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## IN BRIEF

Vol. 6, No. 1

THE COLLEGE OF WILLIAM AND MARY

Winter 1992

## BICENTENNIAL OF BILL OF RIGHTS FEDERAL JUDICIARY CONFERENCE

By PROFESSOR STEPHEN J. WERMIEL

In March 1789, Thomas Jefferson sought to arm James Madison with the strongest arguments for adoption of the Bill of Rights. He urged Madison to consider "the legal check which it puts into the hands of the judiciary."

The keepers of that "legal check" came together in October in historic Williamsburg, Virginia, to take stock of how the Bill of Rights measures up now and for the future. It was the largest gathering ever of federal judges, 320 strong. They celebrated the federal judiciary's official Bicentennial of the ratification of the Bill of Rights. The College of William and Mary was an appropriate spot for the bicentennial celebration, since it was Virginia's approval of the Bill of Rights on December 15, 1791, that completed ratification.

The conference of judges was organized by the Judicial Conference of the United States and the Institute of Bill of Rights Law at the College of William and Mary's Marshall-Wythe Law School. The program was the most significant and ambitious to date for the Institute. Established in 1982, the Institute's mission is to support research and education on the Constitution and the Bill of Rights through programs and publications. The aim is to enrich law students' educational experience, broaden public knowledge, promote scholarly research and facilitate creative public policy solutions to conflicts involving constitutional issues.

For three days, the judges doffed their robes and, in effect, returned to law school, teaching and being taught, examining the meaning of the Bill of Rights, from its origins in debate at the Constitutional Convention of 1787, to its current meaning for the rights of the accused, to its future meaning for the rights of privacy, freedom of speech and press, and even environmental quality, and finally to its meaning for nations in Eastern Europe and elsewhere that are wrestling with the concepts of rights and liberties.

In the end, many judges concluded that what sets the American experience apart and explains the continued health and viability of the Bill of Rights is the concept of "judicial review" and the commitment to an independent judiciary. Judicial review is the powerful principle, stated by Chief Justice John Marshall in 1803 in *Marbury v. Madison*, that it is the Supreme Court's role to decide what the Constitution means and to review actions of the other branches of government.

"Many governments adopt constitutions, but they lock them away. Fortunately for us, John Marshall found the key in his judicial robes," said U.S. District Judge Adrian G. Duplantier of New Orleans, one of the organizers of the program. "My dream for this conference was to gather together the current keepers of the keys."

There were many moments that will stand out in William and Mary's memory. The conference opened with an outdoor barbecue in the yard outside the historic Wren Building. The judges were welcomed by Dionne Warwick who made a special appearance to sing the national anthem and "America the Beautiful." Another greeting was extended by Virginia Governor L. Douglas Wilder, who said, "Those of us who have freedom have far more than others could dream about having."

The Judicial Conference Bicentennial Committee also used the occasion of the conference to dedicate a bronze plaque containing the text of the Bill of Rights which was presented to Marshall-Wythe.

U.S. Court of Appeals Judge Damon L. Keith of Detroit, chairman of the Judicial Conference Bicentennial Committee, summed up with a message for his colleagues. "Let us as judges," he said, "be sure that every litigant that comes before us recognize that he has inherent dignity and that she has inherent dignity and that the Bill of Rights protects all of us."

Putting the historic conference in some



Governor L. Douglas Wilder addresses the Conference



Left to Right: Judge Adrian G. Duplantier, U.S. District Court, New Orleans and Chair of Bicentennial Conference Planning Committee; Rod Smolla, Director, Institute of Bill of Rights Law; President Paul Verkuil and Judge Damon L. Keith, U.S. Court of Appeals for the 6th Circuit, Detroit, and Chair of Judicial Conference of U.S. Committee on the Bicentennial.

perspective, William and Mary's Professor Rodney Smolla concluded, "America's legacy to the world is not the idea of democracy, but the idea of rights, the idea that rights are not just so much theory, but rather can form the basic character of society and government."

Wermiel is the Visiting Lee Professor at Marshall-Wythe, on leave as Supreme Court Correspondent for the *Wall Street Journal*

## JUSTICE LEWIS POWELL IS LOWANCE FELLOW

Retired U.S. Supreme Court Justice Lewis F. Powell, Jr. visited the Marshall-Wythe School of Law as the 1991-92 Carter O. Lowance Fellow. He met with small groups of students and faculty to discuss the Supreme Court, constitutional law, and public service.

A man with much the same quiet demeanor as Carter O. Lowance, Powell was selected for his distinguished record of public service. In addition to his duties with the U.S. Supreme Court, Powell served as president of the American Bar Association and as chairman of the Richmond School Board during the civil rights era.

Ami Kim, writing in the law school newspaper *The Amicus Curiae*, quotes Dean Timothy Sullivan on the views of the selection committee for the award. "The Committee feels Powell embodies many of the qualities admired in Carter Lowance. The Committee's enthusiasm appears to be justified—Powell donated the honorarium he received as this year's fellow



Justice Powell meets with students during his visit as Lowance Fellow

back to the law school."

The Carter O. Lowance Fellow in Law and Public Service was established in the spring of 1989.

This position, which was designed to be a part of the law school's Institute of

Bill of Rights Law, brings a distinguished public servant to campus each year for discussions and meetings with students and members of the College community.

The fellowship is named for Carter O. Lowance who devoted his life to public

service for the Commonwealth of Virginia—as an executive in the government and as an administrator in two of Virginia's major universities, including William and Mary.

"Carter O. Lowance belongs to a select company of 20th-century Virginians," said Sullivan. "No person has more selflessly or effectively contributed to the public good for a longer time. He is a paragon of the public servant. Lowance's career in the executive branch of the Commonwealth began in 1947. Over the next thirty years, he served as an aide to six Governors, in seven administrations, and his government posts included Commissioner of Administration and Acting Secretary of Education.

From 1958 to 1962 Lowance served as assistant president at the Medical College of Virginia. From 1970 to 1974 he was executive vice president of the College. He received honorary degrees from a number of universities, including William and Mary.



MARSHALL-WYTHE  
IN BRIEF

## HOMECOMING '91

### "AMBIENCE, BLACKJACK, AND A WHOLE LOT OF CRAPS"

by Elizabeth Dopp, 3L  
Public Service Fund Co-Chair

Homecoming 1991 started with a night of fun-filled partying in the Campus Center as 250 students, faculty, and alumni joined in to play blackjack, craps, and roulette at the Second Annual Casino Night hosted by the Public Service Fund (PSF).

In exchange for the ten dollar entry fee, the gamblers received \$1,000 in "Sully money"—one hundred dollar bills imprinted with Dean Sullivan's face and backed with a picture of Marshall-Wythe. As the beer flowed, the chance-takers became more adventurous with their bets, often risking their allotted \$1,000. Many party-goers danced to the new band, "Bad Idea," comprised of second-year law students Lynn McHale, Chris Smith, Scott Browning, Tim Hui, and Chuck Stoddard, and third-year law student Mike Chu.

In addition to the play money, everyone received ten raffle tickets. Midway through the party, Professor Dave Douglas raffled off numerous prizes donated by area merchants. The biggest crowd-pleasers included two bed & breakfast certificates, aerobics memberships, and overnight use of a big-screen TV for a pay-per-view event.

The highlight of the evening was having the professors do the dealing! Professor Neal Devins' luck while dealing at the blackjack table became legendary by the end of the night. Professor Emeritus Emeric Fischer's blackjack table was constantly mobbed as alumni such as Ken Roberts '90, Jeff Middlebrook '90, Dan Perry '90, and Jim Van Ingold '90 sought him out. Other professors such as John Levy, Michael Gerhardt, Alemante Selassie, Associate Dean Faye Shealy and Dean Richard Williamson also had a waiting line for seats at their tables.

Current students spent the evening gambling and dancing, as well as networking with the over 75 alumni in attendance. All of the proceeds (over \$1,600 in profits) went to the Public Service Fund. PSF conducts numerous fundraisers throughout the year, such as Casino Night, a suitcase party where trips to the Bahamas or to Wintergreen are raffled off, a Dinner Date Auction, and the Annual Pledge Drive. At the end of the year all of these profits are awarded to students who spend the summer clerking in public interest law jobs. Organizations such as battered women's shelters, public defenders, prosecutors, and homeless shelters, which traditionally are underrepresented and underpaid, are invaluable assisted by PSF.

PSF sincerely appreciates the support from faculty, students, and alumni who attended this event. We hope to see you during Homecoming 1992, when PSF will host the Third Annual Casino Night!!



## CLASS REUNIONS

Five classes celebrated their reunions during the Homecoming weekend. The events ranged from a formal cocktail party at the Williamsburg Inn to a picnic/tailgate on the front lawn. The law school wishes to thank the following individuals, who served as Reunion Chairs and helped to organize their class events: Greg Davis '86, Len Heath '86, Ron Taylor '81, Bob Goldman '76 and Butch Barr '66.

### 1986 Reunion



### 1986 Reunion



To order Homecoming photographs send \$7.50, for each 5x7, to Marshall-Wythe School of Law, Office of Alumni Affairs, Williamsburg, VA 23185. Checks made payable to the W&M Law School Association.



# MARSHALL-WYTHE IN BRIEF

## To Alumni of Marshall-Wythe:

Marshall-Wythe's Moot Court and the *William and Mary Law Review* thank you for joining us at the annual Homecoming Barbecue for the benefit of our organizations and hope that you had as much fun as we did. As co-hosts of the event, we received approximately \$600 in shared profits and appreciate the additional support beyond our annual budgets.

This year's barbecue witnessed the largest turnout of alumni ever! Approximately 300 alumni, students, faculty, and families gathered on the lawn in front of Marshall-Wythe for the late-afternoon picnic following William and Mary's homecoming victory over the Citadel.

Prompted by the growing popularity of the event, this year's plans included moving the barbecue from the law school lobby to a tent erected on the grounds in front of Marshall-Wythe. The outdoor setting contributed to a lively atmosphere as did the music of Friends of Appalachian Music (F.O.A.M.), a blue-grass band composed of members of the William and Mary physics department. What a way to spend a beautiful fall afternoon in Williamsburg!

For those of you who made the barbecue a stop during your homecoming weekend, we thank you and sincerely hope that you enjoyed it. Looking ahead, next year's barbecue will likely remain outdoors, and, hopefully, will attract even more of you to share in the good times and reminisce about old ones. We would like to continue to improve our Homecoming activities and to entrench the barbecue as a Marshall-Wythe tradition, so please let us know of any ideas you may have for the event.

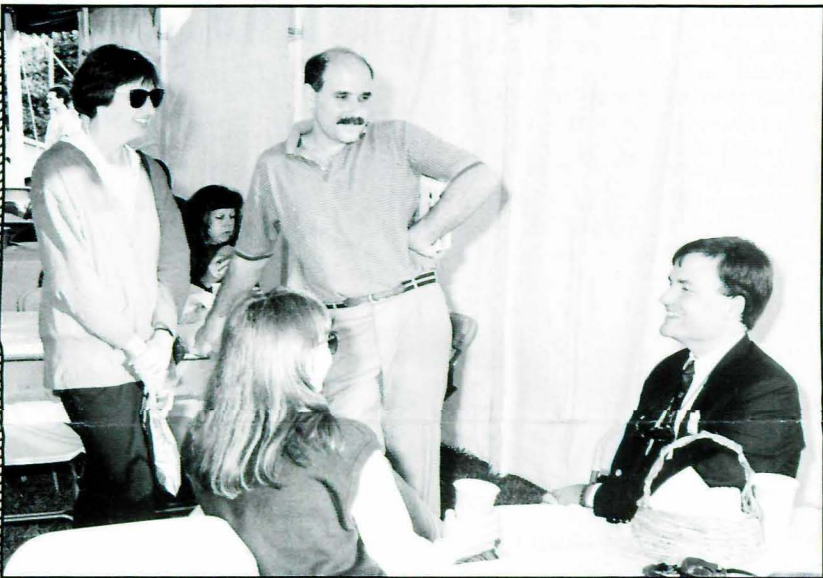
We look forward to seeing you next year!

