is medium. It is an aggressive tasting beer, not sweet. Bass has an ester* or fruity flavor, with overtones of banana. This ester flavor hits your tongue first and then the hop bitterness follows. The bitterness is strong and lingers in your mouth for a few seconds. Its strength compliments the strong ester flavor. Phillips rates bottled Bass one-half mug lower than he would rate it on draft. Bass was Chin's favorite. When asked to explain why, he said, "it's a good drinking beer."

Pete's Wicked Ale is the most controversial of these beers. A panel member wishing to remain anonymous said of Pete's "after you puke on a beer, it loses half a mug." Jim Love said, "if they called it just 'Pete's Beer,' no one would drink it." Pete's is amber, almost brown, and much darker than the other beers. Its body is rich, but not thick or bulky. "This is not the Arnold Schwarzenegger of beers," Rougeau commented. It has a fruity-ester odor that is not as pronounced as that found in Bass Ale. This beer also tastes a little malty, but not sweet. It has enjoyable hoppy flavors and bitterness. This bitterness doesn't linger. It flat-out hangs out in your mouth. Pete's Wicked Ale is a big, well-balanced beer with flavors that work well together.

Anchor Steam Beer is a different kind of beer, and the only surviving example of steam beer. It is neither a lager nor an ale. Anchor Steam has a rich reddishamber color, and a large amount of carbonation. The head lasts for a good long while. The body is medium. Its flavor is sweet with a fairly strong malty flavor. Underlying this sweet malty flavor is just a hint of the ester flavor. This beer is not as bitter or hoppy as the others. Anchor Steam tastes flat out good.

These beers are all enjoyable beers and well worth drinking. For accommodations, I have different recommendations for each beer. Sam Adams goes great with bratwurst. Bass Ale goes well with lightly fried foods, fish, or shellfish. Fish and chips is ideal, or may be fried oysters. Pete's Wicked Ale is a great beer to go with a thick piece of beef. Anchor Steam's malty sweetness goes well with spicy foods like jambalaya or blackened steak. Many other foods also go well with these beers: pizza, buffalo wings, nachos, cheese fries, pretzels or just about anything else found in the chip aisle. Drink them with whatever you enjoy, or just enjoy them by themselves.

* Ester: similar to banana, raspberry, pear, apple or strawberry flavor; may include other fruity-ester flavors. A flavor commonly found in ales.

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

This week: 1L Judicial Council: God Save this "Honorable" Court
Dear Mr. Smarter Guy:

I am not usually affected, adversely or otherwise, by Amicus columns. I feel, however, that I must take exception with Joni McCray’s November 6th editorial entitled “Wake up call: Racism and homophobia alive and well at W-M.” Ms. McCray objects to the distribution of copies of a particular flyer on campus. In recognition of the overwhelming success of the Million Man March, the flyers in question advertised the then-upcoming distribution of copies of a more permanent magazine for which we would never belittle a successful publication’s then-upcoming back of the one-dollar bill and its use of irony and sarcasm to convey its message. Ms. McCray’s point was brilliant although somewhat overstated: An emotionally and socially retarded racist/ homophobic individual decries the evils of racism and homophobia. Beckett and Sartre would have been proud.

Additionally, thanks for demonstrating that racism and homophobia often spring from lack of comparatively imaginative boneheads. Mr. Farrakhan, who has no legal standing, must take exception to your views, if for no other reason than the legal right to privacy that you claim to support. I do not think that the central thesis behind Ms. McCray’s “Halloween issue” is one of the scarier columns I’ve read in a long time. The thought that you may have been admitted to our law school, walk unseen in our ranks, and are presentely learning the tools of our trade (and to what end?) makes the hair on the back of my neck stand on end. Part of me still wants to pull the proverbial covers over my head and hope that you are not for real, and someone from out of town is pulling a tasteless practical joke. I fear that I am wrong.

