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The Annual Report of the Marshall-Wythe School of Law Fall 1986

William & Mary Law School

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Report from the Dean

Lawyers are distinctly out of fashion. Evidence to support this proposition abounds. In a recent opinion poll commissioned by the National Law Journal, respondents were asked which of ten professions deserve the most respect. Only five percent of those polls identified lawyers as most deserving of respect. While the responses to other questions in the National Law Journal poll were not as discouraging, it is hard to take much comfort in the overall results.

Are data such as that produced in the National Law Journal poll cause for worry? I think so. Certainly, lawyers have never been much loved. Most of us are familiar with quotations from sources as disparate as William Shakespeare, Samuel Johnson and Will Rogers, all of which reflect a sturdy and deeply rooted lay hostility toward members of the bar. My own conviction is that it would be wrong to dismiss the current discontent as nothing but the modern manifestation of traditional prejudice.

Today, it is not the lay public alone that finds many aspects of the practice unappealing. The New York Times Magazine recently published a cover story describing the flight of bright young law school graduates into business and investment banking. The author writes, “The profession of law, with all its honors and history, is losing its luster.”

Later in the same article a number of senior partners are quoted—anonymously—to the effect that the practice of law under modern conditions is more specialized, less personal and less fun. Certainly most law school graduates are eager to enter practice and the professional life enjoyed by many lawyers does not result in the discontent expressed by the partners quoted in the article. Still, my discussions with many of you suggest a measure of dissatisfaction with current conditions and real concern about the future of the bar.

The professional culture of the law has changed significantly in the nearly twenty years since my own graduation from law school. Law partnerships, once made for life, are now dissolved quite casually. Loyalty to the firm, once assumed, is not nearly so strong. Legal periodicals regularly recount the defec-
tion of partners from one firm to another. Often, the defecting partner takes a whole section of the firm, including junior partners, associates and clients. Law firms hire public relations agents and open branch offices in the manner of any other business. These developments are undoubtedly justified, perhaps even compelled, by economic conditions, but what are their impacts on the appearance and the reality of the law as a learned profession?

My purpose here is not to condemn change or to argue that what was past is golden. I do suggest that changes in professional values and behavior have altered fundamentally the way lawyers think about their profession and their work. What has made the bar unique is its dual responsibility to help people and to preserve the rule of law. We simply must find ways to accommodate current economic reality to the protection of that essential dual responsibility.

One change long overdue is an improved dialogue between the academic and practicing branches of the profession. Unfortunately, practitioners and professors have traditionally viewed each other warily. The practitioner doubts the professor’s practical judgment, and the professor is dubious of the practitioner’s depth. We can no longer afford the luxury of mutual condescension. We must begin to help each other cope with the changes we jointly confront.

Our Law School has for many years benefited from the interest of the practicing bar. Our curriculum is deepened by the seminars offered by lawyers who are willing to teach part-time for a very small financial return. Lawyers and judges have made particularly significant contributions to our clinical program discussed elsewhere in this issue. The interest and counsel of members of the Board of William and Mary Law School Association and the Trustees of the Marshall-Wythe School of Law Foundation have helped us greatly.

The Law School, in turn, has tried to reciprocate. Our law library is a genuine and much used resource. Many faculty have been active in continuing legal education. We provide space and financial assistance to the Virginia Commonwealth’s Attorneys Association. Vice Dean Dick Williamson is the Reporter for the Virginia Court of Appeals.

With the advent on July 1 this year of mandatory continuing legal education in Virginia, the Law School made a commitment to begin its own program of continuing legal education. Professor John Donaldson is coordinating our efforts with the assistance of an advisory board of leading lawyers. We are building on the reputation of the well-established William and Mary Tax Conference, but we intend to extend our offerings to all fields of law. We are first focusing on the Tidewater area of Virginia, but our long-term goal is to provide programs of regional and national interest.

We are exploring alternatives which will make heavy use of video tapes and perhaps even live broadcasts to broaden the potential audience of our continuing legal education programs. You should note especially our plan to offer a continuing legal education program here in Williamsburg on the Friday prior to the Spring Alumni Weekend. More details will be forthcoming.

Another development that builds on the common interests and complementary strengths of the academic and practicing professions is our effort to establish the first American Inn of Court in Virginia. This program has been associated with Chief Justice Warren Burger, recently named Chancellor at William and Mary. The plan is to create a cooperative association of professors, students and practicing lawyers based on the model of the English Inn of Court. The Inn’s purpose is to improve the trial advocacy skills of law students and younger practicing lawyers. The programs offered by the Inn are the joint responsibility of students, professors, younger and more experienced lawyers. If we are successful, we hope our example will inspire others in Virginia and the Southeast to follow our example.

These new ventures will not solve the profession’s problem, but I believe they will help. Our Law School intends to lead in efforts to help the legal profession reconcile future needs with traditional values — values that justify our claim to be a learned profession and our reputation as zealous defenders of the rule of law.

“...changes in professional values and behavior have altered fundamentally the way lawyers think about their profession and their work. What has made the bar unique is its dual responsibility to help people and to preserve the rule of law. We simply must find ways to accommodate current economic reality to the protection of that essential dual responsibility.”
Brennan Receives Marshall-Wythe Medallion

On May 3, 1986 the Marshall-Wythe Medallion was presented to William J. Brennan, Associate Justice of the Supreme Court. The Marshall-Wythe Medallion is presented each year by the faculty of the Law School in recognition of the extraordinary contribution of an individual to the law.

