1989


William & Mary Law School
# Table of Contents

A Message from the Dean ........................................ 1

The Marshall-Wythe Legal Skills Program:
   Innovation in Legal Education .......................... 2

Faculty Notes ..................................................... 6

The Institute of Bill of Rights Law:
   A Progress Report ........................................ 11

Lawyering Down Under ................................. 14

Foreign Friends of the Law School .......... 16

Law Professors as Authors: The Challenge
   of Literary Creation ..................................... 17

Admissions Report ............................................. 22

Career Planning and Placement Report .... 26

Report on Development and
   Alumni Affairs ........................................... 28

Alumni Profile .................................................. 48

A Letter from the President of the
   William and Mary Law School Association .. 49

Services of the Law Library ......................... 51

Commencement Address
   by the Honorable Robert R. Merhige, Jr. .... 53

Commencement Message
   by Jeffrey Alan Lowe ............................... 56

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Whoever wrote "We are condemned to live in interesting times" must have had our law school firmly in mind. We are close to realizing the noble—and still startlingly relevant—dream that inspired the founding of this law school nearly two hundred years ago.

That dream is George Wythe's vision of educating the "citizen lawyer." The first law professor in America, Wythe aspired to train learned professionals whose devotion to private clients was matched by their commitment to public service. Role models for the ideal citizen lawyer were Wythe himself and students like Jefferson, Marshall and Monroe—men whose public lives helped shape this nation and its legal system.

Today we aim to train worthy successors to these founding fathers. We believe that modern society—and our profession—need now more than ever the leadership, knowledge, and ethical ideals of the citizen lawyer. We seek to educate students equipped to grapple with the most difficult legal and public policy issues of our time.

There is convincing evidence of our success in reaching that goal:

We have initiated an innovative basic legal skills program that teaches vital techniques—and ethics—to first and second year students in a law firm setting painstakingly designed to emulate demands and conflicts faced in actual practice. Student response to this new approach is so positive and its potential is so great that we believe it will become a national model emulated by other law schools.

The Institute of Bill of Rights Law has been strengthened with a view to increasing the "real world" impact of its work. We are integrating the study of Bill of Rights law into our curriculum, offering law based seminars for journalists and planning task forces to address critical public policy issues of national constitutional significance.

Increasingly exceptional students are choosing this law school. Last year we drew more than three thousand applications for 175 places in the entering class. The class of 1991 came to us from twenty-five states and ninety-nine undergraduate schools. Its median LSAT score placed us among the nation's top twenty law schools.

We are attracting remarkable new faculty whose achievements and promise will sustain our continuing drive to attain the highest standards of teaching and scholarly excellence.

Our 1989 Moot Court Team swept national competition, taking first place among 150 competitors, as well as highest honors for best brief and best oralist.

Word of the quality of our graduates is spreading rapidly. Almost one thousand employers from forty-three states and the District of Columbia now recruit William and Mary law students.

Without question, these new developments are encouraging. Perhaps the most important measure of our current strength is one which cannot be quantified: a determined commitment to excellence which characterizes the work of students and faculty alike. We share a common pride in our current strength and a quiet confidence that the future will be better still.
As I understand it, you would still like to lease the property for your auto goods store but the lack of a national franchise means that you can’t comply with the original terms of your lease, and you would like our help in attempting to renegotiate it. Is that right?

So, our latest client believes that her partner has been embezzling the profits and has run off with part of the capital. I think your tentative decision to seek a formal accounting sounds good. I’ll look forward to your memo!

I certainly understand that you have a different view of the facts; after all, we represent different parties. Look, the facts will substantiate our position that our client had no choice but to swerve to avoid hitting the pedestrian who ran out in the road. Even though our client hit yours, that hardly constitutes negligence under the circumstances. We’d like to settle this case, but . . . .

Okay folks, we’ve been appointed special prosecutors because of the unique situation over at the District Attorney’s office. We’ve got a murder, a narcotics case, a . . . .

Although fictitious, the above quotes are substantively accurate and could have been taken from any number of interviews, negotiations, and meetings that took place this past academic year in Marshall-Wythe’s unique and innovative Legal Skills Program. Mandatory for all students, Legal Skills is based on the concept that proper study of the law requires an understanding of both theory and application; that knowledge in one without the other is insufficient and incomplete. Accordingly, Legal Skills places students into simulated law firms and offices and for two years requires them to represent simulated clients, thus integrating theory and practice.

The Beginnings

Legal Skills was born in the spring of 1988. Both the student body and the faculty had been dissatisfied for some time with the traditional approach used for research and writing. Although other approaches had been tried, the usual method was the assignment of the course to one faculty member. Even with the assistance of talented teaching assistants, the academic experience received by first year students was limited and impersonal. Everyone believed that major change was necessary. That change began with a remark made by Professor John Levy at a curriculum committee meeting when he referred to the effort by a few schools to use a skills approach in their instruction. The remark fell on fertile ground, and the committee endorsed the concept. I then began the planning that would ultimately give birth to the program. By the end of the 1987-88 school year, the faculty had enthusiastically approved Legal Skills as a two year mandatory course and had hired Professor Jim Moliterno, an expert in skills education at Texas Tech. Concurrently, Professor Levy and I put together the instructional staff consisting of residential faculty, adjunct faculty, and teaching assistants. The faculty was carefully chosen so that Legal Skills would have the benefit of a diverse and experienced complement, one skilled in both academia and practice. The 1988-89 faculty consisted of Ed Bell, Rene Bowditch, Greg Davis, Susan Grover, Rob Kaplan, John Levy, Fred Lederer, Jim Moliterno, and Betsy Schmidt. All of the Legal Skills faculty have been in practice, and three adjunct faculty are now in private practice.

The Legal Skills Charge

As designed and approved by the faculty, Legal Skills is charged with the responsibility of covering:

• History and Structure of the Legal Profession
• Professional Ethics
• Legal Research
• Legal Writing
• Legal Drafting
• Interviewing
Inception: Summer 1988

With the mandate of Legal Skills clear, the first year curriculum and first materials were put together during the summer with the help of Kim Grove ’89, as Professor Moliterno, awaiting the birth of his third child in Texas, conferred with me by mail and telephone. Soon after his arrival in Williamsburg, Legal Skills began with a bang.

The class of 1991 arrived one week before the beginning of second and third year classes. Following registration, the students were addressed by Justice Thomas of the Virginia Supreme Court and exhorted to become ethical, competent, and caring attorneys. That afternoon, they were introduced to Legal Skills as they met for the first time in their law firms and offices.

Legal Skills is based upon the law office. In 1988-89, each office consisted of approximately sixteen student associates, a faculty senior partner, and a third year teaching assistant junior partner. There are nine law firms: seven consist of single offices, one has two offices, and one has three. For simulation purposes, the offices are located in California, Illinois, New York, Ohio, Pennsylvania, and Virginia, with two offices in each state. That Monday, August 15, 1988, was the true beginning of Legal Skills as the firms of Bell and Hall, Davis and Johnson, Bowditch and Boyle, Schmidt and Hall, Kaplan and Boyle, Lederer and Posey, Levy and McDade, Grover and Johnson, and Moliterno, Wooledge and Grove met for the first time.

In their firms, the new student associates were thrust immediately into an analysis of a videotaped vignette showing questionable attorney practice. After the ice was broken by group discussion, the associates were introduced to each other, their partners, and their firm. The tone was set for the next two years as the partners emphasized the firm culture of competent ethical practice against a backdrop of supportive personal relationships.

As one first year associate later put it:

In Legal Skills, you are really made to feel like you belong to a law firm. It's great to have someone you can call by first name and feel that he or she is your partner who will look after you.

During the remainder of the week, the associates participated in intensive classroom discussion on the nature of law and the legal system, case analysis, and case briefing as well as an orientation to the Law Library. They also received their first instruction in interviewing and fact gathering, interviewed their first client, and, based upon the facts learned from that client, drafted their first legal memorandum using fictitious cases and statutes. All was not labor, however; each
firm held an evening social gathering, and the week concluded with the traditional Student Bar Association sponsored barbecue at Lake Matoaka.

**1988-89: The First Year**

During the remainder of the academic year, Legal Skills associates received instruction on two concurrent levels: classroom and client representation. Classroom instruction was used to introduce topics, to supply basic information, and to encourage discussion. The origins and content of both the Model Code of Professional Responsibility and Model Rules of Professional Responsibility were introduced in this fashion. The instructional approaches used varied. Some instruction was given in large groups of sixty to ninety; other times each office met individually; on occasion, four person working groups met individually with one or more partners. Legal Research, for example, was taught by Professor Heller, the law librarian, in large sections. After the large section class, however, students met in their working groups with a partner or member of the library staff for a research "laboratory" oriented toward their major legal memorandum assignment. During the year, associates received explicit instruction in ethics, interviewing, counseling, negotiation, legal research, drafting, and memorandum writing. Following introductory instruction, ethics normally was made part of each class rather than presented as an independent topic.

Notwithstanding the importance of lecture, socratic dialogue, and discussion of videotaped, written, or oral problems, the crux of Legal Skills is client representation, and this portion of Legal Skills preoccupied the associates throughout the year. During 1988-89, associates saw three major clients in addition to assisting the senior partner of each firm in simulated duties as a member of the state bar fitness committee.

The first major client was either the lessor or lessee of a commercial property. The lessee had rented the lessor's building, but unfortunately, intervening business circumstances had made the original agreement difficult if not impossible for the lessee. The lessor consulted the firm to determine his or her legal rights and the possibility of renegotiation; the lessor, of course, sought counsel to hold the lessee to the agreement. As the agreement appeared to be primarily oral, counsel not only had to interpret the agreement but also had to determine its validity under the statute of frauds. Each law office was divided into four working groups, and each group had one such client; each case was different from the others. Each client had an opposing party represented by a working group in a different firm. Counsel had to interview and counsel the client, write a closed research memorandum from previously prepared materials, negotiate with opposing counsel, and draft a new lease. Negotiations were hindered on occasion by the client's personality or strong economic demands, all of which had to be considered. The "clients" for this phase were third year Trial Advocacy students, a reasonable arrangement as the first year students served as the clients and witnesses for their bench and jury trials, a requirement that will help prepare the first year students for their own trials during their second year.

The second major client had a civil dispute. Variations of two major cases were used. One concerned a dispute between two partners who had had a falling out amid charges of embezzlement and defamation. The other involved an automobile accident. Each office represented two clients of each type. During the spring of 1989, associates interviewed, negotiated, and prepared a comprehensive legal memorandum dealing with the case. Because the case would last through their second year, the clients were themselves members of the first year class, an arrangement that also gives the students first hand experience with the client and witness perspective.

The third client, who arrived just prior to the end of the first year, involved a criminal case. Half the offices were appointed special prosecutors while the others received defendants to represent. There are twenty-four radically different criminal cases. Accordingly, each working group has a unique client or witness. Again, because this will be a two year representation, students play the actual roles. As trial will likely result, students left school either having completed or working on a memorandum analyzing the potential impeachment use of various elements of the witness's background.

**1989-90: The Second Year**

1989-90 will see the first "run through" of the second year of the program. As currently planned, the second year will emphasize counseling, alternative dispute resolution, trial and appellate practice, and of course, ethics. Unless settled (which will result in assignment of an alternative case), each of the second and third cases will go to trial. Following motion briefs and arguments in the fall of 1989, cases were tried by teams of counsel in January 1990. In what is believed to be an extraordinary and unique development, present plans call for appeals to be taken from actual transcripts of what occurred at trial (with contingency arrangements for criminal acquittals or case without error). This will be possible because of an agreement now being negotiated between the Law School and a major school for court reporters. One of faculty has observed:

> Our entire focus is that nothing in practice occurs in a vacuum; everything is interconnected. Our associates will see their cases develop...
from a first interview through an appeal. What could be better than to realize that appeals grow directly out of what happens—or doesn’t happen—at trial.

The second year of the program will also see representation of two more major clients. The fourth client will involve domestic relations, while the fifth will present difficulties, heavily oriented toward statutory and administrative law, that will make that representation function much as a course summary as associates cope with a wide variety of problems and needs.

1989-90 will also be the first time that both first and second year students will be in the program at the same time. Each firm will double in size as a result. Although first and second year students will usually meet separately for instructional and representational purposes, the two groups will work together when appropriate, and present plans include the potential use of second year associates as senior, supervising associates for some purposes. Because of the increased number of students, the Legal Skills staff will increase. New faculty will include Jim Heller, Kaye Kindred, and Judy Ledbetter. In addition, twelve third year and three second year teaching assistant partners will assist in the firms and with central administration while the Trial Advocacy teaching assistants will help coordinate the trial and appellate phases. To ensure that the students will have sufficient background for their trials, nearly all second year students took Evidence in the fall of 1989.

**Management**

One of the early fears about the program was that it would be impossible to manage and coordinate the efforts of so many people. An innovative administrative apparatus appears to have resolved the problem. Legal Skills is managed through a collegial structure similar to that of a law firm. All major internal decisions are made by the staff which meets at least monthly for that purpose. Decisions which cannot await such a meeting or are not of major significance are made by the executive committee consisting of three faculty. Day to day administration is the responsibility of the administrator, a post now held by Professor Moliterno. The executive committee also ensures that the staff all receive master teaching notes which include specific goals and objectives. These notes, prepared by those members of the staff who are particularly knowledgeable in the area, ensure that all students receive a common educational content in addition to whatever other content the faculty chooses to pass on. These notes, coupled with the collegial governance structure, have ensured that Legal Skills has remained a single unified course.

**An Appraisal**

Legal Skills is a mammoth undertaking, dependent upon many people, and extraordinarily demanding of scarce resources. It would be understandable if its first few years showed the type of awkward development common to such programs. It is perhaps miraculous that thus far, despite some uneven moments, it has been an outstanding success. Student comments are illustrative:

*The methods teach law students the foundation of legal skills in a dynamic setting. It is like gaining experience while still in law school.)*

*When I decided to come to law school, many attorneys told me that I would learn nothing that was practical. I think this program gives us that practical experience that will be helpful when we finish school.*

Preliminary data also suggests that Legal Skills has been successful in its goal of reinforcing traditional academic courses. Professor LeBel has observed:

*I think the Legal Skills Program has had an enormously beneficial impact on the first year experience. In the first year of the program’s existence, I noticed that the general level of analytical sophistication of the students in my Torts course reached a higher level at an earlier point in the year than I’ve seen previously in eleven years of teaching first year classes. There was also a more sustained sense of enthusiasm than I’d seen before. What the students are doing in Legal Skills has a direct and positive effect on what I’m able to do in my classroom.*

Professors Levy and Moliterno share my belief that the program’s success is due entirely to the hard work of the Legal Skills staff. Professor Levy notes:

*Unfortunately, no one will ever know how hard and long every member of the staff, whether faculty or teaching assistant, worked this past year to make the program succeed.*

We are greatly indebted to Ed Bell ’85, Rene Beauditch ’82, Don Boyle ’89, Greg Davis ’86, Kim Grove ’89, Susan Grover, Kathy Hall ’89, Dave Johnson ’89, Rob Kaplan, Pam McDade ’89, Pam Posey ’89, Betsy Schmidt, and Cathy Wooledge ’89.

Although the executive committee members say that they are generally pleased with the results of the first year, they note that the program’s very structure is a mixed blessing. Professor Moliterno commented:

*Although the law firm model is an ideal one for our purpose, it is also unrealistically limiting. There are many other forms of legal practice, including corporate counsel; local, state, and federal attorneys; poverty law offices, and the like. One of our primary goals after the 1989-90 experience will be to see how we can structure the program to extend it into other types of legal organizations.*

Another real concern is the limited duration of the program. Reviewing its success, another faculty member added:

*Legal Skills ends after the second year. This is proper and appropriate given its mandatory nature. What is unfortunate is that we have limited elective offerings for third year students who wish to build on the Legal Skills experience. In addition, the effects of partially disbanding our student law offices while associates are still in school are unclear. Given the Law School’s other pressing needs, however, it may be some time before we can address the creation of an optional third year component, one that could deal with live clients. We will certainly have to await significant financial developments before we’ll be able to build on the current two year curriculum.*

Although no one can say exactly how Legal Skills will develop, one thing is certain: the dedication and enthusiasm of the Legal Skills staff, faculty, and student body augur well for the long term success of this program. Dean Timothy Sullivan put it best:

*The Skills Program at William and Mary is unique. We are teaching our students essential lawyering skills in a realistic context that ensures intellectual rigor and a thorough grounding in professional ethics. William and Mary lawyers will begin their careers singularly well equipped to become leaders of the bar.*
Professor Jayne Barnard has been working on securities law projects this year—her article on executive conflicts of interests appeared in the Securities Regulation Law Journal, and her article on the Supreme Court’s surprising embrace of the “fraud-on-the-market theory” appeared in the inaugural Securities Law Symposium of the Pepperdine Law Review. Her critique of the Securities Law Enforcement Remedies Act of 1989 was published this fall in the Notre Dame Law Review. She was recently named to the Council of the Section on Business Law of the Virginia Bar Association, and has been appointed by the president of the Virginia State Bar to the Special Committee on Participation by Women and Minorities in state bar activities. At Marshall-Wythe’s graduation ceremony in May, she was awarded the John Marshall award for leadership and service to the Law School.

