Marcus Steps Up as Acting Dean

Paul Marcus learned many lessons while serving as Dean of the University of Arizona College of Law. One was that legal education serves two masters, the theoretical and the practical, and the internal tension between the two can be healthy.

“We are constantly pushed by colleagues who practice law and know the ways in which we can improve,” he says. “It’s also important to serve the academic side, which requires us to explore the far reaches of the law and focus on policy.”

Professor Marcus brings that insight as well as others to his position as Acting Dean this year at Marshall-Wythe.

His hopes for the law school include the appointment of a permanent Dean (although he will not be involved in the Dean search process) and having the faculty and students complete a curriculum review that may result, he says, in restructuring courses and “some important changes in the curriculum.”

Professor Marcus also lists as a high priority nurturing the already close bond between alumni and the School. “Tim Sullivan and Dick Williamson did great work developing and maintaining the strong support of alumni groups,” he says. “It’s important during a transition year to continue that process, and I plan to spend much of my time doing that.”

He will also teach copyright law in the fall and criminal law in the spring.

Professor Marcus came to the law school two years ago as a visitor and joined the faculty full time as the Haynes Professor last year. He spent nine years at Arizona, another nine teaching law at the University of Illinois, and has written eight books and numerous articles in his areas of legal expertise: criminal law, criminal procedure and copyright law.

Professor Marcus’ lecturing has taken him to eight foreign countries and he has acted as visiting professor and scholar at the Universities of Geneva, London and Puerto Rico.

His travels have given him a fresh perspective on how legal education and practice will evolve in the future.

“Much of the focus now is looking beyond our own national experience, to other countries’ experiences and to international laws as well,” he says. “I think this is the direction our profession, the law school and I will go.”

Before joining academia profession-ally, the UCLA law school graduate clerked for the D.C. Circuit Court of Appeals and was with Loeb and Loeb, a major Los Angeles law firm. He has been counsel and of counsel in numerous federal and state matters involving criminal justice issues, including conspiracy charges and undercover entrapment issues.

Professor Marcus’ wife, Becca Nimmer Marcus, also works for William & Mary counseling undergraduates at the campus Counseling Center.

They have three children: Emily, a junior at the University of Michigan, who this year plans to study at the University of Geneva; Beth, a senior in high school who recently completed a stint as a United States Senate page; and a kindergartner, Danny, who spent much of the summer fishing with his mom and dad.

Mudd Judges Journalism

by Ann McFadden Blatter

Master’s thesis in hand, Roger Mudd took off in his dad’s car 40 years ago to land a job at the first Virginia newspaper that would take him in. He would work there a year or so, he thought, and the insight into the press he gained would translate easily into a doctorate.

He never got his Ph.D. The drive took him first to the Richmond News Leader, where he landed a job, then to national recognition as a distinguished journalist. Along the way he spent 19 years at CBS as congressional reporter and national affairs correspondent, then another seven as ABC as co-host of the Nightly News and chief Washington correspondent, picking up five Emmys and two Peabodys.

He returned March 29 to April 1 to his wife Emma’s alma mater of William & Mary as the 1992-93 Carter O. Lowance Fellow in Law and Public Service. Sponsored by the Institute of Bill of Rights Law at Marshall-Wythe School of Law, the award, established in 1980, honors those who have contributed to public life in significant ways and wish to share such experience with students.

Mudd knew Carter Lowance from his early days in Richmond and remembers him as “a foot-2, 102 pounds soaking wet” with “the warmest, gentlest laugh” he’d ever heard. According to Mudd, Lowance wielded immense behind-the-scenes political power for 50 years as secretary and aide to six Virginia governors.

“When a member of the Byrd organization wanted to run for governor, the first call he made was to Carter Lowance — second was to his wife,” said Mudd. Yet Mudd recalls Lowance as one of the most self-effacing men he’d ever met.

Virginia Mudd received the Carter Lowance Fellowship Award at a luncheon at the National Center for State Courts attended by Mrs. Lowance, President and Anne Sullivan, Governors Goodwin and Holton, and numerous other distinguished alumni, faculty and guests of the law school.

For four bus days, distinguished journalists fielded questions from law students on a wide-ranging battery of questions about journalistic ethics and the state of modern news coverage. Often sitting casually on the edge of a desk in front of classes, he answered questions ranging from the effects of media access to why zones to the impact of the birth of quasi-news documentaries.

Mudd shared formal remarks Wednesday night at the law school as an audience of hundreds in a speech entitled “The Floating Ethos of the American Press,” in which he disclosed the reporters’ dilemma: being involved enough in events to know what is going on, while remaining removed enough to report objectively.

Thursday evening Mudd demonstrated his finesse as a seasoned moderator by deftly guiding a disparate panel in a lively exploration of free speech versus community standards. The program “Censorship and Music: Rock, Rap and the First Amendment,” began with a moot court featuring modern advocates and students and faculty justices in the case “Rap Records, Inc. v. Russell,” followed by keynote address “Cops Killers and Killer Cops,” by freelance journalist Dave Marsh. The evening concluded with the panel discussion. It was the fourth such symposium sponsored by the Student Division of the Institute of Bill of Rights Law in as many years.

Mudd ended his Williamsburg stay Saturday, participating with Institute of Bill of Rights Director Rodney Smolla in a Virginia Foundation for the Humanities event on media and American culture.

He returns to his “healthcare” on PBS, a 1964 spring internship at Princeton, and beyond that — stay tuned.
Commencement 1993

Joseph B. Cartee, 1992-93 SBA President and student graduation speaker, receives the George Wythe Award, recognizing exceptional character, leadership and selfless service to the Law School Community.

Proud graduate Tobin Roth

Dr. David A. Kessler, Commissioner of the Food and Drug Administration addresses graduates.

