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Computers Banned in Classrooms

By Justin Meyer

As the new 1Ls begin their law school careers, and the 2Ls and 3Ls return for another semester, a few students have found a twist waiting for them: their laptops are not welcome. In the latest step in an ongoing discussion, professors at Marshall-Wythe and around the country are banning laptops from their classrooms with multiple goals in mind – but primarily to increase student attentiveness. Three professors have laid out explicit policies: Professors Marcus and Ward do not allow laptops in their Criminal Law classes and Professor Dwyer prohibits them in both of his classes.

Research suggests that Marcus and others should make the ban universal. In April of last year, David Cole, a professor at Georgetown School of Law, wrote an article for The Washington Post detailing his reasons for banning laptops in his classroom. Cole’s concerns are echoed by many faculty members, both here and at other schools, including undergraduate institutions, law schools and business schools. Articles have appeared in The Chronicle of Higher Education and other newspapers. Last December, Kevin Yamamoto, a professor of Tax Law at South Texas College of Law, published a 43-page, scholarly article in The Journal of Legal Education in which he divulged the concerns and research surrounding his experience banning laptops in his own classrooms.

Most professors list three main categories for their concerns with laptops in the classroom. The first concern is that students are not taking notes on their computers—they are transcribing the lectures. Because people can type faster than they can write, students can conceivably capture almost every word said during a class when they type, but many believe this is not the best way to learn. This concern motivated Professor Marcus’s decision to prohibit laptops in his 1L classroom this year. Professor Ward even went so far as to say that in her experience, even before computers were used in classrooms, the transcriptionists did not come away with the best grades in her class.

Those concerned with this method worry that it detracts from student involvement in the class. Instead of thinking about the question that the professor just posed, students are struggling to get down every word. This is counter to the Socratic method, and prevents the dialogue that most of the faculty attempt to encourage.

Professors also worry that they do not receive the students’ full attention. Instead, Facebook, email, and the latest deals on Amazon beckon. In his article, Professor Cole claimed that 95% of his students admitted to surfing the web at some point during class. Surfing the web not only distracts the student doing the surfing, it is also distracts the surrounding students. Despite the arguments by students that they are able to multitask, most professors are not convinced. Research tends to back them up.

The final concern comes from something against which there is no real argument: Laptops create a physical boundary between the professor and the student. For Professor Marcus, at least, this is unacceptable.

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Dean Butler Welcomes Students

Dear Students,

It is great to have you back, filling our halls, our classrooms, and our library with your vibrant presence. The school is simply not the same without you – without your talents, your intelligence, and your zest for life. You provide a purpose for our common endeavor.

For those of you who are walking our halls for the first time, please know that your presence adds tremendously to this grand old law school. Whether you are new ILs, transfers joining the Class of 2010, LLMs in the Class of 2009, or visitors from other schools, it is wonderful to have each of you with us. You have been chosen from our largest applicant pool ever and are a very elite group.

After almost nine years of construction, we finally have a building that is worthy of its historic roots. From the elegantly renovated lobby to the curving circulation desk and the panoramic views in the library, the building sings beautifully not only of its rich history but also of our present success. I know you will take time to enjoy it – especially that special room with the ping pong and pool tables!

The faculty continues to be an impressive group of teacher-scholars: faculty who pursue their scholarship not only to advance their own ideas but also to enrich your classroom experiences. This year Tim Zwick has joined us full-time. Raised in Kentucky and a graduate of Georgetown Law School, Professor Zwick spent six years at St. Johns Law School in New York before coming here. An expert on free speech, he has a book on Speech Out of Doors: Preserving First Amendment Liberties in Public Places coming out soon from Cambridge University Press.

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He likes to be able to look into the students’ eyes, and see that they understand concepts. Such a connection is harder to make when the students are staring at computer screens with only the tops of their heads visible.

Professor Hardy takes a different approach. Instead of an outright ban, he is allowing computers some weeks and banning them others. Hardy says: “I want to know if students perceive a difference in their own learning, between using and not using a laptop.” He expects that note-taking on a laptop is different, and in most cases inferior, when compared to pen and paper. In agreement, Professor Ward, who also teaches classes on white-collar crime, believes that difficult concepts benefit from drawing diagrams—a task which is not nearly as easy to accomplish on the computer. Likewise, Professor Marcus relates a story in which, when trying to explain a concept by drawing a circle on the board, he had to wait for his students to figure out how to replicate the circle on their computer screens.

Some people also claim that students learn better by hand-writing notes, because it enters the memory when written. Typing, they claim, is too automatic. Professor Marcus offered another reason for banning computers—this one coming from alumni. Students who are becoming too reliant on computers cannot take notes when they are not allowed to use those laptops, such as when they go to meetings with clients and other attorneys. Law school is about teaching students how to function as attorneys, and taking notes the old fashioned way, it can be argued, is a necessary legal skill.

Law students are adults, and one of the biggest arguments against banning laptops is the fear that professors will appear too paternal. Some students resist the idea of being told what they can and cannot do; in fact Professor Dwyer, in his note to students on his laptop ban, admits that it may in fact be paternal. many classes you may miss.” Some professors choose not to ban laptops for this very reason. There are other professors who allow laptops and think of them as a challenge to be more entertaining and engaging—if they cannot best a laptop then the problem is not with the students, but with the professors themselves.

There are, of course, risks to banning laptops. When a professor at the Cecil C. Humphrey’s School of Law at the University of Memphis banned laptops in her Civil Procedure class, students protested. The situation went so far as to have students file a formal complaint with the ABA alleging that the ban violated accreditation standard 704, which requires that schools have technological abilities for both current and future programs. Some professors have found compromises and solutions. All three professors who have a total ban on laptops at Marshall-Wythe allow one or two volunteer students each week to act as scribes. They take notes on their laptops and those notes are sent to the entire class. The students acting as scribes are not called upon to answer questions and receive full participation credit. Other professors allow computers, but in order to minimize distraction to other students, segregate the laptop users to the back of the classroom. Faculty at other institutions have turned off the internet, but it appears to be technically impossible here. The University Of Chicago School Of Law turned off wireless internet access in all of its classrooms, and other law schools have added technology that allows faculty members to turn the internet off in their classrooms. One faculty member at a Texas law school is reported to have gone so far as to have taken a ladder in order to unplugging the repeater in his classroom.

Everyone involved here agrees that this is just an experiment—next semester we may see laptops back in all three of these classrooms. But the dialogue has been ongoing among the faculty for some time and this is the first invitation for students to share their opinions.

SBA IL Rep Elections Span Two Days

Early on Wednesday, September 10, there were 12 candidates from the IL class running for three representative positions. At the end of the day, there was a tie and a great deal of confusion about how to handle a very interesting runoff. After discussing the issue, the SBA President, Vice President, and Secretary together with the Honor Council decided to continue the election to the following day, only allowing those students who had not already voted to cast their ballots.