Next, I must thank you for masterfully demonstrating the central thesis behind Ms. McCray’s article. Your dramatic use of irony and sarcasm to convey my message was brilliant although somewhat overstated: An emotionally and socially retarded racist/homophobic individual decries the evils of racism and homophobia. Beckett and Sartre would have been proud. Additionally, thanks for demonstrating that racism and homophobia often spring from lack of comparatively imaginative boneheads.

Sassy Frank Sabas says, “Why wasn’t I included in Dart Jackson’s ‘Fall From Grace fashion column?’”

Monday, November 20, 1995

The Amicus

Stephanie Zapata

Self-described as “normal and average,” the Amicus has no choice but to agree. While she may have no clue why she was selected to JC, it is clear that she represents the quintessential M-W student - high school in Arlington, College at UVa, law school at W&M, with a stint as a paralegal in DC. Even her judicial policy desires us “a sense of humor tempered with a sensitivity to the situation of the parties.” Yes, she does effectuate it, and now she punishes us.

Ann-Marie Miles

Giving up his station as an intelligence officer for the Air Force in Hawaii to come to this tropical paradise (WHY!?) Joe describes his judicial philosophy as “Hammer ‘em all, and let God sort ‘em out. Eye for an eye, or even worse.” Does this mean we finally put those stocks over in CW to use? Married, with children (and a pony, Bill) in February, Joe continues active duty while attending law school.

Joe Kiefer

While we can’t have the original, we do have his descendant. (Sorry, VA, although Thomas Jefferson founded your school, it seems that his descendant prefers a W&M education.) “Married with cats. Unfortunat-ley,” Jeff says that he wanted to become an attorney because he “wants to sue for Monticello.” Well, with those alumni connections, it is no wonder why he made JC.

Thomas “Tom” Jefferson
Honeymoon at the Movies

James Bond falls back on his old habits and does just fine

By Dave and Jennifer Eberly

HABITs and does .

By Dave and Jennifer Eberly

mean really, isn't this guy a little, well, obsolete? I mean, let's face it -- this is the 1990's. The Cold War is over, military spending is down, and casual sex is deadly. Plus, nobody likes a chauvinist.

In the day of Terminators and Die Hards and Lethal Weapons, who needs some English dude in a tux?

That must have been the thinking when the movie executives decided to cast Timothy Dalton as Bond some time ago. They messed with the formula -- including a former Soviet fighter pilot who crushes her victims -- and destroyed all of a city's electronic devices. Bond's foes are many, including a former Soviet fighter pilot who crushes her victims between her legs. (Only in a Bond movie could they get away with that.) His chase leads him across the globe, including an incredible chase scene through (literally) St. Petersburg, Russia.

It is safe to say Brosnan will shed "Remington Steele" and become Bond for some time to come. His performance reminds us of the days of Sean Connery. His supporting cast is fine. The enemy is villainous and sex crazed while the good guys are innocent and sexy.

Most notably, the special effects are breath-taking. Aside from the normal explosions and plane crashes, the world's longest bungee jump adds a special something to the film. Who doesn't love Goldeneye four smiles, not because we think it is the best picture we have ever seen, but because it was as good as any James Bond film in memory. It was nice to see 007 back in action.

RATING SCALE

= = = = = "Better than Cats; we’ll see it again and again;"
= = = = "We’d see it for full price and buy a large popcorn.
= = = "Pretty good."
= = "Don’t mention it during a job interview.
= = = = = Be afraid. Be very afraid.

WWW FROM 3

All of this is part of the plan to extend technology outside Courtroom 21 and into the law school proper. The ultimate goal, according to Lederer, is to help increase the reputation of the law school "as a technologically interested institution. And anything that can help give us a competitive edge in placement is a good thing."

The Concert Corner

By Dave Misner

There are several good shows in the coming month. Going to see one of them would be a nice study break. The 7 Mary 3 show should be great and its cheap. They are a band from William and Mary, and their song "Cumbrous" is getting a lot of radio play nation-wide.