Reluctant graduate Laura Kerrigan

1992-93 Acting Dean Richard Williamson gives a replica diploma to the Cabell family commemorating the awarding of the first Bachelor of Law degree in America to William H. Cabell in 1793.

Acting Dean Paul Marcus (center), law school faculty and the Class of 1993.
STONER HONORED BY PEERS
by Ann McFadden Blattner

On a balmy Williamsburg spring evening, Ray Cooley Stoner almost reluc-
tantly stepped up to the podium at the National Center for State Courts. The
applause started before his short talk ended, and peaked as he was presented
with the the second-ever Citizen-Lawyer Award.

Visibly touched, Mr. Stoner thanked the audience of his peers, finished din-
nner, then rushed to catch the final min-
utes of a televised ice hockey game.

And as if to punishment for those few
moments of self-indulgence in a life dedi-
cated to helping others, Mr. Stoner had to
witness his hometown Pittsburgh Penguins
lose the game and be banished from the
playoffs.

He didn’t take it too hard, however.
For the Penguins appear to be one of the
few Pittsburgh institutions Mr. Stoner
does not personally help out with the
tireless philanthropy for which he was honored May 14. The Citizen-Lawyer
Award was bestowed upon him by the Law
School Association for “outstanding ser-
vice to the Law School community and for
fidelity to those qualities of character and
leadership which exemplify the ideal of
the Citizen-Lawyer.”

The many causes and foundations Mr.
Stoner has taken under his wing include:
“literacy, through Beginning with Books;
mental health, with The Parent and Child
Guidance Center and Foundation; adoption
services and neonatal health, with the
Children’s Home of Pittsburgh; art
performance for children through Gate-
way to Music and the Performing Arts;
positive role models for youth with ‘Kids
Need Heroes’; community leadership
through Leadership Pittsburgh and Leader-
ship/Pittsburgh Alumni; and The Lanny
Frasure Celebrity Golf Classic.”

Mr. Stoner’s contributions to these
groups range from rocking babies to sleep
to flexing his considerable professional
prows in raising funds or arranging
events.

All this he squeezes in around his
substantial professional demands and the
countless weekends spent over the years
at Marshall-Wythe.

At the venerable Pittsburgh-based firm of
Eckert Seamans Chtin & Mcllott,
where he has served as partner since 1979,
Mr. Stoner specializes in large commer-
cial litigation and anti-trust matters. And
at his alma mater, he has served on all
three alumni boards, most recently as
1991-93 President of the Board of Trust-
ors of the Marshall-Wythe School of Law.
Such extraordinary civic-mindedness
begs one question: Why?

Mr. Stoner replies with two short
names, Rebecca and Laura.

“When you are so blessed with chil-

dren, you feel obligated to be giving some-
ingthing back,” he sees. “That relates directly
to my involvement with children’s causes.”

Doing things for others also is a way of
giving meaning to your life, he adds, and
working on boards expands your circle of
friends to include the heart of the
community.

For Mr. Stoner, a Maryland native,
that community has long been Pittsburgh.

“We are fortunate in our city that the
problems are not so insurmountable that
we cannot attempt to deal with them,” he

Mr. Stoner travels away from Pitts-
burgh frequently.

But when back in his office, the newly
presented Captain’s Chair and Citizen-
Lawyer plaque inspire him to continued
public service just as his example serves to
motivate others toward the Citizen-Law-
yer ideal.

“It means a lot to me,” he says, “be-
cause Tim Sullivan and I talked about this
concept of the Citizen-Lawyer for a lot of
years. And I think this is part of what we
our school apart, and is what we hold out to
students as our ideal.”

Editor’s note:
If Mr. Stoner’s is not yet a familiar face, there
will be ample opportunity to meet him this year
at one of the many events he will attend in support of Marshall-Wythe.

Friday, October 22
CASINO NIGHT, 8:00 p.m. to midnight, Law School Lobby, sponsored by the Public
Service Fund. Profits support law student summer public interest positions. $10.00
per person.

REUNIONS
1968 Cocktaill party, 6:30 p.m., 117 Thomas Dale, Williamsburg.
1973 Cocktaill party, 6:00 p.m., 229 William Cleborne, Williamsburg.
1978 Williamsburg Winery wine tasting, 6:00 p.m. National Center for State Courts.
1983 Cocktaill party, 6:00 p.m. Courtyard by Marriott.
1988 reunion party, 7:00-9:00 p.m. at the National Center for State Courts.

Saturday, October 23
HOMECOMING PARADE, 9:30 a.m., Duke of Gloucester Street.
LAW SCHOOL PRE-GAME BBQ, 11:00 a.m.-1:00 p.m., Law School Lawn. Profits
support Move Court and Law Review programs. $15.00 per person; $7.00 for children
under 12.
FOOTBALL — VILLANOVA, 1:00 p.m., Zable Stadium. William & Mary Ticket Office:
(804) 520-5360, ask for the law school block.
BUSCH GARDENS WILLIAM & MARY BIRTHDAY PARTY, 4:00 p.m. to midnight.
Rides, shows and fireworks to celebrate the 300th.

For hotel reservations call the Williamsburg Hotel/Motel Association 1-800-440-0244,
or at the special law school block at the Quality Inn (near Kingsmill) 1-800-286-
4667.