Professor Lynda Butler is co-author of the book Virginia Tidal and Coastal Law, published in 1988. She also is the editor and a contributing author of the Real Property Section Newsletter, and she serves as a member of the Board of Governors of the Real Property Section of the Virginia State Bar. Last fall, Professor Butler served as counsel to Governor Baliles’ study commission on Virginia’s Royalty Assessment Program. In April 1989, she was one of the moderators at the Sixth Annual Bill of Rights Symposium sponsored by the Institute of Bill of Rights Law at the Marshall-Wythe School of Law. In May 1989, she presented a paper entitled “Protection of Instream Uses: Public v. Private Rights” at the ABA Workshop on Eastern Water Law.

Professor Glenn Coven has returned from a one year leave of absence during which he was a visiting professor at UCLA. His article proposing a revision of the taxation of corporate acquisitions was published in the Tax Law Review last summer. Professor Coven has joined the Board of Editors of the casebook series The Study of Federal Tax Law with initial responsibility for revising the materials on Subchapter S.

In April, Professor Devins testified before the Senate Judiciary Committee on proposed constitutional amendments to grant the president item veto authority. In September, he spoke at the annual meeting of the Mid-Peninsula Bar Association. In November, he was a panelist for the Institute of Bill of Rights Law’s program, “Preview of Supreme Court Cases.” Professor Devins’ research in progress includes articles on affirmative action and education as well as a book on elected branch influences on constitutional decision making.

Professor John Donaldson completed a three year term on the Executive Committee of the Virginia Bar Association and currently serves as a member of the Legislative Advisory Committee of the Association’s Section on Wills, Trusts and Estates. He is also a member of the Board of Governors of the Virginia Bar’s Section on Trusts and Estates. He continues to serve as a member of the Virginia Mandatory Continuing Legal Education Board, on which he is currently vice-chairman. He coordinated the Law School’s CLE offerings for Spring Weekend and the week long offering for domestic relations judges in December in conjunction with the National Judicial College and the Center for State Courts on the subject of “Tax and Valuation Issues in Divorce and Separation.”

Professor Donaldson continues to be an active participant in CLE programs and in the past year has made presentations on “Recent Developments in Virginia Civil Procedure,” “The Virginia Probate System,” “Significant Recent Federal Tax Cases and Rulings,” “Post-mortem Estate Planning Techniques,” “Financial and Estate Planning Techniques under the New Medicaid Rules,” “Spendthrift Trusts in Virginia: The Need for Reform,” and “Estate Planning for Parents of Disabled Children.” An abstract of the latter presentation was recently published in the *Probate Law Journal.* He is currently working with a joint legislative commission established by the last session of the Virginia General Assembly to study problems involving the use of trusts for the benefit of handicapped or disabled beneficiaries and to recommend appropriate legislation.

Professor Emeric Fischer is writing an article on the issue of what effect the cross-ownership of insurance companies by banks and banks by insurance companies would have on the protection of the consumer as envisioned by banking legislation since the 1930’s and is also preparing a casebook on the subject of tax accounting. He is in the process of revising and updating his casebook *Principles of Insurance Law* and is also revising the teacher’s manual. Professor Fischer was executive editor of the *Virginia Tax Reporter,* the official publication of the Tax Section of the Virginia State Bar. He was on the Board of Governors of the Tax Section of the Virginia State Bar and served as its secretary. Since 1970, he has continued to serve as a director of the William and Mary Annual Tax Conference. In June, he was appointed Haynes Professor of Law.

Professor James Heller was coordinator and moderator for a conference on the “Law of the West” sponsored by the Western Pacific Chapter of the American Association of Law Libraries. He made presentations at the 1988 Virginia.
Statewide Legal Aid Conference and the 1989 annual meeting of the Southeastern Association of Law Libraries, and spoke on copyright law at a conference sponsored by the Washington State Library Association. Professor Heller has been appointed chair of the Education Committee of the Southeastern Association of Law Libraries for 1989-90.

Professor Charles Koch is currently completing the 1989 supplement of his administrative law treatise, Administrative Law and Practice. He has also begun his new position as editor-in-chief of the Administrative Law Review. At its winter meeting, the ABA section of Administrative Law and Regulatory Practice appointed Professor Koch as the editor-in-chief and moved the Review to Marshall-Wythe from the University of Denver Law School. Marshall-Wythe students are participating in the production of this widely circulated publication.

A report proposing reforms in Social Security Administration procedures, co-authored by Professor Koch for the Administrative Conference of the United States, will be published by the Florida State Law Review. His comment “An Economic Rationale for a Moderate View of Economic Liberties” was presented at the Sixth Annual Bill of Rights Symposium and will be published in the William and Mary Law Review. This past summer, he taught comparative administrative law at the Law School’s Madrid program. Last summer, the ABA House of Representatives considered proposed legislation authored by Professor Koch which aimed at simplifying judicial challenges to administrative action.


In May, Professor LeBel was a faculty member at the American Bar Association National Institute on Medical Malpractice, where he participated in an examination of the constitutionality of reform legislation imposing caps on recovery and diverting malpractice cases out of the judicial system. During the past year, he also served as a member of the Virginia State Bar Committee on Lawyer Referral Service.

Professor LeBel was on research leave this fall semester. His work in progress includes a book dealing with the compensation of victims of drunk drivers and articles on the constitutionalization of tort law.

During the past year, Professor Fred Lederer was responsible for the design, implementation, and administration of the new Legal Skills Program with Professors Moliterno and Levy. He was editor and primary author of Aspects of American Law, curriculum materials distributed to middle schools and high schools in Virginia and twenty-three other states. He co-authored the 1989 supplement to Courtroom Criminal Evidence. He also served as reporter for Articles II and III and co-authored the 1989 supplement of the ABA Litigation Section’s treatise, Evidence in America, The Federal Rules of Evidence in the States.

Professor Lederer presented a program on hearsay at the Hoffman-L’Anson American Inn of Court in January 1989 and participated in the ABA Litigation Section’s Best Evidence seminar in March 1989. He is chair of the ABA Criminal Justice Section Committee on Rules of Evidence and the Procedure Subcommittee on Privilege Rules.

Also involved with television, Professor Lederer was co-author and chief consul-
tant to the WHRO-TV television series, Aspects of American Law, distributed throughout twenty-three states. Locally, he produced Charming v. Pieman, a toxic waste spill “fairy-tale” trial for area students which will be telecast on local cable this year. In June, the Virginia Bar Foundation awarded a grant to WHRO-TV to produce Concepts of American Law, a “prequel” to the 1988-89 series. Professor Lederer will co-author the series and serve as academic project director. In addition, he has taught law to sixth grade students in the Williamsburg-James City County gifted program.

Professor John Lee made a presentation on Subchapter S Corporations for the Old Dominion University Tax Conference in the fall of 1988. He also prepared and presented an extensive outline on “Tax Treatment of Like-kind Exchanges and Involuntary Conversions” in spring 1989 at the Marshall-Wythe Continuing Legal Education Program. Lee again served as editor of the Virginia Conference on Federal Taxation. His article, “General Principles and Detailed Rules and the Art of Regulation Drafting: Structured Discretionary Justice under Section 355,” was published in Tax Notes during the summer of 1989. This article analyzed the revised Section 355 regulations on Corporate Separations (which were influenced by 1972 and 1977 articles by Professor Lee) from the perspective of administrative law and jurisprudential theory. Also during the summer of 1989, Lee completed an article on the tax benefit doctrine and the Rojas decision.

Professor John Levy participated in the William and Mary Australian Faculty Exchange in celebration of the centennial of the Australian Constitution. He also managed the William and Mary Law School summer program in Madrid. Professor Levy continued to serve as president of the American Civil Liberties Union of Virginia and president of the William and Mary Chapter of the American Association of University Professors. He was a board member of the Peninsula Legal Aid Center and a member of the Standing Committee on Legal Ethics of the Virginia State Bar.

Professor Linda Malone published four articles this year. Two of these articles, “Reauthorization of the 1985 Farm Bill Conservation Provisions: Conservation at the Crossroads,” published in the Virginia Journal of Environmental Law, and “The Renewed Concern Over Soil Ero-
As might be expected, Professor James Moliterno spent much of his time and energy in his instrumental role of instituting the new Legal Skills Program (see article on page 2). In addition to teaching and administrative work, Professor Moliterno spoke to various groups initiating efforts to publicize this innovative program and obtained a commitment from Mead Data Central, Inc., to sponsor a national conference on skills teaching curricular developments.

In addition to his work in the Skills Program, Professor Moliterno published an essay in the *New Mexico Law Review*, "Goodness and Humanness: Distinguishing Traits," regarding collegial relations among law faculty members. He also continued his work with the ABA Criminal Justice Section Committee on Prison and Jail Problems and participated in an educational workshop on judicial ethics for Virginia District Court Judges.

Professor Ronald Rosenberg was appointed by Governor Baliles to serve on the new Chesapeake Bay Local Assistance Board, a panel created to prepare a program involving land use, control, and water quality protection in the Bay Region. In addition, Professor Rosenberg served as a member of the AALS Professional Development Committee. Professor Rosenberg's other professional activities include acting as the Virginia Environmental Endowment (VEE) Law Fellows Program administrator and participating in a VEE regional land use study. He spoke at the University of Virginia Law School on the subject of regional land use control. He also has finished work on an environmental law casebook to be published by Foundation Press.


Professor Smolla lectured and served as a faculty member for the Association of American Law Schools Workshop on Teaching Torts, and gave lectures and presentations at the Harvard Kennedy School of Government, the University of Oklahoma Law School, the DePaul College of Law, the Northwestern University School, the New York State Bar Association, the American Bar Association Communications Law Section, the Association of American Law Schools Annual Meeting, the National Conference of Metropolitan Courts, and to numerous local bar and civic groups. In the spring of 1989, he was appointed by Chief Justice Warren Burger (retired) to serve as official reporter to the Advisory Committee to the Commission on the Bicentennial of the United States Constitution.

Professor Paul Verkuil continued to serve as a public member of the Administrative Conference of the United States and became chair of the ABA Section of Administrative Law and Regulatory Prac-

As director of the William and Mary Summer School of Law in Europe, he administered both the new and very successful Marshall-Wythe program in Madrid, and the oldest American summer law program abroad, the Marshall-Wythe program in London and Exeter.

The Institute of Bill of Rights Law
A Progress Report

by Professor Rod Smolla

The Institute of Bill of Rights Law is continuing its transition with four principal goals: (1) to better serve our law students as an enriching educational resource; (2) to serve as a vehicle for generating solutions to public policy questions through the commissioning of task forces and other similar programs; (3) to serve as a forum for educating journalists and the public concerning constitutional issues; and (4) to serve as a catalyst for original and creative scholarship.

One of the most exciting changes underway is the creation of the new Student Division of the Institute. The Student Division will sponsor speakers, panel discussions, field trips, and other events throughout the school year on constitutional law and public policy topics. The work of the Student Division will culminate each year in an annual student symposium, which will include publication of student articles focusing on the annual student symposium topic. This year's student symposium topic is "Constitutional Issues Posed by the War on Drugs"; it will be held February 16 and 17, and will include student participants from law schools throughout the region. The symposium will feature speakers, panel discussions, role-play exercises, debates, and other presentations focusing on a wide variety of constitutional issues posed by the war on drugs including privacy, search and seizure, impoundment statutes, the death penalty, and the use of military forces to perform civilian police functions. Student articles and other student papers generated by the symposium will be edited and collected by the Student Division Editorial Board for a book-length publication on the constitutional and public policy issues posed by the assault on drug use in America.

To encourage thoughtful and creative solutions to contemporary constitutional and public policy issues, the Institute of Bill of Rights Law is undertaking the sponsorship of a series of task forces over the next three years to bring together persons from a variety of disciplines and professions to study issues of current significance and to issue reports and other appropriate publications recommending policy options and solutions to these problems. The first three of these task forces will begin actual operation in the 1989-90 academic year. The "Task Force on the Drug-free Workplace" will be chaired by Professor Paul Marcus of the University of Arizona College of Law. Professor Marcus is former dean of that law school and a prominent national expert on criminal law and procedure. The task force will examine legal and policy issues surrounding the national effort to achieve a "Drug-free Workplace" in the public and private sectors. Bringing together members of various constituencies including corporate management, organized labor, public health experts, law enforcement officials, and others, this task force will study the legal and policy conflicts posed by efforts to eliminate drug use in the workplace, including possible model legislation setting forth fair procedures governing the rights of employers and employees.

The task force "Winds of Change: Task Force on International Perspectives on the Evolution of Democracy, Human Rights, and the Rule of Law" will study, from an international perspective, the evolution of basic notions of democratic participation in government, respect for human rights, and acceptance of the rule of law. The task force will bring together scholars from around the world to reflect upon recent changes in their own nations and across the globe for the purpose of generating greater international understanding and creative thought concerning the processes that lead to stable and open democracies. The project will produce public presentations and scholarly publications on these issues, culminating in a book collecting the efforts of scholars from around the world. Two scholars will be presenting their papers for this initiative to the Law School March 19-29, during a week of events focusing on international perspectives on the evolution of democracy and human rights which will be conducted in cooperation with the International Law Society at Marshall-Wythe. The first paper will be presented by Professor Jorge Rodriguez Zapata of the University of Madrid. Professor Zapata was instrumental in the drafting of the Spanish Constitution, and is Spain's leading constitutional scholar. A paper will also be presented by Professor Alemante Selassie of the Marshall-Wythe School of Law. Professor Selassie, a native of Ethiopia, will explore the reasons underlying Ethiopia's tragic inability to evolve into a democratic nation in which basic human rights and principles of legal rule are respected.

The third task force being launched this year is "Task Force on Elected Branch Influences in Constitutional Decision Making." This task force will be jointly directed by Professor Neal Devins of the Marshall-Wythe School of Law, and Louis Fisher, senior specialist at the Congressional Research Service and acting director of the Center for Interbranch Relations at the College of William and Mary. Professor Devins is a prolific and highly regarded constitutional scholar who has written widely on interbranch decision making. Professor Fisher, one of the premier authorities in the United States on separation of powers, has written many influential books and articles on the sub-
The Institute has a wide variety of events scheduled this year to further the goals of public and press education and to promote creative scholarship. In September, we sponsored a program entitled “The Institute Hosts the Anglo-American Exchange: A Moot Court on National Security and Free Speech.” We hosted the “Anglo-American Exchange,” a distinguished group of British and American jurists and lawyers. The members of the Exchange on the American side were United States Supreme Court Justices Sandra Day O’Connor and Anthony Kennedy, Judge Clifford Wallace of the U.S. Court of Appeals for the 9th Circuit, Chief Justice Ellen Peters of the Connecticut Supreme Court, Paul Verkuil, president of the College of William and Mary, M. Bernard Aidinoff of Sullivan and Cromwell in New York, Morris Harrell of Locke, Purcell, Rain, & Harrell of Dallas, and Phillip Tone of Jenner and Block in Chicago (and former judge on the U.S. Court of Appeals for the Seventh Circuit). The members on the British side included two members of the House of Lords, Law Lord Nigel Bridge of Harwich and Law Lord Hugh Griffiths; Justice Peter Webster of the Queen’s Bench Division of the High Court; Sir Gordon Slynyn, the British judge at the Court of Justice of the European Communities in Luxembourg; Michael Hawthorne, a district and county court registrar; George Staple, solicitor and partner in Messrs. Clifford, Chance; Nigel Wilkinson, a practicing barrister; and Thomas Legg, permanent secretary and clerk to the Crown in the Lord Chancellor’s Department. The live audience consisted of William and Mary law students, faculty, and guests.

This event was a “moot court” presentation in which a hypothetical case involving national security and free speech was argued twice, once under American law, with all members of the Exchange sitting as the U.S. Supreme Court, and then a second time under British law, with all members sitting as the House of Lords. The case involved efforts by the American and British governments to suppress publication of a book written by two former American and British spies on the grounds that publication would threaten national security. The four advocates who made presentations were Floyd Abrams, justly regarded by many as the premier First Amendment lawyer in the United States (he has argued more freedom of press cases before the Supreme Court than any other attorney in history, including The Pentagon Papers case); Professor Graham Zellick of the Faculty of Laws of Queen Mary and Westfield College, University of London, an expert on British law involving free speech and national security including the highly publicized Spycatcher controversy; Anthony Davis of Berwin Leighton in New York, a partnership including a United Kingdom partnership, who is an expert on both American and English media law; and Rod Smolla. These presentations were followed by a brief announcement of the “results” by both “courts.”

In October, the Institute staged a program called “Supreme Court Preview: What to Expect from the 1989-90 Term.” Decisions of the Supreme Court on abortion, flag-burning, drug-testing, affirmative action, sex discrimination, and governmental use of religious symbols were headline news this year. The upcoming Supreme Court term promises to be equally controversial. This second annual
Supreme Court Preview analyzed the most significant cases on the Court’s upcoming docket in a lively and spontaneous “press conference” format involving the top journalists in the country who regularly cover the Court, and a group of prominent legal scholars from around the nation.

Among the participating journalists were Linda Greenhouse of The New York Times, David Savage of The Los Angeles Times, Steve Wermel of The Wall Street Journal, Fred Graham, formerly of The New York Times and CBS News, Aaron Epstein of Knight-Ridder, Karen Horwatt, a third-year William and Mary law student from The Advocate, Al Kamen of The Washington Post, and Lyle Denniston of The Baltimore Sun. Legal scholars included Bruce Fein, Walter Dellinger (Duke), Lea Brillmayer (Yale), Steven Shiffrin (Cornell), Suzanna Sherry (Minnesota), Linda Fitzpatrick (Washington), David Rabban (Texas), Randall Kennedy (Yale), and Neal Devins (William and Mary). While targeted toward journalists and editors, the Supreme Court Preview Program was also intended as an educational experience for William and Mary law students and the general public.