For those of you who are going to the Dave Matthews Band show on Dec. 30 or Dec. 31, make sure you get there before 8 p.m. You don’t want to miss the opening band Soul Coughing. Its probably the best dance music you will ever hear in concert. The easiest way to get tickets is to charge them by phone at (800) 594-TIXX, or 671-8100. Prices given for shows are advance ticket purchase prices. The price at the door should be slightly higher. For more information, call the Flood Zone at (804) 643-6006, the Boat House at (804) 622-6395, the Miller Concert Line at (804) 622-3679, or the Cellar Door Concert Line at (804) 463-7625.

Here is a calendar of upcoming shows:

Fri., Nov. 24: Fighting Gravity, 2 Skinney J's and Spider Monkey, Boat House $6 (8 p.m.)
Sat., Nov. 25: Phish, Hampton Coliseum, $20 (8 p.m.)
Sun., Nov. 26: Primus and the Meat Puppets, Hampton Coliseum, $17.50 (7:30 p.m.)
Sat., Dec. 9: Greg Allman Band and The Badleys, Boat House, $12.50 (9 p.m.)
Tues., Dec. 12: 7 Mary 3 and The Duffs, Abyss, $8 (9 p.m.)
Wed., Dec. 13: Collective Soul, Boat House, $13.50 (8 p.m.)
Mon., Dec. 18: Gwar, Baitshack
Sat., Dec. 30: Dave Matthews Band and Soul Coughing, Hampton Coliseum, $22.50 (8 p.m.)
Sun., Dec. 31: Dave Matthews Band and Soul Coughing, Hampton Coliseum.

The Amicus Curiae
Monday, November 20, 1995

11
For Thanksgiving bring something home besides your laundry

Now that "sweater weather" and Thanksgiving are officially here, we dedicate this recipe set to baking. Go ahead and throw those swimsuits in the back of the closet, they're a long way off. (No, Jared, this doesn’t mean that your favorite chocolate chip pecan cookie recipe is being published—that’s a secret its owner will take to the grave.)

Banana Nut Bread
2 1/2 cups all-purpose flour
1 1/2 tsp. baking soda
3/4 tsp. salt
3/4 cup butter, softened
1 1/4 cups light brown sugar, packed
2 large eggs
3 cups ripe bananas (about 7 medium) mashed
Preheat oven to 325°F. Grease two 9-by-5-inch loaf pans. In a medium bowl combine flour, soda, and salt with a wire whisk; set aside. In a large bowl cream butter and sugar with an electric mixer. Add eggs, bananas, and vanilla, and beat until smooth. Add brown sugar gradually, beating until fluffy. Blend in bananas. Add egg; beat thoroughly. Alternately add dry ingredients to banana mixture; gently toss with a fork. Gradually stir in boiling water. Stir well. Pour into prepared pans. Bake on center rack of oven for 60-70 minutes. A toothpick inserted in center should come out clean, and the bread should pull away from the sides. Cool in pan for 10 minutes. Turn pans on sides; cool to room temperature before removing and slicing. (Mrs. Field's Cookie Book)

Soft Ginger Creams with Glossy Frosting
Cookies:
2 cups sifted all purpose flour
1/4 tsp. baking soda
1 tsp. ground cinnamon
3/4 cup margarine
1 cup firmly packed light brown sugar
2 tsp. light molasses
1 egg
1/4 cup sour cream
Leaving and baking soda, salt, and ginger, and cinnamon; set aside. In a mixing bowl with an electric mixer, beat margarine until softened. Add brown sugar gradually, beating until fluffy. Blend in molasses. Add egg; beat thoroughly. Alternately add dry ingredients to banana mixture; gently toss with a fork. Gradually stir in boiling water. Stir well. Pour into prepared pans. Bake on center rack of oven for 60-70 minutes. A toothpick inserted in center should come out clean, and the bread should pull away from the sides. Cool in pan for 10 minutes. Turn pans on sides; cool to room temperature before removing and slicing. (Mrs. Field's Cookie Book)