Faculty Homecoming Lectures
Neal E. Devins, Professor of Law
Panel — Policymaking in the Clinton
Administration: A Nine-Month
Report Card; Thursday, 2:45 p.m.
Paul Marcuc, Acting Dean, Haynes
Professor of Law
Lecture — The Tough Questions
Raised by Drug Testing in the
Workplace; Friday, 10:30 a.m.
Rodney A. Smulla, Director, Institute
of Bill of Rights Law
Hanson Professor of Law
Fictional Debates — Harlot’s Ghost and
JFK: A Fictional Conversation With
Norman Mailer, Oliver Stone, Earl
Warren, and Hugo Black; Friday,
1:00 p.m.
Rakesh B. Bhala, Assistant Professor
of Law
Panel — New Directions for Interna-
tional Trade Policies in the
Clinton Administration; Friday,
2:30 p.m.
Homecoming HOTLINE 804/223-3111
for ticketing information.
Margaret Thatcher, former prime minister of Great Britain, has been elected by the College of William and Mary Board of Visitors to serve as the 21st Chancellor of the College. The announcement was made Saturday May 15 in a brief ceremony in the Sir Christopher Wren Building's Blue Room. Lady Thatcher succeeds Warren E. Burger, retired Chief Justice of the United States Supreme Court, who concluded his seven-year term in the ceremonial post on June 30, 1993. Lady Thatcher's term began July 1, and she will be installed formally during the 1995-96 academic year.

"It is truly fitting to have as the College's next chancellor an international leader like Lady Thatcher who has had a dramatic impact on the course of world events," said President Timothy J. Sullivan. "Her selection is in the tradition of chancellors like George Washington and Warren Burger, each of whom has left a mark on the College and on the world. Without question, Lady Thatcher is one of the most important figures of the 20th century."

At the announcement, Burger echoed Sullivan's sentiments:

"I think it's one of the great steps in the history of the College," Burger said. "This woman is one of the remarkable statesmen of the 20th century. I don't know that she is fully appreciated yet."

The appointment marks the first time a woman has served as William and Mary's chancellor and the first time a British subject has held the post since the American Revolution. During the pre-Revolutionary period, the chancellorship was held alternately by the Bishop of London and the Archbishop of Canterbury as the College's representatives to the crown. The first American chancellor was George Washington, who served from 1786 until his death in 1799. Lady Thatcher became Britain's first woman Prime Minister on May 4, 1979, following the success of the Conservative Party. When the Conservative Party subsequently won the general elections in 1983 and 1987, she became the first Prime Minister this century to contest successfully three consecutive general elections. She resigned as prime minister on November 28, 1990.

In December 1990, she was awarded the Order of Merit by Her Majesty Queen Elizabeth. On June 30, 1992, she was elected to the House of Lords to become Baroness Thatcher of Kesteven.

Margaret Thatcher was born October 13, 1925, the daughter of a grocer who was active in local politics as borough councillor, alderman and mayor of Grantham. She was educated at Kesteven and Grantham Girls' High School, and won a bursary or scholarship to Somerville College, Oxford, where she obtained a degree in natural science. She is also a master of arts of Oxford University. In June 1983, she was elected a fellow of the Royal Society.

On leaving Oxford, she worked for four years as a research chemist for an industrial firm, reading for the Bar in her spare time. She was called to the Bar by Lincoln's Inn in 1954, and practiced as a barrister, specializing in taxation law.

Lady Thatcher was first elected to the House of Commons in 1959. Her first ministerial appointment came in 1961, when she became a parliamentary secretary. She became a front-bench spokesman for the Conservative Party in 1964 and was appointed secretary of state for education and science and a privy councillor after the Conservatives returned to office in 1970. She became leader of the Conservative Party in 1975.
On the effect of the explosion of quasi-news shows on journalism

Traditional journalism has had to join the expose race. We’ve had the death of documentary of social ills and in its place have 60 Minutes and 48 Hours. During the Oscars the show being teased was “Psychologist who interrogates their patients.” Is this a barring trust in America today? I don’t think so.

On whether PBS does all it should as the only public player in T.V. news

We should start off looking at what they are doing: their funding is year to year. With corporate donations at the level they are, with their limited budget, you can’t expect them to do more. Bill Moyers raises his own money for his productions. His entree into foundations and charitable institutions is amazing. He is an American icon. But he is in the position of rattling a tin cup, and I’m not sure that is good.

On the problem of the revolving door with lobbyists; is it a problem with journalists shoot their mouths off too much. Even many journalists shoot their mouths off on shows like Frontline. There are, many journalists shoot their mouths off on shows like Frontline. We all shoot our mouths off too much. Even I do.

On where to draw the line in investigating the private lives of politicians

The zone of privacy begins to shrink with someone such as the Mayor of Williamsburg. There are four or five things I can name that are relevant about such a person, such as beds. As you ascend I believe the zone shrinks. By the time you reach a candidate for President in the U.S. nothing remains private. We should know everything.

... And for Supreme Court Justices? They’re elected for life. Seems to me the zone for Supreme Court justices should be smaller than for U.S. senators. You are entrusting lives to these people.

On Sound Bites in Campaign

An expert on corporate law, she has written a book on pulling the strings at the time and that’s terrific, we’ll finally know what’s going on.” And what happened was that the correspondents who did the story following the candidates used up so much time talking about that day’s events that there wasn’t time left for a 30-second sound bite and none of the candidates got on. And so CBS after two weeks had to rescind the order. And the order went out to “try to get it as long as you can.” I think the networks next time around will make a major adjustment to that problem.

On the Media’s Role in a Democratic Society

It is probably the most thought-about insider problem the press has, particularly the Washington press — that is, the coziness of the press with the government. Each side could not exist without the other. The government couldn’t function without having access to the ganglia of the media to get their message out and the media couldn’t work, couldn’t have sources, couldn’t break news, without having access of favored sources.

On Public Criticism of Media Coverage

Where we part company gets to be — the public and the press — where you get it wrong — is where we begin to respect your family. Our daughters lives are in jeopardy and we’re crashing around with our machines not flying the flag, then you part company with us — “Why aren’t you on our side?” — and it’s understandable.