On December 7-9, the Institute hosted a “Judges’ Seminar on the Individual Freedom and the State.” This program, exclusively for judges, is a joint venture conducted by the National Judicial College, the National Center for State Courts, and the Institute. It was a legal philosophy and constitutional law seminar exploring the ongoing conflict between the values of individual autonomy and communitarian social control. The faculty consisted of Rod Smolla, Justice Rosemary Barkett of the Supreme Court of Florida, Judge Lawrence Waddington of the Superior Court, Santa Monica, California, and Thomas Russell, associate dean of the National Judicial College.

Finally, on April 5, the Institute will stage its “Seventh Annual Bill of Rights Symposium: Freedom of Speech and the Problem of Racial, Sexual, and Religious Harassment.” In all of modern constitutional law, there are few conflicts as wrenching as the inherent tension between the free speech values of the First Amendment and the values of human dignity, tolerance, and equality embodied in many other provisions of the Constitution. Most Americans of good will are committed to racial and sexual equality, and to tolerance and respect for members of other religious, ethnic, and racial groups. Yet those ideals of tolerance and equality often come into collision with one of the central edicts of the First Amendment: that government should not censor speech on the basis of its message, even if it is repugnant to prevailing sensibilities. The Seventh Annual Symposium will explore this conflict from a variety of perspectives, commissioning the preparation of major articles on the subject for the William and Mary Law Review. The authors will come together with others for an evening of discussion and debate on the topic.

The most important factors in the effort to achieve our principal goals are the people affiliated with the Institute. Ms. Kay Kindred has come on board as the deputy director. She received her undergraduate degree at Duke, and her J.D. from the Columbia University Law School. Kay is the Institute’s principal administrator, and has been particularly active in our fund-raising efforts. Millie Arthur is now in her fourth year as the Institute’s administrative assistant. Millie does an enormous amount of work behind the scenes to keep the Institute running smoothly, and she is one of the main reasons for the Institute’s excellent reputation for high-quality programs. Tim Hanson ’40, instrumental in creating the Institute of Bill of Rights Law and a member of the Institute’s advisory board, died last summer. The Institute lives on as a part of his legacy. Stewart Bryan III, of Media General and Richmond Newspapers, has taken over as chair of the Institute’s advisory board. Two new members have joined the board: Wallace Terry, a prominent journalist, author, and film producer, and Roslyn Mazer, a highly regarded attorney from Washington who specializes in media-related litigation. Our visiting Lee Professor this year is David Rabban of Texas, who teaches courses in labor and legal history. It is fitting to add, as the newest additions to people contributing to the Institute, the scores of current students who have joined in enthusiastically to get the Student Division working, and many of our alumni, particularly Shep McKenney ’64, Ray Stoner ’71, and Robert Friend Boyd ’52, who have taken an active interest in helping to push our work forward. The Institute encourages suggestions from students, scholars, alumni, and members of the public on topics for future programs, publications, and task forces, as well as suggestions on joint sponsorship of activities with other organizations, and on funding sources for the pursuit of its projects.
Lawyering Down Under

by Professor John Levy

The William and Mary/Australia Faculty Exchange was established with money from the federal government to help celebrate the Centennial of the Australian Constitution. During the past two years, several members of the William and Mary faculty have visited the Universities of Adelaide and Flinders and faculty members from their campuses have come here. Through a fortuitous set of circumstances, I was selected to be the Law School’s representative to go “down under” for three weeks and give talks on civil liberties, legal ethics, and legal services—and to learn. I talked, learned, and had a wonderful time!

Although the country is exotic (kangaroos, hair-nosed wombats, emus, baobab trees), the people, legal system, and legal education were reassuringly familiar. However, there was enough of a difference to force me to think more about the things one takes as given in our own system.

Legal education to enable one to practice law in South Australia (one of the states and territories which makes up the Commonwealth of Australia) consists of one year of an approved non-law course at the college level, three more years for one’s Bachelor of Laws degree (LL.B), and one year of graduate education studying the practice of law. If the student successfully completes these courses, he or she (the gender representation is equal) is admitted to the Bar of the Supreme Court...
of South Australia (no bar exam!) and can practice as a barrister or solicitor or both. I talked to teachers in the graduate legal practice course and they were interested in our clinical courses and new Legal Skills Program. They are just starting the process of taking over from a mandatory year of Clerking (Articled Clerks). I will be sending them information and materials.

Since I have an interest in legal ethics, I also talked to the people in the Law Society (Bar) who run their system about problems and procedures. Their problems and complaints are virtually identical to ours. However, their disciplinary procedure has some interesting variations—lay people on the committees and the complainant’s ability to appeal if dissatisfied being two which are worthy of a closer look.

I then went to court. It was traumatic for me. I still find a coat and tie a real ordeal, so watching lawyers in wigs and robes was almost too much. However, after I got over that, I saw trials in which any of us would have been right at home. Talking to some lawyers later, I found they felt strongly that the wigs and all were a necessity. The tradition and aura of being different and above the ordinary person was necessary to make the system respected and held in enough awe to work. There were some, of course, who felt the regalia had the opposite effect. Again, I felt right at home.

I participated in a graduate seminar at the University of Adelaide Law School on contemporary issues in criminal law. The subject matter was familiar: the present day utility of preliminary hearings and doctors’ criminal exposure in “baby doe” type cases. The seminar was held in the late afternoon since many of the students were in practice. In my opinion, one instructional device they used that should be integrated into our educational system is wine. It made abstract intellectual discussions go more smoothly and is something the Law School should seriously consider!

There were numerous other fascinating experiences, both legal (debating the use of the International Covenant on Civil and Political Rights on which to build a bill of rights for Australia) and non-legal (walking among the Australian fur seals on Kangaroo Island). It was a stimulating and enjoyable experience that I would look forward to participating in again. The Law School is actively exploring the possibility of having a summer (their winter) law program at the University of Adelaide Law School. If that does come to fruition, I would recommend it wholeheartedly.
FOREIGN FRIENDS
OF THE LAW SCHOOL

The Marshall-Wythe School of Law was the first American law school to establish a summer law program abroad—at the University of Exeter, in England. In 1988, the Law School established a second summer program in Madrid, Spain, the only American law program in that country. The Law School notes with great appreciation the substantial contributions in time and effort given to these programs by the following individuals, firms, and public agencies who in England participate in an extensive forty-hour Legal Clerking Program, and in Spain present a program of small group orientation meetings on Spanish legal practice.

**ENGLAND**

- Bevan Ashford - Mr. D. Beadel
- Bond Pearce - Mr. R. Acock
- Mr. Butterfield, QC
- Crosse & Crosse - Mr. C. Hall
- Crown Prosecution Service - Mr. R. Green
- Dunn & Baker - Mr. G. Owens
- Ford Simey & Ford - Mr. S. Arnold
- G. Meredith, Barrister
- R. Merrett, Barrister
- Michelmores - Mr. T. Coleman
- Rowley Ashworth - Ms. Christine Dodgson
- Gilbert H. Stephens - Mr. G. Rice
- Stephens & Scown - Mr. P. Payne
- Stone & Co. - Mr. P. Maxlow-Tomlinson
- Tozers - Mr. A. Beard
- Veitch & Co. - Mr. M. Penney

**SPAIN**

- Acedo-Rico Y Losada - Mr. Santiago Lleo Fernandez
- Estudio Juridico Almagro - Mr. Jose de Francisco
- Bufete Jose M. Armero - Mr. Frank J. Wirga
- Baker & McKenzie - Mr. Inigo Abarca
- Pedro Brosa & Asociados - Mr. Ricardo Revate
- Coronel de Palma - Mr. Federico Cacho-Zabalza
- Bufete Cuatrecasas - Mr. Julian Garcia Rubi
- Despacho Juridico - Mr. Luis G. Rasilla
- Fabregat Y Bermejo - Ms. Concepcion Osacar Garaicoechea
- Dr. Fruhbeck Abogados Y Economistas - Mr. A. Berning
- J & A Garrigues - Mr. Ramon Llado
- Gomez-Acebo Y Pombo - Mr. Roger Landholm
- Estudio Legal Abogados - Mr. Alejandro Fernandez de Araoz
- Lopez-Munoz Y Larraz - Dr. Lopez-Munoz Y Larraz
- Despacho Melchor de las Heras - Mr. Fernando Satrustegue
- Bufete Mullenat & Rosell - Ms. Isabel-Clara Canals
- Bufete M. Vega Penichet - Mr. Ignacio Vega-Penichet
- L.C. Rodrigo Abogados - Mr. Jorge Angell
- Estudio Juridico Sanchez Calero - Mr. Miguel Sanchez Guilarte
- Uria & Menendez - Ms. Linda Hiniker Alverio

Professor Walter Williams, director of the William and Mary Summer School of Law in Europe
LAW PROFESSORS AS AUTHORS:
The Challenge of Literary Creation
by Christie niDonnell

Writing a book is an adventure; to begin with it is a toy, then an amusement, then it becomes a mistress, and then it becomes a master, and then it becomes a tyrant, and the last phase is that just as you are about to be reconciled to your servitude you kill the monster and strew him about to the public.

Sir Winston Churchill

The topics range from taxes and agencies to the environment and entertainment; the audiences vary from legislators and practitioners to laymen and high school classes. The styles, approaches, and lengths of the works also encompass a wide spectrum; the results include casebooks, treatises, trade books, articles, and interactive video materials.

What is happening is that in addition to their teaching responsibilities, many Marshall-Wythe professors have taken on the challenge of literary creation. And while each has experienced one or more of the stages described above, they all express satisfaction with the outcome of their efforts and feel that the pleasures outweigh any agonies of the process involved.

For Lynda L. Butler, that process began in 1980 when Dean Spong invited her to co-author Virginia Tidal and Coastal Law (Michie, 1988) with Visiting Professor Margit Livingston. It was Professor Butler's second year of teaching, and her background in property law was only ancillary to the book's focus on tidal and coastal resources. To be asked to write her first book on an unfamiliar subject was a somewhat daunting proposition.

Seeking to put the legal issues in a scientific and historical context, she did intense, long-term research into the technical aspects of coastal resources, focusing in particular on the ecological and physical characteristics of Virginia's tidal zone. In addition, she studied the evolution of Virginia's tidal and coastal laws from their Roman law origins. Both perspectives highlighted the same theme: the need for more effective laws to ease tensions between public and private interests in tidal resources.

Virginia Tidal and Coastal Law discusses and evaluates those tensions and offers some suggestions for resolving them.

Her eight years' work on the book have brought Professor Butler, who previously favored the mountains, an appreciation of the coast as well as a new understanding of Virginia's history. Among other lessons, she has learned that, contrary to popular belief, Virginia has a strong tradition of public rights in tidal resources. As the demand for coastal resources increases, this tradition will, she predicts, be tested. The book's readership includes law libraries, water research centers, state agencies, and law firms specializing in resource issues. Professor Butler believes Virginia Tidal and Coastal Law is a good research tool for Marshall-Wythe alumni practicing property law, especially those handling title questions involving waterfront land; instead of spending weeks in the library researching Virginia's antiquated title statutes, they can find an in-depth discussion of those statutes in the book. "Besides," she wryly points out, "a lot of them worked on the book."

Linda A. Malone's Environmental Regulation of Land Use (to be published next year by Clark Boardman) is also a first book, but it is more closely related to her teaching load which includes courses in environmental and agricultural law. The book is the link in the publisher's line of treatises on land use and environmental law. Since land use regulations are usually locally mandated (with some state control over density and specifically permitted uses), and environmental laws generally come from the federal government, with some state input, Professor Malone's book also provides a bridge across legislative spheres of influence.

"There are many interesting developments at the state level where the two areas overlap," Professor Malone explains. "States are experimenting in an effort to
reconcile land use needs with environmental concerns. A surprise,” she adds, “was the extent to which they do continue to experiment, despite all obstacles put in their paths. Developers contend with environmentalists, private property conflicts with the public interest, and the states must carry the burden of balancing these issues with less and less financial help from the federal government.” In the course of her research, Professor Malone recognized the need to have a more unified policy on these issues. In the area of ground water alone, there are thirteen federal statutes, but no true national policy that would coordinate the many different agencies involved in regulating this one resource or provide uniform standards for regulation.

The process of writing the book, which took about two and a half years from the time she was approached by the publisher, was different from writing articles (although some of the chapters were published in the latter form). “Articles are more finite. With a book, there’s always something that remains to be done.”

Ronald H. Rosenberg’s area of interest is the wide ranging field of environmental law, so it is no surprise that he is in the process of completing a major revision of Environmental Law Casebook, due out in late spring from Foundation Press. He is collaborating with the current author on this third edition. The revision is much needed, Professor Rosenberg says, because environmental law is constantly in a state of flux. With three dynamic forces—legislative and administrative action as well as the results of judicial review—at work, there have been many changes in policy and law in the five years since the second edition was published. By carefully selecting material from the comparative law and delving into historical and scientific literature, he is attempting to make the subject matter of this casebook as interesting and accessible as possible.

The book is a reflection of Professor Rosenberg’s and the Marshall-Wythe faculty’s interest in the area of public law, and the frequent reports in the media demonstrate the timeliness of the inquiry into environmental problems. The readership for the casebook is primarily law students, although Professor Rosenberg points out that it has also been used extensively in undergraduate environmental law and science courses. “It’s a disciplined examination of an entire area of study that I hope will provide a comprehensive understanding of this area of law,” he adds.

Emerich Fischer is also in the process of revising his casebook, Principles of Insurance Law (Matthew Bender, 1986), which he co-authored with Professor Peter Swisher of the University of Richmond. The original book was the result of a number of years’ work by Professor Fischer, who found that texts on insurance law were not written with students in mind. Over the years, he developed materials that presented the subject as a complete package rather than arcane bits and over-categorized pieces of information. Now, because of changes in the law, Professor Fischer is updating this casebook, which is used mainly by law students. His criteria for the inclusion of a case are that its facts are interesting enough to arouse the student’s curiosity, the attorneys involved have good arguments, the analysis by the court is cogent, and it is current. A supplement is due to come out in 1990.

In addition, Professor Fischer is working on a casebook on tax accounting methods. As with Principles of Insurance Law, this book is the result of his not being able to find any suitable published work on the topic, a course he began teaching only two years ago and one that is not frequently offered at law schools. Right now, he has a collection of cases, Internal Revenue Service regulations, rulings, and law review articles to use as teaching materials on this method of accounting that differs from Generally Accepted Accounting Principles (GAAP). In an area marked by a government increasingly intent on immediate revenue, there is tension between GAAP and tax accounting methods; students and practitioners alike find it a difficult subject, as concepts long accepted by the practitioner are now being eroded by Congress and the Treasury Department. Professor Fischer has been working on this project for two years and will co-author the book with another Marshall-Wythe faculty member, John W. Lee. Work will resume on this casebook when the revision to Principles of Insurance Law is completed.

Professor Fischer says that his main goal in writing these casebooks—as in writing anything—is to show that this is a working faculty. “I want the name of the William and Mary Law School to be out in the public eye,” he emphasizes. “There is no money aspect. I want to elevate the standing of the Law School in the academic world via publishing.”

Yet another casebook revision is in the works as Charles H. Koch, Jr., prepares the second edition of his Fundamentals of Administrative Practice and Procedure (Michie Bobbs-Merrill, 1981). Although he co-authored the original edition, Professor Koch will be solely responsible for this version due out in spring 1991. With a readership of law students, the updated edition will reflect the changes in administrative law that Professor Koch says occur constantly. He intends to use his draft of the new version for teaching this year in order to debug the material before publication.
Meanwhile, he is also working on a 1989 supplement to his two-volume treatise, *Administrative Law and Practice* (West Publishing Company, 1985). Written from his own experience and dedicated to career civil servants, this work presents the subject largely from the consumer's perspective. The readership consists mainly of lawyers involved in governmental practice, but it is also valuable to those who seek better understanding of the government. "It's almost impossible to practice without knowing administrative law. There are other things to do besides suing people." Professor Koch points out. *Administrative Law and Practice* is a reference book for practitioners, enabling them to provide a broader range of services to their clients. He says that the process of writing biennial supplements always raises more questions than are answered, leaving him with more avenues for future research.

**Richard A. Williamson's** *Defending Criminal Cases in Virginia* (Virginia Law Foundation, 1981) also had been updated every two years due to changes in the law. Now it is being supplemented yearly, and after his upcoming fifth edition due out next year, the updates may be issued every six months. This reference book is directed toward criminal defense lawyers and is limited to the process and procedure in trying criminal cases in the Commonwealth. "A portion of the book deals with Fourth, Fifth, and Sixth Amendment rights, the most heavily and frequently litigated issues in the United States. Consequently, they are continually in a state of evolution, and this is why the book requires constant revision," Professor Williamson explains. The process of writing these updates has kept him current in the field with respect to the course he teaches, *Criminal Procedure and Evidence*.

"A book like this becomes almost a child to you. You devote so much effort—and then others come to rely on it. You have a psychic interest in seeing that it remains a valuable work," he says. "It's hard to comprehend the amount of work that is involved in a book like this. There are few things anyone can do that give you as much pleasure as producing something you know other people rely on." He takes pride in the fact that the book is a link between the academic and practicing arms of the profession: a practitioner couldn't devote the time to do the research to stay on top of such changes as an academic can, yet the book is for lawyers, not the academic community. "But," Professor Williamson quickly adds, "it is only one type of academic work."