Justice Brennan received the medallion at a dinner of the faculty in the Great Hall of the Wren Building. Brennan is the second member of the present Supreme Court to receive the medallion. Justice Lewis F. Powell was the recipient in 1972. In addition, former Chief Justice Warren E. Burger received the medallion in 1979.

The medallion bears bas-relief profiles of John Marshall and George Wythe on the obverse and the coat of arms of the College of William and Mary on the reverse. The medallion has been presented annually since 1967.

Graduate Dormitory to be Built Near Law School

A dormitory will be constructed at the far end of the Law School parking lot which will house seventy-five graduate students at the College of William and Mary. It is anticipated that most of the rooms will be occupied by law students. The dormitory project was instigated by Dean Spong and his interest and powers of persuasion were critical in obtaining its approval. Construction is scheduled to commence in 1987 and be completed in time to house students in the fall of 1988.

The residence hall will consist of three two story units connected by a central core. Each unit will contain single bedrooms and central baths. Study areas, computer rooms and a lounge area are also included in the preliminary design. The exterior design will complement the Law School and the National Center for State Courts.

Institute of Bill of Rights Law

The Institute of Bill of Rights Law presented two conferences this past spring. In April the Institute sponsored its third annual symposium. This year’s symposium was entitled RELIGION AND THE STATE and featured presentations of three principal papers. Jesse Choper, Dean of the Law School at the University of California at Berkeley, argued for the use of a new methodology in the determination of claims under the free exercise clause of the First Amendment. Professor Philip Kurland, one of the nation’s foremost constitutional law scholars from the University of Chicago, addressed the issue of the original intent of the religion clauses, a subject of recent interest among the Attorney General and members of the Supreme Court. Kent Greenawalt of Columbia University and the Lee Professor of Law at Marshall-Wythe in the fall of 1985, explored the role of religious belief in governmental decisionmaking. Commentators for the symposium included Lilian Bevier and A.E. Dick Howard of the University of Virginia, Norman Dorsen and Diane Zimmerman of New York University, Douglas
Dean Sullivan introduces the opening session of the Third Annual Symposium of the Institute of Bill of Rights Law.

Laycock of Texas, Michael McConnell and Geoffrey Stone of the University of Chicago, William Van Alstyne of Duke, Frederick Schauer of Michigan, Michael Perry of Northwestern, William Marshall of Case Western Reserve and Mark Tushnet of Georgetown. The program was moderated by Gene Nichol, James Gould Cutler Professor of Law at Marshall-Wythe and the Deputy Director of the Institute of Bill of Rights Law.

The second conference, held in June, dealt with a topic of continuing interest to the law and journalism professions—libel litigation. LIBEL LAW AND THE PRESS: MYTH AND REALITY presented the full findings and conclusions of the five year Iowa Libel Research Project conducted by Gilbert Cranberg and John Soloski of the Journalism School of the University of Iowa and Randall Bezanson of the Iowa Law faculty. The study was a massive empirical examination of the American libel litigation process. It recommends major alterations in the way newspapers deal with libel complaints and suggests a reformulation of the constitutional privileges afforded to media defendants. Professors Cranberg, Soloski and Bezanson presented their findings and discussed their suggestions at the two day conference which provoked a lively debate among the commentators and registrants. Commentators for the program included a range of journalism and law experts, including Lou Boccardi, President of the Associated Press; Jack Nelson, Chief of the Los Angeles Times Washington Bureau; Eugene Patterson, Chairman of the Board and Chief Executive Officer of the St. Petersburg Times; Gene Roberts, Editor of the Philadelphia Enquirer; Howard Simons, Curator of the Nieman Foundation at Harvard University and former Managing Editor of The Washington Post; Terrence Adamson, attorney with Hansell & Post in Atlanta; Andrew Hughes, attorney with Townley & Updike in New York; Professor David Anderson, University of Texas; Professor Rod Smolla, University of Arkansas; and Professor Paul Lebel of Marshall-Wythe.

For the coming year the Institute, in addition to its fourth symposium to be held the last weekend in March on the subject of the historical origins of the Constitution, will sponsor several programs aimed at increasing public awareness of the Constitution. On November 9-11 the Institute will co-sponsor with the First Amendment Conference a conference primarily for public school teachers which will focus on the First Amendment. Later in November, in conjunction with the Virginia Commission on the Bicentennial of the Constitution, the Institute will sponsor a conference entitled THE MEDIA AND THE BICENTENNIAL OF THE CONSTITUTION. Participat-
additional classrooms. The number of employers coming to the campus for interviewing has increased five-fold since the construction of the law building and now more than 2400 on-campus interviews are held each year.

A committee consisting of Professors Hardy and Edmonds, Associate Dean Galloway and SBA President Tom Cook has been studying how best to utilize the existing space and the area to become available after the enclosure of the area under the library. The end result of their deliberations should reflect a new classroom, additional office space and new placement interview rooms in time for the opening of school in the fall of 1987.

**Class of '86 Gift**

With the above described expansion project in mind, some forty members of the Class of '86 pledged in excess of $6,000 to the Marshall-Wythe Annual Fund in the next three years to furnish one of the placement interview rooms. This room would also be available for small receptions to be held either by organizations of the Law School or employers.