I think the figure was 1.3 percent thought the press did a terrible job in the Gulf War and they thought we were doing a good job, we were getting the news right.

And the good news was the only news we were getting and that was coming from the government. I think there’s no question that while there were many protests about the arrangements that the government had... they fell on deaf ears because number one, the Pentagon knew that it had us over a barrel and number two I think the press really didn’t have the stomach to fight another war with the Pentagon.
Constitutionality of Election Laws Challenged

Speaker Calls For End of “Pay to Play” Electioneering

By Tobin Roth '93

"It is time to re-examine the long-held assumption that public elections can be privately financed," this was the message of John Bonifaz, staff attorney with the Center for Responsive Politics, in his spring semester address sponsored by the Law School Speakers Forum. The Center was founded by two U.S. Senators in 1983 as a nonpartisan, nonprofit organization for monitoring politics on the federal level. A graduate of Brown (B.A.) and Harvard Law School, Bonifaz spoke to a crowd of 30 students on both the current financing crisis in federal campaigns and his organization's legal theories in seeking reform.

Citing figures that the average expenditure for a House of Representatives campaign in 1990 was $528,000, and $27 million for a 1990 Senate race, Bonifaz declared that the American political system had become one in which "you must pay to play." He was further troubled by the social inequity within the campaign contribution structure, pointing out that the political action committees (PACs) of the business community outspent labor PACs three to one in 1990 ($109 million to $37 million). This encouraged a disproportionate amount of money by munificent interests which taints fairness in our democratic process, he said.

Bonifaz, however, pointed to individual contributions as the "principal problem," particularly the "soft money" that private donors give to political parties which is not restricted by FEC regulations. Both the Republican and Democratic parties engage in such tactics, said Bonifaz, to the extent that in 1990 individual contributions totaled $2.249 million, while the PACs only offered $159 million. According to Bonifaz, this impressive flow of private money corrupts the legislative process to the extent that our tax structure is one in which the top one percent struggles, Bonifaz embraced a reform movement based on the legal theory that money does not coincide with a right to vote. In particular, he spoke of a constitutional challenge to federal election laws with the argument that wealth in the political arena can be a suspect class subject to strict scrutiny.

Bonifaz pointed to several Supreme Court cases which support his position that wealth is not to be a determinative factor in an election, such as those striking down poll taxes and prohibiting excessive candidate filing fees. The speaker also mentioned the case of Reynolds v. Sims (1964), which found the dilution of votes in certain schemes to be unconstitutional, and the redistricting cases of the 1970s, that enabled the right to vote as a (meaningful) vote and not simply pulling the lever. This holding was later codified in the 1982 amendments to the Voting Rights Act. In essence, Bonifaz's theory focused upon the effect of the current finance structure and its effect on minorities and those wishing to vote against the incumbent.

Bonifaz cited the 1976 case of Buckley v. Valeo as his biggest challenge because the Court held that money is speech and thus the spending of money is protected by the First Amendment. Bonifaz lamented that this decision had put the election process up for sale, using Ross Perot as an example. In the alternative, he advocated a "time, place, and manner," regulation as endorsed by the Supreme Court in Aevus v. Cooper (1949). There, an ordinance restricting noise from trucks was upheld on the principle that there is no right to drown out the voice of others.

In the question-and-answer session which followed, Bonifaz clarified his alternative campaign finance model. He argued that a public financing scheme for campaigns should be implemented whereby all contributions are paid into a national fund. From that fund, the money would then be divided equally among each incumbent and challenger. In addition, if any candidate received free publicity or independent publicity then his opponent would be compensated from the general fund for the value of that publicity. As for the problem of "soft money" contributions, this could be remedied by prohibiting donations at certain times, said Bonifaz.

Afterwards, student reaction was one of partial agreement. Bill Kennedy (L) said he found the idea of public financing to be reminiscent of the Soviet Union. Scottish native Karen Scott agreed reform was needed. The Drapers' Scholar was cynical, however, about the likelihood of such change in a country where politics is such "big business."

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Alumni Show Professional Life to Student Sidekicks

HANDS ACROSS THE BAR

by Doug Miller, 2L

For Norfolk defense attorney James Broccoletti '78 it was a typical day in court. Closing arguments were scheduled in the trial of Broccoletti's client, a former deputy sheriff accused of the hired killing of his sister's husband. But for Carla Blake, a second-year student in Marshall-Wythe's Co-Counsel program, it was the opportunity to see for herself if her decision to be a criminal lawyer was the right one.

"I knew when I came to law school I wanted to be either a prosecutor or a defense attorney so this was a great chance to see what it was like," Blake says. "After the closing argument the jury left to deliberate. I got to talk to the prosecutors who were trying the case. There was also a civil trial going on next door and Mr. Broccoletti knew the attorneys handling it, so I went in and watched the closing arguments in that case as well."

For Blake and the 500 other students at Marshall-Wythe who participate, the committee was overwhelmed with the initial reaction from students, according to Hall. "We had to keep recruiting alumni right through the fall semester in order to get everyone matched up," he says.

The office has a few scheduled events for Co-Counsel each year, according to Assistant Dean Page Harhurst, but the focus is on individual, rather than group activities. "Our idea was to keep it as open as we could to let the program develop itself," she says, "We wanted it to be an open exchange without too many rules, with pairs encouraged to develop their relationship in a way most beneficial to them."

The result, for most, has been a blend of social and professional experiences that range from dinner with the bar's president to working a day at the office to a William and Mary football game.