Another type is **Neal E. Devins'** *Public Values, Private Schools* (Farmer Press, 1989), a collection of essays by professors who represent a range of disciplines and ideas that explores the ways that private school controversies are shaped by parallel public education issues. Professor Devins was both editor and contributor to the book, which is part of the Stanford Series on Education and Public Policy. The topics cover a spectrum of constitutional issues, freedom of religion, substantive due process concerns, family law, civil rights, and the limits that the states place on the educational choices of parents. It includes contributions from lawyers, political scientists, economists, philosophers and social scientists. Only about a third of the book is devoted to straight legal topics.

Professor Devins sees the readership as those interested in private school issues, social policy concerns, and education. He finds a fundamental similarity between public school issues and private school concerns. "The important thing about this book is that it shows how interconnected these issues are," he says. "We care about the racial composition of private schools because it tells us something about the racial make-up of public schools. Similarly, student performance in private schools serves as a gauge for the quality of instruction in public schools."
Professor Devins originated the concept for the book, approached Stanford, and spent two years working with the other contributors. It was different from writing articles, or producing a book alone. Instead of being answerable only to himself, he had to designate others to write about the issues; then he had to work with each essayist’s style, ideas, and time constraints. “It was my book, my vision,” he explains. “Each author was entitled to express his or her views. My job was to make sure they were effective and within my vision of the book.” Professor Devins believes that readers should understand that legal issues work within society at large. “Law is a narrowly defined world,” he says, “but it operates in a larger culture.”

Another student of the larger culture in which the law functions is Rodney A. Smolla, who has long been interested and involved in First Amendment issues. This has led to several recent publications, ranging from a treatise to trade books on famous libel suits. Law of Defamation (Clark Boardman, 1986) is a technical legal treatise on defamation, libel, and slander. Its readership primarily consists of practicing defense and plaintiff lawyers. It came about when, in the course of his research on defamation laws, Professor Smolla found there was no comprehensive treatment of the subject. He approached the publisher, and the treatise emerged—like his other books—after only six months of intense, concentrated effort.

That same year saw the culmination of one of the most famous libel cases, Westmoreland v. CBS, and coincided with the compiling of the first of Professor Smolla’s trade publications, Suing the Press (Oxford University Press, 1986). This book resulted from Professor Smolla’s observation that First Amendment law actually favored the press, yet public figures were suing the media successfully in increasing numbers. He investigated, seeing the law as a window into the greater American culture, and cultural trends as influences on the law. Suing the Press documents this. Journalists, teachers, and business leaders are among the readership that Professor Smolla characterizes as “very eclectic.”

His second trade book, Jerry Falwell v. Larry Flynt: The First Amendment on Trial (St. Martin’s Press, 1988), has a similar readership. This book began almost serendipitously: in Richmond to make a speech during an appeal of the case. Professor Smolla was approached by the publisher of one of the many newspapers interested in the suit and its attending issues, and wrote an amicus brief. He found the story both dramatic and fascinating, and thought, “This is a great case! This is a great story!” He wrote the bulk of the book before the Supreme Court rendered its decision, leaving only the final fifty or so pages, so that Jerry Falwell v. Larry Flynt was the first book on the case to be published (just as Suing the Press followed hot on the settlement of the Westmoreland suit).

In describing his various literary efforts, Professor Smolla concedes that the treatise had “no glitz or glitter, no jokes.” It was more tedious and painstaking, but in some ways also less of a strain to write because he says he finds it easier to be analytical rather than creative. What was interesting about working on Law of Defamation was his gradual maturing as a scholar. “I was not just recording the law as it is, but trying to exert some rationalizing influence on it,” Professor Smolla explains. Learning about the human personalities involved was what made Jerry Falwell v. Larry Flynt interesting; and the chapter on the Westmoreland case in Suing the Press was instructive in how illusive historical truth can be about something as emotion-sparking as the Vietnam War. “The point of all of them,” he adds, “is that the legal system in reality is motivated by human emotions. It is not just abstract doctrines.”

Torts and product liability specialist Paul LeBel is interested in the human issue of the victims of drunk drivers. His John Barleycorn Must Pay; Compensating the Victims of Intoxicated Drivers, which he is completing, is the result of his research into this issue. The current system, which he finds inadequate, involves proceeding outward through concentric circles of liability. The drunk driver is the easiest to blame, but the hardest to get money from. The next level includes persons with certain types of relationships to the driver, such as an employer or the registered owner of the vehicle. This legal case is harder to make, and there may not be much compensation available. The most recent addition to the circles of liability involves the server, both the commercial and social dispenser, but Professor LeBel still finds these unsatisfactory in terms of fairly compensating the victim.

Instead, he believes the costs of drunk driving accidents ought to be placed where there will be the greatest effect on reducing dangerous behavior as well as the greatest ability to spread the losses over a wide pool. He concludes that a tax imposed on the liquor industry could form a fund to be used to supplement the cur-
Professor Devins originated the concept for the book, approached Stanford, and spent two years working with the other contributors. It was different from writing articles, or producing a book alone. Instead of being answerable only to himself, he had to designate others to write about the issues; then he had to work with each essayist's style, ideas, and time constraints. "It was my book, my vision," he explains. "Each author was entitled to express his or her views. My job was to make sure they were effective and within my vision of the book." Professor Devins believes that readers should understand that legal issues work within society at large. "Law is a narrowly defined world," he says, "but it operates in a larger culture."

Another student of the larger culture in which the law functions is Rodney A. Smolla, who has long been interested and involved in First Amendment issues. This has led to several recent publications, ranging from a treatise to trade books on famous libel suits. Law of Defamation (Clark Boardman, 1986) is a technical legal treatise on defamation, libel, and slander. Its readership primarily consists of practicing defense and plaintiff lawyers. It came about when, in the course of his research on defamation laws, Professor Smolla found there was no comprehensive treatment of the subject. He approached the publisher, and the treatise emerged—like his other books—after only six months of intense, concentrated effort.

That same year saw the culmination of one of the most famous libel cases, Westmoreland v. CBS, and coincided with the compiling of the first of Professor Smolla's trade publications, Suing the Press (Oxford University Press, 1986). This book resulted from Professor Smolla's observation that First Amendment law actually favored the press, yet public figures were suing the media successfully in increasing numbers. He investigated, seeing the law as a window into the greater American culture, and cultural trends as influences on the law. Suing the Press documents this. Journalists, teachers, and business leaders are among the readership that Professor Smolla characterizes as "very eclectic."

His second trade book, Jerry Falwell v. Larry Flynt: The First Amendment on Trial (St. Martin's Press, 1988), has a similar readership. This book began almost serendipitously: in Richmond to make a speech during an appeal of the case, Professor Smolla was approached by the publisher of one of the many newspapers interested in the suit and its attending issues, and wrote an amicus brief. He found the story both dramatic and fascinating, and thought: "This is a great case! This is a great story!" He wrote the bulk of the book before the Supreme Court rendered its decision, leaving only the final fifty or so pages, so that Jerry Falwell v. Larry Flynt was the first book on the case to be published (just as Suing the Press followed hot on the settlement of the Westmoreland suit).

In describing his various literary efforts, Professor Smolla concedes that the treatise had "no glitz or glitter, no jokes." It was more tedious and painstaking, but in some ways also less of a strain to write because he says he finds it easier to be analytical rather than creative. What was interesting about working on Law of Defamation was his gradual maturing as a scholar. "I was not just recording the law as it is, but trying to exert some rationalizing influence on it," Professor Smolla explains. Learning about the human personalities involved was what made Jerry Falwell v. Larry Flynt interesting, and the chapter on the Westmoreland case in Suing the Press was instructive in how illusive historical truth can be about something as emotion-sparking as the Vietnam War. "The point of all of them," he adds, "is that the legal system in reality is motivated by human emotions. It is not just abstract doctrines."

Torts and product liability specialist Paul LeBel is interested in the human issue of the victims of drunk drivers. His John Barleycorn Must Pay: Compensating the Victims of Intoxicated Drivers, which he is completing, is the result of his research into this issue. The current system, which he finds inadequate, involves proceeding outward through concentric circles of liability. The drunk driver is the easiest to blame, but the hardest to get money from. The next level includes persons with certain types of relationships to the driver, such as an employer or the registered owner of the vehicle. This legal case is harder to make, and there may not be much compensation available. The most recent addition to the circles of liability involves the server, both the commercial and social dispenser, but Professor LeBel still finds these unsatisfactory in terms of fairly compensating the victim.

Instead, he believes the costs of drunk driving accidents ought to be placed where there will be the greatest effect on reducing dangerous behavior as well as the greatest ability to spread the losses over a wide pool. He concludes that a tax imposed on the liquor industry could form a fund to be used to supplement the cur-
Professor Frederic I. Lederer's recent publications range from treatise supplements to curriculum materials for high school students. His 1989 supplements to *Courtroom Criminal Evidence* (Michie, 1987) and *Evidence in America: Federal Rules of Evidence in the States* (Michie, 1987) are offshoots of his work in teaching criminal procedure and evidence. The first is a one-volume treatise dealing with the law of evidence for criminal cases. Co-authored with three others, it includes the law of search and seizure, self-incrimination and interrogation, and eye-witness identification. *Evidence in America* is a four-volume reference work dealing with the Federal Rules of Evidence and their application in the states that have adopted them or variations based on them. Professor Lederer is co-author of the 1988 and 1989 annual supplements. Practitioners constitute the primary readership for both publications.

Also the author of numerous articles concerning military law, Professor Lederer is working on a new publication in this area that will be published by the Michie Company in 1990. Tentatively titled *Criminal Procedure in the Armed Forces*, this will be a two volume treatise. Written by Professor Lederer and Col. Fran Gilligan, another noted specialist in military criminal law, the treatise will present an in-depth treatment of the regulatory, statutory, constitutional, and case law relating to trials by court-martial.

Two more of Professor Lederer's works are entirely different both in audience and format. *Aspects of American Law* (1988; 1989) is a collection of curriculum materials that can accompany a seven part video series produced by WHRO-TV, the Norfolk, Virginia, PBS station. Published with funding from the Virginia Bar Foundation, the comprehensive materials are intended to teach secondary school students what law is, how it is made and enforced, and how it influences their lives. Professor Lederer served as editor and primary co-author. *The Living Constitution*, for which he was also editor and primary co-author, was prepared for the Commission on the Bicentennial of the United States Constitution and is a collection of problem scenarios and primary materials intended to augment instruction on the Constitution at the high school and college level. *The Living Constitution* should be published in 1990 by a major publishing house.

Professor Lederer's belief that it is important that the general public understand the legal system was the inspiration behind *Aspects of American Law*; it follows in the tradition of his work with elementary school students in the Williamsburg area, where legal concepts are taught via classroom instruction and trials of fairy tale crimes and torts. *The Living Constitution* emerged from a national project in 1987 in which high school delegates from each state re-enacted the original Constitutional Convention by coming to Colonial Williamsburg and drafting a constitution as if they were delegates to the original convention.

Each of his efforts has been different, requiring distinct areas of knowledge and unique presentations. His collaborators range from other law professors to public school teachers, television production personnel, and teenagers. In discussing his literary creations, Professor Lederer emphasizes that "the Marshall-Wythe faculty does lots of different things. We care about not just the academic audience, but about practitioners and the general public as well."

It is an attitude evident in the publications of all the Marshall-Wythe faculty. They are concerned with the human side of the law, and in finding the larger issues involved in legalities. These concerns are reflected in their books.

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Christie niDonnell has written articles for newspapers and trade magazines and is currently a doctoral student in the History Department at the College of William and Mary.
Admissions Report

by Faye F. Shealy
Associate Dean for Admissions

The traditionally strong student body of the Marshall-Wythe School of Law has been further strengthened with the addition of the class of 1992. The enrollment of these new students in August marked the end of the Law School's busiest admission season which was characterized by the following significant facts:

- the largest number of applicants for admission and a thirty percent increase over the size of the 1988 applicant pool
- an increase in the applicant pool that outpaced the national increase by twelve percent
- the most selective admissions process in our history with less than twenty percent of applicants offered admission
- the best-qualified admittees, as measured by the median LSAT score of 41 (equivalent to the 92nd percentile) and a median undergraduate grade point average of 3.40
- students who are brighter in terms of standardized test scores, and more diverse in terms of race, gender, work experience, and background.

Nationally, the number of applicants to ABA-approved law schools in 1989 increased 11.5 percent over the prior year, and those applicants generated a 17.7 percent increase in applications. These striking increases were unexpected. Law schools generally had been advised to expect modest declines as the number of twenty-two and twenty-three year olds in the population shrank.

The experience at the Marshall-Wythe School of Law has not mirrored the national trend in respect to the prior downturn which occurred in the early and mid-eighties. Applications for admission to the class of 1992 arrived from over three thousand candidates representing the largest applicant pool in the history of the Law School. Although a sizable decline (sixteen percent) occurred in 1984, significant increases in the number of applicants to this law school have followed: up five percent in 1985; up eleven percent in 1986; up nine percent in 1987; up sixteen percent in 1988; and up 30.3 percent this year—an increase in the applicant pool of over ninety percent since 1984.

More important than these numbers is the high quality of the candidates who comprise the applicant pool and class. Applications were received from forty-nine states (South Dakota was the exception), the District of Columbia, and several foreign countries. They attended 553 different undergraduate institutions. With 208 and 137 applicants respectively, the University of Virginia and the College of William and Mary remain our primary feeder schools.

Largely due to the unanticipated increase in the national applicant pool and a jump in our yield, recent entering classes have slightly exceeded our projected class size of 175. The new class has 186 students despite the fact that fewer students were offered admission. This class includes ninety-seven (52 percent) females and twenty-two (12 percent) minorities. It is our first majority female class. The median LSAT score for the entering class is 41 (92nd percentile) when calculated using the highest score for individuals with multiple test scores, and 40 (90th percentile) when calculated using the average score for multiple test takers. Their median undergraduate grade point average is 3.27. Twenty-three states, the District of Columbia, and the countries of Ethiopia, India, and Ghana are represented in the class, as are ninety-five different undergraduate colleges and universities. Twenty-three percent attended the University of Virginia or the College of William and Mary. Duke University provided the next largest group of students.

Although political science, government, and history are the most popular majors, our incoming law students have majored in almost all disciplines, with business and science or engineering majors now accounting for one-fourth of the class. Ten percent have earned post baccalaureate degrees including the M.P., M.A., M.Div., M.P.A., M.F.A., M.S., M.Ed., M.B.A., Ed.D. and Ph.D.

It is no longer the case that the overwhelming majority of entering law students are twenty-two year olds who have just graduated from college. The average age of entering students is twenty-five, and over half of the first-year students have full-time work experience—twenty-six as legal assistants or paralegals—others in such fields as consulting, engineering, accounting, and teaching. Artists, auditors, computer analysts, and a corporate CEO represent the variety of work experiences our new students bring with them. They are a bright, diverse, accomplished group of students, and they want to be lawyers. They are the members of the class of 1992 and it is expected that they will contribute to the Law School's academically strong and hard-working student body.
UNDERGRADUATE INSTITUTIONS
ATTENDED BY THE 1989-90 MARSHALL-WYTHE STUDENT BODY

VIRGINIA

Averett College
Eastern Mennonite College
Emory and Henry College
Ferrum College
George Mason University
Hampden-Sydney College
Hampton University
James Madison University
Lynchburg College
Mary Baldwin College
Mary Washington College
Old Dominion University
Radford University
Randolph-Macon College
Randolph-Macon Woman’s College
University of Richmond
University of Virginia
Virginia Commonwealth University
Virginia Military Institute
Virginia Polytechnic & State University
Virginia State University
Washington and Lee University
College of William and Mary

OUT OF STATE

Allegheny College
Allentown College
American University
Amherst College
University of Arizona
Arizona State University
University of Arkansas
Augustana College
Bates College
Belmont College
Boston College
Boston University
Bowdoin College
Brigham Young University
Brown University
Bryn Mawr College
Bucknell University
California Polytechnic State University
University of California - Berkeley
University of California - Davis
University of California - Los Angeles
Carnegie-Mellon University
Catholic University of America
Central Michigan University
University of Chicago
Clark University
Colby College
Colgate University
Columbia University
Cornell University
Dartmouth College
Davidson College
University of Delaware
Dickinson College
Drake University
Duke University
Earlham College
Edinboro State College
Elon College
Emory University
Fairfield University
University of Florida
Florida State University
University of South Florida
Fordham University
Franklin and Marshall
George Washington University
Georgetown University
University of Georgia
Goucher College
Haile Selassie University
Hamilton College
Harvard College
University of Hawaii
Haverford College
College of the Holy Cross
University of Houston
Howard University
University of Illinois
Illinois Wesleyan University
Indiana University - Bloomington
Indiana University - Ft Wayne
University of Iowa
John Jay College of Criminal Justice
Johns Hopkins University
Kent State University
University of Kentucky
Kenyon College
Lebanon College
Lehigh University
University of London
Louisiana Tech University
Macalester College
University of Maine - Orono
Marshall University
Marquette University
University of Maryland
Massachusetts Institute of Technology
University of Massachusetts - Amherst
University of Massachusetts - Boston
Medical College of Georgia
University of Miami
Miami University of Ohio
Michigan State University
University of Michigan
Middlebury College
Millersville University of Pennsylvania
Milligan College
University of Missouri - Columbia
Morehead State University

Mount Holyoke College
Muhlenberg College
University of Nebraska
University of New Hampshire
New Jersey Institute of Technology
New York University
North Adams State College
University of North Carolina
North Carolina State University
North Texas State University
University of Notre Dame
Oberlin College
Ohio Wesleyan University
Oklahoma State University
University of Oklahoma
Oral Roberts University
Pace University - College of White Plains
Pennsylvania State University
University of Pennsylvania
Pepperdine University
University of Pittsburgh
Princeton University
Purdue University
Queens College
Radcliffe College
University of the Redlands
Reed College
Rice University
University of Rhode Island
Rutgers University
St. Bonaventure College
St. Joseph's University
Salisbury State College
University of Scranton
Smith College
University of South Carolina
Southern Connecticut State College
Southern Illinois University
Southern Methodist University
Southwestern Baptist College
Spencerian College
Stanford University
Stephens College
Suffolk University
SUNY at Albany
SUNY at Binghamton
SUNY Maritime College
SUNY at Stony Brook
SUNY College at Potsdam
SUNY College of Westbury
Swarthmore College
Temple University
University of Tennessee
University of Texas
University of Texas - El Paso
Towson State College

Transylvania University
Trinity College
Tufts University
Tulane University
University of Tulsa
United States Air Force Academy
United States Coast Guard Academy
United States Military Academy
University of Utah
Vanderbilt University
Vassar College
University of Vermont
Wake Forest University
Wartburg College
University of Washington
Washington and Jefferson College
Washington State University
Washington University
Wellesley College
West Texas State University
West Virginia University
Western Michigan University
Wheaton College
William Woods College
Williams College
University of Wisconsin - Madison
Yale University
York College of Pennsylvania
The 1989-90 academic year promises to be an exciting one on the career services front. As the type and number of services we provide to students and alumni continue to grow, all signs point to another record-setting level of activity.