**Regional Alumni Meetings**

This past spring Dean Sullivan and Associate Dean Follansbee traveled to eight cities to meet with alumni. In March, under the sponsorship of the William and Mary Law School Association, alumni receptions were held in Roanoke, Newport News, Richmond, and Norfolk. Breakfasts were held for alumni in the Williamsburg and Northern Virginia areas.

In May and June the two Deans ventured out of Virginia for two highly successful luncheons in Atlanta and Pittsburgh. In each location in excess of fifteen alumni (more than half of those working in the area) attended.

Plans are underway for regional alumni events in the winter and spring of 1987. Luncheons will be held in Washington, D.C., Baltimore and Williamsburg. Receptions will be held in Northern Virginia, Roanoke, Richmond, Norfolk and Newport News. Deans Sullivan and Follansbee also intend to visit Los Angeles and San Francisco in conjunction with the meetings of the American Association of Law Schools the first week in January. Invitations to these events will be mailed to alumni in each area after dates and places have been scheduled.

**Hinz Leadership Fellows Program Established**

The Marshall-Wythe School of Law Foundation has received the first payment of five in fulfillment of a gift of $250,000 to fund the Mary Siegrist Hinz Leadership Fellows Program. The gift from Lt. Dan H. Hinz Jr., with the assistance of the Norfolk, Virginia firm of Vandeventer, Black, Meredith and Martin is in memory of Lt. Hinz's wife.
Last winter, prior to his recent appointment to the Supreme Court, Judge Antonin Scalia addressed President Verkuil’s class on The Separation of Powers and the Fourth Branch and other members of the William and Mary community on the U.S. Court of Appeals decision, which he authored, overturning the Gramm-Rudman Act. Following class Judge Scalia met with students and friends at a reception in the National Center for State Courts.

Mary Siegrist Hinz of the Class of 1985. Mary was killed while on a bicycle trip during the summer between her second and third years at Marshall-Wythe.

The idea for a scholarship in Mary’s memory originated with her classmates who announced at their graduation their pledge of $10,000 to the Foundation in memory of Mary.

The Mary Siegrist Hinz Leadership Fellows program will recognize outstanding students at Marshall-Wythe who share the qualities Mary exhibited in her lifetime. Mary Siegrist Hinz Fellows must demonstrate:

1. Academic distinction during their undergraduate and/or law school years. While no arbitrary grade point or class rank is required, it is the intent of the Hinz Fellowships to recognize students who have achieved the highest levels of academic success.

2. Characteristics of citizenship which reflect a concern for others, or involvement in the larger community and an unselfish desire to contribute to the welfare of others.

3. Athletic excellence through involvement both in organized athletics and a personal commitment to physical fitness.

Mary Siegrist Hinz Fellows will be selected by the Dean of the Law School upon the recommendations of a committee consisting of the Associate Dean of Admissions, a member of the Marshall-Wythe School of Law Class of 1985, a professor at the law school, and a member of the firm of Vandeventer, Black, Meredith and Martin, the firm at which Mary had worked the summer she died.

Recipients of the scholarship will receive an award equal to a grant of full tuition to the Law School. It is intended that by 1990 there will be a minimum of five Hinz Fellows at the Law School. The first Hinz Fellow is Jean M. Herron of New Hartford, N.Y. Jean is a
1986 graduate of Union College where she majored in political science, was on the Dean's List, active in the French Club and International Relations Club and a member of the Women's Varsity field hockey and lacrosse teams.

**Visiting Evaluation Team**

This past March, at the invitation of Dean Sullivan, three distinguished legal educators and a member of the private bar spent two days at the Law School in an effort to give the Law School an independent assessment of the progress of the School and to comment on its future aspirations. The Committee was chaired by Jerome A. Barron, Dean of George Washington University National Law Center. Stanley D. Henderson, F.D.G. Ribble Professor of Law at the University of Virginia, Harvey S. Perlman, Dean and Professor of Law at the University of Nebraska College of Law and Jacqueline R. Denning, a partner with the firm of Arnold and Porter in Washington, D.C. and a member of the Class of '76 at Marshall-Wythe constituted the balance of the Committee.

The Committee met separately with Dean Sullivan, former Dean Spong, President Verkuil and the Chairpersons of the Faculty Appointments, Status and Development Committees. The Committee met with student leaders, members of the skills training faculty, Deans for Placement and Development, two alumni leader, and as a whole with the entire faculty. In addition members of the Committee visited several different classes.

Some of the areas which the Committee addressed in its report were the encouragement of research by the faculty, the strengthening of the school's placement program, the interaction of the faculty with itself and with students, and the promotion and retention of faculty.

The report of the visiting committee concluded with the following words concerning its report and the school:

The foregoing conclusions or observations are made in full awareness that an ad hoc visiting committee, such as ours, should not assume that in a short visit it can resolve the problems that beset any institution, much less an institution of such high quality and high morale as that of the Marshall-Wythe School of Law of William and Mary. Nevertheless, it is hoped that our suggestions may at least set an agenda for discussion. The future for the law school at the College of William and Mary is bright. The law school has a new dean, possessed of great integrity, character, and ability, who has the support of his students and faculty. At the same time, the College of William and Mary has a new president, himself a nationally known legal scholar and a former dean of a law school. Furthermore, at a time when law school enrollments are shrinking and the quality of applicants at many good law schools is slightly declining, the opposite is the case at the Marshall-Wythe School of Law. We are confident that the combination of executive leadership with that of an able faculty will make it possible for the school to achieve the greatness to which it aspires.