Pat Pettit, 3L, was matched with Se­nior Counsel Rob Elliott '89, during the first year of the program. "When Rob and I first met he said he wanted to plan some things to do that would allow us to get to know each other a little better. Since then we've been to a few football games together and we talk on the phone pretty regularly," he says. In addition to social visits the two have regular opportunities for professional mentoring. "I have gone over to his office at the end of each semester," says Pettit, "I go in and spend the day with him. I sit in on interviews or I sit in with other employees when they're talking to clients. I've gone with him to court, to see how he litigates cases.

"You can't get the kind of exposure to the law from just sitting and reading a book." - Bruce Titus '71

"William and Mary is really like a big family. And, in a sense, by matching new students with alumni we are 'closing the loop' so students can benefit from the kind of networking alumni enjoy, right from the beginning." - Bruce Titus '71

Then a committee of students and alumni makes the pairings. "Last year, for the first time, we had more alumni volunteers than students," she says, "That's great for the students because it meant we could more closely match their interests."

For Carla Blake, it meant an opportunity to see if her expectations were realist­ic. "I put down criminal law on my sheet, either prosecutor or defense, and I got the best of both, because Mr. Broccoletti has introduced me to people in both fields." For Pat Pettit, the experience was different. "I thought I wanted to be a patent attorney, since I had an engineering background and that's what everyone told me engineers did," he says, "But Rob's practice is mostly family law so it's been a great opportunity to see what else is out there. Also he is in a small firm with just himself and an associate. I would prefer to work in a small firm too, so it's been a good opportunity for me to see how that works."

Plans for the year's Co-Counsel program are well underway, according to Titus. He chairs the committee this year with help from co-chair Sharon Pandak '78 and Monica Taylor '91. A kickoff party was held on the law school patio the last day of Legal Skills week for first-year students. Another reception for all Co-Counsel participants will be held in Fe­bruary at the Williamsburg Winery.

Recruitment of new Co-Counsel volunteers goes on all summer and into the fall. According to Harhurst the program is a great opportunity for alumni to give something back to the law school. "I think there are a lot of alumni who wish that they had a program like this when they were in school and are just really anxious to help people move along in their field of interest," she says, "For the most part people want to help their alma mater, they want to be able to make a difference and do something positive that is not necessarily giving money."
Professor Peter Allee’s latest book, Pay­ment Systems (co-authored with Marion Bentsfield) was published this summer. His latest article, “Roll Over Lienli cue” appeared in the Loyola of Los Angeles Law Review. Another article, “Relinking Professor Westbrook’s Two Thoughts about Insider Professors,” was recently published in the Minnesota Law Review and the Virginia Law Review recently published “Redesign of the Legal Services: A Consideration of State Constitutional Law.” "His continues as editor of the Journal of Bankruptcy Law and Practice.

Acting Associate Dean Jayne Barnard’s book review essay, “Private Practice for Public Consumption: Two views of Corporate Law,” was published by the Boston University Law Review.

Professor Denise Bland was selected to attend the NIH Summer Institute, “Educating a Citizen: Society and Liberty in the World of Thomas Jefferson.”

Professor Lynda Butler was recently elected Vice President-President-Elect of the William and Mary Faculty Assembly.

Professor Neal Devins’ latest article, “Recent Research on Civil Rights Under the Constitution,” was published by the Notre Dame Law Review. "Fundamental Christian Educators: Racial Integration and the Inevitable Compromise" which was published in the George Washington Law Review, was relied on heavily by the Michigan Supreme Court in deciding that a state law requiring parents to use state-mandated racial balance and the William school violated the Amendment’s Free Exercise Clause. He also wrote an essay for the Staff of Constitutional Law for the Iowa Law Review.

Ball Professor John Donaldson authored the chapter, “The Medicaid Program.” Acting in the Elderly from One State Law to Another, he has been continuing a busy speaking schedule on the law of aging, a topic that represents the elderly and was named chair of the Virginia Bar Association’s John Marshall Fellows Program. The Mitchell fellows were selected from the state’s law schools – provide research assistance on legislative matters pending before the Virginia General Assembly.

Professor Dave Douglas was among the graduates in the class of 1993. Professor Douglas received his Ph.D. from Yale at commencement exercises in May.

Professor Walter Felton was recently asked by Virginia Supreme Court Chief Justice Carrico to join the Virginia Domestic Violence Coordinating Council. The Department to ensure the safety to the elderly.

Professor Michael Gerhardt’s new book, Constitutional Theory: Argument and Proportion, co-authored with Tom Rowe of Duke University, was published in January. The book attempts to “demystify” constitutional theory by bringing together Supreme Court opinions and scholarly commentary on the spectrum of constitutional theories. It was widely quoted in a Wall Street Journal article on the nomination of Judge Ruth Bader Ginsburg. The book’s co-author has been cited as a "Professor of the Year" by the American Constitution Society. Commentator. He also contributed recommended language in the Supreme Court's recent ruling that the legal profession involved in the legal system. He also contributed recommendations for reforming the Supreme Court's recent judicial review process, and participated in two programs on Supreme Court Selection process, in Utah and Texas.

Professor Susan Grover’s article, “The Empirical Basis for the State House ‘Johnson Controls’,” was just published by the Washington Law Journal. The article analyzes the dilemma faced by employers after Johnson Controls—whether to violate Title VII or face state tort liability.

Professor Trottier Hardy's forthcoming article about the Internet Computer Network will be published in the Harvard Law & Technology Journal. A recent article in The Washington Post featured his comprehensive network “Linders,” on which he and approximately 80 other lawyers exchange information, and he was also recently quoted in a Daily Press article about computer privacy.