EMPLOYER ACTIVITY

More than 260 employers from approximately thirty states and the District of Columbia registered for fall 1989 on-campus interviews; about six hundred others registered as nonvisiting employers requesting resumes from our students. During fall 1988, with fewer registered employers, we distributed nearly eleven thousand student resumes and scheduled more than 3,250 interviews.

THE CLASS OF 1989

As of July 1, 1989, approximately two-thirds of the members of the class of 1989 had reported their employment status. Preliminary figures indicate that they were located in twenty-four states and Washington, D.C. Private practice claimed 73%, judicial clerkships 14%, government 6%, the armed forces 4%, public interest organizations 2%, and accounting firms 1%.

We polled the graduates about the factors that led them to accept the positions they did. For respondents giving one or more reasons, the top three responses were type of work (57%), location (53%), and employer atmosphere (52%).

OFF-CAMPUS PROGRAMS

Although the on-campus and nonvisiting employer offerings play an important role for our students, we continue to look for ways to diversify the options available to them. To this end, we anticipate participating in at least six off-campus hiring programs during the 1989-90 academic year. These ventures include the Southeastern Minority Job Fair, the Mideast Minority Recruitment Conference, the National Public Interest Career Information Fair, the Virginia Law Schools Public Interest Job Fair, the Southeastern Law Placement Consortium, and the Spring Recruitment Program of the Virginia Law Schools (which is designed primarily for small and moderate-sized law firms, public interest organizations, and government agencies, all of whom traditionally hire later in the year than larger law firms).

PUBLIC INTEREST INITIATIVES

Recent national statistics underscore the public interest crisis facing the legal profession. According to the American Bar Association Journal, which cites reports by the Legal Services Corporation and Harvard University, 93.2% of the legal needs of America's poor go unserved. At the same time that public interest organizations cannot meet the needs of all those who seek assistance, few students elect to enter public interest practice. National surveys indicate that 30-40% of entering law students express a desire to pursue a career in public service; at graduation, however, only 1-3% actually accept positions with public interest employers.

The Office of Career Planning and Placement has been instrumental in initiating two projects designed to give Marshall-Wythe students first-hand experience working for public interest employers. Founded in 1987, the William and Mary Public Service Fund raises funds from students, faculty and staff, and alumni for summer public interest stipends. During the summer of 1989, the Public Service Fund allocated approximately ten thousand dollars to five students to work at Legal Services of North Florida, the Indochina Resource Action Center, the Media Access Project, the San Francisco Youth Law Center, and Peninsula (Virginia) Legal Aid.

The second initiative involves the formation of the Virginia Law Foundation IOLTA Public Service Fellowships. Under the Foundation's Interest on Lawyer Trust Accounts (IOLTA) program, nominal or short-term deposits are pooled to generate interest which is paid to, and administered by, the Foundation. The Foundation, in turn, awards grants to provide financial assistance to programs and organizations that are expected to improve the administration of justice and further public understanding of the law in the Commonwealth of Virginia. In spring 1989, Marshall-Wythe spearheaded a joint grant proposal on behalf of five law
ALUMNI SERVICES

We continue to publish the Alumni Placement Bulletin on the first and fifteenth of each month. Containing positions for experienced attorneys and focusing primarily on opportunities in Virginia, the Bulletin currently has over one hundred subscribers.

Under a policy known as “reciprocity,” most law schools permit graduates of other schools to use their career services offices to explore lateral moves. During the 1988-89 academic year, we arranged reciprocity for Marshall-Wythe graduates at forty law schools nationwide.

Graduates may receive the Alumni Placement Bulletin or request reciprocity by contacting the Office of Career Planning and Placement. In addition, Associate Dean Robert Kaplan is available to speak and meet individually with graduates contemplating career moves.

EDUCATIONAL PROGRAMS

To assist students in making informed career decisions, we offer a series of programs during the course of the academic year. Alumni participate in many of these sessions. The most popular include “A Tale of Five Cities,” which features practitioners outside Virginia discussing how they work and live in their locales (the September 1989 program spotlighted Baltimore, Charlotte, Cleveland, Nashville, and Philadelphia); “Interviewing Tips,” which includes a mock interview observed by students, followed by a roundtable critique by practitioners; “The Diversity of the Legal Profession,” which describes a range of employment options; “Dealing with the Public Interest Crisis,” which explores attorneys’ pro bono obligation; and “The Ins and Outs of Judicial Clerkships.”

Among other programs planned for 1989-90 are presentations on nontraditional careers, opportunities in sports and entertainment law, understanding fringe benefits, negotiating for a position with a solo practitioner/small firm, in-house corporate positions, funding and funding a public interest job, and “surviving” the federal government’s SF-171 form.

schools in Virginia, seeking IOLTA money to fund summer public interest fellowships with Virginia employers for three students from each school. In June, the Foundation announced that it would fund the fellowships. We therefore will be able to provide three additional public interest placements for Marshall-Wythe students during the summer of 1990.

GROWTH OF ON-CAMPUS INTERVIEW PROGRAM

1979-1988

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1979-1988

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Report on Development and Alumni Affairs 1988-89

by Deborah S. Vick
Associate Dean for Development and Alumni Relations

Why do so many people make gifts to Marshall-Wythe? The love of the institution? Guilt? The person who has asked for the gift? A feeling that you can make a difference by making a contribution? Pride in your degree and the success it has brought you? A foodness for the leaders of the institution? An interest in a particular program at your school? All of the above.

Each individual may identify a different motivation for giving. In truth, it's what makes a development officer's job so challenging, interesting, and unpredictable. Unlike foundation and corporate giving programs, alumni do not come with a set of guidelines saying precisely what sorts of qualifications the Law School must meet to apply for a grant, or what kinds of "funding priorities" you will follow in a given year. One thousand donors may have a thousand different reasons for giving. That's what makes your gift all the more special to receive and put to use. We are deeply grateful to those of you who have chosen to make us your priority, and believe that you've made one of the best investment decisions possible.

This year, our alumni and friends contributed more money than ever before. In the last four years, our annual giving program has grown from $82,000 in 1985-86 to $223,000 in 1988-89. Since its inception in 1982, the Marshall-Wythe School of Law Foundation has amassed over 4.5 million dollars in permanent endowment funds. The impact on this institution has been dramatic. Since 1982, the following additions have been made to the Law School due exclusively to private funds received:

- an increase in the number and quality of alumni publications
- five supplemental professorships
- one endowed chair
- eight endowed scholarships
- professional development support for all faculty members

The diversity and real strength of our institution is reflected in the many reasons and ways in which you support the Law School. Marshall-Wythe's priorities will remain steady over the next several years. Our vision, our mission, is clearcut: to sustain our growth in quality, we will seek increasing amounts of private support for scholarships, professorships, faculty research and development, academic enrichment programs, enhancement of the library collections, and student services. To advance these programs and priorities, we aspire to raise approximately one million dollars, through private contributions, for current operations and endowment support during the 1989-1990 fiscal year.

This Law School has come a long way in a short time. Our progress may be attributed in large part to a strongly committed corps of volunteers. Heartfelt thanks must be extended from all Marshall-Wythe alumni, faculty, students, and friends to the members of our three governing boards: the Marshall-Wythe School of Law Foundation, the William and Mary Law School Association, and the Annual Fund Board, and especially to their leaders, Robert Friend Boyd '52, president of the Law School's foundation, 1987-1989; William L. Lewis '76, president of the Alumni Association, 1988-1989; and Ray C. Stoner '71, president of the Annual Fund Board of Directors, 1988-1989. Through the collective efforts of our volunteers, we raised over $500,000 and were able to expand significantly our alumni services and activities. On behalf of the faculty and administration, and especially the students—the real beneficiaries of our volunteers' time and support—we thank you for all that you do.

Finally, I wish to express my appreciation to the group of pioneers who assumed the job of class agents during the 1988-89 fiscal year. Hats off to the following fifty-nine class leaders, whose efforts—along with those on the boards of the Law School—enabled us to achieve a twenty-two percent increase in the annual fund over last year's total.
Class Agents for 1988-89

E. C. Ferguson, Jr. '41
Robert C. Stackhouse '51
Kenneth H. Lambert '59
Bernard Goldstein '60
Michael D. Alembik '61
Capt. Sebastian Gaeta '62
Richard S. Cohen '63
Shepard W. McKenney '64
C. Lacey Compton '65
Bradford Whitchell Coupe '66
Winston M. Haythe '67
Roger L. Amole, Jr. '68
Robert S. Dutro '69
Robert C. Elliott II '69
Michael M. Collins, Jr. '70
Anthony Gaeta, Jr. '70
Duncan Garnett, Jr. '71

Alvin P. Anderson '72
Rodney G. Goggin '73
William G. Murray, Jr. '73
Sally James Andrews '73
Stephen A. Isaacs '73
George W. Campbell, Jr. '74
Timothy A. Coyle III '74
Anita Owings Poston '74
Evan E. Adair '75
Michael R. Borasky '75
David C. Canfield '76
James Page Williams '76
Roy Barrow Blackwell '77
Christopher J. Hohenberger '77
Sarah C. Hohenberger '78
Timothy Michael Broas '79
Brian L. Buckley '79

James Lawrence Murray '79
Charles Richard Davis '80
Christopher R. Mellott '80
Samuel M. Brock III '81
Carolyn Gash Mann '81
Mary Grayson Morris '81
Jean Penick Watkins '82
Sarah L. Deneke '83
Lucie H. Moore '83
Jere M. H. Willis III '84
Susan Lee Keilitz '85
Michael J. Walsh '85
Gregory R. Davis '86
James M. Boyd '87
Peter C. Condron '87
Charlotte A. Lamont '88
Raymond H. Suttle, Jr. '88

A Message from the President
Marshall-Wythe School of Law Foundation

by Shepard W. McKenney '64

The Law School is enjoying a wave of improvement rarely seen in educational institutions. Whether measured by its students, faculty or programs, the progress over the last several years has been dramatic.

A major success has been the growth of the endowment which increased from $350,000 to 3.4 million since 1983. The Foundation has been instrumental in achieving this result. A great deal of these funds have come from institutions and persons who are not alumni—but the financial and volunteer support of alumni has been the key to the overall success of our fundraising efforts.

We intend that the Foundation will be a prime vehicle for not just raising funds, but also involving alumni and friends in the accomplishments and life of the Law School and thereby helping shape the School's contribution to society. Clearly each of these initiatives supports the other.

Over the next several years we will be asking our supporters to learn more about the Law School and to lend their knowledge, energy and resources to the cause. It is an opportunity to participate in an exciting, unfolding success story of which we are all a part.

Shepard W. McKenney '64, president of the Marshall-Wythe School of Law Foundation
The Annual Fund — Funds for Excellence

by
Stephan J. Boardman '73
Chairman, Law School Annual Fund

Dean Sullivan has described the monies raised annually by the William and Mary Law School Annual Fund as funds for excellence, without which the School would be handicapped in attaining its goal as a superior and unique law school in the United States. Although the Virginia Commonwealth supports the basic legal programs at William and Mary, funds from the state and tuition are inadequate to expand the momentum developed during the last decade at the law school. Donations to the Annual Fund provide a critical margin of difference.

As Marshall-Wythe has grown in stature, the Annual Fund has continued to expand and assist students, faculty, and alumni. During the past five years, donations have increased significantly — from $80,000 in 1984 to almost $225,000 last year. The average size of each gift has also increased — from approximately $120.00 to just over $200.00. In total, in excess of three-quarters of a million dollars have been donated to the Annual Fund during the past five years, all of which has been used to award student scholarships, establish faculty-development programs, improve the Law School library, expand alumni publications, and generally benefit the law school community.

The Fund is led by its Board of Directors, which meets twice a year in Williamsburg to establish goals for the campaign and to discuss strategies and techniques appropriate to attaining those goals. The Directors are assisted by approximately fifty other alumni representing each class. These Class Agents contact personally or by letter their classmates in a coordinated, personal effort to improve alumni participation in the campaign. While the Directors focus their energies upon soliciting major gifts from donors, the Agents contact each member of their class in order to increase participation.

Larger total contributions and increased participation are both meaningful to the School. Obviously, larger con-
tributions will enable the School to offer improved programs for the entire law school community. Expanded participation is equally important. Foundations, corporations, and trusts analyze alumni participation in determining whether to make a meaningful commitment to a law school. We need to increase our participation by several percentage points before true success can be achieved in approaching foundations and corporations.

Over the past year, approximately seventy-five alumni have devoted countless hours and tireless energy to soliciting gifts to the Law School’s Annual Fund. Chief among these is Ray Stoner ’71, our immediate past chairman, who has manifested a powerful devotion to our school. All of the other Directors and Class Agents also deserve our sincere gratitude and appreciation, each of whom has made a robust contribution toward enhancing our school. A list of the members of the Board of Directors and Class Agents is set forth elsewhere in this report. Alvin Anderson ’72 and the class of 1972 were particularly noteworthy, as forty-five percent of the class made a gift, as well as the class of 1973, which contributed the most money, led by Class Agents Ed McGuire, Sally Andrews, Rod Goggin, Bill Murray and Steve Isaacs. In addition to the imaginative, energetic, and supportive efforts of our Directors and Class Agents, Deans Sullivan and Vick’s contributions cannot be underestimated, especially by those privileged to work with them.

In the coming year, the Directors and Class Agents of the Annual Fund hope our alumni will build upon the solid foundation established by many alumni who have preceded them. The campaign this year is dedicated to the memory of Tim Hanson ’40, who passed away this July. Tim followed in the ancient tradition of the William and Mary citizen lawyer first established by George Wythe in the eighteenth century. A forthcoming article will feature a few of the highlights of Tim’s service to our nation, college, and Law School. In his honor, the Directors have established the following goals for the 1989/90 Annual Fund: to raise $235,000; to have one thousand alumni participating in the Annual Fund; and to increase the number of major donors, a category which is defined as those alumni giving $1,000 or more to the Law School. If you would like to help, please let me know.
Ray Stoner '71, 1988-89 Annual Fund chair, speaks with his two Annual Fund successors, Steve Boardman '73 (1989-90 chair) and Chris Melcott '80 (1990-91 chair).

Report On Giving Levels By Donors

$100,000 or more
James W. McGlothlin '64

$50,000 to $99,999
Dan H. Hinz, Jr.

$20,000 to $49,999
R. Harvey Chappell, Jr. '50

$10,000 to $19,999
Howard J. Busbee '67
Mr. and Mrs. A. Robert Doll '51
Shepard W. McKenney '64
Hillsman V. Wilson '53

$5,000 to $9,999
Mr. and Mrs. Robert Friend Boyd '52
Herbert V. Kelly, Sr. '43
Joseph Smith '49
Thomas Duncan Terry '71
Camp Foundation
North Shore Foundation

$2,500 to $4,999
Stanley Graves Barr, Jr. '66
Stephan James Boardman '73
Mr. and Mrs. Louis Eellenson '50
Robert W. Emmett III '78
Bruce C. Gottwald, Sr.
Earle T. Hale '70
William B. Harman, Jr. '56
Philip J. Hendel '64
John G. Kruchko '75
John A. Scannell '72
Joel S. Shapiro '66
Robert C. Stockhouse '51
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Lloyd Schermer and Greg Schermer (far left and far right), executors of the Laura Lee Trust of Davenport, Iowa, celebrate the newly created Arthur B. Hanson Professorship with Dean Timothy Sullivan and Professor Rod Smolla.