Sincerely yours,

Robert Mills Bryant, III  
Chief Justice,  
Moot Court

Joanne Jones  
Editor-in-Chief  
*William and Mary Law Review*

Janet Singletary Thomas  
Alumni Affairs Director  
*William and Mary Law Review*



### Law School Association Golf Tournament

A small turn out at this first ever faculty-student-alumni tournament at Deer Run meant more prizes per player. Many thanks go to Darby Gibbs, 3L student who helped organize the event. At right, tournament participants Ray Stoner '71 and Tom Love '91 receive prizes and a handshake from Page Hayhurst



### 1981 Reunion



### 1981 Reunion

## MARK YOUR CALENDAR!

Homecoming '92 will be October 16-18 with reunion events for the classes of '87, '82, '77, '72 and '67. Please call (804) 221-3795 if you are interested in working on our reunion committee.





Summit of Rainier: Tom Scarr '81, Michael Brittin '79, Mac McCullough '79 and Lewis F. Powell, III

## SCALING NEW HEIGHTS

by Jay Busbee

Sitting in his Washington, DC office, Mac McCullough talks about the mountains he's climbed. He's not referring to his years at Marshall-Wythe, passing the bar exam or surviving in the business world. McCullough speaks literally, discussing the time he and several companions ascended Mount McKinley in Alaska, the highest peak in North America, and the traverse he made of Mt. Rainier. McCullough, a 1979 graduate of Marshall-Wythe and an attorney with the firm of Pepper, Hamilton & Scheetz, is part of a growing group of outdoorsmen and women who are foregoing—for a week or so at a time—the daily rigors of the desk in favor of the challenge of climbing the highest mountain peaks in the United States and the world. Many of these climbers hail from Marshall-Wythe, and the trials they face on the sides of twenty-thousand-foot peaks rival any courtroom test.

Rockclimbing entails much more than simply reaching a summit and posing for pictures. Climbers may claw their way over ice fields with crampons—foot spikes—and an ice axe. They may work in pairs to climb the side of a sheer rock wall over the course of a week. Some climbers even spend days working to perfect an ascent of a fifteen-foot-tall rock—a sport known as "bouldering." But whether they are scaling the highest peak in North America or a pockmarked brick wall on William & Mary's old campus, climbers face many of the same challenges, and feel the same sense of achievement when they overcome those challenges.

Richard Soaper '80, who works in Louisville with the real estate develop-

ment firm of Walter Wagner Jr. Co., is another climber working as an executive. But Soaper must search a little to find climbing spots. "There aren't many places to climb in Louisville," he says. "You have to either go west or go abroad." Soaper, fortunately, has done both. Last summer, he attempted to climb Mt. McKinley. While at Marshall-Wythe, he spent one summer as part of a three-man team that ascended Peak Communiste in the former Soviet Union—the first American team ever to do so. Standing 25,000 feet above sea level, Peak communiste is the highest mountain in the former Soviet Union. "From a historical perspective, that was one of the most meaningful climbs I've ever done," says Soaper.

Mike Brittin, a 1979 Marshall-Wythe graduate who now works as an assistant U.S. Attorney, makes time to get out of Washington, DC as well. "I inherited my love of climbing," he says. "My grandfather on my mother's side was a famous climber in the southern Alps and Bavaria." Brittin's father ascended Mt. Rainier before World War II, and Brittin sought to "follow in my father's footsteps and find his signature in the summit register." Brittin now lives in Great Falls, Virginia, and makes trips to Mather Gorge and Carter Rock for weekend trips. But for Brittin, the chances to climb often involve more than a simple three-hour drive. In the last few months, he has been invited to join expeditions to Tibet, Bolivia and Argentina. "Once you establish yourself," he says, "there are a number of opportunities available."

Channing Hall is relatively new to

the field of climbing, having been introduced to it only a few years ago. Hall, a 1986 graduate who has returned to Williamsburg to set up a solo practice, worked at a summer camp for years, but was so intrigued by climbing that he attended the American Alpine Institute in Bellingham, Washington. "My most memorable climb was probably the first one, at Mt. Baker. There was such a thrill of achieving the summit—we had been forced to turn back twice before because of bad weather. But on the morning that we reached the top, we began climbing at 2 a.m., reached the summit by 7 a.m., and watched the sun rise over the summit."

Even though he works in the high-pressure environment of Washington, DC, McCullough tries to get in one or two trips of a week or more apiece each year. Last year, he went to West Virginia. McCullough also spent a week in the rockclimbers' nirvana, the Yosemite Valley in California. He recently made his third ascent of Mt. Rainier.

As for his most memorable climb, McCullough cites his ascent of Mt. McKinley in 1989, which he made with Brittin and several law graduates from the University of Virginia. The trip lasted from June 10 to July 3. Once the day's climb was through, "there wasn't much to do except take pictures." McCullough estimates that through simple laws of averages, "we got one or two pictures out of three hundred that were pretty good." He also remembers one particularly active week in 1988. "We traversed Mt. Rainier—went up one side, camped on the summit, and went down the other side. Then I drove to Seattle, flew to Wyoming, and climbed the Grand Tetons, all in the same week."

McCullough began climbing in 1975. "I used to go to the Mormon Boulders in Charlottesville with some friends," he says, adding that he "still goes rockclimbing, although not so much in the winter," when cold temperatures make climbing dangerous as well as chilling.

Soaper has a somewhat poetic remembrance of his motivations to begin climbing. "I was raised on a farm, and I always liked the outdoors," he says. Soaper started climbing when he was 14 or 15. His reasons were quite simple, and probably the same motivations that guide him and his fellow climbers even today. "I wanted to see what things looked like from the tops of the mountains," Soaper says, "rather than down in the valley on the trail."

Hall notes that, according to guides he's spoken with at Mt. Rainier, a large percentage of climbers are professionals—doctors, lawyers and other figures

one wouldn't expect to see on the side of a 14,000 peak. What draws such successful men and women to test themselves so rigorously? "First, there's the physical challenge," says Brittin. "It's very demanding." But, recalling his trips to the alps, Yosemite and other locales, Brittin notes that "climbing invariably takes you to the very beautiful parts of the world."

Hall agrees. "There's the view, and the excitement of achieving the summit. But the summit is not the only goal," he says.

For Brittin, one of the most treasured aspects of any climbing trip is the bond that develops between climbers. "The siren song (of climbing) is the mountaineering friendships—there is a special bond at that altitude" when climbers trust one another with their lives. "I've never



Channing Hall '85 with climbing partner Andrew Boyd on Mt. Baker

been in the military, but I would think that (climbing bonds) are similar to the bonds you form in the military. I would do anything for those people I climb with."

"It's almost a quasi-spiritual kind of thing—there's the challenge you present to yourself," Hall says. "It's a combination of the physical, the mental, the contemplative and the introspective. Climbing gives you a chance to challenge yourself, to see what your limits are, and to reflect on yourself."

Jay Busbee is a freelance writer from Alexandria, Virginia and a 1991 graduate of the College.

## CHILDREN WON'T FORGET THE DEAN: A Profile of Dean Dudley Woodbridge

By PARK ROUSE, COLUMNIST

It's a rare soul who grows old without losing his joy in the simple pleasures of childhood. But, like Lewis Carroll and A.A. Milne, one Williamsburger I remember kept his childish zest all his life. He was Dudley W. Woodbridge, who taught in the College of William and Mary's law school from 1927 to 1966, serving part of that time as dean. When he died in 1969, children throughout Williamsburg were saddened.

Stories about "the Dean" often crop up, for he taught hundreds of today's lawyers. Students from all four of Virginia's law schools in his day—Washington and Lee, the University of Virginia, William and Mary, and the University of Richmond—flocked to his intense preparatory class conducted annually before the Virginia Bar exams were given. Nobody taught the Virginia Code better than Dudley Woodbridge.

I remember him as a tall, stooped man with a plain, Scandinavian look and a wisp of white hair. His eyes often had a merry twinkle. He was at his happiest when talking with the young—either children or college students. Childhood was a magical world to him. On Sundays he led children on hikes through the college woods and in wintertime would teach them to ice skate.

The dean's daughter, now Julia Oxrieder, lives with her brother, Billy Woodbridge, in their parents' small house on Griffin Avenue. Their life is constantly brightened, she says, by the many people who tell her of the deeds of kindness done by her father in his 73 years.

The dean irritated some Williamsburgers in the 1930s because he believed in interracial schools and in equal treatment of blacks. When he expressed these views in the *Richmond Times-Dispatch* in 1959, an irate politician demanded his head and threatened that he would use his influence to reduce William and Mary's state subsidies unless the college got rid of "those who would end Virginia's wonderful traditions, ways, customs and mores of the white race."

Woodbridge politely replied: "I was glad to have your views as expressed in your letter of September 25th even if they are quite different than mine. With best wishes. . . ." He stayed on as a professor.

In his college teaching years, the dean earned a small salary, and he and his wife rented rooms to tourists. His wife also typed the manuscript for his once-famous "Virginia Bar Review Notes." The Woodbridges couldn't afford a car, and the quiet husband and wife shied away from most social life in Williamsburg.

A lover of the outdoors, Dean Woodbridge lent bicycles on Saturdays to youngsters, black and white. He patiently taught many children to ride. Recalls Oxrieder: "On one occasion a nurse watched a while, telling herself there just had to be something wrong with a white man who spent time teaching black children how to ride bicycles. . . . He finally persuaded her that he was sane and sober."

When World War II came along, Woodbridge built a bomb shelter in his yard and installed a ping pong table. Says one Williamsburg matron: "I remember when he built the shelter, how special it made us feel to know he'd built it for the children. Of course I wasn't aware of any nuclear threat."

In 1950, *Life* magazine depicted him as an outstanding teacher, declaring that "a normal work day for William and Mary's Woodbridge is 15 or 16 hours."

He gave his time on Saturdays one spring to coach a black man who was excluded from his law class by state segregation laws, and he tutored a Jewish shopkeeper in English on Sunday mornings. In payment, the shopkeeper taught German to the oldest Woodbridge son, Hensley.

One alumnus of the college says, "I regard Dean Woodbridge as the most ethical and moral person I have ever met" and to prove it cites the dean's payment to a Williamsburg drug store clerk for a newspaper that the dean's companion had read while in the drug store with Woodbridge.

For many years, Woodbridge was adviser to the college's publications committee, the discipline committee and the honor council. Although not a church-goer, he was also adviser of the Student Religious Union.