Brownie Pudding Cake
1/4 cup all-purpose flour
1/4 cup sugar
3 Tbsp. unsweetened cocoa powder
1 tsp. baking powder
1/4 tsp. salt
1/2 cup shortening
3 Tbsp. light molasses
1 egg
1/2 cup sour cream
1 tsp. vanilla
3/4 cup boiling water
Stir together flour, the 1/4 cup sugar, 1 tablespoon of the cocoa powder, and the baking powder. Add milk, oil, and vanilla. Stir until smooth. Stir in nuts. Transfer batter into a one quart casserole dish.
Combine the 1/3 cup sugar and remaining cocoa powder. Gradually stir in the boiling water. Pour evenly over batter. Bake in a 350° oven about 30 minutes or until a toothpick inserted into cake comes out clean. Serve warm. (Better Homes and Gardens New Cookbook)

Pumpkin Pie
(This recipe is for Ted Fisher because he always knows how to appreciate a person's cooking and a good pie crust.)
Crust:
1 1/4 cups all-purpose flour
1 tsp. baking powder
3 Tbsp. unsweetened cocoa powder
1/4 tsp. salt
3/4 cup boiling water
Stir together flour, the 1/4 cup sugar, 1 tablespoon of the cocoa powder, and the baking powder. Add milk, oil, and vanilla. Stir until smooth. Stir in nuts. Transfer batter into a one quart casserole dish.
Combine the 1/3 cup sugar and remaining cocoa powder. Gradually stir in the boiling water. Pour evenly over batter. Bake in a 350° oven about 30 minutes or until a toothpick inserted into cake comes out clean. Serve warm. (Better Homes and Gardens New Cookbook)

In LayMass Terms

Amicus interviews someone resembling Farrakhan

By Jeff Reiser

In his lengthy speech before the Nation at the Million Man March, Minister Louis Farrakhan called for a dialogue with Jews. Many referred to this call for dialogue as "an olive branch." The Anti-Defamation League, however, has stated that it will not meet with him unless he issues an apology for his many hateful statements. It seems unlikely that Minister Farrakhan, having passed on the opportunity to sit at the March, will do so now.

While most reputable Jewish leaders refuse to meet with Farrakhan as things stand, the media, although controlled by Jews, has no such qualms. Thus the media, of which the Amicus is a part, is in a perfect situation to bring about dialogue.

As a representative of the Amicus, and thus the Jewish controlled media, I inquired Minister Farrakhan to dialogue with me at Bruegger's. I figured that Farrakhan is probably a big bagel eater.

Minister Farrakhan declined, however, stating that he preferred to meet with the Elders of Zion or the twelve Jewish businessmen who control international commerce.

Without The Dialogue, I am left without a story for this issue of the Amicus. But hey, if I can't meet with Farrakhan, why not do the next best thing.

The following is a transcript of my meeting with a guy who claims to do a really good Farrakhan impression.

Amicus: Minister Farrakhan. How's it going?
"Farrakhan": Oh, fair to middlin'. Al though I must say, I'm really looking forward to this Everything bagel.
Amicus: I have to admit I never thought I'd hear you say that.
"Farrakhan": What a separatist such as myself would eat a bagel on which many different kinds of toppings join together for the good of the entire bagel is strange to you.
"Farrakhan": What a pretentious bagel.
"Farrakhan": No, just a pretty good deal.
Amicus: Minister Farrakhan, I was wondering how you plan to help improve relations with Jews.
"Farrakhan": Same as before. I'll continue to say all the things I've said in the past, and then amend by playing a piece by Mendelssohn. Don't get me wrong. I regret things that I've done. For example, as good a deal as this coffee mug is, I really wish I had checked to see if they serve Snapple. Amicus: Are you sure Farrakhan talks like this?
"Farrakhan": Sure. Why wouldn't Minister Farrakhan want a Snapple? A lot of people drink Snapple. It's very refreshing. I particularly enjoy the Peach Iced Tea.
Amicus: Oh. Minister Farrakhan drinks Snapple. What do you hope to accomplish in this dialogue?
"Farrakhan": Wait a minute ... I really don't care for the dismissive tone you're taking about this whole Snapple thing. I think it's very important to know what beverages my character drinks if I'm going to be convincing.
You know impression does not necessar­ily constitute caricature. I choose my words, but instead character. You seem to want "Minister Farrakhan" to be even less developed than the characters on "Friends". Amicus: What are you talking about? Ross is a well developed character.
"Farrakhan": Maybe last season, but come on ... this season is really disappointing. Amicus: Yeah, that is true ... But forget about "Friends" for a minute. You spread this really positive message about taking responsibility for one's self and one's community. Why do you choose to be so racially divisive?
"Farrakhan": Have you ever noticed that there are no African-American characters on "Seinfeld" or "Friends"? What. NBC doesn't think black people like coffeehouses or diners? NBC would have America believe that African-Americans do not give patronage to these establish­ments? Let me tell you something, I go to them all the time. I love coffee and pie—love it. Oh, you know, sometimes I get a muffin instead of pie. I mean, you can't get the same thing every time. And ... sometimes I get a soup or a sandwich. Never anything too heavy.
The point is, I go to the establish­ments. NBC's portrayal suggesting a lack of black customers at these estab­lish­ments is false. They know its false, but yet they
See LAYMASS on 14