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William R. Keown ’66
Mr. and Mrs. Tony Khalil
Ray We King ’82
Mr. and Mrs. Harold B. King
Jeanne Sheridan Kinnaman
John Eric Kishbaugh ’80
Thomas Russell Knauss ’79
E. G. Knight III ’88
Richard Ermes Knight ’72
Waverly Thomas Knowles ’74
William W. Kohler, Jr. ’65
& Kathryn Derr Kohler ’82

&Ingo Keilitz ’89
Karen Kay Kemp ’78
William R. Keown ’66
Mr. and Mrs. Tony Khalil
Ray We King ’82
Mr. and Mrs. Harold B. King
Jeanne Sheridan Kinnaman
John Eric Kishbaugh ’80
Thomas Russell Knauss ’79
E. G. Knight III ’88
Richard Ermes Knight ’72
Waverly Thomas Knowles ’74
William W. Kohler, Jr. ’65
& Kathryn Derr Kohler ’82
Dean Timothy Sullivan congratulates Ray Stoner '71, 1988-89 Annual Fund chairman, on his success in increasing Annual Fund contributions by 22%.

ALUMNI GIVING BY CLASS

1926
Class total: $50.00
Number solicited: 2
Number giving: 1
% participation: 50
William Andrew Dickinson, Sr.

1929
Class total: $250
Number solicited: 1
Number giving: 1
% participation: 100
Walter Edward Hoffman

1930
Class total: $100
Number solicited: 2
Number giving: 1
% participation: 50
Norris Edward Halpern

1933
Class total: $25
Number solicited: 1
Number giving: 1
% participation: 100
William Andrew Dickinson, Sr.

1929
Class total: $250
Number solicited: 1
Number giving: 1
% participation: 100
Walter Edward Hoffman

1930
Class total: $100
Number solicited: 2
Number giving: 1
% participation: 50
Norris Edward Halpern

1933
Class total: $25
Number solicited: 1
Number giving: 1
% participation: 100
William Andrew Dickinson, Sr.

1929
Class total: $250
Number solicited: 1
Number giving: 1
% participation: 100
Walter Edward Hoffman

1930
Class total: $100
Number solicited: 2
Number giving: 1
% participation: 50
Norris Edward Halpern

1933
Class total: $25
Number solicited: 1
Number giving: 1
% participation: 100
William Andrew Dickinson, Sr.

1937
Class total: $150
Number solicited: 4
Number giving: 1
% participation: 25
Joseph Nelson Gridlin

1938
Class total: $12.50
Number solicited: 1
Number giving: 1
% participation: 100
George Mason, Jr.

1939
Class total: $20
Number solicited: 6
Number giving: 1
% participation: 16
Charles Penrose

1940
Class total: $450
Number solicited: 5
Number giving: 3
% participation: 60
Roy William Arthur
Arthur Briggs Hanson (D)
Robert Lee Simpson, Sr.

1941
Edwin Carl Ferguson, Jr.
Class total: $1000
Number solicited: 2
Number giving: 1
% participation: 50
Edwin Carl Ferguson, Jr.

1942
Class total: $635
Number solicited: 4
Number giving: 1
% participation: 100
Alexander Nicholas Apostolou
Anthony Champa
William Musselman Musser, Jr.
Ellis Roberts Parry

1943
Class total: $1,000
Number solicited: 1
Number giving: 1
% participation: 100
Herbert V. Kelly, Sr.

1947
Class total: $500
Number solicited: 2
Number giving: 2
% participation: 100
William Wellington Jones
Virginia Till Lemmon

1948
Class total: $1,030
Number solicited: 8
Number giving: 5
% participation: 62.5
Francis Eastman Clark
W. Garland Clarke
Ira Bernard Dworkin
Robert Stanley Hudgins
Donald Ray Taylor

1949
Class total: $8,100
Number solicited: 19
Number giving: 9
% participation: 47.4
Chester Stovle Baker, Jr.
Wesley Randolph Cofer, Jr.
Robert B. Ellert
John Milton Hollis
Robert Stanley Hornsby
Donald Harvey Sandie
Joseph Smith
A. B. Smith, Jr.
Dudley Lawrence Smith Woods, Jr.

1950
Class total: $3,789.50
Number solicited: 14
Number giving: 10
% participation: 71.4
Ann Anderson Apperson
Robert Harvey Chappell, Jr.
Louis Ellenson
Myers Norman Fisher
Jack M. Gulley
Harvey Jacobson
Leonard David Lindauer
Stanley Howard Mervis
Sidney Schwartz
William Luther White

1951
Robert Clinton Stackhouse
Class total: $2,325
Number solicited: 18
Number giving: 6
% participation: 33.3
Chester Stovle Baker, Jr.
Wesley Randolph Cofer, Jr.
Robert B. Ellert
John Milton Hollis
Robert Stanley Hornsby
Donald Harvey Sandie
Joseph Smith
A. B. Smith, Jr.
Dudley Lawrence Smith Woods, Jr.

1952
Class total: $2,868
Number solicited: 18
Number giving: 6
Florian Joseph Bartosic
Ira Bernard Hall
William Boys Harman, Jr.
William Allen Hunt
Cecil William Johnson
Harry James Kostel
Richard Henry Lewis
David Erwin Morewitz
T. Howard Spainhour

1957
Class total: $510
Number solicited: 10
Number giving: 4
% participation: 40
John Giles Darst
William Taliaferro Prince

1958
Class total: $300
Number solicited: 10
Number giving: 4
% participation: 40
Philip Gerald Denman
James Ashby Leftwich
Otto Lowe, Jr.
John Edwin Messick

1959
Class total: $800
Number solicited: 17
Number giving: 6
% participation: 35.3
Frederick Phillip Aucamp
Joseph Thomas Cutler
Theodore Harold Focht
Brian Brendan Kent, USMC Ret.
Kenneth Hincks Lambert, Jr.
David Charles Rittenhouse

1960
Bernard Goldstein
Class total: $400
Number solicited: 14
Number giving: 3
% participation: 21.4
Peter George Decker, Jr.
Amos Overton Durrett, Jr.
Bernard Goldstein

1961
Michael Alembik
Class total: $5,900
Number solicited: 15
Number giving: 6
% participation: 40
Michael David Alembik
Robert Sherrill Bench
Douglas Arthur Boeckmann (D)
Daniel Upton Livermore, Jr.
Neil William Schilke
Thomas Duncan Terry

1962
Sebastian Gaeta, Jr.
Class total: $600
Number solicited: 15
Number giving: 2
% participation: 13.3
Sebastian Gaeta, Jr.
Shannon Taylor Mason, Jr.

1963
Richard Cohen

1964
Shepard McKenney
Class total: $10,137.50
Number solicited: 22
Number giving: 5
% participation: 22.7
Allan Charles Brownfeld
Richard Grouch
Philip Jay Hendel
James W. McGlothlin
Shepard William McKenney
Joseph Forrest Phillips, Jr.

1965
C. Lacey Compton, Jr.
Class total: $7,457.50
Number solicited: 35
Number giving: 11
% participation: 31.4
James Robert Bray
Johnston Brendel
Charles Lacey Compton, Jr.
Nathan Southard Howard
Michael A. Ialongo
Robert Claro Johnston
Nicholas James St. George
Raymond Holmes Strople
William Joseph Sullivan
Linda Louis Watkins
Joseph Ross Zepkin

1966
Bradford Coupe
Class total: $3,650
Number solicited: 45
Number giving: 14
% participation: 31.1
Stanley Graves Barr
Bradford Whitehill Coupe
Gordon Martin Kent
William Robert Keown
Benjamin Dean Lorenz
Alan Douglas MacDonald
Albert John Mainelli
Daniel David Portanova
Charles Hughlove Rideout, Jr.
Joel Stephen Shapiro
Winston Godwin Snider
Lloyd C. Sullenberger
Alfred David Swersky
Kenneth Nicholson Whitehurst, Jr.
Henry Charles Wolf

1967
Winston Haythe
Class total: $7,020
Number solicited: 40
Number giving: 10

Robert Stackhouse ‘51, trustee and founder of the Marshall-Wythe School of Law Foundation

% participation: 33.3
Robert Friend Boyd
George Ira Gondelman
John William Hornsby, Jr.
Lemuel Cleaves Manning
Preston C. Shannon
Elizabeth Wood Walton

1953
Class total: $1,936.25
Number solicited: 11
Number giving: 3
% participation: 27.3
James Anderson Murphy, Jr.
Robert Wright Stewart
Hillsman Vaughan Wilson

1954
Class total: $850
Number solicited: 13
Number giving: 6
% participation: 46.2
Robert Fristoe Banks
James David Carter
William Lee Forbes
Samuel Watts Phillips
Peter Shebell, Jr.
James Hampton Wesson

1955
Class total: $100
Number solicited: 14
Number giving: 1
% participation: 7.1
Julia Wilkins Willis

1956
Class total: $2,375
Number solicited: 19
Number giving: 8
% participation: 42.1

Class total: $2,000
Number solicited: 24
Number giving: 11
% participation: 45.8
Richard Sidney Cohen
John Edward Donaldson
Emeric Fischer
Albert Earle Garrett III
Owen Alan Knopping
Thomas O’Conner Moyles
Alan Patrick Owens
Philip P. Purrington, Jr.
Edmund Lewis Walton, Jr.
Charles Aubrey White, Jr.
Michael Peter Zahr

1957
Class total: $910
Number solicited: 10
Number giving: 4
% participation: 40
John Giles Darst
William Taliaferro Prince

1958
Class total: $300
Number solicited: 10
Number giving: 4
% participation: 40
Philip Gerald Denman
James Ashby Leftwich
Otto Lowe, Jr.
John Edwin Messick

1959
Class total: $800
Number solicited: 17
Number giving: 6
% participation: 35.3
Frederick Phillip Aucamp
Joseph Thomas Cutler
Theodore Harold Focht
Brian Brendan Kent, USMC Ret.
Kenneth Hincks Lambert, Jr.
David Charles Rittenhouse

1960
Bernard Goldstein
Class total: $400
Number solicited: 14
Number giving: 3
% participation: 21.4
Peter George Decker, Jr.
Amos Overton Durrett, Jr.
Bernard Goldstein

1961
Michael Alembik
Class total: $5,900
Number solicited: 15
Number giving: 6
% participation: 40
Michael David Alembik
Robert Sherrill Bench
Douglas Arthur Boeckmann (D)
Daniel Upton Livermore, Jr.
Neil William Schilke
Thomas Duncan Terry

1962
Sebastian Gaeta, Jr.
Class total: $600
Number solicited: 15
Number giving: 2
% participation: 13.3
Sebastian Gaeta, Jr.
Shannon Taylor Mason, Jr.

1963
Richard Cohen
1968
Roger Amole
Number solicited: 45
Number giving: 18
% participation: 40
Class total: $1,825

1969
Robert Dutro
Number solicited: 58
Number giving: 25
% participation: 43.1
Class total: $1,125

1970
Anthony Gaeta, Jr.
Class total: $4,300
Number solicited: 45
Number giving: 16
% participation: 35.6

1971
Duncan Garnett, Jr.
Ray Stoner
Number solicited: 55
Number giving: 17
% participation: 30.9
Class total: $1,300

1972
Alvin Anderson
Class total: $7,470
Number solicited: 53
Number giving: 25
% participation: 47.2
Class total: $1,450

1973
Sally James Andrews
Rodney Goggin
Steve Isaacs

1974
George Campbell
Timothy Coyle
Anita Postin
Number solicited: 156
Number giving: 55
% participation: 35.3
Class total: $4,050

1975
Bill Murray
Class total: $12,355
Number solicited: 140
Number giving: 53
% participation: 37.9
Jack Edward Call
George Wendal Campbell, Jr.
Paul Edward Clifford
Glen Edward Conrad
Curtis McFall Coward
Timothy Andrew Coyle
Eleanor Spence Dobson
Richard Owlyn Evans
Jackson Edward Fields, Jr.
Edward Lee Flippin
Gregory Giordano
Charles Linwood Gregory
Stephen David Halliday
Leslie Ada Hoffmann
Lelia Baum Hopper
Clinton Leslie Huard
Jerry K. Jebo
David Ray Johnson
Gerald Joseph Kirkpatrick
Waverly Thomas Knowles
Donald Lawrence Kornfield
Barbara Buchanan Lewis
John H. Lhost
John Carroll McDougal
Steven William McGrath
Stephen Edward McGregor
Howard Lynn Millard
William Frederick Miller
LeRoy Francis Millette, Jr.
Richard Mitchell
James Brady Murray, Jr.
Joel Mark Muscoplat
Gregory Michael Pomijsie
Anita Owings Poston
Lewis Burwell Puller
Thomas Kyran Purcell
Julian H. Raney, Jr.
Bryan David Rosenberger
Gary Franklin Roth
William Frederick Seitz
Daniel Zachary Shapird
Walter Berry Stowe, Jr.
David Wayne Stuckel
Thomas Kyran Purcell
Janice Conner Wolk
Jamie Faith Stone
James Sherman Margolin
Janice Conner Wolk
Craig Allen Fisher
Robert Michael Fitzgerald
John Robert Richert
Sheldon M. Franck
Robert Richard Frederking, Jr.
Christopher Wilson Hutton
David Blair Jackson
John Gregory Kruchko
Wayne Milton Lee
Nora Bailes Lewis
Donald Loss Lewy
Stanley Eugene Majors
Charles F. Mandigo
Norman Kenneth Marshall
George Mason, III
Roger D. Meade
James Ashford Metcalfe
John F. Mizroch
Louise Pendleton Moore
Randal Chase Palamar
Gary Raymond Peet
Anthony Franklin Radd
James Bailey Rattray
Merlin Moulthrop Renne
Robert T. Whitaker

1976
David Canfield
Page Williams
Class total: $5,172.50
Number solicited: 147
Number giving: 37
% participation: 27
Carson Hayes Barnes
Gary Alonzo Barranger
Janet Lynn Brown
Rick Lyman Burdick
David Charles Canfield
John Nelson Crist
James Robert Cromwell
Jacqueline Ray Denning
Eugene Albert Ferreri, Jr.
Lawrence Hoyt Glanzer
Elisa Joan Grammer
Michael Stephen Hacskaylo
Michael Scott Hart
Gary Alan Howard
Garth Howard Jackson
Nora Bailes Lewis
Donald Loss Lewy
John Robert Richert
Sheldon M. Franck
Robert Richard Frederking, Jr.
Christopher Wilson Hutton
David Blair Jackson
John Gregory Kruchko
Wayne Milton Lee

1975
Evan Adair
Michael Borasky
Class total: $9,995
Number solicited: 130
Number giving: 42
% participation: 32.3
Evan Edward Adair
Daralyn Gordon Arata
Kevin Jerome Barry
Edward Robert Blumberg
Michael Richard Borasky
Samuel Franklin Boyte
Charles Howard Burr
James Young Callear
Michael Joseph Cassidy
Stephen Kenneth Christenson
Edward Timothy Clancy
Alan William Clarke
Anthony F. Cole
Francis Leo Collins
Elaine Posner Cooper
Kenny Maxwell Dale
Calvin Richard Depew, Jr.
Chris Honenberger
Class total: $5,495
Number solicited: 147
Number giving: 48
% participation: 32.7
Ronald Lloyd Anderson
Gary Philip Arsenault
Michael Anthony Barsamowicz
William Malcolm Battis III
Joan Turner Beale
John David Beckman
David F. Belewowitz
John Bowlditch Bennett
Roy Barrow Blackwell
Jerome Joseph Bromiel
Ronnie Cotol
Stephen Craig Conte
William Scott Cooper
Richard Scott Dubin
Richard Alvin Dunlaye
Johnny Mack Farmer
Peter John Goergen
Anne Gordon Greer
Robin Caskie Gulick
Ardath Ann Hamann
Ala Marilyn Hamilton-Day
Robert Edward Henley III
Jane Dean Hickey
Christopher Jay Honenberger
Ann Bonner Humphreys
Judy Lyn Humphries
Robert Thomas Kemery
Barbara L. Kimble
Wallace Heath Kleindienst
Janet Rubin Landesberg
Mark Eric Landsman
Edward Warner Lautenschlager
Kenneth Neil Lipstein
Michael Edward Mares
James Sherman Margolin
Hubert Francis McKenney, Jr.
Forest Anthony Nester
James Austin Newman
Anthony Joseph Nicolo
Kathleen Ann Nixon
Paul Vincent Nowicki
Stephen Lee Owen
Douglas Frederick Pinter
Michael Ballen Salaky
Richard Alan Saunders
Darrell Lee Sayer
Rodney Wayne Seaford
Richard Raymond Siegel
Robert Elmer Smartschan
Jamie Faith Stone
Janice Conner Wolk
Joseph Michael Young

1978
Sally Honenberger
Class total: $5,785
Number solicited: 143
Number giving: 42
% participation: 29.4
Richard Van Wert Adams III
William David Breit
James Orlando Broccoletti
Ralph Edwin Burnette, Jr.
Elizabeth Byrd Gardner
Thomas C. Carter
Don R. Cochran
James R. Cox
Michael K. Crookshank
Linda Jean Curtis
Mark Francis Dempsey
Wilfred Francis Drake
Robert W. Emmett III
Constance Harriet Frogal
Diane Pomero Griffin
Jeffrey Beck Hammer
Sarah Collins Honenberger
Elwood Cephus Isley, Jr.
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John Christian Laager
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Lea Buchanan Lautenschlager
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Jessica Holliday Laverty
Carril Theodore Miller
Morgan Brooke-Delvin Nester
George Leonard Neuberger
Sharon Elizabeth Pandak
James Mathews Pope
Jay Paul Porter
Thomas Orlando Rainey III
Joel Steven Sheppard HI
Jay Paul Porter
Thomas Orlando Rainey III
Joel Steven Sheppard HI
Jay Paul Porter

1979
Tim Broas
Brian Buckley
James Lawrence Murray
Class total: $5,830
Number solicited: 126
Number giving: 38
% participation: 68.1
Francis James Baer
Cynthia Karen Basket
Jocelyn West Brittin
Michael D. Brittin
Timothy Michael Broas
Brian Langford Buckley
Ernest John Choquette
Carolyn Faith Cogdill
Paul James Forsman
Jay Robert Fries
Alvaro Garcia-Turon
Joan Waggoner Gibson
Donald Anthony Gregory
Kevin Robert Huennekens
John Warren Keller
Chanda Lynn Kinsey
Thomas J. Knauss
Robert Shaw Majette
Gary Stephen Marshall
Clare Louise McCulla
Robert Bruce McNew
James Howard Mills
James Lawrence Murray
Walter Butcher Palmer III
Richard Randolph Pickard
Carol Hill Pickard
Martha Gallagher Rollins
Craig Howard Smith
Rebecca Beach Smith
Craig John Smith

Gwyn Elizabeth Staton
Peter Alan Susser
William Joseph Swift
Stuart John TenHoor
Colon Hall Whitehurst
Robert Williams Wooldridge, Jr.