Professor Jim Heller spent time on the lecture circuit this spring, giving presentations in New Orleans, Philadelphia, San Antonio and speaking before the annual meeting of the Southeastern Chapter of the American Association of Librarians. He was recently named chair of the Association of American Law Libraries (AALL) and a member of the Vice Chair/Vice Chair Elect of its Ethics Committee.

Dean Rob Kaplan’s article, “Exercising in Ethics” appeared in the most recent issue of Symposium, discussing a recent conference of the National Association of Legal Placement (NALP) focusing on ethical issues faced by professionals in the legal employment process.

Cutter Professor Paul Lebed’s latest article, “The Bases Loaded and It’s Time to Get a Restraining Order: The Confounding Confluence of America’s Two National Pastimes," was published in the Nova (Human In The Law) Review. On the obvious point of comparison between the two (literature and baseball), he writes ""I consider the most important unpunished crime of today to be mutual contempt."

Professor Fred Lederer has been asked to participate in a panel discussion concerning the Virginia Quarterly Review: An Annual Criminal Law at this year’s meeting of the American Bar Association. Under the direction of Professor Lederer, the Legal Skills of Lederer and Rose, and Kelley, Gibbons & Revels have published Basic Virginia Laws for Non-Lawyers, which was commissioned by the Commonwealth of Virginia three years ago and has been purchased by many schools systems.

Professor John Lee’s latest article, “President Clinton’s Capital Gains Pro­posals,” was published in Tax Notes. He was also quoted extensively in a Tax Notes new story entitled “Does the IRS Need to Clean Up Its Rating on Cleanup Costs.”

Governor Wilder has appointed Professor John L. Lefevre to serve one year on the state advisory council to the National Legal Services Corp.

West Publishing has recently published "Ethics of the Law School " book, co-authored by Professor John Levy and John Modin. It presents a number of "Scenarios that test analysts of various ethical issues.

Trustee’s Professor Linda Malone’s reflection on the Jeffersonian Ideal of an Agrarian Society and the Emergence of the Environment and Environmental Ethic in the 1990 Farm Bill are appeared in the Stanford Environmental Law Journal. The article considers the 1989 and 1990 Farm Bills consistent with Jefferson’s vision of the agrarian democracy and the future of agricultural regulations as they advance environmental objectives.

Haynes Professor and Acting Dean Paul Marcus’ article “Criminal Conspiracy: Law’s Time to Turn Back From an Expanding Prohibition:” was recently published in the Texas Law Review. His review of “Exiled in the Land of the Free: Democracy, Indian Nations, and the U.S. Constitution” was recently published in The New York Times Book Review section.

Professor’s Neal Devins and Michael Gerhardt also attended the conference.

Professor Alemtsegha Selassie’s latest article “Ethnic Identity and Constitutional Rights:” appeared in the Stanford Journal of International Law. It was also selected to be abstracted in International Political Science Review. His earlier article, “Ethnicity: Problems and Prospects for Democracy,” was published as part of the "Window of Change" symposium, by the William and Mary Bill of Rights Journal.

Professor Selassie also delivered a talk at the AALS annual meeting entitled “Self Determination in a Constitution for a Nation Composed of Plural Societies: Ethiopia as Case Study” and spoke at the University of Maryland as part of the “The Politics of Constitution-Making: An Early Assessment of the Current Ethiopian Project,” a program co-sponsored by the Center for Advanced Studies in Social Research and the Center for the Study of International Third World Legal Studies Association.

Professor Margaret Spencer’s latest article, “Protest, Howard University.” The Response to Pretrial Drug Use,” was published in the Connecticut Law Review. The article proposes a solution to this problem based on immunity from prosecution for those who seek treatment. Professor Spencer proposes using the threat of criminal sanctions under existing drug use statutes as a last resort to deal with mothers who do not participate in available treatment programs.
3L PLEDGE DRIVE

Congratulations to the Class of 1993 for conducting an incredibly successful pledge drive with more than 65 percent of the class participating. Total pledges to the Annual Fund over the next three years exceed $15,000. Thank you to the following new alumni who pledged their support:

Jody N. Anderson
Robert G. Barbour
Kelli A. Barren
Jonathan S. Belcher
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Bryan A. Bonner
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Tammie L. Moss
Nicholas A. Murphy
Counselor N. Nita
Grant J. Nelson
Philip K. Nageni
Kimberly L. Phillips
Paul V. Ponsinger
Joseph J. Quigley
Jennifer L. Radensifer
Matthew T. Rea
Gregory K. Richards
Tobin B. Roth
Julius Rothstein
Raoul B. Rowett
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Karen Scott
Sean S. Sell
Scott A. Shiffman
Gregory L. Shelton
Christopher K. Smith
Karen J. Smith
Scea Spiedberg
Anne F. Stuart
William Taylor IV
Brian C. Titus
Thalia P. Vaylismos
Norman Vanaa
John A. Waldrop
Safi N. R. Wells
William R. Wilder
Lucy G. Williams
Laura L. Zedick
1930s - 1960s

The Honorable Joseph Nelson Criddle ’33, retired as a Virginia Circuit Judge in 1975, now makes his home in Jonesville, Virginia.

Francis P. Blanock, Jr. ’39 has retired as Commonwealth’s Attorney for Mathews County after 28 years of service as both prosecutor and county attorney.

John P. Scouzi ’50 was recently appointed Manager of the New Jersey-Shared Procuring Center of Lawyers Title Insurance Company. The Center is responsible for the underwriting and production of all Lawyers Title direct business in New Jersey. The newly created facility is located in Paterson, New Jersey.

Bernard Goldstein ’60, of New York City, is the Assistant Regional Counsel for the North Atlantic Region of the Internal Revenue Service. He supervises large cases, involving $10 million or more, as well as large corporate cases and industry specialty cases in the northeastern part of the country.