When William and Mary created its Thomas Jefferson Teaching Award for faculty members, Woodbridge was the first recipient. His teaching had begun with his own children, to whom he read "Carpenter's Geographical Readers" and taught math, algebra, Latin and French. He read *Uncle Tom's Cabin* to them at an early age and especially loved the poem, "The Pied Piper of Hamelin." In old age he would recite it from memory, along with "The Rime of the Ancient Mariner."

Yes, Williamsburg remembers this Man for All Seasons. No matter how busy he might be, "the Dean" always had time for the children. They haven't forgotten.

Reprinted with permission from the *Daily Press*.



He is an integral part of Point of Light #163 to Washington, D.C., but to the folks in Lynchburg, Virginia, Ed Burnette is a beacon.

Burnette '78 is currently serving as president of Lynchburg's Interfaith Outreach Association (IOA), an organization of 51 churches and 500 volunteers working to combat their community's social problems. In June 1990, Burnette accepted an award on behalf of the IOA: President Bush's Thousand Points of Light Council selected the IOA as #163.

Volunteering comes as second nature to Burnette, a partner in the law firm of Edmunds & Williams. "I am committed to being a community volunteer. I was born and raised in Lynchburg, and I am anxious to support this community."

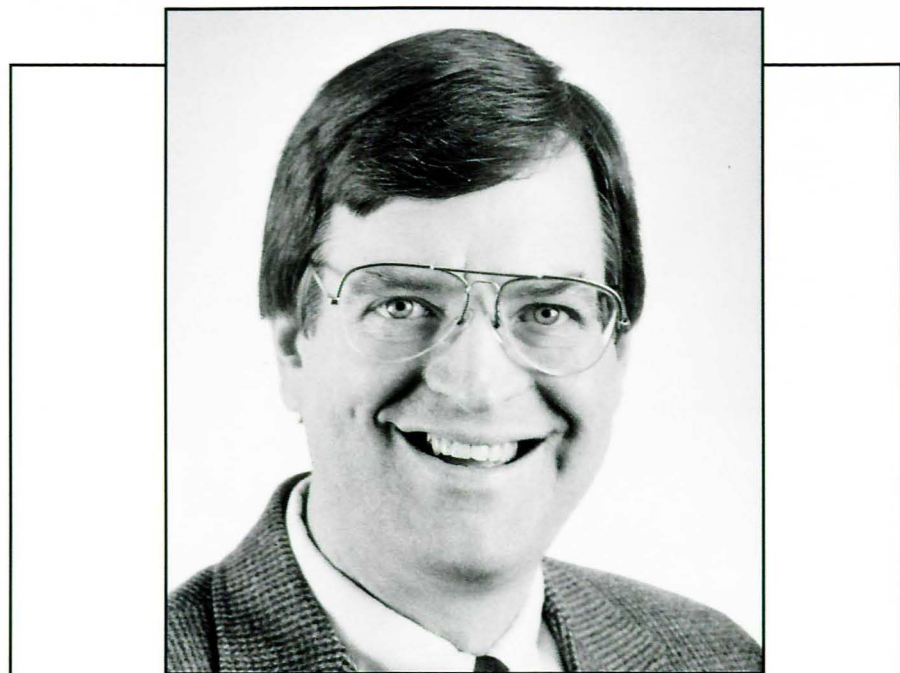
Burnette's commitment to his hometown is manifested by his service on a local hospital's board of directors and as president of both the local symphony orchestra and Law Association. Burnette began a pro bono program this year with the latter to handle overflow cases from the legal aid society. So far, over half of the lawyers from Lynchburg have volunteered.

These activities keep Burnette busy, but he insists "I don't do anything I don't want to do. We can all say 'no.'" It is precisely Burnette's affinity for saying "yes" which led his peers in the IOA to elect him president two years ago.

Since its inception in 1982, the IOA has been a model of efficiency. "We saw a need to combine efforts," recalls Burnette. "The needs of the community were being met, but with different churches duplicating programs—there was so much waste."

Combining the programs to save money and resources has been tremendously successful. The IOA offers 14 programs and services, including tutoring in the inner-city, providing fuel to the elderly, and financially advising the mentally handicapped.

"Most importantly," emphasizes Burnette, "I see the IOA as a catalyst for individuals and organizations to innovate and stand on their own." The motto of



Ed Burnette '78

## Marshall-Wythe's Own Point of Light

by Elizabeth Crummy

the IOA is "offer individuals a hand up rather than a hand out."

The Lynchburg chapter of Habitat for Humanity, currently with its own board of directors, started with IOA assistance. Another project during Burnette's tenure had been coordinating a prescription drug program with a free clinic.

Evidence of the program's success in living by its motto is the individuals who, having once received assistance, return to become volunteers themselves.

"It is very satisfying when that happens," says Burnette. "It is exciting to see people who have received assistance return to help others because without that, the programs do not succeed."

Burnette finds the most frustrating part of his work is that the needs of the community consistently exceed what the IOA can offer. "Every year more individuals volunteer their time and our contributions grow. However, so does the need for our programs."

For example, illustrates Burnette, with the recent economic slump, the number of working poor has dramatically increased. "Families who were financially viable, especially those with two wage-earners, find they slip through the cracks when they need assistance from the government. This is when they turn to us."

Burnette, who specializes in insurance defense work, finds there is not much demand for his expertise in the organization. "I am occasionally called upon to offer legal counsel," he says.

The IOA is supported entirely by those in-kind gifts and donations, so its volunteers are its true "points of light."

Burnette has been challenged for taking part in the recent federally-funded trip to Walt Disney World in Orlando, Florida, which honored the 575 Points of Light named to that date.

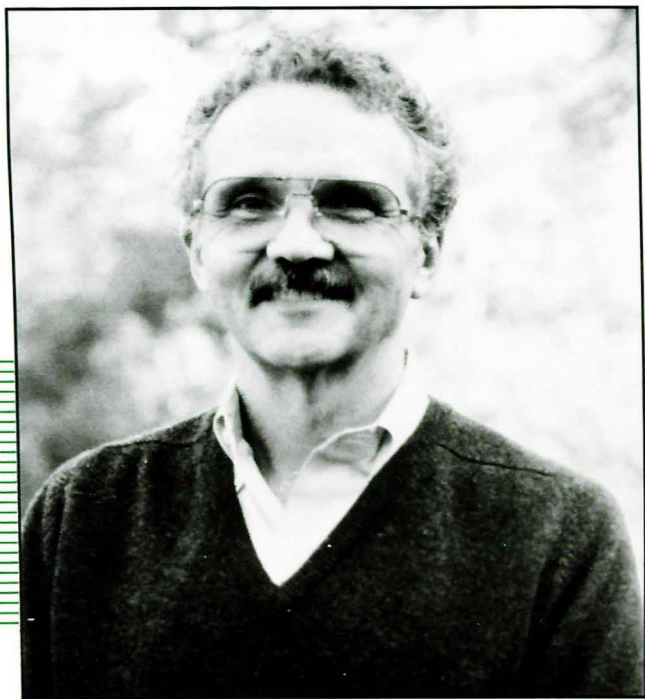
"Critics say the money could have been applied toward solving problems in our communities," confides Burnette. "And, I am not unaware of being used as political window-washing! Yet, the basis behind the trip was right—to recognize individuals working as volunteers in order to make a difference. It increased the public's awareness of what we aim to accomplish."

The Points of Light program ultimately highlights the federal government's admission of its inability to solve many local problems, and applauds those people who do confront them.

"Uncle Sam isn't going to be there to help because he can't be," says Burnette. "The solutions must come from the local level and from people eventually learning to do for themselves."

The IOA, under Ed Burnette's leadership, is helping people to know what caring for themselves is all about.

Elizabeth Crummy is a free-lance writer from Madison, Wisconsin. She received her Masters in English from William and Mary in 1991.



Earle Hale '69

## ALUM'S SUCCESS RETURNS HIM TO WILLIAMSBURG

By MARY THROWER WICKHAM, 3L

profession, and he began early to specialize in aviation litigation. From Chicago, he took his expertise to Los Angeles. After a year in L.A. with a large firm, Hale was able to open his own firm, Irwin, Hale & Jacobs, which specialized in aviation law, construction law, and insurance defense.

Even throughout the busiest years of his law practice, Hale made time for community activities. In Los Angeles, for example, he was involved in working with church-related organizations to help battered women and abused children. "You have to make the time," says Hale, "it's an obligation that comes with getting your ticket."

At the age of fifty-five, Hale decided to leave Los Angeles behind and to move across the coast to Williamsburg, ostensibly to retire. One would never describe Hale as a retiree, however. He has an active law practice in Williamsburg which he tries to keep limited to twenty or thirty hours per week. He devotes much of the rest of his time to community activities.

Hale is on the Board of Directors of Avalon, Williamsburg's shelter for battered women, and has worked to raise funds for the organization as well as to help individuals in need of legal and other services. "If you can take a kid in the early years of his life, you can break a cycle of poverty and violence. That's why it is so important that we all be involved."

In addition to his work with Avalon, Hale is active in FISH, a program sponsored by the Catholic Church and designed to help the poor in the Williamsburg community. Hale also serves as legal counsel for Walsingham Academy, a private school in Williamsburg, and has been instrumental in soliciting funds for the school.

He has played a similar role at Marshall-Wythe where he has endowed two scholarships, one in the name of his father, Lewis Arlington Hale, and the other in the name of his mother, Francis Mary Hale. In addition, he has been active in soliciting donations for other student scholarships at the law school.

When asked what he is most proud of, Hale responds, "Every father would say his kids." The four children who first came with Hale and his wife to Williamsburg now have careers of their own. He has two sons—one is a lawyer, the other a chef. Of his two daughters, one is a writer and the other is a model and actress. Hale seems proud that they, like he, have defined success in their own terms.

Reprinted with permission from the *William and Mary Law Review Alumni Newsletter*.

Nothing about Earle Thomas Hale is ordinary. Nothing except perhaps his warm and friendly manner. Even that, however, has the special quality of someone who feels successful on his own terms. "You have to find your own success," says Hale. His life is a good indication of what his definition might be. Throughout his careers in law and aviation, which have carried him from Williamsburg across the continent and back, he has remained dedicated to serving the public good.

Each lawyer has his or her own reason for choosing the legal profession. For Hale, a back injury ended a ten-year career as a Navy fighter pilot. He applied to both law and medical school, and chose law school because of a scholarship offer he received from Marshall-Wythe.

Funding was a particularly pressing issue for Hale. He entered law school with a wife and four children and supported them by juggling not one, but four jobs in addition to his coursework and responsibilities as the Current Decisions Editor of the *William and Mary Law Review*. His jobs during law school ranged from flying a plane once a week at the Naval Air Station in Norfolk to loading milk at Food Lion.

His hard work in law school paid off. When he graduated in 1969, he decided to join a large Chicago law firm, Lord, Bissell & Brook, where he received the highest starting salary that any Marshall-Wythe student had ever commanded: \$15,000.

Hale found that his knowledge of aviation gave him a step-up in the legal



## Amicus Top Law School Newspaper

By JOHN EDWARDS, 3L

The *Amicus Curiae*, an independent student newspaper launched last semester at Marshall-Wythe, was named best law school newspaper in the nation at the American Bar Association's Law Student Division conference in Atlanta this summer. The *Amicus* took first place for best newspaper in the Class A division, which includes all law schools with fewer than 750 students.

Runners-up in the Class A competition were the *Stanford Law Journal*, which took second place, and the *Cornell Dicta*, which finished third. The *Hastings Law News* took first place among schools with more than 750 students.