Both the SBA and Honor Council were involved in the discussion because while the Honor Council administers elections, the SBA must create or approve the rules of election. In the past the SBA and Honor Council have been very separate, but in their opinion this situation proved to be an excellent example of the benefit of maintaining a dialogue between the groups. According to Zach DeMola (2L), “This was an unprecedented event — but we came together and handled it well.”

The SBA and Honor Council decided that imposing a retroactive rule would be unfair to all candidates since they expected a specific set of guidelines and did not have sufficient notice for a retroactive rule. The SBA and Honor Council considered their decision to be a beneficial compromise to all parties as the IL class would have more of its members represented.

The SBA and Honor Council intend to draft new policies and rules before the next election in February. There is already a committee to redraft the Constitution in place, and election dynamics is now at the top on their list.
Welcome From the Honor Council

Hello members of the Marshall-Wythe Community. As I’m sure some of you have already noticed, we, the Honor Council, have decided to take a more active role in our efforts to promote the Honor Code and the spirit in which it was originally drafted. In doing so, we have created a new system of education by providing a mandatory class for all of our new students as an introduction to the Code. Additionally, we have completely renovated the Marshall-Wythe SBA election process by drafting concise rules and procedures in an attempt to minimize some of the issues we have faced as a community in the recent past. Finally, as we continue our professional, ethical, and moral development, this year we will reach out to the outside community by meeting with students in local schools to discuss why ethics are important in our own lives and how strong moral and ethical values relate to our futures within the legal profession. Again, we are continuing our efforts in becoming a more active Honor Council than Marshall-Wythe has seen in recent years. I hope that everyone is excited by the new concept and looking forward to a productive year. As always, please know that we are always here as a resource for whatever honor related questions you may have. Our first duty as stewards of the Code is to ensure that the standards of the Code are upheld and that our community of trust is maintained. With your continued support we can all make certain that this is achieved. Thanks for your time and welcome back, Bishop Garrison, Honor Council Chief Justice

Welcome From the SBA

Greetings! The Student Bar Association and Honor Council are geared up for another exciting year filled with numerous events and activities. First and foremost, your SBA representatives want you to know that we are here for you. In an effort to be more accessible, each representative will be in the SBA office for at least two hours every week. Our office hours are posted by the office door—please stop by to see us with questions, suggestions, concerns, or just to say hello!

I would like to take a minute to preview what the SBA has in store for this year. In addition to planning our much-loved regularly scheduled events (i.e. bar crawl and Fall From Grace), we have been working on several projects geared toward improving student life at the law school. SBA launched a mentoring program for our incoming students to introduce them to life at Marshall-Wythe. Remarkably, we had over 100 upperclassmen volunteer to serve as mentors, and we are thrilled with the success of the program thus far.

Additionally, SBA is in the process of rewriting its outdated constitution and bylaws—a process which will eventually ask for your ratification. Before that time, we will solicit suggestions and hold open meetings in an effort to generate the finest and most workable document we can.

Lastly, we are working with the administration to ensure that our curriculum lives up to its potential. This semester, we plan to conduct two surveys, one specifically addressing the Legal Skills program, in order to give our deans comprehensive feedback. Be on the lookout for those these surveys, because your feedback will help us to make a positive impact at the law school.

These are a few of the major objectives your SBA representatives have been working diligently to accomplish. Luckily for you, this is only a preview of what is to come. Throughout the year look for updates in the Marshall-Wythe Press from SBA Secretary, Zachariah DeMeola, who will expand on other projects, events, and issues facing the SBA and our student body.

Looking forward to a truly amazing year,
Jenny Case, SBA President

Controversies: Governor Palin’s decision to dismiss Alaska Public Safety Commissioner Walter Monegan is currently being reviewed by an independent investigator hired by the Alaska Legislature. Mr. Monegan has alleged that his dismissal was motivated by retaliation and that contacts made by Governor Palin, her staff, and her family constituted inappropriate pressure to fire Alaska State Trooper Mike Wooten. The independent investigation is scheduled to be completed in October 2008. Palin’s choice to replace Mr. Monegan, Charles M. Kopp, chief of the Kenai police department, was named to the position on July 11, 2008. He resigned on July 25, after it was revealed that he had received a letter of reprimand for sexual harassment in his previous position.

Hobbies: hunting, fishing, flute player, National Rifle Association member, Feminists For Life, marathon runner

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It’s True! Contact Marshall.Wythe.Press@gmail.com for details.
“Wassup” With Bud?

by Matthew Meyer

Beginning on June 11, InBev, the Belgian-Brazilian beer conglomerate and maker of Beck’s, Bass, and Stella Artois, threatened to attempt a hostile takeover of Anheuser-Busch. In response, Anheuser asked its shareholders to reject InBev’s offers, filed a lawsuit alleging it made false statements regarding its ability to finance a deal, and put lobbyists into action in Washington. On July 13, however, Anheuser accepted a $52 billion buy-out offer from the company. Anheuser’s puffy, stalling, and flag waving had been no match for three realities.

The first reality was a shift in consumer demand. According to Anheuser’s 2006 Annual Report, two-thirds of the company’s volume came from domestic sales of roughly 100 million barrels. This volume was slipping, however, as demand shifted away from beer to wine and spirits. In addition, demand within the domestic beer market was shifting from mid-market beers, like Anheuser’s mainstream Budweiser and Bud Light, to micro-brewed beer and high-price imports. And unlike many other large U.S. corporations, Anheuser had made no significant efforts to develop these (or any other) mid-market brands in areas where demand for them was increasing: China, India, Eastern Europe, and South America. In fact, Anheuser’s largest export market was Mexico, where it had a 50% stake in Grupo Modelo, the maker of Corona.

The second reality was the worldwide consolidation of the beer industry. This made for larger, more formidable competitors. In 2002, South African Breweries merged with Miller to become SABMiller. Then in 2005, Coors and Molson merged. In June, SABMiller and Molson Coors obtained regulatory approval to merge into MillerCoors.

The third reality was a series of marketing strategy blunders. It was one thing to fail to respond to the market’s demand for higher quality beer, international development, and competitors’ machinations, but it was another to shoot itself in the foot as it tried. The February 2005 launch of Budweiser Select was one such shot, and is representative of mistakes Anheuser made with Bud Ice, Bud Dry, and other “also-rans” Select is a line extension: a new product labeled, in part, with an established brand name. The logic of line extensions, in contemporary jargon, is to “leverage” the existing brand’s “equity” to give the new product credibility. However, Jack Trout and Al Ries, the authors of the marketing classic-positioning: The Battle for Your Mind, warn of the dangers of this strategy: customer confusion and sales cannibalization. Confusion results as customers ask questions like, “What is ‘Select’ about Budweiser?” and “If it is a premium beer, why does it say ‘Bud’ on the label?” Cannibalization results as Budweiser and Bud Light drinkers switch to Select, leaving Anheuser to pay for an additional product line without any net gain in market share.