Robert S. Bersh ’61 was qualified, without examination, for the Accredited Estate Planner designation from the National Association of Estate Planners. His Roanoke firm, Bersh & Rhodes, P.C., was admitted to Martindale-Hubbell’s Bar Register of Preeminent Attorneys in Estate Planning, Tax and Real Estate Law. He was also recognized as Distinguished Lieutenant Governor by Kwans International.

David K. Suetlan ’68, has joined the Richmond-based law firm of Mars & Valentine as a partner in the firm’s Hampton Roads office located in Norfolk. He was formerly with Breeden, MacMillan and Green and practices health, immigration, corporate, commercial, creditor’s rights and bankruptcy law.

1970s

Dennis C. Henley ’70, of Darien, Connecticut, has been named a managing director of J.P. Morgan & Co. Incorporated, the global and commercial banking firm. Dennis is a senior member of the firm’s legal staff and has worldwide responsibilities for securities regulatory and compliance matters.

Charles F. “Chuck” Medoff ’70 is currently president and sole shareholder of Midkiff and Hiner, P.C. With 10 attorneys and eight legal assistants, the firm represents businesses, accountants and the insurance industry. Chuck and his wife Sue have five children including a new set of twins. The family makes their home in Midlothian, Virginia.

Steve Bickford ’73 and his wife Kirsten are expecting a baby girl this summer. The family resides in San Francisco and between trials, Steve is a Master Scuba Diver Trainer in the Bay Area.

Steve Boardman ’73, of Manassas, Virginia, is looking forward to seeing the Class of ’73 at the 20th Reunion scheduled for this fall. He reports over 30 class members have signed up so far.

Terry Huffman ’73 joined the law firm of Deckor, Carden, Thomas, Weintraub, Courtes and Huffman, as a named partner. He specializes in real estate, business, estate and domestic law. He and his wife, Paula McCoy Huffman live in Norfolk with their daughter Lindsay.

The Honorable Samuel Powell ’73 was named by the Virginia Legislature to fill the newly created 9th Circuit Judgeship. He was formerly a juvenile and domestic relations judge in James City County and served as a substitute judge for the 9th circuit for six years.

Carole “Terri” Frantza ’74 moved her practice to new offices on Mediterranean Avenue, in Virginia Beach. She specializes in criminal law, divorce and personal injury.

Gary F. Rodt ’74 of Malamang, New Jersey has been named Senior Legal Counsel for BMI, the music licensing organization, where he has been since graduation from Marshall-Wythe. He has also moved to a new home on the other side of town and reports it has been a hectic summer.

Nora "Nettie" Bullock Lewis ’75 is the new President of the Union County (South Carolina) Bar Association. She also serves as the Community and Clerk of Sessions for the Mt. Tabor Presbyterian Church; President of the Parent Support Group for Union County Schools, Inc., and a Member of The Board of Directors for the Vinton Civic Club. Nettie has four granddaughters, and is still in private practice and enjoying it very much.

Imogene M. Synon ’75 is still in private practice in Key West, Florida. She recently purchased a 100-year-old building for her law office, which now employs an associate, office manager, and two secretaries.

Charles A. Stampelos ’77 is a shareholder in the law firm of McFarlain, Pope and Jones. P.C. He lives in Tallahassee, Florida.

Jeffrey B. Detwiler ’78, of San Anselmo, California, became a name partner in the new law firm of Springs Rice Detwiler, Dudrick & Stikker. The new firm opened its doors June 1, and specializes in the areas of business, real estate, tax and estate planning law.

James A. Renoo ’78 recently received a promotion to the position of Deputy First Assistant Prosecutor, Litigation Section in the Burlington County (New Jersey) Prosecutor’s Office.

Jim Uptole ’78 was a candidate for the democratic nomination to be Virginia’s Attorney General. Uptole has served as the Commonwealth’s Attorney for Bedford County since 1986, having won reelection four times without opposition.

David B. Gifford ’79, a shareholder in the Philadelphia law firm of Hargney Connolly Epstein Chico Foxman & Exing, was recently elected Vice Chair of the Philadelphia Bar Association Real Property Section for 1995. In the past he has served on the Executive Committee of the Real Property Section, as its Treasurer. His practice is concentrated in the areas of real estate and general business law.

1980s

Jeffrey A. Bluewius ’81 reports that his twin daughters Alyson & Marina are five, and son Jordan is two. He resides in Franklin, Connecticut.

Sandra J. Book ’81 was married in March of 1985, she now lives in Roanoke, Virginia. Sandra practices in Alexandria, Virginia.

Carole Mitchell ’82, of Chevy Chase, Maryland, travelled to Seoul, Brussels, Montreal, Osaka, Beijing and other foreign cities in her practice of international trade litigation. She specializes in a brief writing on laptop computers may soon become part of the curriculum in Legal Skills. Despite the hectic pace, she is enjoying work and life generally and looking forward to seeing more of her office in the coming year.

Jeffrey Nelson ’82 and his wife Eileen and their three children (7 yrs, 4 yrs and 17 months) are enjoying life in North Carolina. Jeff is a partner in the firm of Nixon and Vonderheue, P.C. an Arlington intellectual property firm. He was formerly a patent trial attorney with the U.S. Department of Justice.

Leila J. Noel ’83 was named a partner in the law firm of McFarlain, Pope and Jones, P.C. He lives in Marshall-Wythe.

David E. Fennell ’84 is a new partner in the Seattle office of Preston Throgmorton Shidler Gates & Ellis, where he practices primarily in the area of real estate financing with an emphasis on enforcement of securities interests in real estate and the workout of problem loans.

Channing Hall ’85 has been selected for the first class of Leadership Historic Triangle (LHT) Program sponsored by the Williamsburg Area Chamber of Commerce.