1980
Dick Davis
Chris Mello\t
Class total: $4,688.75
Number solicited: 148
Number giving: 41
% participation: 27.7
Warren Edward Aldrich
Charles Swain Arberg
Francis Cocks Bagby
Catherine Anne Mahoney Blue
Colleen Boles Bombardier
Peter Hartwell Bornstein
Walter Colby Brown
Stephen Patrick Carney
Thelma Young Carroll
Ann Kevin Riley Crenshaw
Charles Richard Davis
Allen Prude Fancher
Martha Didinger Franklin
James Eppa Hite III
Michael McKeehan Hollingsworth
Kathy Davidson Ireland
James Frederick Ireland
Andrew Jillson
William Edward King
Evans Leon King
John Eric Kishbaugh
Joseph Francis La Grotteria
Winford Ross Locklear
David St. Clair Lowman, Jr.
Toni Marie Mccorkle
Bill Hull McKinnon
Christopher Rowe Mellott
Charles John Nabit
James Lee Edward Osborne
Jerry Neil Ragan
John Brooks Randle
Christine Barlow Simpson
Winder Laird Stabler III
Richard W. Strickland
Mark William Strickland
Clyde Gerard Thompson
Robert Vincent Ward
Mark Bridger Warlick
Walter Lawrence Williams
Richard Ernest Wolff
John Frederick Young

1981
Sam Brock
Cory Mann
Mary Morris
Class total: $6,015
Number solicited: 155
Number giving: 48
% participation: 31
Bradford J. Bruton
Thomas E. Burks
Clement Dean Carter III
Georgia Branscom Carter
Larry Delan Casey
Michael James Casey
Rodney Scott Caulkins
Robertta Ann Colton
Daniel Purnell Deily
Rick Lee Hull

1982
Jean Watkins
Class total: $3,145
Number solicited: 155
Number giving: 48
% participation: 31
Bradford J. Bruton
Thomas E. Burks
Clement Dean Carter III
Georgia Branscom Carter
Larry Delan Casey
Michael James Casey
Rodney Scott Caulkins
Robertta Ann Colton
Daniel Purnell Deily
Christine E. Finley
Thomas Edward Francis
Alan Maurice Frieden
Susan E. Grish
Brenda Ayres Hart
Patrick Wesley Herman
Thomas Micah Jackson
Lisa Schenkel Kalinowski
Kathleen Wharton Kane
Ray We King
Philip Joel Kochman
William Wayne Kohler
Kathryn Derr Knobler
Charles John LeClaire
Linda Hotchkiss Macrae
Nancy Marie Maitland
Francis Xavier Marnell
Patricia Niko Mastromichalis
Patricia Anne McCauley
Sean Francis Murphy
Kevin P. O’Mahony

Robert Barnes Delano, Jr.
Larry Kent Elliott
John Michael Gray
Stephen Murray Griffith, Jr.
Scott Allan Hargrove
Michael Warren Hassell
Barbara Lorentson Heywood
Rick Lee Hull
James Gregory Humphries
Brian Randall Jones
Phillip Arthur Ross
John Andrew Lidy
Jacob Andrew Lutz III
Stephen Craig Mahan
Coralgyn Gash Mann
Richard G. Mann, Jr.
Elva Archer Mapp
Catherine M. McNally
Mary Grayson Morris
Mary Jane Morrison
Michael Anthony Nardolilli
Renee Reed Patrick
Robert S. Rausch
Peggy Reynolds Reidland
Paul John Ritz
Charles Lewis Rogers
Carolyn Fay Sain
Steven Godfrey Scantcl
Jeffrey Leroy Tarkenton
Norman Allan Thomas
Edith Diane Newsm Thompson
John Ward Trueax
Jane Fahey Vehko
Harry Patton Waddell
Susan Cary Watkins
Alfred Lewis White, Jr.
Keith Boyd Willhelm
Janet Joan Lappin Quinn
Barbara Ann Shore Resnicoff
John McDowell Sharpe
Kathleen Dawson Shaw
Meade Addison Spotts
Joseph John Steffen, Jr.
Clara Potter Swanson
Julie Frances Tingwall
Daniel Andrew Valenti
James Patrick Wallbillich
Jean Penick Watkins
Bill Charles Wells
Lee Edward Wilder
Gregory Paul Williams
Larry David Willis
David Ralph Wilson
James Bryan Wright
Douglas Edward Wright

1983
Sarah Deneke
Lucie Moore
Class total: $3,113.50
Number solicited: 186
Number giving: 41
% participation: 22
Richard Fox Aufinger, III
Mary Lynne Williams Bailey
Walter Randolph Calvert
Mary Katharine Spong Catlett
Robert Ray Church
John Thomas Cookson
Sarah Louise Deneke
Jeremiah Timothy Dugan
James Gerald Eckert
William Andrew Galanko
Arthur Evan Gary
Elizabeth Alexander Gis
Joseph F. Giordana
Edward Roy Hawken
Eric George Hoffman
Toni Lynn Imfeld
Raymond Paul Johnson
Robert Kimbrough Lacy
Samuel Alan Landman
Edward Emerson Lane
Lynn Taylor LeClaire
Randal J. Leimer
Lucie Howard Moore
Anne Carter Neal
Charles Joseph O’Hara
James A. Penney
William Chadwick Perrine
Ernest W. Reigel
Lori Ann Samilson
Sara Hill Sanford
Harry Benjamin Shubin
Anne Ballard Shumadine
Sally Lou Steel
Daniel Peter Stipano
Robert William Thomas
Tina Schober Thomas
Sara Frances Tower
Karen Denise Waldron
Richard Keith Wilkinson
Patricia Pritchard Willis
Marjorie Lancaster Wall Wolfe
Kenneth Mark Wolfe

1984
Jere Willis
Class total: $3,810
Number solicited: 179
Number giving: 47
% participation: 26.3
Charles Edward Adkins
Susan Belle Austin
Joseph Raymond Brendel
Ellen Mary Callinan
Elizabeth Chapman Carver
Kathleen M. Carver
Patricia L. Casey
Rolly Lee Chambers
Katherine B. Devold
Alexander M. Donaldson
John David Epperly
Nora Mary Brown Everett
Michael James Garnier
Michael John Garvin
Terry Neill Grimes
Stephen John Horvath III
Sarah Shal Hull
William A. Hunt, Jr.
Eleanor Andrews Lasky
Cary Alan Levitt
Raymond John Lillie
Jerome L. Lonnies
George Richard Martin
Eric Anthony Maze
Laura Jean Meehan
Deborah Lynn Mellott
Steven Michael Miller
Samuel Arnold Mohr
Iryong Moon
Carland S. Moreland
Kendall Joseph Newman
James Randolph Robida
Deborah Seaver Roe
Philip Lee Russo, Jr.
Gretchen Mary Santamour
Richard Francis Schuette
Joan Elizabeth Schwarzkopf
Stephen Adrian Schweitzer
Lee Irwin Sherman
Mary Valerie Shevlin
Donna Jeannette Smith
John Joseph Thomaselli
Patrick Christopher Toomey
Mary Jo White
Jere Malcolm Harris Willis
Gretchen Marie Wollinger
Kathy Ann Younkins

1985
Susan Kelilit
Mike Walsh
Class total: $1,487.50
Number solicited: 170
Number giving: 27
% participation: 15.9
Timothy Mark Astone
Deborah Ann Bosworth
Alana Culver Brenner
Ann Burke Brogan
Dana Jean Cornett
Patricia Phelan Davis
James Michael DeSimone
Elizabeth Ellen Ewing
Melanie Ann Godschall
Channing Moore Hall III
Patricia Page Haymes
Amy Tredway Holt
Susan Lee Keilitz
Jonathan Jay Litten
James Simster Long
Howard Taft Macrae, Jr.
Michael Edward McGinty
Mary-Shirin Mirkhani

1986
Greg Davis
Class total: $3,147.50
Number solicited: 174
Number giving: 37
% participation: 21.3
Robert Alexander Acosta-Lewis
Mark Steven Bader
Christa Lynn Beverly
Barbara Dunlop Byrd
Carla Jean Carlone
Andrea Louise Caruso
Gregory Ried Davis
David Martin Foran
Anne Churchill Foster
Lurlei Ghenn Garde
John Charles Garde
Michael John Gardner
Michael Allen Gatje
Mary Ms. Gronlund
Terry Eugene Hall
Thomas Edward Knauer
Robin Karl Kutz
Kenneth Reed Mayo
Linda Jane McDowell
Sean Joseph Milano
Mark Lee Mullins
Robert Lawrence Music
Brian Thomas Ortelere
Karen Maxine Rose
Harry Peter Sakellaris
Edward Ira Sarfan
Scott Kevin Sheets
David Shawn Shumake
Randy Darrell Singer
Allan Richard Staley
Brian Keith Stevens
Alan Dean Sundburg
Jane Dandridge Tucker
James Michael Vaseleck
Rhet Louis Weiss
Patricia Lee West
Caryn Lisa Zimmerman

1987
James Boyd
Peter Condron
Class total: $1,370
Number solicited: 156
Number giving: 29
% participation: 17.9
Rodney Allen Beard
Lisa Ann Bertini
James Matheson Boyd
Paul William Boyer
Charles Hampton Brown III
John S. Buckley
Peter Charles Condron
Nicholas Contes
Sherri Lynn Davis
Joseph Franklin Dent
Robert Bruce Dickerson
Evon Harris Farr
Julia Mae-Shen Farr
Robert Christopher Gleason
David William Goewey
Elizabeth Currin Guynn
Jack Spain Holmes
Sharon Peder Hughes
Andrew Lynwood Jiranek
Donald Peder Johnsen
Norman F. Lent III
Stanley Douglas O’Lesh
Robert William Schlattman
Robert Lee Stephens, Jr.
James Thomas Vitelli
Elizabeth Lynn White
James Peppler Winthrop

1988
Charlotte Lamont
Ray Suttle, Jr.
Class total: $607.50
Number solicited: 175
Number giving: 12
% participation: 6.9

PARENTS, FRIENDS AND STUDENTS
Frances H. M. Adams
Susan Jane Albert
Mary W. Anderson
William Morris Anderson
Ann C. Anderson
Hunter Booker Andrews
Francis Angelino
Anonymous
Robert L. Anteau
Betty Armstrong
Marcia E. Asquith
Eugene C. Autry

Sue Ayres
Kimberly G. Ball
J. Worth Banner
John S. Battle
Mr. and Mrs. Richard K. Berg
Karen Elisabeth Berg
Louis F. Besio
Herbert Allen Black
Frances H. Blood
John W. Boatright
Arthur R. Boeckmann
Charles R. Bowling
Donald P. Boyle
Travis A. Bridewell
Baskerville Bridgeforth
Deborah R. Broughton
Carlton Brown
Carlo Bruni
John Stewart Bryan III
Robert N. Busa
John Smallpage Buckley
Bruce Burns
Dr. and Mrs. Bruce D. Burr
Nicholas J. Bva
Bruennhild Canning
Eric Cantor
Mr. and Mrs. J. Richard Carling
Russell M. Carneal
Charles Frank Carr
Donald Cashen
Amy Thatcher Clarke
Jack E. Cloud
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James R. Conroy
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Pauline T. Duncan
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George T. Endres
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Constance Essay
Frank Brooke Evans III
Jerry T. Faubion
John W. Field
Adrian B. Fink, Jr.
Robert M. Fitzgerald
Elizabeth Fitzpatrick
Sidney Douglas Fleet
John S. Fletcher
George L. Follansbee, Jr.
Frank Force
Elise Forino
Walter W. Foster
Cornelius F. Froeb
Michael J. Gaertner
Raymond J. Gallagher
Anna Tanksans Gambrill
Mr. and Mrs. W. Brooks George
C. K. Glover
Mills E. Godwin, Jr.
Clement C. Goeken
James R. Goldman
Ernest Whitmore Goodrich
Bruce Go Gottwald, Sr.

William A. Gray
Robert Kent Greenawalt
James W. Griffith
Rev. and Mrs. Frank H. Gross
Laurel Gross
Nancy R. Grus
Julia Haak
Bernard J. Haggerty
Myrl Hairfield
Kenneth M. Hale
Allen P. Hall
Walter Hahneman
Agnes B. Haney
Phoebe Martin Harcum
John P. Harper
Stephen David Harris
Robert Lee Harris
Davis Stuart Harris
A. Epes Harris, Jr.
Mr. and Mrs. R. Harryman, Jr.
Mr. and Mrs. Michael S. Hart
Anne Ware Hatcher
Patrick Haylen
Lawrence Hedberg
Robin Adele Heimann
Bessie M. Hickam
James E. Hilts
Dan H. Hinz, Jr.
Richard Earle Holland
Mr. and Mrs. Gerald P. Holmes
Robert S. Hornsby
Grace K. Howard
Elizabeth Lyon Hudson
Bernice P. Hudson
Mr. and Mrs. Larry Hull
Ellwood C. Hurford
Lawrence Warren J’Anson
Judith Ignall
Thomas Jackson Ingram III
Jacqueline M. Jennings
John Jones
Kathleen F. Johnson
Frances Jolls
Connie Karassas
Edwin Katzman
Peter Keir
Tony Khalil
Mr. and Mrs. Harold B. King
Jeanne Sheridan Kinnamon
F. Daniel Krammer
Robert A. Lachenauer
Caroline K. LaCour
Nelson P. Lande
Larry Landry
Joseph F. Laruffa
Frances Lasky
Hyung Mo Lee
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Elizabeth Lewis
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Mary Frances M. Love
Carter O. Lowance
Franklin Lowance
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Meri Major
Catherine W. Marks
Janet H. Marshall
Cheryl A. Martenev
George Mason, Jr.
Alvin W. Mateling
Cheryl Mante Matson
Gerald J. Matthews
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GTE Corporation
Hercules, Inc.
Law School Admission Council
Lawyers Title Insurance Company
Life Insurance Company of Virginia
McGuire Woods Battle and Boothe
The Michie Company Law Publishers
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Virginia Power Company
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The following individuals and institutions donated materials to the Marshall-Wythe Law Library during 1988-89:

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Professor Walter L. Williams, Jr.
Associate Dean Richard Williamson

If we have omitted your name, improperly cited it, misspelled it, or failed to place it in the proper category, we sincerely apologize. Please let us know of our mistake so that we can correct it in the future.
DONOR DINNER

Dean Timothy Sullivan presents Robert Friend Boyd '52, 1987-89 president of the Marshall-Wythe School of Law Foundation, with a resolution recognizing his leadership and contribution to the Foundation.

Mr. and Mrs. Stanley G. Barr '66

Mr. and Mrs. Ned Ferguson, Jr. '41 enjoy conversation with Louise Stackhouse (left).

Joanne and William B. Harman '56

Shep McKenney '64, flanked by Professors Rodney Smolla and Linda Malone.
Arthur B. Hanson: PROFILE of a LEADER

Arthur Briggs “Tim” Hanson ’41, one of the most active and forward looking members of the Marshall-Wythe alumni community, died on July 1 at his home in Potomac, Maryland. Tim served as a founding trustee of the Law School Foundation Board. Additionally, he was a member of the Advisory Board of the Institute of Bill of Rights Law. Tim’s role in the development of the Institute cannot be overstated. He was responsible for persuading Laura Lee of Lee Enterprises, Davenport, Iowa, to establish the Institute of Bill of Rights Law. An authority on First Amendment law, Tim served as general counsel of the American Newspaper Publishers Association from 1962 to 1981, and the National Geographic Society from 1963 to 1978.

One month prior to his death, two Marshall-Wythe alumni, Steve Boardman ’73 and Ed McGuire ’73, asked Tim if he would provide an interview for publication in The William & Mary Lawyer, the purpose being to profile a distinguished Marshall-Wythe alumnus. Tim graciously consented and provided Steve and Ed with six hours of history, stories, and points of view! None of us could have anticipated how timely and important this interview would become. Below are selected excerpts that illuminate Tim’s enormous commitment to the Law School and his profession.

Tim Hanson speaks out:

On the Law School...

William and Mary is rated one of the top twenty law schools in America according to the various rating jurists. I think it’s to their credit—Bill Spong, Tim Sullivan, and the faculty—that they are up there where they are. It’s also to the credit of the student body. They’ve got a fine young student body that appears to be desirous of doing the job. But, the one thing I know from having lived a rather long time is that if you sit on your — and let it float out the window, bye-bye, it’s gone.