Although Select had supporters, both dangers were evident to the crowd at the SBA’s September 4, Bar Review at the Corner Pocket. Before the initial product launch, Alper Ozinal (3L) had been able to get Select through a friend who was going to work for Anheuser. Before trying it, he was “expecting a little higher quality.” “I was thinking it was gonna taste a little bit better than the average Bud,” he said. Overall, however, his position was neutral: “I am a social drinker … I can’t notice a difference.”

Dana Hall (3L) was also neutral, though he had finished two Selects earlier in the evening. As to the InBev takeover, “I don’t think it’s a good thing that InBev’s taking over Bud,” he said, “Belgians make … a better beer than Budweiser.” He noted, “I’m glad that I didn’t go to Washington University in St. Louis.”

Others had a more negative view. “I’m from Oregon where microbrews are a big deal,” said Megan Brazo (1L), “I try to avoid drinking Bud as much as possible because it’s not good beer.” Jenny Case (3L), the SBA President, said “When I go to the store, if I don’t buy a nice beer, I buy Select,” adding with a smile, “That’s what I do.”

Mike Munson (1L) was emphatic. Though “bombarded” with TV ads, he remained unpersuaded, saying it was “garbage.” “It’s like Diet Coke—you know, if you’re gonna have a soda, drink a soda.” He added that he “hate[s] any product that’s a watered-down version of the real thing.”

So was Armin Zijerdi (2L). He asked, “Who drinks Bud Select?” and “Don’t even make Bud Select? That’s how obscure that is.” His recommendation was that “Budweiser should stick to medium-grade, medium-priced beer … they don’t have the micro brewing capabilities. Budweiser is a big corporation, and God bless them, they do that well. But [with Select] they’re going into territory where they don’t belong.” “I respect them for what they are … everyday, casual drinking,” he said, but “I stick with Magic Hat, Sierra Nevada, St. George’s, [and] Blue Moon.”

In the same vein, when asked if she had ever tasted it, Carolina De La Guardia (LLM) replied, “I don’t know, what’s that?”

“Nearby, Karla Baker (1L) said she knew of ŒOdifferent, more interesting beers,” and explained that “Bud Select is usually more expensive than its counter parts—Bud Light, Miller Lite, [and] big-name domestics.” But “I like it,” she said, “if somebody offers it to me, I enjoy it—it’s just not what I would usually order.”

A few people were fans. When he’s “got a choice between Bud Select and Bud Light, I’d choose Bud Light,” said Josh Hatchell (1L). If it is “a choice between Bud Select and anything else, I’d go with Bud Select.”

And Todd Torres (1L) said, “I think it’s good. It’s got a crisp taste and it’s not as heavy as regular Budweiser, but it’s heavier than Bud Light.”

To avoid this confusion, Anheuser should have followed the “new product, new name” rule, just like Honda did in creating Acura. In the end, it must be noted that InBev loaned approximately $45 billion—a whopping 87%—of the purchase price. With such a heavy debt service, and the dangers of several line-extension brands to evaluate, the future of both Select and its new parent are uncertain. But one thing is sure—management has no room for error.
William & Mary Thwarts State Law and Second Amendment Rights

By Robert Bauer

For a long time I thought that the world, or at least America, was a safe place. It is not. There are cowards out there who will take advantage of the trust, goodness, or weakness of others to get what they want, and they will use whatever they can to gain an advantage over their victims. This can be dramatic, as with the shootings at Virginia Tech and Appalachian School of Law, or—like so many muggings, robberies, and rapes—never get any public attention.

What these situations have in common is that the victims were not as strong as the scumbags who preyed on them. Maybe the person was a 100-lb woman canned by a 200-lb man, a guy on a run to the ABC store to stock up for the night’s festivities mugged at knife-point, or one of the grad students shot one by one as they sat trapped in their university classrooms in Blacksburg. I believe that in each of these cases, allowing the person to have a concealed handgun would have protected the victim and saved lives.

The Colt Single Action Army, which you have seen in every single Western movie ever made, is more famously known as the “Peacemaker.” It earned that name because it kept the peace when settlers moved out to the West: this gun was easy to use, inexpensive, and powerful, and it meant that even a poor farmer could defend himself against someone much stronger than he. This also meant that, unless he wanted to risk getting himself shot, a would-be criminal had to act like a civilized person, or at least find a way that did not rely on the weakness of his victim. Guns do the same thing today: they allow a person to effectively defend himself. What I want is for this right, guaranteed by the Second Amendment, to be recognized by the College of William & Mary.

There are some important objections to this, though. Continuing the Wild West theme, would allowing students to tote six-shooters turn every little dispute into a re-enactment of the O.K. Corral? Realistically, what are the chances of a gun ever being needed for self-defense here in the William & Mary School of Law in idyllic Williamsburg? Even more, isn’t this why we have the police?

I am not advocating letting every student walk from class to class with a shotgun. What I am proposing is that the College should simply harmonize the Code of Conduct with the existing law: if you possess a Virginia Concealed Handgun Permit (CHP), and if the police find you walking around with a concealed weapon on campus then they would have no legal authority to do anything about it. If discovered by the William & Mary administration, however, then you could be subject to “academic discipline,” including expulsion. Cities have no right to pre-empt Virginia law on this; I fail to see why universities should either.

Getting a CHP is not the easiest thing in the world. Along with the requirement of being over 21 years old, I had to complete safety training and a shooting accuracy test, followed by passing an extensive background check to ensure I did not have a criminal record or mental health issues. I am told that the test to obtain a CHP is actually tougher than the test to become a police officer. Restricting the right to carry a concealed weapon on campus to those over 21, who have an impeccable criminal and psychological history, who demonstrate skill with a handgun, and who have undergone safety training, would be a responsible plan. This would be more than is required for allowing students to drive on campus, and cars are far more dangerous than guns.

Really, though, what are the odds of someone needing a gun at the law school of a state university in Virginia? Within the past decade, we have seen the 2002 shootings at Appalachian School of Law and the 2007 shootings at Virginia Tech. One difference between the two was that a student at Appalachian was able to grab a gun from his truck and force the killer to stop, while you know what happened at Virginia Tech: the murderer committed suicide when the police showed signs of entering and being able to stop him. The result was similar at Columbine High School, at New Life Church in Colorado Springs, and at Northern Illinois University: once confronted by the police or a person with a defensive handgun, the shooters killed themselves.

Threats do not have to be as spectacular as rampage shootings, however. Sadly, rapes on and around college campuses occur every year. According to the National Crime Victim Survey, a woman who lives on campus is 27 times more likely to be attacked at gunpoint. A gun reduces the probability of the rape being completed from 31% to 0.1% and of being otherwise injured from 40% to 0.0%. This is simply astonishing, and the fact that women are drastically less likely to be successfully victimized by rape and other violent crimes is borne out by several other studies. Now Williamsburg is a nice place and we joke about how dull things can be, but bad things happen. I am sure we have a fine police force, but they cannot be everywhere. When is the last time you saw a police officer at the law school?