Monday, November 20, 1995 THE AMICUS CURiae

Mini Almond Cheesecakes
12 vanilla wafers
1 package (8 ounces) plus one package (3 ounces) cream cheese, softened
1/4 cup sugar
2 Tbsp. amaretto or 1/4 tsp. almond extract
2 eggs
1/4 cup chopped toasted almonds
Heat oven to 350°. Line 12 medium muffin cups, 2 1/2 by 1 1/4 inches, with paper baking cups. Place 1 wafer, flat side down, in each cup. Beat cream cheese and sugar in medium bowl until fluffy. Add almonds, one at a time. Fill cups with spoonfuls. Sprinkle with almonds. Bake about 20 minutes or until centers are firm; cool 15 minutes. Refrigerate.
Monday, Nov. 20
Monday Night Football: 49ers at Miami. If Dan breaks another record, does that mean a 49ers' victory is assured?

Mary Earl Music Brass, String and Woodwind Ensembles will be giving a Tuesday, Nov. 21

"Just around the riverbend:" The University Center will be showing Lunch with Tim: President Sullivan is still hosting luncheons at the President's

Sears at 221-1693. 

SMARTER GUY from 13 viewpoints reminds us that our critical faculties must remain vigilant, lest we descend into a quagmire of dangerous complacency. Finally, thanks for challenging the assertion that your flyer was somehow homophobic and racist. Although I have not yet contacted them, I'm certain that members of the BLSA and the LGLA would be happy to debate the issue with you in a public forum. Please contact them and let them know when such a debate would be convenient for you.

Thanks again!

(The following are excerpts taken from several letters regarding the "Fall From Grace" fashion review which appeared in the last issue.)

Q: [Dear Mr. Smarter Guy:]

"[The] fashion report was fraught with implications that members of the Marshall-Wythe community are using drugs. The authors of the article may consider drug usage to be a joke, but I am certain that many of the faculty, alumni, prospective students and members of the bar ethics committee don't think so. This cavalier treatment of drug abuse is a disgrace to everyone at the school. Further, the students who were personally implicated in drug use could face serious problems if some vindictive person should choose to clip the article and submit it to a bar ethics committee as proof of unfitness for bar admission. Doesn't anyone think of consequences around here? Signed, Disgusted and Dismayed." [TOYA]

"Can you tell me why the Amicus allows a fat man who uses a curling iron to create his 'Dorothy Hamill' haircut to rant about his latest fashion diatribe? [...] And can we receive any more mixed signals from the ignominious 'Jackstone's' abusive [= . . .] columns? On the one hand, we are regularly reminded of Mrk. 'Jackstone's' love of women in the three classes. [= . . .]. Is it the love (or jealousy) of their clothing ensembles? [= . . .]. More importantly, can Mrk./s. 'Jackstone' be any more insensitive and hurtful in his comments? Before he loses what little respect may remain for him, he ought to choose a more appropriate tone and line of social criticism, not to mention a more consistent personal identity. Has the Amicus sunk to new depths? [= . . .]. But just when you think things couldn't get much shallower, someone comes along and sucks a little more water out of the short end of the pool. Signed, Don't Dig Cats." [GINA]