Kathleen M. Edge ’85 and C. Kent Allison ’85 are settling in their home and family in Denver, Colorado. Their two have a three-year-old son, Alex, who Louise calls “overly verbal”, and she is looking forward to attending Homecoming ’90.

David L. Santler ’83 is now with the new firm of Brooks & Santler, P.C., in Arlington, Virginia. He continues to practice in areas of commercial litigation and general business representation.

Mark S. Bader ’86 was married in May to Melissa Bernbeck and bought an antique farm in Maryland. Ted Willot ’86 was a graduate. The new couple will make their home in Glen Allen, Virginia.

S. Dawn Cogdell ’87 has opened her own office for the general practice of law in Knoxville, Tennessee. Her primary area of practice is adoption.

Jeffrey Brooke ’88 continues as an associate at Huff, Poole and Moore, P.C. in Virginia Beach. He and his wife Amy have a baby girl, Hannah, in March of 1990. The family lives in Norfolk.

Jack Dougherty ’88 is a Sware associate with Drinker Biddle & Reath in Philadelphia. He, his wife Ellie and their two children; Jordan and Campbell, live in Protein, Pennsylvania. The couple is expecting a third child this summer.
Marshall-Wythe Alumni Fill Best and Brightest List

The 1995-1994 Edition of The Best Lawyers in America lists the best lawyers in the country, by specialty. The authors compiled the book from a survey, which asked attorneys to name their choices for the best practitioners, by field. Marshall-Wythe alumni in this year's guide include: R. Harvey ChapPELL, Jr. '50, Business Litigation; Stanley G. Barr, Jr. '66, Personal Injury Litigation and Labor and Employment Law; Mark S. Dray '68, Employee Benefits Law; Albert J. Taylor '70, Corporate and Tax Law; Thomas R. Frantz '73, Trusts and Estates; William G. Murray '73, Trusts and Estates; Lawrence D. Diehl '74, Family Law; Edward L. Flippin '74, Public Utility Law; Anita O. Poisson '74, Health Care Law; William D. Breit '78, Personal Injury Litigation; Michael P. Cotter '80, Bankruptcy Law; William A. Old '80, Tax Law; Diane Thompson '81, Trusts and Estates; Anne B. Shumadine '83, Trusts and Estates and Tax Law; Robert L. Musick, Jr. MLT '86, Employee Benefits Law.

Scott Pyce '88 returned from a post in Germany to a new assignment as theSenior Defense Counsel for the Fort Lee Field Office of the U.S. Army Trial Defense Service.

Brian K. Jackson '88 was elected secretary of the Richmond chapter of the Old Dominion Bar Association for the coming year.

Everett G. Allen, III '91 has joined the Richmond-ba sed law firm of Hirschler, Fleischer, Weinberg, Cox & Allen as an associate. He will focus his practice on general corporate law with an emphasis on taxation.

Alan Black '91 of Honolulu was awarded "Young Lawyer of the Year/Military Law Section" by the ABA in August.

M. Maxine Cholmondeley '91 was elected treasurer of the Richmond chapter of the Old Dominion Bar Association for the coming year.

Vanessa W. Griffith '91 and Dennis Francis Kerrigan, Jr. '91 were married in Williamsburg in March of 1993. Vanessa is with the corporate law department of United Technologies in Hartford, Connecticut. Dennis is with the firm of Hebb & Gelino, P.C.

Linda Boggs Payne '91 and Mark Joseph Payne '91 were married in March of 1993, in Richmond. Other Marshall-Wythe alumni in the wedding party included Brenda Williams Holston '90, Carolyn Signorelli '91, and Sean McDonough '91.

Mark is an attorney with Gibson, Dunn & Crutcher in Irvine, California and Linda is in-house counsel to State Farm Insurance Co. The couple made their home in Laguna Beach, California.

Melissa Ashley Robinson '91 and Michael Joseph Link were married April 24 and will reside in Newport News, where she is an attorney at Mason & Mason.

Darlene P. Bradberry '92 became an associate with the law firm of Broecken, MacMillan & Green in Norfolk. She will practice in the firm's litigation section.

William Branscom '92 has joined the Harrisonburg office of the law firm of Chandler, Franklin & O'Bryan.

James H. Franklin '92 has joined a private holding company in Denver, Colorado as its-house counsel.

In Memorium

Russell A. Collins '52 died in Newport News, Virginia on May 23, 1993. Mr. Collins was a longtime Newport News attorney and the former deputy director of the Virginia Boxing and WRESTLING Commission.

He practiced law in Newport News from 1940 until his retirement in 1990, and served as a past director of the William and Mary Law School Association.

He was also a former president of the Newport News Bar Association and former Vice President of the Virginia Trial Lawyers Association.

Survivors include a daughter, Neta Collins Hastings of Richmond, and a son, Russell E. Collins of Chesterfield, Virginia.

Darin Arbaugh '83 died in December of 1992. Darin was a sole practitioner in Farmington, Massachusetts, and will be deeply missed by his family.

John Michael Wourgola '83 died on March 2, 1992. John was in private practice in Hampton Bays, New York. He is survived by his wife, Kim and his two children, Shane and Caitlin.
Oct 21-24  Homecoming 1993 (details p. 3)

Oct 22  Public Service Fund Casino Night, Law School Lobby, 8:00 p.m.

Oct 23  Law School Pre-Game BBQ, Law School Lawn, 11:00 a.m.

Nov 11  Institute of Bill of Rights Law Conference
"The American Criminal Justice System: Approaching the Year 2000"

Dec 1  New York Dean's Reception with Paul Marcus

For events details call the Office of Development and Alumni Affairs at (804)221-3795.