I do not mean to imply that we live in a world where bad guys will need to be gunned down by Dirty Harry 1Ls on a daily basis. Hopefully, concealed handguns will never need to be used. The Commonwealth of Virginia recognizes that bad things do happen and that the right of citizens to protect themselves should not be pre-empted by well-intentioned cities. Are law students such children that we cannot be trusted with the same rights on campus as we enjoy as soon as we step off the college grounds?

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in favor of an atmosphere of collegiality and unity.

Even so, both faculty and 1L’s are keenly aware of the need to manage the stressors as they build over the course of the year. Professor Susan Grover is known around the law school as a prominent figure in promoting student mental health and well-being around the school. A member of the Board of Directors of the Virginia Lawyers Helping Lawyers, she began to expand the activities of the organization to students at William & Mary in 2003.

Professor Grover notes that often in their pursuit of grades, students quickly lose themselves to the damaging pursuit of superiority. “Legal structures, including educational structures, are especially characterized by hierarchy. ‘Will you be in the top ten percent? Is your roommate doing better than you? Do people in class think your comments lack merit?’” Grover said.

In response, Grover suggested an atmosphere of mutual respect. “It is actually healthy to try to develop an attitude of being one among equals, rather than top dog. In fact, studies have shown that 90% of attorneys were not in the top 10% of their law school classes,” she wryly noted.

Professor Grover suggested that being with and around peers can help reassure even the most stressed students that they are not alone in their stress. “…[If one student comes out and says, “the stress is interfering with my concentration,” then suddenly everyone is empowered to talk about how they are responding to the stress. Such conversations go a long way to helping reduce the stress.]”

Professors Lederer and Grover, along with many students, emphasized that 1L’s need to keep perspective and allow themselves time for a break. “Not to be trite, but it is important to remember to have a life,” Lederer said. “Getting out of the law school, seeing the sky, going to a movie, having social relationships with other human beings are really important to avoid stress, or at least to minimize it.”

To find out more about the Virginia Lawyers Helping Lawyers at William & Mary, please contact Prof. Susan Grover.

Guides for stress management and sound mental health in law school can be found at:
http://www.abonet.org/edl/mentalhealth/toolkit.pdf
and
http://vmpeople.wm.edu/site/page/sagrov/lawstudentwellbeing
International Perspectives

Panama

By Carolina De La Guardia

Thirty one years ago, on September 7, 1977, the Torrijos-Carter treaties were signed between General Omar Torrijos (commander of the Panama National Guard and father of Panama's current President Martin Torrijos) and former U.S. President Jimmy Carter. The purposes of the treaty was two-fold, including the reversion of land and goods to Panamanian jurisdiction and the neutrality of the canal.

The treaty was of great importance for Panama, but was not easy to accomplish. It all started with the efforts of General Torrijos to give the Panamanian people what they deserved by trying to establish a just and equal treaty between Panama and the United States.

General Torrijos's efforts began in 1973 when the United Nations Security Counsel gathered in Panama to vote on a resolution for a more equal and just treaty that would be part of the Non-Aligned Movement, an international organization of states that consider themselves not formally aligned with or against any major power bloc. The purposes of this organization were to ensure the nation's independence, sovereignty, and security of the non-aligned countries in their struggle against imperialism and all forms of foreign aggressions as well as against great powers and bloc politics. Panama joined the Non-Aligned Movement in order to seek support from other Latin American countries. Panama achieved this at the Non-Aligned Movement summit in Sri Lanka in 1976 when the organization passed a resolution in favor of Panama. For the first time in many years, Panama escaped from the United States's orbit.

On October 23, 1977, General Torrijos decided to submit the ratifying of the new treaty to popular election in which a meaningful majority of votes approved the ratification of the treaty. Meanwhile, in the United States, things were not going well. Congress would not ratify the treaty without adding amendments that would completely change the objective of the original document. After further negotiations, both parties agreed to add one final amendment so that Congress would ratify the treaty; known as the De Concini amendment, it established that if the Canal closed, or if its operations were hampered in any way, each party could take the necessary measurements, including military force, to normalize the operations of the inter-oceanic waterway. The Panamanian government accepted the amendment, but it was not well taken by its people, because it meant that the U.S. still had the right to interfere in Panamanian territory whenever they felt it was necessary.

After long and complicated negotiations between Panamanians and US representatives, on September 7, 1977, in the headquarters of the OAS in Washington D.C., a treaty concerning the operations and permanent neutrality of the Panama Canal was signed. This treaty became better known as the Torrijos-Carter treaty. This treaty is of great importance to Panama, because it represents the first time Panama was able to have an equal and just treaty with the United States. There are four main aspects in the treaty that make it so important: The first aspect concerns sovereignty over the canal zone. The treaty recognized Panamanian sovereignty over the canal zone, meaning that Panama gets to participate in the administration and protection of the Canal and, as a consequence of this, the canal zone is now under Panamanian jurisdiction, whereas it used to be completely under the United States' jurisdiction. A second important point of the treaty involved the Canal administration. This had formerly been under the administration of a United States governmental agency called The Panama Canal Commission whose integrated board of directors was comprised of nine members (five US citizens and four Panamanians), all appointed by the United States. Starting December 31, 1989, the administrator of the canal was a U.S. citizen and a Panamanian was the Deputy Administrator until January 1, 1990, when the situation was reversed. A third positive aspect was the Canal defense and security. Concerning this matter, both countries agreed to protect and defend the canal and hence a board of high-ranked military officers from both countries was created. It was obvious, however, that during this treaty the defense of the canal was the responsibility of the United States.

Last but not least, a fourth positive aspect is the economic benefit: The U.S. had to give Panama 60% of the land and the infrastructure of the Canal Zone, including the Panama railroad and the Balboa and Gulf ports. Additional economic benefits include that Panama received $10 million from the Canal Commission for the public services they offered on the lands that were returned to Panama. Panama also received a proportional amount of the tolls paid by the ships. In addition to the new responsibilities, Panama also took measures for the conservation of the environment of the Canal basin.

I cannot finish this article without saying that everything did not turn out as well as it sounds. The treaty was violated many times by the United States government, especially with the so called “96-70 Law,” which was implemented and decided unilaterally by the government of the United States. Through this law the United States interpreted the treaty to its convenience by deciding that they would establish the canal tolls leaving Panama out of their right to decide this. Some Panamanians think there is a dark side to this treaty, because all that Panama achieved with the Torrijos-Carter treaty was diminished by the neutrality treaty in which they think that the United States Senate introduced all the amendments and conditions they wanted.