The *Amicus* also won second place in the "Feature Article on Internal Law School Affairs" category with its story on a Harvard Law School professor who broke his commitment to write an article for the *William and Mary Law Review* last semester.

Law school Dean Timothy Sullivan presented the awards to *Amicus* editor Jenny Click 3L, co-founders Rich Brooks 3L and George Leedom '91, and other members of the staff at a social hosted by the *Amicus* in late August on the law school patio.

In presenting the award, Sullivan said that at a time when many cities are unable to support two newspapers, he was proud that Marshall-Wythe has two student news-



Dean Sullivan presents ABA Award to Amicus staff

papers serving the law school. In addition to the *Amicus*, the College of William and Mary funded publication of *The Advocate*, until the papers combined last fall.

The Dean cited the awards as another entry in a growing list of achievements which have distinguished Marshall-Wythe in the past year. Last spring, the school's Moot Court team swept first place at the National Moot Court competition in New York City. At the ABA's Atlanta

Conference this year, the Legal Skills program received the E. Smythe Gambrell Professionalism Award for its approach to teaching legal ethics.

Editor Jenny Click expressed her gratitude to the staff members whose hard work made the award possible, as well as to the administration, faculty members, and students who had been supportive of the paper in its first year at Marshall-Wythe.

## MOOT COURT TEAM TAKES SECOND in Regional Competition

This fall the Marshall-Wythe National Moot Court team of Paige Budd, Tom Jones, and Ruth Nathanson placed second in the regional tournament in Richmond. During the National Tournament, which was held January 13 in New York City, the team advanced to the round of 16 finalists before being defeated by the University of Loyola.



## Administrative Law Review Publishes Student Project

Perhaps no aspect of government has a more immediate and continuous impact on the life of the individual citizen as the administrative agencies established by the states to deliver government services and implement state regulations. One noted commentator observed, "the regulatory and benefactor functions actually exercised by the states have become as pervasive as those of the federal government." Because of the immense power over the public entrusted to state agencies, the methods used by the state government to oversee, control and validate the exercise of that power are of the utmost importance. The judicial branch generally provides the most accessible means for the average citizen to pose a challenge to state administrative action. Administrative law scholars have frequently examined the methods and models that govern judicial review of administrative action on the federal level, but have rarely focused their attention on the state model.

The Fall 1991 Project by the editors and staff of the *Administrative Law Review*, entitled *State Judicial Review of Administrative Action*, 43 *Admin. L. Rev.* 571 (1991), surveys the judicial review process within the various states. The approaches taken regarding the issues of delegation of power, standing, timing, and the standards and scope of judicial review are evaluated, as well as variations in the mechanics of getting to court and in the remedies available to a party seeking judicial review of state administrative actions.

The project is the result of two years of research into the statutory and case law of all fifty states by the *Review* staff: John C. Bilzor, Anne E. Bomar, Andrew M. Condlin, Anne Duncan Edwards, Peter S. Jordan, Howard A. Kwon, William A. McGrath, Patricia Lucas McKenney, Joan E. Quigley, Vivian R. Seay, and Wendy L. Thomas, all members of the class of 1991.

Each year, one of the *Review's* four

issues is devoted to a large-scale, student-written project. Two such projects have now been published. Preceding the state judicial review project was the first of these, *The Impact of Cost-Benefit Analysis on Federal Administrative Law*, published in the Fall 1990 issue of the *Review*.

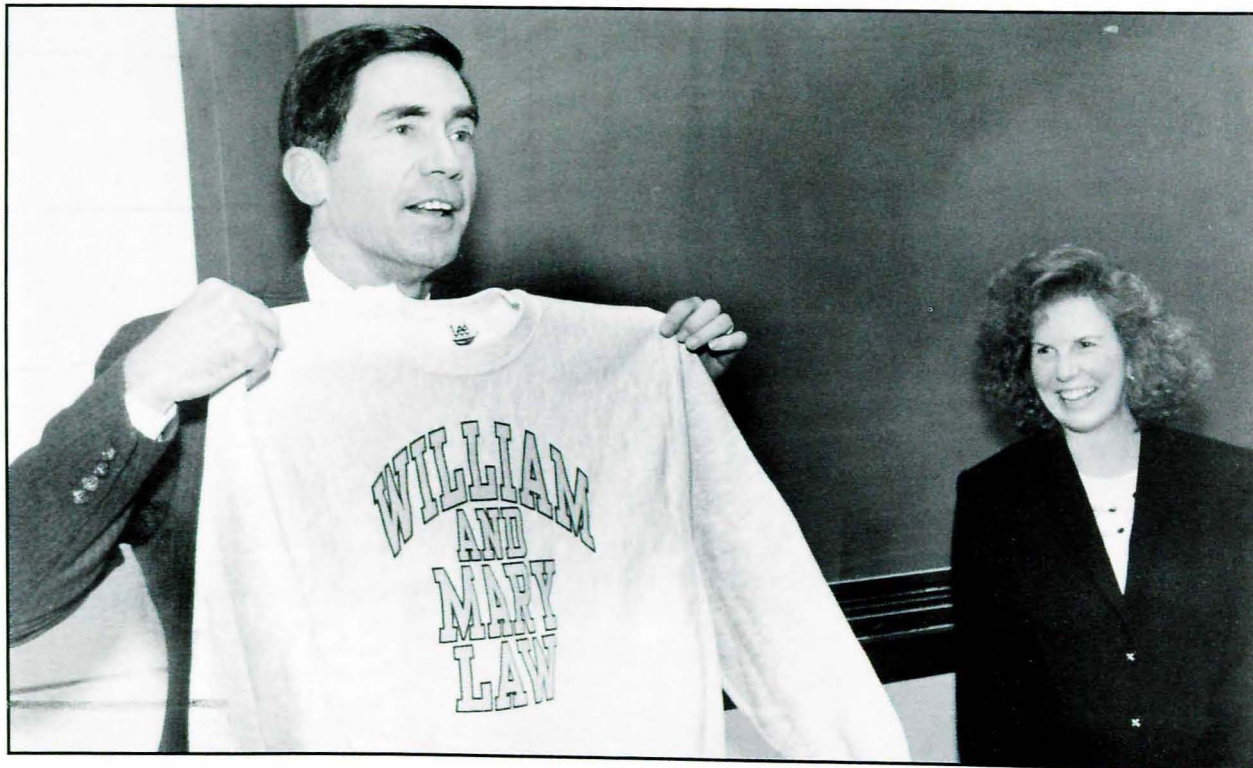
The *Review* staff works on a project as a group under the guidance of the editor-in-chief, Charles H. Koch, Jr., Woodbridge Professor of Law, and a student project editor. The students independently research and write separate sections, and then work with each other and the editors to combine their sections into one article. This format allows each project to comprehensively cover a topic of administrative law that, in most in-

stances, would be too broad to be completed by an individual scholar. In this way, the project provides a unique opportunity for students to contribute to the development of administrative law.

Next year's project, examining the preemption of state law by federal administrative action, is nearing completion and will be published in the Fall 1992 issue of the *Review*. Administrative preemption has a major impact on the regulation of social programs, environmental concerns, and many industries of national importance. The project will explore various preemption issues in an attempt to uncover broad trends and develop general lessons from the impact of preemption in these specific areas.

The current second year members of the *Review's* staff have begun work on the Fall 1993 project. They have chosen to explore the intersection between administrative and criminal law at both the state and federal level.

The *Administrative Law Review* is published jointly by the Marshall-Wythe School of Law and by the American Bar Association Section of Administrative Law & Regulatory Practice. To obtain a copy of the Fall 1991 issue of the *Administrative Law Review*, or for information regarding subscriptions, please contact Order Fulfillment, American Bar Association, 750 N. Lake Shore Drive, Chicago, Illinois 60611-4497, or call 312/988-5555.



Senator Chuck Robb models a Marshall-Wythe sweatshirt, a gift of the Public Service Fund, during his visit in January as the second speaker in the newly formed Student Speakers Forum



## MARSHALL-WYTHE'S CO-COUNSEL PROGRAM

By Mathew Holloran 1L

Most first year students are filled with worries and misconceptions. They find themselves immersed in Blacks Law Dictionary or common law case books, with more questions than answers about the study of law. And then, beyond the aca-

company and advice. "Chris has been a friend, as well as an advisor. He has explained different sides of the law and has helped immeasurably with my search for summer employment." Chris sees the Co-Council's role as multifaceted and largely dependent on individual parties. "I can offer perspective on working for a large or small firm. Furthermore, I can advise on the pros and cons of the private verses the public sector." The senior partners emphasize their availability. Chris Mellott remarked, "I have told Susan to call collect."

It is not imperative that the student be matched with a lawyer in the student's desired field. Bob Eveleigh '88 from Clark & Stant, says, "it is not necessarily an apprentice program. The lawyer may provide some direction

demics, questions linger in the backs of their minds of what it means to be a lawyer — what is this mystical fraternity into which they will enter?" Thanks to the CO-COUNSEL program, 1L's now have a wealth of information in their "Senior Counsel," alumni mentors who serve as friends, counsel, and allies. Sponsored by the William & Mary Law School Association, the program matches interested first year students with alumni volunteers.

Whether the senior partner shares war stories, provides advice on exams, or just provides friendship, each relationship is unique. Dave Pernini, Bob's "Jr. Counsel," explained, "As a first year student, keeping one's perspective is not always easy, it is comforting to know that I can pick up the phone and ask questions about any topic." Bruce Titus '71, who proposed the program to the Alumni Association Board last year, is pleased with its development. "It feels good to be able to help someone. My Junior Counsel expressed an interest in meeting some female associates at my firm. So I invited the whole group to my house for an informal dinner. By the end of the evening, they had all exchanged phone numbers." Susan Comparato,

matched with a new 1L next year." This year's Senior Counsel will be encouraged to participate next year, and in doing so will establish a network and support system for incoming students consisting of alumni and students.



Rob Elliott '69 with Junior Counsel Pat Pettitt



Bob Kaplan '72 with his Junior Counsel, John Einstman



Bob Eveleigh '88 with 1L Dave Pernini



Chris Mellott '80 with 1L Susan Reiner

Susan Reiner 1L, was paired with Chris Mellott '80, from Venable, Baetjer, & Howard in Baltimore. They have met several times and Susan has enjoyed his

or she may just become a social friend. Whichever the case may be, the program provides a valuable resource for law stu-

Bruce's Junior Counsel, commented, "I'm excited about the prospect of having a 'CO-COUNSEL family' when Bruce is

The first year of the program has made a real difference in the opportunities available to Marshall-Wythe students. The Senior Counsel have offered students

office visits, invited them to watch a day in court, and introduced them to attorneys practicing in their field of interest. One alumnus even made a contribution to Marshall-Wythe's Annual Fund in his Junior Counsel's name. Said Channing Hall, II '85, the CO-COUNSEL Alumni Liaison: "A generous group — I can't imagine any other law school community with more willingness to help each other."

## Helping Marshall-Wythe Students in the Job Market Crunch

by Richard V.W. Adams, III, '78  
Association President

We are facing the tightest job market for lawyers in a decade. Almost daily we hear of layoffs. While large firms in major metropolitan areas seem to have been hardest hit, firms of all sizes in all locales have felt the tremors of a sluggish economy. The hiring freeze affecting many federal and state government agencies and the reduction in funding for public interest organizations will also diminish job opportunities in the short term.