Q: [Dear Fashion Police,]

Mr. Smarter Guy was overwhelmed by your letters and is grateful to see that others in this school fail to see the logic in a self-appointed fashion critic killing dozens of trees for the expressed purpose of amusing himself and his small and hopefully shrinking band of cronies. Like you, I was annoyed with the first article as well as the second but then paused to consider the possibility that 'Mr. Jackstone's' humor was simply lost on me as 'pears to swirl.' Upon reading the last fashion critique, however, I realized Dart's pearls of wisdom were nothing more than cubic zirconia of idiocy.

Even though "Mr. Jackstone's" articles are written with an attempt to be humorous I cannot escape the conclusion that he actually takes this stuff seriously! I suppose I could simply chalk it up to res pralocapitare and say no more. Your letters, however, and "Mr. Jackstone's" own words: "[When you do stup]id things in public, I have the responsibility to share your idiocy with the world," compel me to say more. I had so hoped that we had moved beyond a junior-high school atmosphere where people are judged solely on the basis of what they wear and how they look. Does "Mr. Jackstone" also pass notes to the "divas" he admires during class? Thank God we don't have a cafeteria or gym class in which to endure his antics. (Imagine Dart laughing milk through his nose. Cool, huh?)

Dear Fashion Police,

Dart, it's one thing to ramble week after week about how "hot" some people look to you. I'm sure most of them are flattered and probably need the attention to validate their otherwise miserable existence. It's another thing entirely to seek out people who are minding their own business and trying to have a good time and ridicule them for their "failure" to live up to your fashion standards. Did you ever consider that having the latest clothes may not be a priority or even a possibility for some students who would rather spend often limited resources on such trivial things as food and housing? If "Mr. Jackstone" is so concerned that we all dress better than his own phlegm, perhaps he should put some of that $3000 our legal skills program is paying him to good use. Why not establish the "Mr. Jackstone" Public Fashion Fund? Instead of ridiculing these people, why not show them what a caring person you are and help them buy a new outfit? It would arguably be preferable to destroying yourself with "pills and needle-based recreation." (As an aside I hope that Professors Moliterno and Levy are thoroughly satisfied with their TA-turned-fashion critic who has time to keep up with the latest fashions, time to apparently purchase and abuse drugs, but no time to attend his ILs Client A interviews. Great choice gentlemen!)

Finally, "Mr. Jackstone," is the Amicus really the place for you to explore your sexual identity while reinforcing all manner of sexual stereotypes? How do you think your female colleagues feel about your apparent assertiveness that despite all of their skills and accomplishments the surefire way to get a job is "sexy skirt lengths and revealing jackets and blouses?" Despite the conflicting messages you may be hearing in your own constipated emotional angst, do you really wish us to believe that homosexuals routinely snap their fingers, say "You go girl!" and look at men "imagining what is hidden beneath the cloth." By the way, when you're wearing a hat, Dart, the answer is "nothing." Grow up, Dart.

(Note: Should Mr. Smarter Guy's wardrobe be the focus of Dart's next column, or even the subject of an immersed, he may be forced to walk around naked, proudly making his own fashion statement by scratching himself in places you'd rather not think about. You really don't want this to happen.)
Sherely you must be kidding

The fabled semi-scientific NBA fall preview - part II

By Todd Sherer
Midwest Division

The Rockets are the defending champions. The trio of Horsey, Olajuwon, and Drexler insures the title will have to be taken by force. The loss of Carl Herrera hurts, but since they play as a team, any loss is less significant. Look for them to play for the right to go to the Big Show. The Spurs are relaxed and confident now that Rodman is gone. Unfortunately so are his boards. J.R. Reid, Will Perdue, Reed Lanahan, and Herrera do not equal one Worm. San Antonio will be a distant contender, but contender nonetheless. Malone and Stockton's window of opportunity has been painted shut. GM Jerry Sloan finally added help in Jeff Hornacek last year and Chris Morris this year, but Morris barely compensates for the loss of Blue Edwards. Four words:

Jerry, "Too little, too late." The Nuggets could be the surprise team this year. Dikembe Mutombo, Mahmoud Abdul-Rauf, Jalen Rose, plus Dan MacLean, Antonio McDyess and Randy Woods will make the playoffs and could surprise someone if the Nuggets get any kind of production from Cherokee Parks they will make the playoffs. The Minnesota Timberwolves will be this year's Dallas Mavericks, the most improved team in the league, but still a year away from the playoffs. The Vancouver Grizzlies are also in this division.