Finally, the main point of this treaty and the moment most expected and celebrated by Panamanians was on December 31, 1999, when the Panama Canal was given back forever to its rightful owners, the Panamanian people.
Cambodia

By Garrett Guillory

It was dark. Nothing was visible but shades of black. Sitting on the cold stone, the damp grass scratching my ankles, I absentlly slapped at the mosquitoes. Wrapped in the coolness of the black morning, I waited, supinely anticipating the coming moments.

And I was not alone. People stood by searching for a place to wait. From different countries, whispering in different languages, we joined together. Minutes seemed like hours and hours passed by as if seconds. Finally, the black night turned into gray, then to blue, and the morning dawned. Silhouetted against the rising sun, surrounded in mist, Angkor Watt appeared from the retreating night.

Four months after awaking to Angkor Watt, I was searching for summer employment and completing Client B. With case briefing, outlining, finals, and Legal Skills, I was looking for my own Beatrician moment. I am sure I saw Lucifer around the first week of March. Dante was wrong: Lucifer had Posner clenched within his claws while he lazily chewed on Cardozo, the last level of Hell actually being reserved for judges and law professors. Ironically, it was not Beatrice, but the law profession itself which rescued me from the miry clay of law school.

This summer I studied in Seoul, South Korea for one month and worked for a law firm in Phnom Penh, Cambodia for five weeks. The human experience was wonderfully amazing. Seeing old friends in Seoul; visiting the Korean Constitutional Court; walking the temple ruins in Siem Reap; taking a boat along the Mekong River; and spending the weekend at a beach during a firm retreat—these made the 1L year worthwhile.

There was more, however, to the summer than my existence as a sightseeing lemming. As a legal intern in Cambodia I witnessed the awful reality of government corruption. The impoverished citizens toiled for only the basic necessities, while the corrupt officials robbed from the country’s coffers and wrangled bribes from every possible angle. In such an environment, I was amazed to learn that a firm specializing in business law was able to help fight against the effects of corruption. With a focus on reputation and ethics, the firm worked around the mazes of bureaucratic corruption to develop business and increase foreign direct investments. Such activities are increasing employment and allowing more money to be placed into the needful hands of the people.

In all aspects, this summer, including my travelling companion, exceeded my expectations. My very own Modestine (in no way do I put the two in the same category) was none other than Abby Murchison (2L). We toured palaces, scurried about Vietnam battlegrounds, and enjoyed the local cuisine; but even more than this, we learned of a people and a culture that is recovering from a devastating war and is struggling against tremendous odds to achieve a more prosperous and hopeful future. In a way you could say that Cambodia was my Chattahoochee where I learned a lot about life and a little about, well, you know.

Learning of the broad possibilities available to a legal career brought a sense of hope and expectation that I had not anticipated. This summer has emboldened me to pursue a more unique legal career. Watching the sun rise behind Angkor Watt was extraordinary; but realizing the opportunity was available because of my legal work—that was fantastic. In the end, I hope to say that I, I chose the road less travelled by.

Spain

By Zach Demelola and Armin Zijerdi

Upon (hesitantly) returning from Madrid, we encountered the classic question, "so...how was it?" Madrid is an experience. Madrid is where a hard working American can learn the art of dropping everything mid-day for an unapologetic nap. Madrid is soft sunsets on the balcony, listening to a law student strum guitar and chatting with other students from all over the country, passing just to dip your hand into an icy Syrofoam sphere (“Beer Sphere”) for another tasty beverage. Madrid is an epic struggle between one’s tendency to vacation and one’s tendency to be a law student. Some were more studious, others were at a different bar or club every night, but what we all shared was the experience.

Our living situation was a Jesuit dorm, located on the quiet fringes of the city, led by a dictator in training known enigmatically as “The Padre.” On the other hand, our administrator, Professor Hulse, was the tactful intermediary between us and the “Establishment.” The official rule was that there should be no alcohol in the rooms and no mixing of the sexes in our hallways. Naturally, being the good libertines Americans that we are, we broke both rules excessively. By the end of the program, we were openly drinking and fraternizing in broad daylight on the balcony. This was also the prime location for rubbing elbows with non-William & Mary students. In fact, there wasn’t much of a distinction by the second week—we were all together in Spain—and we’re still planning trips together here in the States. Other than that, the rooms were cleaned immaculately twice a week, and the pool/tennis courts did wonders to make us feel like we were in a country club.

The purpose of the program, academics, was as worthwhile as anything else in Madrid. Put simply, our professors were brilliant, but they were also wonderful people with their own idiosyncrasies. Guillen, the comparative corporations class was apparently a replay of the lecture scene from Indiana Jones and The Lost Ark: women dreamily gazing up at him all afternoon as he lectured. Maria Contrera-Lopez introduced us to EU law but also to the best restaurants in town (ironically, all Mexican). Also, Professor Warren was with us to teach what was to be one of the most popular classes in Madrid, Post Conflict Justice. A word of caution, however—it is certainly possible to improve your grades in Spain, but not a foregone conclusion. This year, many people studied harder than in years past, and so all As were more difficult to achieve without sacrificing at least a bit of the rest of the experience.

By the end of our trip, we joked that the best part of Spain is Portugal, hinting that it was the weekend travel that made our trip exciting. People mostly traveled within Spain, but we had a few daredevils venture deep within Europe and North Africa. About a dozen students from the program “pulled a Hemingway” and went to Pamplona for the Running of The Bulls. Nobody got maimed or disfigured, but Meezan Quaymi (2L) did manage to get a little love from a bull in the main corridor, sending him flipping through the air like a circus ring. When we all shuffled onto our planes headed back for the States, we realized Spain was one of the greatest times of our lives. Regardless of how we spent our time there, this sentiment was universal among all the program’s participants. In Spain, our horizons grew in all directions: new food, culture, language, friends, music, theories, professors, and of course, the birth of the “Beer Sphere.”

Left: Meezan Quaymi is nearly gored by bull.
Dear Edith:

The other night in my legal skills firm meeting, my friend g-chatted me from across the room and told me to look at another one of our classmates, who was making a weird face. I could hardly keep myself from bursting out laughing--in the middle of class! I know I shouldn’t admit to chatting online regularly during class, but I figure everyone is pretty much guilty. Spare me any lecturing to dissuade me. But I am wondering if you have any advice on how not to react (facially or otherwise) to messages when I should be paying attention to the professor...please help!

Signed,
In-Class Emoticon

Dear In-Class Emoticon:

As to the “everyone is pretty much guilty” bit, that depends upon whether you’re a Catholic or a Protestant...but perhaps some other time. And I would never try to dissuade you, In-Class Emoticon (aside, perhaps, from ever using that pseudonym again. For the sake of the Readership and your darling Edith, simply do not).