We can help to ameliorate this situation by:

- Notifying the Office of Career Planning and Placement (OCP) (804-221-3805/fax: 804-221-3261) of openings for students (summer, school-year, and entry-level positions) and lateral opportunities for alums.
- Providing networking assistance to students and graduates seeking information about opportunities in particular areas or locales.
- Encouraging our employers to recruit William and Mary law students by interviewing on campus, registering as a nonvisiting employer, or attending one of the eleven off-campus job fairs in which the law school participates each year.
- Volunteering for alumni panels sponsored by OCP.

We can be proud of the impressive credentials of Marshall-Wythe students and the strides OCP has made in recent years. As the law school's national stature grows, so does our individual and collective professional reputations. A team approach—combining the efforts of alumni, students, and law school administration and faculty—to assist students and graduates in advancing their careers will benefit all of us in the long run.

Editor's Note:

The Office of Career Planning and Placement (OCP) publishes the *Alumni Placement Bulletin* on the 1st and 15th of each month. The Bulletin contains information about positions for experienced attorneys, primarily in the Mid-Atlantic region. Marshall-Wythe graduates can subscribe for \$15.00 per year, which covers the cost of photocopying and postage. Members of the graduating class receive a free subscription for one year after graduation. To receive your subscription, please return the tearoff below with your check made out to the Marshall-Wythe Dean's Fund to: Marshall-Wythe School of Law, Office of Career Planning and Placement, P.O. Box 8795, Williamsburg, VA 23187-8795 Attn: *Alumni Placement Bulletin*.

I would like to subscribe to the *Alumni Placement Bulletin*

Name \_\_\_\_\_ Class Year \_\_\_\_\_

Address \_\_\_\_\_



# Annual Fund Update

by Steve Carney '80, Chair

I am happy to report that the initial results of this year's campaign are very promising, particularly in light of the current adverse economic climate. Many of the regular contributors increased their gifts this year. If those who have not yet given can be encouraged similarly to increase their gifts, we should reach our goal of \$300,000. In addition, we have started to implement programs which we expect will lead to a substantial increase in participation. Contributing to this achievement are the efforts of our board members, class agents, the student phonathon, and the Firm-Mate program.

The class agents have been instrumental in encouraging their classmates to participate by making personal contact through letters and phone calls. Our goal of 1200 donors, or 40% participation, can only be met if each class does their part.

The student phonathon in November 1991 raised over \$6,000 in three-year pledges. For three evenings, members of the Law Review, Moot Court, and Public Service Fund called alumni and encouraged them to designate their Annual Fund gifts to one of these student programs. The Annual Fund program awarded mugs and sweatshirts to the most successful students, and pizza to all who participated. If you haven't already, I hope you will pledge during the next student phonathon in March.

Some of our greatest progress has been seen in the Firm-Mate program, Chaired by Rob Elliot '69. The goal is 100% participation of law school graduates in firms with four or more alumni. Dean Deborah Vick and Page Hayhurst have been making follow up appointments coordinated by the "firm-leaders" to visit with Virginia firms. As you will see on the progress report below, Vandeventer, Black has already reached 100%!

Despite these initial successes, there is still a lot of work to be done to achieve the goal of participation. We are counting on YOUR support.

# Peninsula Resident Donates \$100,000 to Marshall-Wythe

A Peninsula resident who wished to remain anonymous has contributed \$100,000 to the law school in memory of the late Dean Dudley Warner Woodbridge.

The funds will be added to an existing endowment within the Marshall-Wythe School of Law Foundation, which is to be

used at the current dean's discretion for the most pressing needs of the school.

Dean Woodbridge was recognized nationally and by the College as an outstanding teacher. He taught law at the College for 39 years and served as dean from 1947-62.

# Gift of \$100,000 for Law Scholarship Honors Local Attorney

Robert J. Fiscella and Benjamin J. Fiscella, owners of Riverdale Properties of Hampton, have made a gift to the Marshall-Wythe School of Law to endow a scholarship honoring their former longtime attorney and friend, the late Kenneth G. Cumming '39 of Hampton.

The Cumming Scholarship will be awarded to law students whose intellectual achievement, leadership ability, character and community service give promise of a career of special distinction emulating the character, judgment and integrity which Mr. Cumming brought to a lifetime of service in the legal profession.

In keeping with the desires of the donors, preference will be given to applicants from the Peninsula.

The Cumming Scholarship will provide about \$5,500 annually in tuition assistance. The amount of the award would double if the law school receives matching money under the approved but as yet unfunded Virginia Graduate Assistance Program.

"The motivation for this gift is special. It represents a memorial established

by clients out of respect for a lifelong professional relationship of the finest kind," said Dean Timothy Sullivan. "At a time when lawyers are much criticized, this gift speaks to the positive qualities which should be a part of every lawyer-client relationship."

Faye Shealy, associate dean of admissions, said that scholarship aid "has become an essential part of the admissions process, because we are competing for students with some of the best law schools in the nation."

A native of Hampton, Cumming was a senior partner of Cumming, Hatchett Moschel and Patrick, and prior to that, senior partner of Cumming, Andrews, Watkins and Chase. In March of 1991 Cumming was honored by the Hampton Bar Association for his 52 years of practice. He died in April 1991.

Described by colleagues as "a lawyer's lawyer," Cumming was one of the first area lawyers to specialize in real estate law, said Robert Fiscella. "The care and interests of his clients preceded everything he did."

### Annual Fund Statistics:

Total gifts through 2/8/91	@\$186,000
Total gifts through 2/8/92	@\$203,000
% of \$300,000 goal for 1991-92	67%
Total number of alumni donors through 2/8/92	60%
% of 1200 alumni participation goal	50%
Endowment	
Total gifts through 2/8/91	@\$312,000
Total gifts through 2/8/92	@\$526,000

## Firm-Mate Update

<i>Firms participating</i>	<i>Leader(s)</i>	<i>Participation</i>
Anderson, Franck & Davis	Alvin Anderson '72	25%
Arthur Anderson	Dan Clark '81	
Calfee, Halter & Griswold	Andrea Caruso '86	14%
Christian, Barton, Epps		28%
<b>Clark &amp; Stant</b>	<b>Tom Frantz '73</b>	<b>37%</b>
Coopers & Lybrand	Howard Busbee '67	16%
Drinker, Biddle & Reath	Catherine Woolledge '89	33%
<b>Eckert, Seamans, Cherin &amp; Mellott</b>	<b>Amy Cook '89</b>	<b>50%</b>
Gentry Locke, Rakes & Moore	Michael Deneka '88	25%
Gibson, Dunn & Crutcher	Lucie Moore '83	16%
Hazel & Thomas	Bruce Matson '83	16%
<b>Hirschler, Fleischer, Weinberg, Cox &amp; Allen</b>	<b>Brian Jackson '88</b>	<b>100%</b>
<b>Hofheimer, Nusbaum, McPhaul &amp; Samuels</b>	<b>Diane Thompson '81</b>	<b>40%</b>
Hunton & Williams	Mark Dray '68	
	Anne Greever '77	
	David Lowman '80	25%
Jones, Blechman, Woltz & Kelly	Ray Suttle '88	16%
Kaufman & Canoles	Barrow Blackwell '77	20%
	<b>Robert Smartschan '77</b>	
<b>Keller &amp; Heckman</b>	<b>Garen Dodge '82</b>	
<b>Knight, Dudley, Dezern &amp; Clarke</b>	<b>Sarah Hull '84</b>	<b>40%</b>
Maloney, Yeatts & Barr	Richard Repp '68	16%
Mays & Valentine	Sam Brock '81	
	David Canfield '76	25%
McGuire, Woods, Battle & Boothe	Curt Coward '74	
	Amy Holt '85	
	Robert Wooldridge '79	25%
Mercer, Grey & Arsnault	Courtney Mercer '74	25%
Miles & Stockbridge	Randall Bowen '88	
	Paul Boyer '87	20%
The Michie Company	Gary Legner '69	
Morgan, Lewis & Brockius	Mark Bader '86	20%
	Brad Coupe '66	
National Legal Research Group	Elizabeth Ewing '85	20%
Newport News Shipbuilding Co.		
Nixon, Hargrave, Devans & Doyle		25%
Norfolk Southern Corp.		25%
Office of the Attorney General	Jane Hickey '77	33%
Pender & Coward	J.B. Loneragan '76	
	Joseph Waldo '78	33%
<b>Phillips, Bartlett, Skinner &amp; Bland</b>		<b>50%</b>
<b>Prince William County Attorney's Office</b>	<b>Rob Dickerson</b>	<b>33%</b>
<b>Richards, Layton &amp; Finger</b>	<b>Greg Williams '82</b>	<b>50%</b>
Sands, Anderson, Marks & Miller	William Watkins '82	20%
Stackhouse, Rowe & Smith	Jeffrey Brooke '88	25%
<b>State Corporation Commission</b>		<b>40%</b>
<b>Step toe &amp; Johnson</b>	<b>Walter Williams '80</b>	<b>37%</b>
Sykes, Carnes, Bourdon, Ahern & Shapiro	Kathleen Edge '85	16%
Tidewater Legal Aid Society		
<b>Vandeventer, Black, Meredith &amp; Martin</b>	<b>Anita Poston '74</b>	
	<b>Patrick Herman '82</b>	<b>100%</b>
<b>Venable, Baetjer &amp; Howard</b>	<b>Michael Baader '85</b>	
	<b>Christopher Mellott '80</b>	<b>40%</b>
<b>Ward &amp; Smith</b>	<b>Tony Gaeta '70</b>	<b>87%</b>
Watt, Tieder, Killian & Hoffar	Robert Fitzgerald '75	25%
Wilcox & Savage	William Furr '88	30%
Williams, Mullen, Christian & Dobbins	Richard Davis '80	20%
Wolcott, Rivert, Wheary, Basnight & Kelly	Maxwell Dale '75	
Woods, Rogers & Hazelgrove	Nicholas Conte '87	

Firms with 100% participation will have their firm names inscribed on a plaque to be displayed prominently in the law school's lobby and the firms will be recognized in the annual report. If your firm employs four or more Marshall-Wythe alums and is not listed above, please call Page Hayhurst at (804) 221-3798.





## PROFESSOR PAUL MARCUS JOINS FACULTY

"My heart really is in the classroom and teaching," explained Professor Paul M. Marcus, the newest permanent addition to the Marshall-Wythe faculty. While soaking up the sun and addressing entertainment law attorneys in Puerto Rico in January, Marcus and his wife Becca decided to settle in Williamsburg.

Marcus, who was visiting the William and Mary campus for 1991-92, will take his place on the law school faculty as the R. Hugh and Nolie A. Haynes Professor of Law. He will teach Criminal Law, Criminal Procedure, and Entertainment Law.

After five years as Dean of the University of Arizona law school from 1983-1988, Marcus returned full-time to teaching and scholarship at Arizona. From 1974-83 he taught at the University of Illinois Law School and prior to that, he specialized in entertainment litigation in private practice in Los Angeles.

Marcus has published numerous textbooks (several of which are in use here at Marshall-Wythe), written countless articles, taught and lectured both at home and abroad, and has been a visiting professor at the Universities of Texas, San Diego, Geneva and London.

Marcus also recently appeared on "Sixty Minutes" with Mike Wallace to discuss the constitutional restrictions in an upcoming Supreme Court case involving a sting operation used to catch a Nebraska farmer buying obscene material.