Pacific Division

The Suns acquired the shot blocking center they needed but traded away Dan Majerle to get him. Danny Manning and Mario Bennett are both injured. If the oft injured Kevin Johnson and Charles Barkley can stay healthy they have a shot at the title. Super persons are all talent and no telling, as in no telling why they can't seem to win. In a related question, where are their collective heads. This year's playoff debacle could produce Jones-town-like results in Seattle. The Lakers will make the playoffs and could do some damage. This young team is a player away from returning to Laker glory. Golden State once again looks unbelievably talented on paper, which is great if you are running a computer simulation, but bad if you have play the games given their freakish bad luck. Since no one appears injured, look for a crushing USAF to hit the team bus. If not, they could make the playoffs.

The Portland Trail Blazers move into their new home -- the Rose Garden. This disqualifies them from being mentioned in any detail. In Sacramento they finally have the tools to be legitimate, but are still a year away. The Clippers still suck, but trading for Rodney Rogers is a step in the right direction. The addition of the two expansion teams guarantees the Clippers will win more games than the 17 they won last year. In the end look for Zen master Phil Jackson to guide the Bulls into the Finals against the Supersonics, and thoroughly rout them. George Karl kills the team, Courtney Love, and then turns the gun on himself.

W&M Sports Roundup

W&M Men's and Women's Soccer head to the NCAA's

By Kristan Burch

Football

The Tribe finished off its regular season with a 27-7 victory against Richmond at Zable Stadium on Nov. 1. This was the seventh consecutive win that W&M has notched against the Spiders. With this triumph, the Tribe raised its season record to 7-4, beating five of the eight Yankee Conference opponents it faced this year.

Tailback Derek Fitzgerald finished the regular season with seven touchdowns, and he averaged 78.5-yards per game in rushing. Place kicker Brian Shallcross made 14 of the 19 field goals he attempted this season.

With this win, the Blue Hens lengthened their Division I-AA unbeaten streak at Zable Stadium on Nov. 11. This was the seventh consecutive win that W&M overpowered East Carolina, 5-0. The scoring was led by forward Billy Owens, who recorded three goals and one assist against the Pirates. With these seven points, Owens moved to just two points behind W&M point record-holder Scott Bell, who compiled 113 points from 1985-86. The other two goals of the afternoon were knocked in by back Michael Botta and forward Vaughn Hughes.

In the semifinals, the Tribe faced the American University Eagles and pulled out a 2-0 victory with two late scores. The first goal of the contest was not scored until the 83rd minute of play. It came from back Wade Barrett, who headed in a pass from midfielder Steve Jolley. The Tribe closed the door on the Eagles with a goal by Jolley with less than four minutes on the clock.

In the tournament finals, W&M upended George Mason, 1-0. The lone goal of the contest was scored by Hughes early in the second half. This win gave the Tribe its first tournament victory since the institute was instituted in 1987. W&M earned an automatic bid to the NCAA tournament and played its first round game at Creighton on Nov. 18.

Women's Soccer

The Tribe traveled to the CAA Tournament Nov. 2, making the finals but falling just short of the championship. At a banquet before the tournament, several W&M players were recognized for their stellar play this season. Forward Natalie Neaton, back Erica Walsh, forward Mary Totman, and midfielder Ann Cook were named to the All-CAA first team, while forward Whitney Cali and back Stephanie Lockr were recognized as second-team selections. Totman was named CAA Rookie of the Year, and Neaton received the CAA Player of the Year award.