The School is most grateful to the Committee for its commitment of time and the thoughtful report it issued. It will serve the school well as it discusses its future.

**Drapers' Scholarship Revitalized**

The relationship between the College of William and Mary and the Drapers' Company originated nearly thirty years ago with the Drapers' Company providing a stipend each year to allow a William and Mary student a two-year period of study at a British university. The Drapers' Company also paid for an English student to study at William and Mary. The exchange of students flourished until 1980 when a decision by the British Government to significantly increase tuition charges to foreign students forced the Drapers' Company to suspend the program. Through the effort of President Paul R. Verkuil, the Drapers' Scholarship program has been revived. Beginning this year the Drapers' Company is paying the cost of study for one year for...
a William and Mary law student at Queen Mary College at the University of London. In return, the College is paying for the expenses of an English student from Queen Mary College to study in one of the schools of the College. This past spring Dean Graham Zellick of the Faculty of Law at Queen Mary College in London visited Williamsburg to discuss arrangements for the Drapers’ Scholarship and to visit with members of the Marshall-Wythe faculty. At that time, Dean Graham Zellick was also introduced to the first recipient of the re-established Drapers’ Scholarship, Gregg H. Lehman of Fort Worth, Texas. Lehman is a 1986 graduate of the Marshall-Wythe School of Law and a 1983 graduate of Southern Methodist University. While at Marshall-Wythe, Lehman was a member of the Appellate Moot Court Team, in his third year the senior Trial Advocacy teaching assistant responsible for administration and support of the Trial Advocacy program at the Law School, active in intramurals and a volunteer for the Williamsburg Fire Department. Lehman has accepted an offer of employment from the Dallas firm of Berman, Fichtner & Mitchell which he will pursue upon his return from England next summer.

Verity Jones, a graduate of Queen Mary College at London University is studying at Marshall-Wythe this year. Verity, who is 23, is from the island of Guernsey and has studied one year at the Inn of the Court School of Law. She intends to become a barrister in London.

The Worshipful Company of Drapers’ of London was founded in the twelfth century and formally chartered by King Edward, III in 1364 and was one of a number of guilds organized in London during the Middle Ages. While at first the Company was a merchant in the wool and cloth trade, its present operation is as a charitable foundation.

New Faculty Appointment

The Law School learned in late June that Professor David H. Coar, who was to become a permanent member of the Marshall-Wythe faculty in the fall, had been appointed a Judge of the United States Bankruptcy Court in Chicago. Professor Coar had been a visiting professor at Marshall-Wythe in the fall of 1985 and was a member of the faculty at DePaul University College of Law.

Fortunately for the Law School, Judith Ledbetter accepted the invitation of the faculty to serve as a Visiting Associate Professor of Law for the 1986-87 academic year. Ms. Ledbetter has for the past six years been employed by the Justice Department and most recently has served as an Assistant Director in the Civil Division where she has had supervisory capacity for over seventy trial attorneys.

Ms. Ledbetter received her J.D. from Hastings College of Law in 1976 where she served as Editor-in-Chief of the Hastings Constitutional Law Quarterly. After graduation she served for a year as a teaching fellow at Hastings and for two years as a Clerk for the Honorable Spencer Williams, a United States District Judge for the Northern District of California.

Ms. Ledbetter is married and the mother of two children. Her husband is an attorney with Hunton & Williams in Richmond.

Advisors to Virginia's Governors from Lindsay Almond to Gerald Baliles engaged in a discussion in the Moot Court Room of the Law School in February on the role of the Governor and his advisors in Virginia. Participants included (from left to right) David McCloud, chief of staff for Governors Robb and Baliles; Joy Manson, senior executive assistant to Governor Dalton; Guy Friddell of the Virginian Pilot who served as moderator; Staige Blackford, press-secretary to Governor Holton; and Carter Lowance, executive assistant to each Governor of Virginia beginning with Governor Almond and continuing through the second term of Governor Godwin.
The Class of '86 assembled on the stage of Phi Beta Kappa Hall to receive their diplomas.

Graduation

All 168 members of the Class of '86, including seven who completed their studies in December, earned their juris doctor degrees at graduation on May 11, 1986. Graduation events included a party and dance the evening before graduation in the Campus Center Ballroom for graduates and their parents and a brunch prior to graduation Sunday morning at Crim Dell. Graduates and their parents and friends then proceeded to William & Mary Hall to participate in the College’s commencement program where the featured speaker was Jeanne Kirkpatrick. After the ceremony in William & Mary Hall the Class of '86 reassembled at Phi Beta Kappa Hall for the awarding of the law degrees and presentation of awards. Dean Sullivan presented the exceptional service to the Law School award as voted by the faculty to Margaret M. McHugh and Jacqueline E. Monroe. The Lawrence I'Anson Award, given in honor of the former Chief Justice of the Virginia Supreme Court, in recognition of exceptional academic achievement and great professional promise was awarded to Randy D. Singer. The Virginia Trial Lawyers Award was awarded to Gregory Davis of Williamsburg and Jim Buckman, members of the Trial Advocacy team which finished second in the nation in this past year’s American Trial Lawyers Association Trial Competition.