Professor **Peter Alces** co-authored the article, "Bank Liability for Fiduciary Fraud" which has been published in 42 *Alabama Law Review* 551.

Professor **Jayne Barnard** has been elected to membership in the American Law Institute. In addition, she has been appointed to the Board of Contributing Editors and Advisors of the *Securities Regulation Law Journal*. She has also published her article, "Institutional Investors in the New Corporate Governance" in 69 *North Carolina Law Review* 1135.

Professor **Neal Devins** has published his article, "The Civil Rights Hydra" in 89 *Michigan Law Review* 723.

Professor **I. Trotter Hardy** published his article "Using a Hypertext System for Legal Research Education" in S. Nagel (ed.), *Law, Decision-Making, and Microcomputers: An International Perspective* (1991). His article "Why Legal Research Training is so Bad: A Response to Howland and Lewis" recently appeared in 41 *Journal of Legal Education* 221. The *Computer Law Journal* has accepted the professors article on the copyright of computer screen displays for publication.

Professor **James Heller** has been selected by the Chicago-based newsletter *Legal Information Alerts* as the "Outstanding Law Librarian" for 1991.

Professor **Paul LeBel**, the 1991-92 James Goold Cutler Professor of Law,

published his article, "Rights-Talk and Torts-Talk: A Commentary on the Road Not Taken in the Intellectual History of Tort Law" in 41 *Case Western Reserve Law Review* 811.

In September, Professor LeBel spoke at the Virginia Special Olympics Fall Conference in Williamsburg on the subject of the liability of volunteer coaches.

Professor **Fred Lederer** is co-author with Francis Gilligan of a two volume treatise, *Trial by Court-Martial, Military Criminal Procedure*, recently published by The Michie Company.

Professor Lederer's curriculum materials for the middle school TV series *Concepts of American Law* have been printed. Each Virginia school system and each non-Virginia PBS affiliate picking up the series will receive at least one copy for further reproduction. The four program series will air in April 1992.

**Lederer** was also recently appointed to the Advisory Board of the National Institute of Military Justice and to the Board of Directors of the Virginia Consortium for Law Related Education.

The U.S. Environmental Agency has invited Professor **Linda Malone** to join the Advisory Council of the National Enforcement Training Institute. The Institute was established under the provisions of the Pollution and Prosecution Act of 1990 and will develop a core curricula to train federal, state and local government personnel in the enforcement of U.S. environmental protection laws.

Professor Malone has published her article, "Coastal Zone Management Act and the Takings Clause in the 1990's: Making the Case for Federal Land Use to Preserve Coastal Areas" at 62 *University of Colorado Law Review* 711.

Professors **Linda Malone** and **Rod Smolla** are visiting professors at Duke University School of Law this spring semester.

Professor **Jim Moliterno's** article, "An Analysis of Ethics Teaching in Law Schools: Replacing Lost Benefits of the Apprentice System in the Academic Atmosphere," has just been published in 60 *University of Cincinnati Law Review* 83. In addition, **Moliterno** and Professor **John Levy** have signed a contract with West Publishing Company to prepare teaching materials entitled "Ethics of the Lawyer's Work."

MARSHALL-WYTHE SCHOOL OF LAW PROFESSIONAL LEGAL EDUCATION

## LAWYERS' ETHICS AND LAWYERS' WORK, WHERE THE TWO MEET:

Identifying and Solving the Ethical Problems  
of Everyday Lawyering

May 29, 1992

Presented by Professors John Levy and James Moliterno

The full program has been approved by the Virginia Mandatory Continuing Legal Education Board for four hours of ethics credit. Each two-hour session carries two MCLE ethics credits.

### Morning Session

10:00 a.m. - 11:00 a.m.

### CONFLICTS OF INTEREST

With the expansion of law firms, the more frequent movement of lawyers from one employment situation to another, and the consolidation of corporate interests, conflicts issues now pervade the practice. Conflicts issues have increasingly become the impetus to engage in the litigation strategy of denying opposing parties their counsel of choice. Conflicts, waiver, and imputed disqualification issues will be explored.

11:15 a.m. - 12:15 p.m.

### ADVOCACY ISSUES

The relationship among the lawyers, the court and others in the adversary process, and the tension between the Code of Professional Responsibility's mandate of zeal and the burgeoning Rule 11 (8.01-271.1) practice will be explored. Recent Legal Ethics Opinions, cases, and the Code will be discussed.

12:15 p.m. - 1:30 p.m.

Alumni Luncheon, Barrett's Restaurant, cost TBD. Please call Page Hayhurst at (804) 221-3798 if you would like to attend.

### Afternoon Session

1:30 p.m. - 2:30 p.m.

### CONFIDENTIALITY

Nothing says more about lawyering than does the core duty of confidentiality and the client loyalty from which it springs. Confidentiality concerns form the basis for much of the law of lawyering: conflicts rules, candor to the tribunal and truth-telling to others rules, and current trends toward greater attorney liability for frauds of their clients or, worse still, criminal liability for their clients' crimes, all have at their center the confidentiality rules. The confidentiality rules and their implications into other law of lawyering areas will be explored.

2:45 p.m. - 3:45 p.m.

### ADVERTISING AND BUSINESS MATTERS

What client getting practices, if any, are still prohibited? The ethical problems of practicing law as a business will be discussed, including such matters as billing, fees (and collecting them), and non-legal services owned or provided by lawyers.

### REGISTRATION INFORMATION

The registration fee for the four-hour program, including detailed written materials, is \$100.00. Participants may elect to attend only the morning session or only the afternoon session. The registration fee is \$50.00 per session.

For further information, write or call:

Office of Professional Legal Education  
Marshall-Wythe School of Law  
College of William and Mary  
P.O. Box 8795  
Williamsburg, Virginia 23187-8795  
804/221-3817

## In Memoriam

**Arthur Warren Phelps**, professor of law emeritus and former dean of the law school, died in Williamsburg on November 23, 1991. He joined the Marshall-Wythe law faculty in 1945 after he earned his master of law degree in 1940 from Columbia University and worked for the government during WWII. He later became dean and retired in 1974. In 1948, Phelps was inducted into Phi Beta Kappa as an honorary member. He helped establish the law review here and wrote a number of books on Virginia law.



Dean Sullivan presents a faculty resolution in honor of the late Professor Walter Williams to the Williams family



1930s, 1940s, 1950s

**Russell A. Collins '32** is currently a resident of James River Convalescent Center, 540 Aberthaw Ave., Newport News, VA 23601, and welcomes all visitors and William & Mary news.

**Ira B. Dworkin '48** of Flemington, New Jersey is retiring after over forty years of practice. He and his wife are looking forward to moving into Chambrell Retirement Community in Williamsburg in January 1992.

**Myers N. Fisher '50** of Williamsburg, Virginia has retired and moved to Williamsburg where he engages in consulting work.

**Walter M. Oden '51** of Naples, Florida is involved in the Naples court system as a guardian ad litem representing the interests of abused children and delinquents. For the past six years, he has promoted a charity golf event for the benefit of children in third world countries. Walter's youngest daughter Georgette is a sophomore at the University of Texas at Austin and aspires to attend law school at William and Mary.

**F. Paul Blanock '59** of Mathews, Virginia retired in September after serving as Mathews' Commonwealth's Attorney since 1964. However, he explained that he does not have any plans to retire from the law. Paul and his wife, Jane, have three children, F. Paul, Jr., Lisa, and Amy.

1960s

**Bernard Goldstein '60, MLT '61** of New York, New York was designated as Assistant Regional Counsel for the North-Atlantic Region of the Internal Revenue Service on June 30, 1991. He will oversee the Large Case Litigation program in the Northeast and supervise major trials before the U.S. Tax Court.

**Shepard W. McKenney '64** of Drayden, Maryland has received the Alumni Medallion, the highest award given by the College's Society of the Alumni, in recognition of his extraordinary professional achievement and service to the community and college. After practicing law in Norfolk and starting Guest Quarters, Inc., McKenney became president and chief executive officer of the Hinckley Co., yacht builders in Southwest Harbor, Maine. He has recently finished a two-year term as president of the Law School Foundation and has been an adjunct professor teaching real estate finance at the law school since 1983.

**Marcia F. Rachy '66** of Arlington, Virginia is the originator of the Dr. Thomas C. Atkeson Memorial Scholarship Fund and thanks all donors to the fund. Its success means that a scholarship has been awarded in Dr. Atkeson's name during the 1991-92 academic year.

**David J. Agatstein '68** of Los Angeles, California is an administrative law judge for the U.S. Department of Health and Human Services and Social Security Administration.

**Joseph T. "Chip" Buxton '68** of Urbana, Virginia has been elected President of the 1991-92 Peninsula Estate Planning Council which is an interdisciplinary professional association. Chip has also been appointed as a member of the Urbana Board of Zoning Appeals for 1991-94.

**Hal J. Bonney, Jr. '69** of Norfolk, Virginia has been appointed to the Board of Visitors of The Duke Divinity School. The judge teaches The Wesleymen in Norfolk, the largest Sunday School Class in the United Methodist Church in the world.

1970s

**Charles F. Midkiff '70** of Midlothian, Virginia is the president and sole owner of Midkiff & Hiner, a nine attorney firm specializing in energy law, business litigation, labor law, accountants' and insur-

ance agents' malpractice defense, liability defense, and workers' compensation defense. Chuck has also been retained to work at the General Assembly this year on behalf of the Virginia Manufacturers Association. Chuck and his wife Sue have a two-year-old daughter Erica and reside in Richmond with Chuck's sixteen-year-old daughter Alyssa.

**Richard S. Bray '71** of Portsmouth, Virginia has been elected to the Court of Appeals of Virginia for an eight year term that began in July 1991.

**Natalie L. Clark '72** of De Kalb, Illinois is Assistant Provost-Personnel for Northern Illinois University as well as a professor at the College of Law.

**H. Vincent Conway, Jr. '73** of Newport News, Virginia has been appointed by the Newport News City Council to the Peninsula Airport Commission and by the Virginia Supreme Court to the Mandatory Continuing Legal Education Committee of the Virginia State Bar.

**Lawrence D. Diehl '74** of Richmond, Virginia has co-authored a new family law treatise published by the Harrison Company entitled *Virginia Family Law—Theory and Practice*. Diehl is a partner with the firm of Marks & Harrison, P.C. in Hopewell, Virginia and a fellow in the American Academy of Matrimonial Lawyers. He has chaired the legislative subcommittee of the Virginia State Bar's family law section and has drafted and assisted in preparing many pieces of legislation.

**Richard G. Evans '74** of Edina, Minnesota is Senior Vice President and General Counsel of Green Tree Acceptance, Inc., a financial services company in Saint Paul, Minnesota. His wife Karen is completing her final year of law school in Saint Paul. **Mary Jane Morrison '81** is one of Karen's law professors.

**John H. Lhost '74** of Mequon, Wisconsin has become a partner in Quarles & Brady working in the home office in Milwaukee. He will continue to specialize in estate planning, trust administration and real estate.

**Kevin J. Barry '75** of Chantilly, Virginia retired from the U.S. Coast Guard in 1990 and has become a sole practitioner primarily engaged in military law. Kevin also founded "Mediation Resources" which is a sole practitioner mediation firm performing mediation and other ADR services for all types of disputes.