On philanthropy...

Why should Jane and I commit a substantial portion of our annual income to this institution? The answers are numerous. We met here. We first became friends and then fell in love. Our engagement was announced when I placed a ring on her finger on the front balcony of the Wren Building looking over the old College Yard. In fact I told her, “If you don’t take it, I’ll throw you over the balcony.” (Laughter.) The friends we made here have lasted our lives to date. We’ve enjoyed pleasure and heartache with them over the years. The tie that binds us has been William and Mary. I think that life’s accomplishments for us both have proven the soundness of our education and exposure. This took place here and nowhere else.

On the Law School Foundation...

Well, I think—don’t hold me to this—but I think I was one of the original members of the foundation. What we did, very frankly, was to establish the foundation in order to make a vehicle available that graduates of the Law School might use as a contribution receptacle. I think the wisdom of what we’ve done has been proven on a daily basis. I don’t know if you realize what the foundation’s assets are now, but they have gone up into the millions of dollars as opposed to zero.

On the Institute of Bill of Rights Law...

The Institute’s mission is to try to get across to today’s generation where they came from as it relates to the Bill of Rights, and to push and emphasize the Bill of Rights as it affects our country. Too many of us have too little understanding of what our country is about. I think our country centers on the Bill of Rights. Without it, we don’t amount to a pile of beans. You can go through all the rest of your constitution and it doesn’t really say a lot except for the Internal Revenue Code, and this little bit here and this little bit there. The Bill of Rights is a broad sweeping philosophical approach to what our country’s scheme of functioning is about.

On behalf of the law school community, we extend thanks for all that Tim gave to his alma mater. Tim’s wit, good counsel, and generosity will always be cherished at William and Mary. He shall be missed.
Dear Fellow Alumni:

As graduates of the Marshall-Wythe School of Law, we share in the honor and excitement of our school’s ever expanding horizon. Over the last twelve months, Marshall-Wythe has enjoyed national acclaim as the home of the Administrative Law Journal and the winning team in the National Moot Court competition. We have seen our faculty repeatedly receive distinctions for the outstanding quality of their instruction and publications. The Institute of Bill of Rights Law, housed at the Law School, has received national attention with its seminars and symposiums, and the Legal Skills Program is being touted as the new direction in skills development programs for law students.

Just as exciting is the movement afoot within the William and Mary Law School Association. The new edition of the William and Mary Law School Alumni Directory has just been published. In addition, the Association has spearheaded a dramatic increase in alumni communications through the annual alumni magazine, the William & Mary Lawyer, and the alumni newsletter, In Brief.

On the financial front, funds needed for Law School programs have been made available through generous alumni contributions. Annual giving has increased three-fold since 1985, proving again the loyalty and dedication of our alumni.

Your national association has taken the alumni effort “on the road” with a number of exciting new activities sponsored by chapters in the greater Washington, Richmond, Peninsula, Roanoke, and Tidewater areas. More so than ever, now is the time to ask, “WHERE DO WE GO FROM HERE?”

As with the Law School, our alumni organization must be ever ambitious in improving upon a productive past. With an eye toward bringing Marshall-Wythe alumni closer together, efforts are being made to form new chapters. Every day, we widen the circle of involvement by welcoming more interested alumni into the activities of the William and Mary Law School Association.

More alumni involvement is needed! In the areas of alumni education, social programs, and fund-raising, valuable projects can be improved and expanded through the increased commitment of former Marshall-Wythe students.

Along with my greeting, I issue an “INVITATION FOR INVOLVEMENT.” Our association can be and will be as strong as our collective will and commitment. Let us have your thoughts, let us know your interests, and join us in our efforts; together we will make this the finest alumni organization in the country.

With kindest personal regards, I remain

Yours very truly,

Christopher J. Honenberger
President
Louis Rogers of the Richmond firm Hirschler, Fleischer, Weinberg, Cox & Allen, Professor John Lee, and Bill Case get together at the barbecue after their CLE presentation on "Tax Treatment of Like-kind Exchanges and Involuntary Conversions."

Williamsburg Winery president Patrick Minder (r) greets Mr. and Mrs. Robert Kaplan '72. Tastings and tours were available throughout the evening.

Alumni enjoy barbecue and all the fixings at the "Old Fashioned Southern Pig Roast."

Friends of Appalachian Music entertains the spring reunion crowd on the lawn outside the Law School.

Vice Dean Williamson, wife Susie, Admissions Dean Shealy, and husband Bob enjoy "music in the colonial manner" at the Williamsburg Winery.
WAYS TO BECOME MORE INVOLVED IN YOUR LAW SCHOOL

Suzanne Tucker, assistant director of alumni affairs for the Law School

1. If your name has not appeared lately in Class Notes, take a moment to share some news about yourself for an upcoming issue.

   News:

   ____________________________________________________________
   ____________________________________________________________
   ____________________________________________________________

2. I would like to become active in the William and Mary Law School Association by participating in the following:

   _____ Class Notes reporter  _____ Placement activities
   _____ Assist the Law School chapter in my area  _____ Class Agent Fund Raising Program
   _____ Coordinate an event for law alumni in my area  _____ Annual Fund Raising Program
   _____ Organize a reunion for my class

   Name ____________________________________________ Class _______ Phone ________________

   Address __________________________________________

   City __________________________ State ____________ Zip ____________

   _____ Check here if this is a new address.

   Mail to: Office of Alumni Affairs
   Marshall-Wythe School of Law
   The College of William and Mary
   Williamsburg, VA 23185

   Services of the Marshall-Wythe Law Library

   Although the Marshall-Wythe law library's collection of nearly 260,000 volumes is selected primarily to support the research and curricular needs of law students and faculty, the strong collection of reported decisions and statutes, periodicals, and treatises is also used extensively by the bench and bar, a great many of whom are Marshall-Wythe alumni.

   Private donations, which for 1989-1990 total nearly $50,000, provide the library with much needed resources beyond the funds provided by the Commonwealth of Virginia. Alumni contributions indicate not only confidence and satisfaction with the Law School, but a recognition that a great law school cannot function without adequate library support. In turn, we acknowledge as one of the law library's missions a commitment to serve Marshall-Wythe alumni.

   One of the services most appreciated by our alumni is document delivery. In addition to traditional means of document delivery, telefacsimile capabilities now allow us to deliver documents to you within twenty-four hours.

   Our fourteen member staff includes five professional librarians, four of whom have both the MLS and JD degree. We are committed to offering a high level of service to Marshall-Wythe alumni. For more information regarding the services we offer, please contact the director of the law library, Jim Heller, at (804) 221-3252.
Moot Court students helped make the barbecue a success: (left to right) Cheshire l’Anson (standing), Melissa Heydenreich, Marcia Asquith, and Martha Leary.

Jim Thurman '76 sports a new sweatshirt.

“It tastes so good!” Students provided an array of delicious desserts for the barbecue, which was a fund-raiser for Moot Court and Law Review.

Mr. and Mrs. Kendall Stock '64 (center) were joined by Jim McGlothlin '64 and Mrs. David Short.

Over 200 Marshall-Wythe alumni, students, and faculty filled the Law School lobby to capacity at the annual barbecue.

HOMECOMING
November 2-5, 1989
The Honorable Robert R. Merhige, Jr. advises graduates, "This is the time of your life."

MARSHALL-WYTHE LAW SCHOOL COMMENCEMENT
THE COLLEGE OF WILLIAM AND MARY
WILLIAMSBURG, VIRGINIA
SUNDAY, MAY 14, 1989

by the Honorable Robert R. Merhige, Jr.

A great American playwright, William Saroyan, expresses in the prologue to one of his great works, The Time of Your Life, a portion of the message I hope to bring to you today.

One of the many thought-provoking passages in Saroyan's prologue suggests that "Every man is a variation of yourself. No man's guilt is not yours, nor is any man's innocence a thing apart. Despise evil and ungodliness, but not men of ungodliness or evil . . . . Have no shame in being kindly and gentle, but if the time comes in the time of your life that you must be strong and resolute, then do so and have no regret. In the time of your life, live—so that in that wondrous time you shall not add to the misery and sorrow of the world, but shall smile to the infinite delight and mystery of it."

My friends, the time of your life has come when you have the opportunity as a member of our great profession to utilize your strength, dedication, and resolution to the end that you use your time and talents to contribute and bring meaning to the description of our profession by Roscoe Pound, former dean of Harvard Law School, as "a group pursuing a learned art as a common calling in the spirit of public service." To fulfill your obligation both as a lawyer and a member of society requires time, and there is none to waste. If you have a deep feeling for our country and our profession, and if you have hopes and aspirations that our country be a better place for your children than it has been for you and others, if you have hopes and aspirations that our profession fulfills to the utmost its obligation, then utilize the time given you. Live in service—be concerned. Remember always that you are part of a prestigious and generous group of men and women dedicated to public service. As Dean Pound pointed out, our profession's primary purpose is no less a public service because it may incidentally be a means of livelihood.

You, who at this very moment pass an important milestone in your life, have so much at stake—so much more than your parents and those of my generation—for you have more time. Never believe that time is on your side, for time is not on anyone's side. Time is the enemy of us all, so while you have the chance, in the
time of your life, live, enjoy it, and add to
the beauty and wonder of the world as
we know it and as we want it.
I have never subscribed to the view that
the responsibility of a citizen could be so
simply described as suggested in the
phrase “America—Love It or Leave It.” My
philosophy is more aptly described by the
views of one Karl Schatz, a native-born
German who said, “My country right or
wrong. If right, to be kept right, if wrong,
to be set right.” Each of us as members
of the legal profession is blessed with daily
opportunities to give meaning to Mr.
Scharz’s words.

In your battle against time, be vocal of
injustices—be concerned for your fellow
man. Know that even the dull and the
ignorant have a view. Speak your truth
quietly and dearly—but speak it. Speak it
before it is too late, for time lost is never
found.

While it would seem to be obligatory
on the part of law school commencement
speakers to suggest that the period of time
through which we are now passing is
perhaps the most challenging of any
period in American history to the profes-
sion, to which you have this day gained
membership, regrettably I tell you that
that statement has more substance than
simply an obligatory statement. Honesty
compels an admission that a perception
abounds amongst some as a consequence
of the actions of a relatively small segment
of our profession that ours is a profession
of “hucksters” suffering from a “billable
hours syndrome.” This perception, hope-
fully not universal, is in fact a mispercep-
tion which in time, through our efforts
and those of the majority of the bar, will
be eliminated.

Each of you must, and I’m satisfied you
will, treat this misperception as a challenge
which by reason of your utilization of time
in exercising your legal talents which have,
by virtue of your education at one of the
finest law schools in the country, brough-
to you this wonderful and joyous day in
your life and in the life of each of those
who love and admire you.

You will, I’m certain, be an integral part
of changing that which needs changing.
As the late Senator Robert Kennedy said,
“Each of us can work to change a small
portion of events. Each time a man stands
up for an ideal, or acts to improve the lot
of others, or strikes out against injustice,
he sends forth a tiny ripple of hope, and
crossing each other from a million differ-
cent centers of energy and daring, those
ripples build a current that can sweep
down the mightiest walls of oppression
and resistance.”

As you and I well know, injustice still
exists and it is the responsibility of each
American, and especially those of our pro-
fession, to take affirmative steps to al-
leviate those injustices. The commitment
must be total. In short, we must utilize
the time available and practice on a daily basis
Americanism which someone much wiser
than I described as an abiding faith in the
greatness and propriety of the principles
contained in the Declaration of Indepen-
dence, the Constitution, and the Bill of
Rights. It is a way of life based on this
faith. It is a willingness to live in peace
and harmony with others, regardless of
their political or religious faiths. It is a
willingness to apply the principles of free
speech, free press, and the freedom to
worship God, to our fellow man, even
when his ideas or speech or methods of
worship are opposed to our own. It is a
willingness to live by the principles of
America in peace time as well as a willing-
ness to die for American principles in war
time.

You, as lawyers, will understand that
our system is adversarial, and to maintain
it, it must be constantly challenged by pro-
fessional counsel trained in the values of
the system. As the late President Truman
so aptly stated, “Undoubtedly, some unin-
formed persons will always identify the
lawyer with the client. But,” he adds, “I
believe that most Americans recognize
how important it is to our tradition of fair
trial that there be adequate representation
by competent counsel. Lawyers in the past
have risked the obloquy of the unin-
formed to protect the rights of the most
degraded. Unless they continue to do so
in the future, an important part of our
rights will be gone.”

All legally trained persons have a special
contribution to make, though in my view,
to fulfill the most pressing responsibility
of our profession, we have a special need
for trial lawyers, and especially trial
lawyers in the criminal field. Trial lawyers,
from their experience, know that things
are seldom what they seem. They are both
cynics and idealists and no frailties surprise
them. Indeed, I think it not unfair to say
that surprise on the part of the experi-
enced trial lawyers is reserved for their
occasional confrontations with virtue, and
of course, all trial lawyers have a bit of
Don Quixote in their blood. Hopefully,
the events of the past few years have edu-
cated the general public to the fact that
trial lawyers handling criminal matters are
not to be looked upon as charlatans per-
verting the truth for a victory. Indeed, it
is only trial lawyers who can make our
criminal justice system work, and that sys-
tem is based on the premise that truth
under the law will emerge from the heat
of an adversary proceeding with both sides
ably represented.

There is no time to lose, my friends,
for adequate representation requires both
training and experience. You are the re-
cipients of exceptional, substantive train-
ing in law, and soon you must seek to gain
the experience which makes representa-
tion adequate.

Always bear in mind, as the late Chief
Justice Earl Warren stated, “Justice in in-
dividual cases is the basis of justice for
everyone. This can occur only if the in-
stitutions of justice, the courts, and the
processes are kept responsive to the need
for justice in the modern world.”

The challenges which our country and
profession face are ones which cannot be
met by partisan politics, demagoguery, or
trite pronouncements. For not all that
takes place in the name of patriotism is
patriotic: nor can these challenges be met
without the proper utilization of time by
all of us. As I previously stated, you are
in a unique and enviable position to meet
the challenges facing our country and our
profession in that you are old enough to
be conscious of our national failings,
young enough to do something about
them, and mature enough to appreciate
that regardless of its failings, we still live
in the greatest, most generous country on
the face of the earth. Indeed, we have
something worth living for: this requires
the utilization of time, and you are
amongst the chosen ones in your position
as members of the legal profession, for
your voice is listened to. Additionally, you
are a member of a profession which by
its very nature brings to your doorstep
challenge, excitement, and the opportu-
nity to contribute.

Enjoy your law practice regardless of
its nature, and keep in mind that there
are no small cases, no small injustices.

In order to, in the time of your life, live
and enjoy and add to the betterment of
the world as we want it, as we must have
it, each of you must help each other de-
stroy whatever injustices there are about
us, for in so doing you will not add to the
misery and sorrow of the world, but in
the time of your life you will live and you
will smile to the infinite delight and mys-
tery of it. Make your contribution!

I join your faculty in welcoming you to
the most exhilarating, challenging, and
contributing profession on the face of the
earth—enjoy.

Thank you and good luck.
Dean Sullivan presents Charlotte Wager, Visiting Draper's Scholar, with a certificate of appreciation for her contribution to the life of the Law School.

Dean Sullivan addresses the '89 grads.

1989 graduates elected to the Order of the Coif from left to right: Mark Dumler, Steven Mister, Anna Engh, Paula Harrell, Lawrence Gennari, Gregory Tolbert, Steven Mulroy, William Dick, William Harman, Thomas Stahl, John Matthews, Mark Smith, Keith Letourneau, Jeffrey Lowe, Michael Gaetner.

Dean Sullivan proudly presents Anna Engh and Lawrence Gennari with the Lawrence f'Anson award which recognizes graduates who show great promise through scholarship, character and leadership.
A COMMENCEMENT MESSAGE

by Jeffrey Alan Lowe
Student Bar Association President 1988-89

Dean Sullivan, Dean Williamson, Dean Galloway, Judge Merhige, family and friends:

On behalf of my classmates, I welcome you to this very special occasion. It is truly remarkable that today marks the end of our three year odyssey. In a recent novel about law school, the experience was described as follows:

A law student lives with constant tension . . . will I be called on today?  
Will I embarrass myself?  
Can I get through tonight’s assignment even though I’m exhausted?  
Does my professor think I’m an idiot?  
Do my classmates think I’m an idiot?  
Am I an idiot?  
If I’m not an idiot, why can’t I remember all these Latin phrases?  

And so on we go from one semester to the next, dutifully devouring all that is thrown on our plates. We have learned all the rules of evidence, but we can no longer instantly recall all of them, and I’m not sure that any of us ever knew what it meant to waive the tort and sue in assumpsit. But today has served to remind us of something that all of us have always known. Occasions as special as these would not be possible without all of you.

And so, to our administration, we thank you for the unique sense of community your efforts and concerns have created. Our law school is a special place because of you.

To our professors, we thank you for the never ending challenges you confronted us with; for helping us develop those skills which will forever alter the way we perceive our world; for showing us that the law, like life itself, often knows no right answers, but merely presents us with choices and, of course, consequences of those choices.

Finally, to our family and friends, thank you for your undying support, words of encouragement, and unwavering faith in us even when we doubted ourselves. The strength we gain from knowing that, for better or worse, we are loved is greater than you know.

When our names are announced, and we come forward to receive our diplomas, the steps we take are not ours alone, for we know that there is a little bit of all of you in each of us. Thank you and welcome.
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