The speaker at the Law School’s graduation ceremony was Anthony F. Troy, a partner in the Richmond firm of Mays, Valentine, Davenport & Moore and a former Attorney General of Virginia.

ALUMNI DIRECTORY AVAILABLE

The first Marshall-Wythe School of Law Alumni Directory published in twenty years is available for purchase for $10.00. The Directory, published in July by the Law School Association, contains a listing of alumni from the Classes of 1923-1985 in alphabetical order, by class year and by geographical area. This latter section is particularly useful in locating fellow alumni to refer potential business. Checks should be made payable to the William and Mary Law School Association and sent to the Director of Alumni Affairs, Marshall-Wythe School of Law, Williamsburg, Virginia 23185. Directories will be mailed immediately upon receipt of payment. Be sure to indicate where the Directory is to be sent.
To outsiders, "law school" may conjure up images of students bent over volumes of Blackstone or engaged in theoretical discussions with professors and classmates. Such images may be accurate, but with the increasing emphasis on the practical side of law education, students also spend time trying out their skills before active judges and practicing attorneys.

Marshall-Wythe's clinical skills program gives each student the opportunity to experience the day-to-day responsibilities of being a lawyer, according to Dean Timothy J. Sullivan. Skills courses range from first-year legal writing to trial advocacy and appellate advocacy for second and third-year students. In between, students may work for Williamsburg's branch of the Peninsula Legal Aid, enroll in "externships" in a variety of legal settings and take a special seminar on law related to the elderly.

Professors teaching these courses note that their classes often require more faculty participation and legwork than the law school's other offerings. Trial Advocacy, for instance, involves several other Marshall-Wythe professors and students, adjunct faculty members, judges, lawyers, area high school students, and other local citizens in mock trials. The low student-faculty ratio makes these courses costly, but faculty members agree that familiarizing students with the day-to-day activities of their future career is worth the expense and the extra work.

Professor Fredric I. Lederer, who teaches Trial Advocacy with Professor Walter S. Felton Jr., says that students need to practice translating book knowledge into practical experience. "Standing up on one's feet and attempting to cope with the challenges of litigation makes you apply what you've learned and gives you some recognition of the vagaries of reality. New law school students don't appreciate how strange life can be. The course is designed to make people confront reality."

The purpose of Trial Advocacy, Lederer says, is to "dissect the trial of a case into bits and pieces. The student works on bits and pieces until it can all be put together."

Putting the course together -- and coordinating the schedules of all those involved -- can be a trial in itself. Lederer and Felton depend on adjunct faculty members and about a hundred other people to make the mock trials as authentic as possible.

Both say that "team-teaching" with each other and with adjunct faculty members allows students a chance to see a variety of approaches to law and a range of expertise. Lederer, formerly the Army's expert in criminal law reform at the Pentagon, was primary author of Military Rules of Evidence. Felton is administrative coordinator of the Commonwealth's Attorneys Association. Lederer began teaching the course in 1980, and he and Felton have been teaching it together since 1982.

Virginia Powell and Raymond Jackson have been adjunct professors of the course for the past two years. Ms. Powell is a corporate litigation expert for Hunton & Williams in Richmond, and Jackson is an assistant U.S. attorney for the Eastern District of Virginia based in Norfolk.

About 60 students enroll in the course each fall. Trial Practice, a scaled-down version of the fall course, is taught on weekends in the spring semester and accommodates up to 60 students as well. The courses are open to students who have completed Professional Responsibility and Evidence. While they are graded pass/fail, both Trial Advocacy and Trial Practice have strict attendance requirements and demand a great deal of preparation from students.

Felton notes that students can expect to learn courtroom litigation skills ranging from selecting jury members to examining witnesses to making opening and closing arguments. The course covers "the whole gamut of the trial process," he says, with every student in the class required to try both a bench trial and a jury trial.

The entire Trial Advocacy class meets at the beginning of the week for a lecture and basic skills exercises. Small sections meet later in the week to practice more complex skills requiring students to play the roles of lawyer and witness with each other. Section classes are videotaped and available for viewing in the law library. Students also have access to computer programs dealing with evidence and, for the first time this year, they may participate in trials programmed on video disks.

When students reach the mock trial phase of the course, they finally have the opportunity to assemble the "bits and pieces" of strategy learned in the first part of the semester. Federal,
state, and local judges preside over the trials. While they must be lined up months in advance, judges are generally ready and willing to assist. "They very much want to do it. They feel that part of their responsibility to the judicial system is to participate in the training of young advocates," Felton says.

The presence of an active judge is useful to both students and faculty. The judge evaluates student advocates after a trial and privately offers further observations on their performances to professors. Students are warned from the outset that judges will not don rhetorical kid gloves just because they are dealing with novices. Course guidelines state that students should "expect some judges to occasionally be abrupt, arbitrary, and perhaps sarcastic. Behavior which would draw a sharp remark from the judge during a real trial may draw such a response here as well."