**Anthony P. Giorno '76** of Patrick Springs, Virginia was appointed to the Patrick Henry Community College Local Board to serve a four year term. He has served as Commonwealth's Attorney for Patrick County since 1984 and County Attorney since 1981.

**George R. Price, Jr. '76** of Montoursville, Pennsylvania joined the Williamsport, Pennsylvania law firm of Murphy, Butterfield & Holland which became Murphy, Butterfield, Holland & Price. **Fred A. Holland '80** is also a partner. Until recently, George had been Family Court Hearing Officer for Lycoming County, Pennsylvania.

**John M. Renfrow '76** recently moved to Austin, Texas and has been admitted to practice in Texas. He now works as an administrative law judge for the Public Utility Commission of Texas.

**John T. Nolan '78** married Andrea Phillip in June 1990 and is living "happily ever after" in Germany.

**Fred R. Becker '79** of Honolulu, Hawaii has been selected for Captain and transferred as the Fleet Judge Advocate, Commander Third Fleet.

**Nelson A. Blish '79** of Houston, Texas has been promoted to Senior Counsel, Patents and Trademarks, of Cooper Industries, Inc. He had been serving as Counsel, Patents and Trademarks, at Cooper's Houston headquarters since 1985.

**Andrew E. Thurman '79** of Sewickley, Pennsylvania married Tracy Fletcher of Pittsburgh in November 1991.

1980s

**Jeffrey L. Milam '80** of Fresno, California is a sole practitioner doing exclusively Social Security disability law with offices in Fresno and Modesto. He and his wife Elizabeth have two sons, Jason, age 5, and Benjamin, age 3.

**A. Richard Pyne '80** of Montgomery, Alabama received his masters of laws in taxation from the University of Alabama School of Law and has recently joined the firm Parnell, Crum & Anderson, P.A. in Montgomery.

**Jeffrey A. Blueweiss '81** of Trumbull, Connecticut is a partner specializing in civil litigation with the firm of Bai, Pollock & Donnigal and a Barrister of the American Inn of Courts. He is also the father of twin daughters and a son.

**Sumner (Scott) E. Copple III '81** of Lincoln, Nebraska and his wife Rory sadly announce the passing of their beloved dogs Clyde and Hank. Clyde and Hank are survived by Scott, Rory, Keenan, Caitlin and Zachary Copple.

**Rene Bowditch '82** of Williamsburg, Virginia is in her fourth year as an adjunct professor for the Marshall-Wythe Legal Skills Program. She and her husband have two children, David, age 4, and Tilden, age 8 months. They still love Williamsburg!

**Jonathon M. Coupal '82** of Sacramento, California is Director of Legal Affairs for the Howard Jarvis Taxpayers Association. He will conduct the Association's litigation and lobbying efforts from the Sacramento office. Jon, Cathy (W&M '81) and Elena Marie (W&M 2012) are all doing well.

**Thomas S. D'Antonio '82** of Garden City, New York is a partner in the firm of Nixon, Hargrave, and the proud father of Tommy, age 3, Billy, age 2, and Jacqueline, age 1.

**Birdie H. Jamison '82** of Midlothian, Virginia has become Richmond's newest General District Court judge. After private practice, she was an Assistant Commonwealth's Attorney in Roanoke and later an assistant in the criminal litigation division of the state Attorney General's office. She also spent several years teaching business law to undergraduates at Virginia Tech before becoming a Richmond Deputy Commonwealth's Attorney.

**Douglas T. Jenkins '82** has returned to his roots in the midwest and is now working at Heritage Insurance in Wisconsin. He has just received his first promotion with the company and hopes to move to the Cincinnati office within a few years.

**Linda K. Macrae '82** of Midlothian, Virginia and her husband **Howard T. Macrae, Jr. MLT '85** are the proud parents of Henry Andrew born in September 1991. Linda and Howard are also the parents of Elizabeth, age 3, and William, age 2.

**Patricia A. McCauley '82** of Baltimore, Maryland is Associate Counsel at T. Rowe Price Associates, one of the largest mutual fund institutions in the U.S. She also recently survived a camping trip with her eleven-year-old nephew in Yellowstone and the Grand Tetons.

**Kathleen D. Shaw '82** of Charlottesville, Virginia married Hamlin A. Caldwell, Jr. in June 1991 in Williamsburg, Virginia.

**James P. Wallbillich '82** of Pottsville, Pennsylvania has been appointed to the Pennsylvania Bar Association Dispute Resolution Committee. James is a shareholder of Franklin, Shialorst, Cerillo, P.C. with offices in Pottsville and Philadelphia.

**Toni L. Imfeld '83** of Seattle, Washington married Gregory Herz in May 1990. The couple is doing their own (sometimes

interminable) house remodeling. Greg is an engineer with the ferry system and Toni does mostly commercial litigation with a small Bellevue firm.

**Raymond P. Johnson '83** of Manhattan Beach, California recently served as lead trial counsel in a precedent-setting six-week trial against Ventura County California School District. The jury awarded \$1.7 million, which is the largest verdict against a local government entity in Ventura County history. Raymond was a featured speaker at the 1991 National Convention of the Association of American Trial Lawyers (ATLA) in July 1991, delivering a speech on "Selecting, Preparing and Presenting Experts in Products Liability Lawsuits." At the convention, he was also elected to a three-year term as a products liability section officer of ATLA.

**Sharron S. Mitchell '83** of Fredericksburg, Virginia has been elected Circuit Court Clerk to serve the last four years of her predecessor's eight year term. Her husband Blair is the deputy county attorney in Stafford.

**Lucie H. Moore '83** of Newport Beach, California has been named a partner of Gibson, Dunn & Crutcher, California's largest law firm. Lucie works in the firm's Orange County office and specializes in corporate securities and mergers and acquisitions.

**Garry W. Morse '83** of Guam is still enjoying "island living." He and his wife Margaret have travelled to Palau for diving and to Hawaii for volcanoes and a dose of civilization. Garry is still playing basketball in the over-30 and over-35 leagues.

**Lawrence R. Morton '83** of Woodbridge, Virginia has opened his own office for the general practice of law. The office is located at 1308 Devil's Reach Road, Suite 102 in Woodbridge.

**Ernest W. Reigel '83** of Charlotte, North Carolina is the partner in charge of the international practice of the firm of Moore & Van Allen in Charlotte.

**Louise A. Schmidt '83** is employed as a civilian attorney with the Army at Fort Campbell, Kentucky. She primarily works in the areas of civilian personnel law, labor relations, and environmental law.

**Daniel P. Stipano '83** of Arlington, Virginia is the Assistant Director of the Enforcement and Compliance Division of the Comptroller of the Currency in Washington, D.C.

**Scott D. Calhoun '84** of Atlanta, Georgia is a partner in the Atlanta firm of Swift, Currie, McGhee and Hiers. He specializes in corporate and business law. Scott and his wife had their first son, born on July 1, 1991.

**Mark A. Clausen '84** of Seattle, Washington continues to practice with Bryan, Schiffrin & Hopkins and recently started a mediation service specializing in the resolution of business disputes.

**Richard H. Howard-Smith '84, MLT '85** of Charlottesville, Virginia became a partner in Feil, Deinlein, Pettit & Williams on January 1, 1991. Richard is also the proud father of John, age 5, Virginia, age 3, and James, age 1.

**Susan J. McKeeman '84** recently returned to the U.S. after serving fourteen months as a prosecutor in Korea. Susan now works in environmental law and government ethics at Fort Lee near Richmond, Virginia.

**Nancy Kucan Reed '84** of Luray, Virginia is a part-time Assistant Commonwealth's Attorney for Page County and continues to practice with Dansby and Reed in Harrisonburg. She and her husband (**Mark Reed '84**) have two young children.

**Beverly E. Yeskolski '84** of Virginia Beach is working for the Catholic Diocese of Richmond's Office of Refugee Resettlement. The office has a grant from the Virginia Law Foundation to provide coun-



seling and representation to indigent clients in Richmond, Norfolk, and Roanoke.

**Deborah A. Bosworth '85** of Dallas, Texas is still practicing real estate law. She has taken up cycling and recently participated in the Hotter'n Hell Race which is the world's largest organized century race with over 11,000 riders. After completing the race, she can attest that Texas is certainly not flat.

**Alana Culver Brenner '85** of Orlando, Florida is a staff attorney with the Legal Aid Society of the Orange County Bar Association and concentrates her practice in the areas of consumer protection and bankruptcy. Her husband **Matthew G. Brenner '85** became a shareholder in the firm of Lowndes, Drosdick, Dester, Kanter and Reed and specializes in civil litigation.

**Arthur E. (Gene) Brooks '85** of Waterford, Connecticut became staff legal officer for the U.S. Coast Guard Academy in New London, Connecticut as of July 1991.

**Patricia P. Davis '85** of Mt. Holly, New Jersey is currently President of the Burlington County, New Jersey chapter of Business and Professional Women. She is also the mother of Raleigh Lloyd, age 3, and Hayden James born in February 1991.

**Michael J. Walsh '85** of Newport News, Virginia has recently joined **Robin K. Kutz '86** to form Walsh & Kutz, P.C., a professional law corporation engaging in the general practice of law. The firm is located in Newport News.

**Robert Acosta-Lewis '86** of Richmond, Virginia recently moved to the New York office of Hunton & Williams. He has published an article, "A Basic Approach to Securing Event Sponsorship Rights" in *The Entertainment and Sports Lawyer*, Vol. 9, No. 1, Spring 1991.

**Mark S. Bader '86** of Bowie, Maryland recently participated in a panel discussion on the tax aspects of using a home business and investing in a vacation home at the ABA Section of Taxation meeting in Washington, D.C. in May 1991.

**Roger L. Dalton '86** of Roanoke, Virginia is practicing criminal litigation as an assistant public defender in Roanoke, Virginia.

**Michael J. Gardner '86** of Williamsburg, Virginia has joined the firm of Clark & Stant, P.C. in Virginia Beach.

**Robin L. Hegner '86** of Midlothian, Virginia has survived the reorganization of the Department of Education and enjoys her position in the newly formed Division of Policy and Planning. She has led teams studying controversial issues in education including parental choice of schools. Robin and her husband Joe expect the arrival of an adopted infant in the next few months.

**Brad C. Jones '86** of Portland, Oregon married Jennifer A. Wyss on August 17, 1991. In attendance were **David Fennell '84**, **David Troller '84**, and **Andy McCreedy '85**. The couple makes their home in Portland where Brad is in sole practice.

**Jerry W. Kilgore '86** of Gate City, Virginia works as an Assistant U.S. Attorney in Abingdon, Virginia.

**Terry G. Kilgore '86** of Gate City, Virginia is the Commonwealth's Attorney for Scott County.

**Paul R. Lynch '86** of Tampa, Florida recently moved from Denver and joined the firm of Dykema Gossett practicing securities and corporate law.

**Katherine H. Magee '86** of Millville, Delaware is the mother of Patrick Michael, born in October 1989, and Timothy Robert, born in May 1991. She continues to work for the Delaware Department of Justice in Georgetown, Delaware.

**Harry P. Sakellaris '86** of Danville, Virginia is a new partner of the Danville law

firm of Clement & Wheatley, the largest law firm based in Southside Virginia. After receiving his Master of Law and Taxation degree, Harry joined the firm as an associate handling tax, corporate, estate planning and estate administration matters. He and his wife Kimberly have a daughter, Kasey.