In the first round of the tournament, the Tribe sailed past East Carolina, 9-0. W&M took 42 shots in the contest, and Totman recorded four goals. George See W&M SPORTS on 15
Amicus computer-like rankings

Random thoughts and questions from Lewis' IMs swan song

By Neil Lewis

Football
1) Air Phallus (4-0), Men's B, +137
2) Fat, Drunk & Stupid (4-0), Men's B, +110
3) Morning Wood (4-0), Men's B, +120
4) Nordbergs (4-0), Men's B, +49
5) Tortfeasors II (4-0), Men's B, +31
6) Three (3-1), Co-rec, +75
7) Meanest, Nastiest Sons-of-Bitches (4-0), Co-rec, +40
8) Crap Weasels (3-1), Co-rec, +8
9) Team Efense (2-2), Men's B, +3
10) Bone Shakers (3-1), Women's, +2
11) All Madden (2-2), Men's A, +5
12) ?1 (1-3), Men's A, -63
13) Peace Frog Something (0-3), Co-rec, -32
14) Chattel (1-3), Co-rec, -29
15) Team Dizta (0-4), Co-rec, -62
16) The Hammer (0-4), Men's A, -140 law school vs. "externs" 39-24
3Ls vs. "externs" 28-7, rest of the school 11-17

Random Thoughts

--Congrats to 1L team The Hammer, who just finished their perfect season. They were slaughter ruled every game 35-0.
--1L team #14 Chattel finished the regular season with the lowest sportmanship rating of any team that's going to the playoffs. Who said first years were too uptight?
--Although just a shadow of the team they were when ex-law stud Rodney "Golden" Archer ran the show, #5 Tortfeasors can out-literate anyone. After they lost their first game, a timely protest by team captain 3L Sean "red rover, red rover, can Sean come" Overbey resulted in both teams getting credited with a victory. Well, if that's how you want to win....

--A team that's pissed off is #8 Crap Weasels, who believe they should be ranked higher than #6 Three, given that they beat them last week on a 60 yard hook-and-ladder play from 3L Chris Johnson to 3L Greg Rougeau with 1 minute left. Sorry Weasels, until Three is knocked off in the playoffs, the two-time defending IM champ will be the highest ranked law school co-rec team.
--#2 Morning Wood finished the regular season unscoped upon and in a perfect world would be the #1 ranked law school team. They kicked some serious ass this semester. But in the playoffs they'll fall apart as usual.
--Peace Frog Something was banned from the playoffs for two reasons. A) Their captain was too short. 2) Their nickname was too stupid.
--Going out quick in the playoffs will be an opportunity to get into pseudo-fight with another law student.

In the finals, the Tribe was shutout by James Madison, 2-0. W&M had defeated the Dukes during the regular season, 4-1, at Backsdale Field. The Tribe outshot JMU in this match, 24-10, but was unable to find the net. Its offensive strikes were held off by JMU goalkeeper Stacy Biladeau who was named Tournament MVP.

W&M was awarded a bid to the NCAA Tournament this season for the 11th time in the history of its program. The squad traveled to Raleigh, on Nov. 11, where the Tribe fell to North Carolina State by a score of 1-0. The weather hindered both teams in the contest, and by the end of regulation, neither team had been able to find the net. In the second overtime period, Wolfpack player Laura Ferguson scored the only goal of the afternoon on a redirected kick. In the contest, N.C. State set an NCAA record for the most fouls in a women's game, being called for 34 against the Tribe.

The field hockey team was awarded several honors before it entered post-season play. Head coach Peel Hawthorne was named CAA Coach of the Year. Sascha Bendorp and Amy Giello received first-team all-CAA honors, and Susan Connelly received second-team recognition.

The Tribe competed in the CAA Tournament Nov. 3-5 and netted a first-round win against Radford, 3-1. In the semifinals, W&M fell to UM, 2-0.

The men's cross country team advanced to the NCAA Division I Championship after finishing third in the Region II CAA Championship in Boston, MA with a point total of 188. The NCAA Competition will take place on Nov. 20.
Special thanks to all the William & Mary BAR/BRI Reps.

You did a GREAT job!