Area high school students in the gifted and talented programs and local retirees serve as witnesses and jurors along with Marshall-Wythe students and faculty members. Says Lederer: "Witnesses are instructed that, as long as it can happen in real life, they can create their own stories. They do - creating many unforeseen circumstances." Jurors are also allowed a unique opportunity. After a trial, they may be asked to respond to a student advocate's performance. Their comments give students some insight into a layman's view of the law - a perspective that complements the observations offered by faculty members and judges.

Ideally, Lederer says, students find the course "highly useful and a great deal of fun. If it works right, Trial Advocacy is an advanced course in evidence and ethics and sometimes in procedure."

"Standing up on one's feet and attempting to cope with the challenges of litigation makes you apply what you've learned and gives you some recognition of the vagaries of reality. New law school students don't appreciate how strange life can be. The course is designed to make people confront reality."
He adds that most students are quick studies. "Many students initially feel uncomfortable having to stand up and be the focal point of attention. And it's difficult to take academic knowledge and apply it instantly in an environment where things are changing constantly. But it takes a fairly short time for our students to accomplish both."

Before students can take Trial Advocacy, they must first get over the hurdles of at least one — and usually two — other skills courses. First-year students must take a two-semester course in legal writing, and upper-class students, unless they are senior editors on the law review, must take Appellate Advocacy. Both courses are taught by Professor Michael G. Hillinger, a former professor of political science, a graduate of Marshall-Wythe in 1983 and a member of the faculty since 1984.

According to Hillinger, a course in legal writing is intended to head off the new lawyer's traditional tendency toward verbosity. "Lawyers write unusually badly," he states. "Lawyers delight in using the passive voice and long, rambling sentences." The complexity of many legal arguments begs for some sort of organizing clarity: "If the language is complex as well, the argument is almost impossible to understand."

The first-year class is divided into two lecture sections for the pass-fail class in the fall. Six third-year assistants help Hillinger with the workload. "The primary emphasis is on legal analysis, how to communicate with lawyers, judges, lay people," Hillinger says, adding that the first semester of the course is meant to "introduce students to as many different kinds of writing as they'll be doing as lawyers."

In the spring, students are divided into smaller groups of 35 to 40 persons. Each group must handle the paperwork stemming from a hypothetical lawsuit. They write memoranda analyzing the case and recommending a course of action. They also draft initial court documents and conduct research in order to prepare for negotiations. The graded spring semester course requires students to negotiate with each other and to present arguments before a mock court.

The course may seem difficult at first because students are expected to "jump into the middle of things," Hillinger says. But he believes that "learning how to be a lawyer by being one" is an effective approach to a profession requiring both fast thinking and careful research.

Hillinger's graded course in Appellate Advocacy builds on the skills learned in Legal Writing. The class is split in half, with students in one group filing an appeal in response to a hypothetical trial verdict and the other students responsible for defending the winner. Students must write full-scale briefs and participate in a two-week appellate tournament in the spring.

Students argue before mixed panels of practicing attorneys, law professors, and third-year students. The tournament is the source for selection of members of the moot court teams. The combination of writing a brief and presenting an oral argument gives students a chance to show their "ability to use the law and craft good arguments," Hillinger says. Both the appellate advocacy and legal writing courses have been "successful traditionally in terms of getting students to have very intensive writing and arguing experience."

He believes that his courses have a residual effect: "They're important courses that students probably get more out of once they're working than when they're in class." Regardless of when they realize the value of writing and arguing cogently, however, he is pleased with his students' performances: "William and Mary has traditionally done very well in moot court competitions. Students work very hard
at it and the ones who make the teams tend to be very good.”

Professor John M. Levy, Marshall-Wythe’s director of clinical education, teaches Marshall-Wythe’s legal aid clinic and a course in the “lawyering process” as well as directing the student “externship” program. He is known for emphasizing the importance of the working relationship between lawyer and client, lawyer and witness.

Students who work in the Legal Aid Center on Richmond Road offer legal advice to poor people under the supervision of the center’s staff attorneys. The three-credit, pass/fail course also includes a class meeting during which students discuss and analyze the cases they are working on.

For the most part, students who become involved with the Legal Aid Center are “exuberant” about the program, Levy says. “They’ve had two years of law school and they’re chomping at the bit” to practice their skills.

Levy’s lawyering course focuses on the principles and techniques of interviewing clients, counseling and negotiation. The two-credit, pass/fail course includes some practice in writing legal documents.

**THE MARSHALL-WYTHE COURTROOM**

When it went into service in 1980, the Marshall-Wythe Moot Courtroom represented the technological state of the art in courtroom design. Intended for both student and actual use, the courtroom provides a superb teaching environment. Six television cameras are mounted unobtrusively in the ceiling. Controlled from a well-equipped studio type control room located behind one way glass, the cameras are used to record student advocates’ performance for later review and critique. Videotaped material, whether locally produced or commercially obtained, is frequently used for class discussion and critique, and is played back via the television monitors mounted in the jury box. The courtroom technician may be given special instructions in this regard by the judge/instructor via private telephone link. Assisted by exceptional acoustics, the audio system is capable of recording and playing back 8 different audio channels, thus easily resolving the classic problem of who said what, and when, during heated courtroom dispute. Anything televised in the courtroom or played back in its control room can be sent to any or all of the Law School’s classrooms. Concealed behind the courtroom walls are chalk boards and an x-ray reader, and the ceiling hides a large screen ready for movie use if necessary.