**Ellen Z. Todia '86** of Cleveland, Ohio and her husband are working on many house projects and enjoying Cleveland. Ellen teaches part-time at Cleveland-Marshall Law School, does legal work out of her home, and participates in local politics.

**Colin W. Uckert '86** of Arlington, Virginia recently married Jennifer Brust (J.D. '88 George Mason University). Several alumni were in attendance including **Jim '65** and **Babs '66** Korman, **David Canfield '81**, **Neil '86** and **Kris '86** Winchester, and **Tom Gorman '86**.

**Peter J. Van Bergen '86** of Williamsburg, Virginia has recently finished his first year of his patent law practice in Williamsburg.

**Kevin J. Burke '87** of Orlean, Virginia has joined the Facquier County Attorney's Office as the Deputy County Attorney. He formerly worked for the Winchester firm of Costello, Dickinson and Johnston.

**Joe T. Cravens '87** of Clarksville, Tennessee has joined the firm of Sands, Anderson, Marks and Miller in Richmond, Virginia. Joe was formerly Senior Trial Counsel and Chief of Operational and International Law in the Office of the Staff Advocate of the 101st Airborne Division, Fort Campbell, Kentucky.

**Evan H. Farr '87** of Fairfax, Virginia has recently opened up his own office for the general practice of law at 4085 Chain Bridge Road, Suite 403 in Fairfax.

**James Peppler Winthrop '87** of Summerville, South Carolina and his wife Dougie recently had their second child, John Warner Winthrop. In July 1991, James was promoted to Lieutenant Commander, Judge Advocate General's Corps, U.S. Navy.

**Karen P. Ashburn '88** of Hampton, Virginia married Gary Wayne Rucker in Hampton on October 26, 1991. Karen is the Assistant Commonwealth's Attorney in Hampton.

**Paul R. Kugler II '88** of Concord, Massachusetts and his wife Lori are pleased to announce the birth of their daughter Charlotte Diana born on December 13, 1991.

**David J. Lozier '88** of Pittsburgh, Pennsylvania married a physical therapist in Beaver County, Pennsylvania in June 1991. **Fern Lavallee '88** was a member of the wedding party. David still loves practicing in a small personal injury firm in Pittsburgh.

**John B. Neff, Jr. '88** of Aston, Pennsylvania was caught in the financial troubles of a big Philadelphia firm in 1990 but almost immediately found a new position on the legal staff of Franciscan Health System. John considers himself very fortunate for the opportunity to serve as General Counsel to hospitals in Lancaster and Reading, Pennsylvania.

**Mark E. Newcomb '88** is currently serving in his third assignment with the Navy as the SJA for the Commander of the Naval Base Pearl Harbor. His wife Joni keeps busy with their two young sons and infant daughter. Mark will be in Hawaii for two more years, then plans to attend graduate school, hopefully in Virginia.

**Lt. H. Kimberlie Young '88** of Foxworth, Mississippi recently received a Letter of Commendation for superior performance of duty while assigned at Naval Legal Service Office Naval Station, San Diego, California. The Lieutenant joined the Navy in August 1989.

**Mary E. Baroody '89** recently married **Jeffrey A. Lowe '89** and the couple now resides in Alexandria, Virginia.

**Mark W. Borghesani '89** has been permanently stationed at the Moscow office of Baker & McKenzie. During the recent coup attempt, he helped man the barricades around the Russian parliament building.

**Richard E. Campbell '89** of Marina Del Rey, California married Leslie Ann Kures on September 1, 1991.

**Virginia K. Cook '89** of Dumfries, Virginia announces her engagement to **Joseph S. Gerbasi '89** of Washington, D.C. In 1976, Ms. Cook graduated from Washington Union Elementary School in Salinas, California, where she progressed to the Orange color in the S.R.A. box. She currently works for the Commodity Credit Corporation of the U.S. Department of Agriculture in Washington, D.C. Mr. Gerbasi is a 1976 graduate of Royle Elementary School in Darien, Connecticut, where he was selected for the Ventures Reading Group in 1975. He currently works in the Intrafamily Offense Unit of the Criminal Division of the Office of the Corporation Counsel in Washington, D.C.

**Hagen W. Frank '89** of Jacksonville, North Carolina is the Chief Prosecutor at MCAS New River following nineteen months of criminal defense work. Hagen has three children, Jakob, age 1, Rachel, age 2, and Evan, age 5.

**Jonathan P. Jester '89**, formerly an associate with the Charleston, West Virginia law firm of Steptoe & Johnson, has become a claims attorney for Progressive Insurance Corporation in its mid-Atlantic regional office in Richmond, Virginia.

**David R. Johnson '89** of Falls Church, Virginia practices construction and commercial contract litigation at Watt, Tieder, Killian, et al. with, among others, **Paul A. Varela '89** and **Christopher J. Brasco '90**.

**Cheryl A. Lewis '89** of Arlington, Virginia has moved to Charlottesville and taken over the residential and commercial real estate practice of a partner at the firm of Tremblay & Smith.

**Steven J. Mulroy '89** married **Amy K. Birkimer '88** in April 1991. In September, the couple toured the west along Route 66 as a belated honeymoon. Steve is an honors program attorney in the Civil Rights Division of the Department of Justice after completing a federal clerkship.

**Mary A. Munson '89** is living in London and working as an activist, campaigner, and lobbyist for Greenpeace UK and loving every moment.

**Captain Peter F. Pontzer '89** is happy to be back in the U.S. following one year in Central America as the Command Judge Advocate for Joint Task Bravo. Peter currently teaches government contracts at the Army Logistic Management College at Fort Lee near Richmond, Virginia.

**Phillip C. Steele '89** of Newport, Virginia has joined the Pearisburg, Virginia law firm of Martin, Corboy, Hartley and Chidester.

1990s

**Kimberly A. Chasteen '90** of Williamsburg, Virginia has left the hectic pace of private practice in Washington, D.C. and works in the Patent Counsel office at NASA Langley Research Center in Hampton. She was married in November 1991.

**Christopher M. Heimann '90** and his wife Cynthia recently returned from London after he completed the LLM course. Before leaving England, they met **Littleton Tazewell '91** (the 1991 Drapers' Scholar) and his wife Mary Carol upon their arrival to give them the hottest tips on life in London. Christopher began as an associate at Wilmer, Cutler & Pickering in Washington, D.C. in October 1991.

**James V. Ingold '90** of Danville, Virginia was selected to participate in the 1991-92 class for Leadership Danville, a nine month program designed to prepare

emerging leaders for future roles and responsibilities in the community. James is an associate with the firm of Daniel, Vaughan, Medley & Smitherman and serves on the Danville Historical Society board.

**Donna H. Schewel '90** of Virginia Beach, Virginia has joined the Lynchburg firm of Davidson, Sakolsky & Richards, P.C.

**Felicia L. Sillen '90** enjoys practicing corporate and international trade law with Sonnenschein.

**Michael A. Steinberg '90** of Great Falls, Virginia is a Regent's Fellow in Biochemistry at Texas A&M University following a year in Washington, D.C. at the Union of Concerned Scientists.

**Stephen S. Woods '90** of Concord, New Hampshire still enjoys his work at Orr and Reno. He and his wife are expecting their first child in April 1992.

**Sharon F. Wright '90** of Lynchburg, Virginia is in general practice working for a small firm, Donald M. Rowe, P.C., in Bedford, Virginia.

**Heidi W. Abbott '91** has joined the Richmond, Virginia office of the law firm of Hazel & Thomas.

**Linda H. Boggs '91** has joined the Fairfax, Virginia office of the law firm of Hazel & Thomas.

**Michael Garvey '91** works for a patent firm in Cleveland, Ohio.

**M. Scott Hemphill '91** has joined the Fairfax, Virginia office of the law firm of Hazel & Thomas.

**Timothy R. Hughes '91** has joined the Alexandria, Virginia office of the law firm of Hazel & Thomas.

**Kathryn Marrone '91** has joined the Washington, D.C. office of the law firm of Hazel & Thomas.

**John W. Robinson, III '91** married **Sylvie Derdyn '91** in Charlottesville, Virginia on August 10, 1991 with many classmates in attendance.

**Stephanie Shorter '91** of Lexington, Virginia has joined the staff of the Harrisonburg-Rockingham County Commonwealth's Attorney Office as a prosecuting attorney.

**Alice Twiford '91** of Williamsburg, Virginia is currently enrolled in the Marshall-Wythe LLM tax program.

## In Memoriam

**Michael E. Hefler '87** of Larchmont, New York died suddenly on July 5, 1991 in his home in Brooklyn at the age of 30. At the time he was a trial attorney in Manhattan Family Court, Michael's idealism and enthusiasm was a strong influence and his tragic loss has deeply affected everyone who knew him. A fund has been set up as a tribute to Michael's work and will provide assistance for clients of Manhattan JRD in securing items and services which would not otherwise be readily available from other sources. Donations should be submitted to "The Michael Hefler Fund", c/o Barbara Kluger, The Legal Aid Society, Juvenile Rights Division, 60 Lafayette Street, Room 9A, New York, NY 10013 (212) 349-3200.

**Sara Slesinger Smith '78** of New Cumberland, PA died after a struggle with cancer. Many share in the sorrow of her family's loss.



# WILLIAM & MARY LAW SCHOOL ASSOCIATION

## 1992 Calendar Update

March 19	<b>Baltimore Dean's Reception</b> HarborView, 5:30-7:00 p.m.
Mid-March	Washington Chapter Supreme Court Tour
March 26	<b>Tidewater Dean's Reception</b> Harbor Club, Norfolk 5:30-7:00 p.m.
April 2	<b>Richmond Dean's Reception</b>
April, 3rd week	<b>Washington Chapter Casino Night Cruise</b>
April, 10	<b>3L Party sponsored by the Association</b> Alumni House, 4:00-5:30 p.m.
April 11	<b>Alumni Association Annual Meeting and Board Meeting</b> , 9:00 a.m. <b>Admitted Students Reception</b> Law School Lawn, 12:00 p.m.
April 25	Foundation Board meeting 10:00 a.m.
May 7	<b>Roanoke Dean's Reception</b> The Jefferson Club, 5:30-7:00 p.m.
May 10	Graduation
June 30	<b>Last Day of the Fiscal Year - Annual Fund Deadline</b>

IN BRIEF is published twice a year by the Marshall-Wythe School of Law and the William and Mary Law School Association for alumni and friends.

Timothy J. Sullivan, *Dean*  
Richard V.W. Adams, III, '78  
*Alumni Association President*  
Deborah S. Vick  
*Associate Dean for Development and Alumni Affairs*  
Page Hayhurst, *Editor*  
Design and Production  
*University Publications*

Please send any alumni news, photographs, articles, or address changes to:

The Office of Alumni Affairs,  
Marshall-Wythe School of Law,  
Williamsburg, VA 23185  
Phone (804)221-3795  
Fax: (804)221-3261.

Two errors in the *William and Mary Lawyer* were brought to our attention. While Professor Emeric Fischer did direct the Exeter program for a number of years, it was the late Professor Walter L. Williams, Jr. who was the guiding force behind the Madrid Summer program.

...  
We regret that Randall K. Bowen '88 was omitted from the donor list in the 1990-91 Annual Report.

MARSHALL-WYTHE SCHOOL OF LAW



# IN BRIEF

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