The root of your problem lies in your inability to maintain that certain Iidon’t know what that has been long-since perfected by the citizens of the Greatest Nation in the World. The only sure-fire way to consistently avoid laughing, smiling, or reacting to any sort of emotional stimulus whatsoever is to swiftly become a British national. It is a well-known fact that the British not only are able to skate through life with no emotional connections, but also have smiles that could pass for grimmaces. Should one of your classmates type something witty and dry enough to warrant a laugh from your detached soul, you could easily maintain the façade of academic indulgence by exclaiming “Counterpoint, Sir!” Yes, fair Readership, expatriate to the greatest Mother Country of all, quickly learn to speak the Queen’s English correctly, and begin a worry-free existence as a classmate Chatter.

Hasta la fuego,
Edith

It Is So Ordered

By Kate Kruk
Food Critic

How do you stuff a quail? It is a miniscule bird with thousands of tiny bones that make its delectable flesh almost impossible to eat. One must abandon all sense of propriety in the fine restaurants brave enough to serve quail and eat it like a Lilliputian chicken wing. Keeping in mind that quail is difficult to prepare when simply broiled, I begged my mind that a chef could stuff a quail. So, Saturday night at The Fat Canary in Williamsburg, I ordered the quail, fully expecting a tiny portion of overcooked, inacessible fowl with a side of stuffing. I was pleasantly surprised - quite shocked - when I was served the two largest quails I have ever seen and they were, in fact, stuffed. Regrettably, the chef’s tremendous technical skills were undercut by his apparent inability to edit his palette of flavors. The quail, which tastes like a mild, savory version of duck, was paired with a strong, sweet stuffing of cornbread and andouille sausage and crawfish, which was lovely, but extremely spicy. The quail was a technical masterpiece, plated with utter skill and grace, yet the strong flavors in the dish overshadowed the delicate taste and texture of the poor little birds.

For an appetizer I ordered cornmeal oysters with charred heirloom tomatoes and curried butter. The appetizer was the highlight of my meal.

The oysters were perfectly cooked and unbelievably fresh. The interplay between the softness of fresh oyster and the crunch of cornmeal breading was extraordinary. The oysters were not overly fried like Olive Garden calamari, in fact no oil was detectable at all. The curried butter was slightly spicy, yet sweet and nutty and thus perfectly complimented the sweet-salty flavor of the oysters.

My salad was lacking. I ordered a greens salad with sweet onion and cave-aged grilled cheese. The grilled cheese had no relation to the salad itself, though very tasty, distracted from the delicate and typically mild romano which should have been the highlight of the salad. Shout-out though: the cherry tomatoes in my salad were skinned. Skinned, you say? Skinned, so as to avoid the embarrassing faux pas of biting into a cherry tomato and having it drip into your doiletyage.

My dessert, a macadamia pie with roasted pineapple and vanilla bean ice cream brought to mind Christmas celebrations. It was, however, nothing compared to one of my cohort’s desserts - Calvados ice cream. The ice cream was smooth and one could easily get a buzz off it. The flavor of Calvados came through while still allowing for the creamy-sweetness of ice cream. I asked my waitress how the chef was able to thicken the ice cream, and I am pretty sure she lied to me when she said he didn’t use any thickeners; but either way, the Calvados ice cream is not to be missed.

The wait staff was highly attentive and made up for the low budget. Desperate Housewives knocked off two tables over, a group whose social proclivities and vampy K-Matt attire were better suited for a sloppy night at the Ho House than an upscale weekend dinner date. Our waiters clearly thought at first blush that we were undergrads and not experienced gourmands, taking notes on her every move. When Lindsey Craven (2L) ordered the Pork Tenderloin for dinner, our waiters thought it necessary to explain to Lindsey that the extra knife she was bringing her was sharper (you know for the pork). When she noticed I was furiously scribbling notes and insisting on tasting all of the dishes of my companions she realized something was up and asked me if I was a chef myself. "No, just an enthusiast," I replied and she promptly came back with a photo copy of the menu so that I could take more notes. Her efforts did not go unnoticed (neither did the crackling from the couger convention) and her ability to be attentive and helpful while not interrupting conversation was first rate.

I had four courses, two glasses of wine and tea. Including tip and tax I spent about $95, so reserve The Fat Canary for parents’ weekend (when you are not paying) or for seriously wooring that girl you brought home from Paul’s the other night. All in all, it was a lovely evening which I plan to repeat, but I will not be holding my breath for a Michelin star.

Do you have a question for Edith?
Do you disagree with any of our columnists?
Would you like to submit a review, column or news article?
If you have something to say, we would love to hear it! Please send all questions, letters, and submissions to Marshall.Wythe.Press@gmail.com.
(Un)Wanted Posters: Law School Closes Doors to Student Flyers

Have you noticed anything missing lately at the law school? Well, we have. In recent days, due to a new policy change, the law school administration has prohibited any and all signs, posters, or flyers from being posted on the front doors of the law school. Have you missed receiving that reminder as you walk to Criminal Law at 10 a.m. that pizza will be available at the PSF meeting that day, or that the Children’s Advocacy Law Society is planning a new service project? Let us attempt to inform you why these friendly and important reminders to students and faculty are no longer permitted under school policy.

The scene is the mandatory Student Organizations meeting on September 4, 2008. The audience in attendance includes the leaders and business managers of every recognized student group at Marshall-Wythe. All the big players who required the meeting take the stage, in turn, including the law school deans, administrators, as well as administrative heads from the undergraduate campus. The meeting’s goal, from the perspective of one attendee, is to make student leaders aware of the variety of resources available to facilitate another a successful year for their organizations. The theme and direction of the meeting suggests: “We are here to help you. Look at all of things we can accomplish together. There is so much possibility (when you fill out the right paperwork and meet the deadlines).” And so, it is a surprise when Dean Jackson adds to her presentation what sounds like nothing more than an ultimatum. She raised the issue of the law school poster policy.

Note that last spring, after the Dean removed posters advertising the College sponsored and hosted Sex Worker’s Art Show, a student researched the poster policy, assuming the signs must have violated it; for what Dean of a public law school would remove signs based on their content, no matter how controversial? After a great deal of effort, the policy was finally located in The Docket (the law school’s newsletter), and the student concluded the Sex Worker’s Art Show posters had not presented a violation, as the posters were posted on the day of the event. Dean Jackson, however, suggested implicit in the policy was the requirement that posters hung on the law school front doors could only advertise for events held in the law school building.

Society panel discussion that day, and then later notices from your resume that you are a member of the Military Law Society—the signs provide a point of connection, not of contention. The signs on the front door were also described as too “middle school.” Hanging files, dear readers, are middle school.

Dean Jackson suggested doors. The benefits outweigh the costs in this case. This is a school and a community; we have organizations and events and signs that remind each other to get involved. And most importantly this is a law school community, where each member is so inundated with emails and electronic stimuli and even hanging file filler that sometimes it just takes a sign in the most obvious of places to be reminded that there are other things here besides classes, interviews, and finals.