Despite its obvious importance, the Courtroom is only the heart of an entire complex. Supporting it are judge’s chambers, rooms for counsel, a jury deliberation room, and a rather solid and serious looking steel holding cell.

Adjunct Professor Raymond Jackson, Assistant United States Attorney for the Eastern District of Virginia and one of the four professors who compose the teaching team for trial advocacy, sits as judge during class.
Levy also asks students to keep a journal during the semester so they can articulate their thoughts about law and about being lawyers. Class discussion of students' concerns about law lets them know "they're not alone, that many of their peers are questioning the same things they are about a law career," Levy says.

As supervisor of the externship program, Levy is responsible for coordinating the U.S. Attorney practice clinic in Norfolk and the Attorney General practice clinic in Richmond. Students earn three credits for each of these popular courses in which they work with assistant attorneys in the respective offices.

Students may also earn credit for working 40 hours per semester as an unpaid legal clerk for lawyers or judges. The one-credit legal clerking course, which may be taken up to four times during one's law school career, gives students "a chance to try out different types of firms, just to see what's out there. It also lets them get their foot in the door for a job and lets them put the experience on their resumes," Levy says. Levy also directs a three-credit summer session of this course called Clinical Practice.

Other skills courses include the Post Conviction Assistance Project which matches students with federal inmates in need of legal help and the Elderlaw Clinic which focuses on legal concerns of particular interest to elderly clients.

The latter course, taught by Professor Doris L. Edmonds, is a seminar designed both to introduce students to the legal needs of the elderly and to provide students with the experience of handling actual legal disputes with the possibility of courtroom experience. Students work closely with elderly clients who come to the Legal Aid Center and are responsible for all case work on client's cases from the initial interview through the ultimate resolution of the case. Students work under the direct supervision of Professor Edmonds who is official counsel of record on each case. Students also engage in preventative education by conducting community education programs in the elderly community on various legal topics of interest. "Sometimes students become so attached to their clients that they keep working with them after the semester ends," Ms. Edmonds notes.

All in all, Marshall-Wythe's clinical skills program is aimed at giving students the opportunity to practice what their professors preach. As Levy puts it, "You wouldn't want surgeons to operate on you if they'd spent three years listening to someone talk about surgery. The same holds true for law school. These basic foundation skills courses teach students to actually do what lawyers do."
The Law School received a record-setting amount of contributions in the fiscal year ending June 30, 1986. Total contributions in support of the Law School during the year equalled $508,535. Gifts to the Marshall-Wythe Annual Fund increased 60% over the prior fiscal year to an all-time high of $128,061. The Marshall-Wythe Law School Foundation received $379,654 in cash contributions and $205,000 in new pledges. The Foundation was also the recipient of a gift of a private law library valued in excess of $10,000.

Every aspect of the annual fund effort showed improvement this year. The number of donors increased at all levels of giving. Our telephone program reached many people who had never given before and attracted, in many cases, three year commitments to the Annual Fund. Donors of $1,000 or more nearly doubled. Under the leadership of Ed Joseph (parent ’87), a Parents Fund was launched as part of the Annual Fund. Participation by faculty and administration increased as did the number of corporate matching gifts received. It was a year of significant progress.

Chris Honenberger ’77 served as Chairman of the Annual Fund this year with enthusiasm, dedication to the task and the necessary commitment of his time. We are all most grateful to Chris for his efforts. He was from the beginning convinced that the Annual Fund could be bigger and better and with his involvement it turned out to be so.

Special recognition need be made of the contributions by the Board of Directors of the William and Mary Law School Association to the 1986 Annual Fund. Twenty directors contributed $5,375 to the Annual Fund which represents a 100% increase in the number of those participating and a 300% increase in the amount contributed.

For the Law School Foundation, a private charitable corporation established in 1982 to receive contributions in support of the Law School, it was a year of record accomplishment in pursuit of its goal of building an endowment for the Law School. Under the leadership of President Mark S. Dray, ’68, the Foundation began the fiscal year with cash in the bank of $188,513. On June 30, 1986 the Foundation’s current assets had grown to more than $550,000. Major additions to the Foundation were the gifts by the Lee Memorial Trust and Dan Hinz (see stories on pages 4 and 5). During this fiscal year, the Foundation will make available to the Law School $5,500 for scholarships, $5,000 for support of the Law Library and $3,000 for faculty development.

The significance of this year’s exciting results is that they were achieved as part of an integrated fund raising program by the Law School. The Foundation remains cognizant of the importance of the Annual Fund and of the need to ensure that the efforts of the Foundation and the Annual Fund complement each other. To this end, Trustees of the Foundation contributed $9,150 to the 1986 Annual Fund.

In addition to receiving endowments for a major new scholarship program and its first professorship, the Foundation continued its own internal maturation by adopting an investment policy and by placing a portion of its assets with The Common Fund to be held and invested as part of their portfolio. The Common Fund is a unique nonprofit corporation organized and operated by and for colleges, universities and independent schools and provides investment management services exclusively for educational institutions. More than 250 such institutions utilize The Common Fund for some or all of their endowment investments.