From Page 1
Professor Larry Palmer came to the Law School this past spring. Prior to arriving here, he taught for four years at the University of Louisville and spent 27 years at Cornell as a law professor, vice president, and vice provost. In addition to being on our faculty, Professor Palmer is the director of our joint health policy and law initiative with VCU. Finally, Patty Roberts has moved from administration to the faculty. In the spring she was appointed to the full-time faculty as a Clinical Assistant Professor of Law. She is one of our own, having graduated from the Law School in 1992. She will serve as Director of our Clinical Programs and Co-Director of Legal Skills.

We are off to a tremendous start. Let’s make 2008-09 one of our best years yet.

Cordially,
Lynda Butler
Joseph Robinette Biden, Sr. (1915–2002) and Catherine Eugenia “Jean” Finnegan
November 20, 1942 in Scranton, Pennsylvania
Graduated from Archmere Academy in Claymont, Delaware in 1961. Graduated from the University of Delaware in Newark with a double major in History and Political Science in 1965. Graduated from Syracuse University Law School in 1968.
- Roman Catholic
- Saint Joseph on the Brandywine Roman Catholic Church in Wilmington, Delaware
- 4 children, 2 daughters (Naomi, Ashley), 2 sons (Joseph Biden III, Robert)
- Joseph - age 39 - Attorney General of Delaware and Captain in Judge Advocate General Corps of Delaware Army National Guard; will deploy in support of Operation Iraqi Freedom in October 2008
- Robert - age 38 - Founding partner of lobbying firm Oldaker, Biden & Belair, LLP and Vice Chairman of Amtrak Board of Directors
- Ashley - age 27 - social worker with Delaware Department of Children
- 5 grandchildren, 4 granddaughters, 1 grandson

Sarah Heath and Charles Heath
Sarah Louise Heath
February 11, 1964 in Sandpoint, Idaho
Graduated from Wasilla High School in Wasilla, AK in 1982; earned a bachelor of science degree in communications-journalism from the University of Idaho in 1987; Earned college scholarship and Miss Congeniality award as Miss Alaska Pageant Runner-Up in 1984
- Non-denominational Christian
- Juneau Christian Center and Wasilla Bible Church
- Married her husband, Todd, on August 29, 1988. They met at Wasilla High School. Mr. Palin owns a commercial fishing business and works for British Petroleum (BP) as an oil-field production operator. He is also a member of the United Steelworkers Union. He is a 4-time champion of the Iron Dog, the world’s longest snowmobile race.
- 5 children, 3 daughters (Bristol, Willow, Piper), 2 sons (Track, Trig)
- Bristol - age 17 - 5 months pregnant with Mrs. Palin’s only grandchild

Tig - 5 months old and has been diagnosed with Down syndrome

Invested $3 billion in state savings plan. Implemented the Senior Benefits Program that provides support to low-income senior citizens in Alaska. Created the Petroleum Systems Integrity Office to provide oversight of oil and gas equipment, facilities and infrastructure. Created Climate Change Subcabinet to prepare a climate change strategy for Alaska. Legislative accomplishments include reform of the state’s ethics laws and approval of a plan to build a 1,715-mile natural gas pipeline from Prudhoe Bay to TransCanada’s Alberta hub in Canada. Governor Palin is chairwoman of the Interstate Oil and Gas Compact Commission, which is involved in “the conservation and

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ILS Learn to Handle Stress
By Paul Spadafora
Stress, competition and difficulty–they are the elephants in the room for ILS’s during their first days in law school. But for this year’s class of entering students, it would seem that the experience of being a 1L is far more manageable than the stereotypes about the first year would have had them believe.

Take Brit Mohler (1L), for example. In the last few weeks, her experience of law school has been pleasantly reassuring.
- “You come to law school with certain expectations about the difficulty, the lack of free time and the competitiveness, but it turns out that it’s just like the rest of life,” Mohler said. “You have a limited amount of time, a lot you want to do, and if you work hard, you will be able to play hard as well—maybe not as hard as in the past, but there is still time to have fun.”

Though many ILS’s feel that the work is difficult as they had expected, the experience of being a law student has been rich and rewarding to date—something very different from the typical Paper Chase or “1L” tale. Jeff Ambrose (1L) noted that it isn’t “whatever fictional law school horror stories we may have heard before coming.”

In addition, Ambrose pointed out that the open and welcoming nature of William & Mary has helped contribute to the more gratifying first year experience. “William & Mary has a friendly and cooperative atmosphere that really helps all of us ILS’s feel at home and to get more out of these first weeks of law school when 1L’s traditionally struggle,” Ambrose said.

The faculty shares a similar view in regards to how the first-years are progressing. Professor Fred Lederer expressed how he felt the ILS’s were doing well so far. “I think most people are... in rather good shape at the moment,” Lederer said.

And like Jeff Ambrose, Lederer pointed out that the focus on the students’ development that is provided at William & Mary has been helpful toward that end. From the Legal Skills program and its structure to the broader first year curriculum, Lederer emphasized that the entire experience was designed to minimize the competitiveness and stress-building that students can easily gravitate towards.

Continued on Page 5
How to Survive a Summer at a Firm

By Carrie Pixler and Ashley Crenshaw

So, we both spent last summer working at firms and learning about life in the "real world." For what it's worth (probably not much, but keep reading), we'd like to take a few minutes to reflect on our common experiences... Take it or leave it - here's what we learned about firm-life in between the expensive lunches and weekend trips to Vegas.

Observe while you are being observed
Make sure the firm is a good fit. You want to like them just as much as they like you.

Know the work expectations
Don't take on 30 projects when you can only finish 2. Live it up and remember that summer associates are expected to work hard and play hard.

Make the most of your weekend retreats (A.K.A. extended interviews)
Don't get trashed. Drunk pictures are okay for Facebook but NOT for firm newsletters.

Don't complain
About your assignments, secretary, office, day, colleagues, lunch, meetings, life, or anything else unless it is to your BF or your BFF.

PS: No one at work is your BF or your BFF. (emphasis added)

Adhere to the stated & unstated dress codes
Although the official firm policy says "business casual," you don't want to be the only one wearing boat shoes and a polo.

Always be positive
Susie Sunshine needs to be alive and thriving and in your office during those 10 hour days. Yes, you will be doing work-related activities for at least 10 hours a day because of a) work, b) social events, c) two hour lunches and d) mid-day Starbucks runs.

Be yourself
Unless you're weird. Then be someone else.

Lunches (and other dining opportunities) are very important
The best way to get to know someone is over lunch, coffee, ice cream, etc. Never refuse to eat somewhere (unless severely allergic) - even if it is at a dirty hole in the wall and you think the health inspector hasn't been around in a while. Generally, the lunches are delicious and a wonderful treat during the day but there is always that one partner who knows "just the place to take you."

No practical jokes
DO NOT... we repeat... DO NOT think that it is a good idea to play a practical joke on a member of the firm's executive committee by placing 24 twelve-inch inflatable Clydesdale horses in his office during his yearly jaunt to Jackson Hole, Wyoming. You want to be memorable but not that memorable.

Be appreciative
Thank you notes are a must. Someone put a lot of time and money into your summer program, so show them some love. Most people remember and appreciate the small things, and everyone remembers a jerk - so don't be one!

Obligatory piece of obvious advice: Spending a summer at a law firm is a once (or twice) in a lifetime experience, so make sure you take the time to get to know people, do your best work and make the most of it.

Do you like giving advice? Are you any good at it? Contact us to learn more about getting your own column! Email: Marshall.Wythe. Press@gmail.com

Ask OCS

The following career related questions were submitted by law students over the past few weeks. If you have a question for OCS, please send them to Marshall.Wythe.Press@gmail.com.

Q. I'm beginning to panic about my chances of finding a summer 2009 position through on-campus interviewing. What else can I do at this time to broaden my job search?

A. Only about 25-30% of all law students nationwide find employment through on-campus interviewing. Therefore, it's important to develop a "Plan B" job search. Since each student's situation and career goals are unique, it's best to make an appointment to speak with one of the deans in OCS to get individual assistance on developing your overall job search strategy.

Q. Do I need to write a thank you note after a screening interview through OCI or an off-campus interview program?

A. Some employers find a thank you note after an initial job fair interview unnecessary; others deem the failure to send one as an indication that you're not interested. Because you don't know how a particular employer views thank you notes, and given the current heightened competitiveness in the job market due to the economy, the safe approach is to send a brief one. It's important that the note not be a perfunctory "It was nice to meet you" note. Refer to one or more specific things that came up during the interview (e.g., unique/interesting things about the employer, aspects of your background in which the interviewer seemed particularly interested). And to be effective, the note should be sent within 2-3 days of the interview.

Whether to use e-mail or send a word-processed note depends on the timing of the employer's hiring decision. How do you determine that timing? At the end of your interview, ask the interviewer when s/he foresees making a hiring decision. If the turnaround time is short (a few days), send an e-mail thank you message to ensure that the employer receives it prior to making a decision. If the turnaround time is longer, a word-processed note, on good quality paper that matches your resume, is preferable. If you're unsure of the employer's timetable, use email.

Q. When I go to a callback interview, and stay in a hotel the night before the interview, what do I do with my suitcase once I check out of the hotel? I don't want to drag it with me to my interview!

A. All hotels have a luggage check service for their guests. So, when you check out, you can request to leave your bag at the hotel until it's time for you to leave town later that day. When you pick up your suitcase, be sure to provide a tip to the hotel employee—depending on the location, $1 or $2 dollars per bag is sufficient.

Q. (For women only!) Do I need to wear hose to an on campus or call back interview?

A. Yes, you should wear hose to all interviews. Some employers don't hold it against you if you don't wear hose, but others may... so it's best to play it safe and wear them.
A League of Their Own

By JaMark Woolike

Jason 2:15PM: So, our column for the paper is due next week and we haven’t even started brainstorming yet. Do you have any bright ideas?

Mark 2:17PM: One thing I was thinking about was, what if we drafted an all-star softball team composed entirely of Supreme Court justices? Who would you even pick?!?

Jason 2:19PM: My captain and catcher would be John Roberts, dah. Didn’t he compare being a Supreme Court justice to being an umpire or Derek Jeter or something?

Mark 2:23PM: I think he said that it’s his role to “call balls and strikes, not to pitch or bat.” (Thanks, Internet). That being said, I think he’d make a good catcher even though he’d likely have a hard time protecting home (see generally Georgia v. Randolph).

Jason 2:43PM: I don’t know. Given his support of the Castle Doctrine, wouldn’t he just shoot anyone trying to steal home right in the face? That’s exactly what a catcher SHOULD do. Also, I’ve heard that Scalia can be a real pain because he refuses to play in any league that uses the infield fly rule since it was not in the original rules of the game. See The Common Law Origins of the Infield Fly Rule, 123 U. Pa. L. Rev. 1474 (1975). But seriously, take that position to the extreme and softball is basically cricket, you know? He’s like the Manny Ramirez of the Supreme Court. But he can play third base.

Mark 3:44PM: Justice Owen G. Roberts is throwing from the mound. Why? The “pitch” in time that saved nine. Huzzah! Justice Thurgood Marshall is my shortstop, because he never dropped the ball. And, I’ve got Ruth Bader Ginsburg at first base, because you know she’s a Lefty. Hi-O! Alito is protecting second base, and the second amendment. Also, DC v. Heller basically means I can keep a radar gun with me at all times, right? Now who are the outfielders?

Jason 4:18PM: Centerfield: Justice Kennedy. He’s about as centrist as they come. Plus, as the key vote on the Court these days, he’s gotten pretty good at strong-arming, so you know he can make those long throws to Roberts at the plate. Left field: Sandra D-O. I would think she’d be good at making diving saves – think Planned Parenthood. And right field: Clarence Thomas. Come on, it just works.

Mark 5:02PM: The only problem I see with Thomas in RF is that he’d never call anybody off the ball. Speaking of sports, do you realize William & Mary no longer has a mascot? Colonel Eblert, a green blob, was discontinued in 2005 (or, some have suggested he was deployed to Iraq). The College has no immediate intention to name a new mascot. However, the Phoenix and the Fighting Wren have been thrown around as potential replacements. Personally, I love the Fighting Wren suggestion as I feel like it’s an excellent tongue-in-cheek reference. See generally Erwin Chemerinsky, Why church and state should be separate 9 Wrp. & Mary L. Rev. 2193 (2008). I think we need a mascot that will play to both the Colonial Williamsburg demographic AND the Williamsburg, Brooklyn demographic. Please, Jason, as a New Yorker enlighten me on the similarities between the two (other than asymmetrical haircuts).

Jason 5:59PM: A fine query, Mark. Well, of course here in Williamsburg, VA we get used to seeing people in colonial garb, right? Well, in Williamsburg, BK you get used to seeing Hasidic Jews, and they sort of look like they’re in colonial garb. Also, I am somewhat convinced that Plan 9 records, on Monticello, is actually in Williamsburg, BK and that there is a tear in the space-time continuum that allows you to walk from one burg to the other. I mean, you just don’t see asymmetrical haircuts like that in Williamsburg, VA. VCU – now that’s another story. Also, here in VA, the girls wear skinny jeans. In BK, everybody wears skinny jeans. So that’s a 50% overlap right there. Finally, in BK it is the hippest thing in the world to go to a dive diner and eat pancakes, and here in VA the only food options are dive pancake houses. So, I think the demographics are frighteningly similar and the use of irony in our new mascot is to be encouraged.

Mark 6:01PM: Mmmmm pancakes.

Overheard: 1Ls discuss reading the Honor Code: “What about if they are not exactly lies... just being mean?”

Attention All Cartoonists and Photographers!

If you are interested in submitting, please contact us at Marshall.Wythe. Press@gmail.com.