The year 1985-1986 will be remembered as one in which the Law School laid a foundation for what must come in the years ahead. Annual support and endowment within the Foundation must continue rapid growth if the Law School is to maintain and improve its competitive position among other law schools. The potential for such growth exists. I look forward to working with the alumni and many friends of the Law School to ensure its realization.
ANNUAL FUND

Summary of Contributions
July 1, 1985 – June 30, 1986

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<th>Source</th>
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Comparison with Prior Year (Alumni Only)

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<th>Fiscal Year</th>
<th>Number of Donors</th>
<th>Percentage Increase in Number of Donors</th>
<th>Overall Percentage of Participation</th>
<th>Dollars Received</th>
<th>Percentage Increase (Decrease) in Dollars</th>
<th>Average Size of Gift</th>
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</table>

GEORGE WYTHE ASSOCIATES

Named after the first holder of the first Chair of Law in the United States at the College of William & Mary, George Wythe was a signer of the Declaration of Independence and a delegate to the Convention which drafted the United States Constitution. Wythe Associates contribute $2,500 or more to the Marshall-Wythe Annual Fund.

R. Harvey Chappell, Jr. ’50
Nicholas J. St. George ’65
Time Incorporated

JOHN MARSHALL ASSOCIATES

Named in honor of the Chief Judge of the United States Supreme Court from 1801-1835 and a student of George Wythe’s at the College of William and Mary in 1780. Marshall Associates contribute $1,000 to $2,499 to the Marshall-Wythe Annual Fund.

Herbert V. Kelly, Sr. ’43
Joseph Smith ’49
George I. Gondelman ’52
Hillman V. Wilson ’53
William B. Harman, Jr. ’56
Neil W. Schilke ’61
Thomas Duncan Terry ’61
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Christian, Barton, Epps, Brent & Chappell
Hunton & Williams
Virginia State Bar

Pictures of George Wythe, St. George Tucker, Lucian Minor and Oscar Sheamake are reproduced with the permission of the University Press of Virginia.
ST. GEORGE TUCKER ASSOCIATES

Named in honor of the second Professor of Law at the College of William and Mary. Tucker, who had studied under George Wythe, taught law at the College from 1790-1803 and drafted the first formal requirements for obtaining a law degree. Tucker Associates contribute from $500 to $999 to the Marshall-Wythe Annual Fund.

E. C. Ferguson, Jr. '41
The Honorable Dixon L. Foster '49
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F. Ellen Lloyd Trover '72
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Robert M. Fitzgerald '75
Carl W. Harder '75
Christopher Jay Honenberger '77
Robert W. Emmett, III '78
Sarah Collins Honenberger '78
Sarah Shank Hull '84
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Beatrice Foods Company
Coopers & Lybrand Foundation
McCormick & Company, Inc.
McGuire, Woods & Battle
Sea Land Corporation

John Marshall

St. George Tucker
LUCIAN MINOR ASSOCIATES

Named in honor of the holder of the Chair of Law at the College of William and Mary from 1855 to his untimely death in 1858. Minor, who had himself studied law at the College in 1822, was a prolific writer and traveler for his time. Minor Associates contribute from $250 to $499 to the Marshall-Wythe Annual Fund.

DUDLEY WOODBRIDGE ASSOCIATES

Named in honor of the beloved teacher who for 39 years taught law at the College of William and Mary and served as Dean from 1947-1962. He was recognized nationally and by the College as an outstanding teacher. Woodbridge Associates contribute $100 to $249 to the Marshall-Wythe Annual Fund.
Named in honor of one of the leaders in the effort to restore the teaching of law to the College of William and Mary after World War I, Judge Shewmake was named one of the two original professors of the revived law program. Shewmake was a graduate of the College, twice a member of its Board of Visitors and Rector from 1949-1952. Shewmake Associates contribute $99 or less to the Marshall-Wythe Annual Fund.

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Cecil Carlisle Harper ’36
Virginia Mister Walker ’37
George Mason, Jr. ’38
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Marsha Townley Dula '84  
Nora M. Brown Everett '84  
Michael John Garvin '84  
David Armistead Greer '84  
Lee Ann Gustafson '84  
Michael Lowell Heikes '84  
Joseph Paul Knap '84  
Robert Kimbark Lee'84  
Cary Alan Levitt '84  
Raymond John Lillie '84  
Ellen Gayle Margolis '84  
James John Milano '84  
Steven Michael Miller '84  
Ilryong Moon '84  
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Kendall Joseph Newman '84  
Lee Irvin Sherman '84  
Donna Jeanette Nixon Smith '84  
Julie Anne Stanley '84  
Steven Harold Theisen '84  
Virginia Bidwell Theisen '84  
Jere Malcom Harris Willis, III '84  
George Asimos, Jr. '85  
Edward James Bell, III '85  
Deborah Ann Bosworth '85  
Laurence Vincent Cronin '85  
Kathleen Elizabeth Crotty '85  
Kathleen Marie Edge '85  
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Lisle Jean Johnsen '85  
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Margaret A. McWilliams '85  
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Virginia Widdon Phelps '85  
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Mr. & Mrs. Joseph R. Van Bergen '85  
Arthur B. White '85  
William Patrick Whitson '85  
Mr. & Mrs. Reuben H. Williams '85  

**ALUMNI DONORS**

**BY CLASS**

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**Alumni Donors**

- E. C. Ferguson, Jr.
- Elmo Turton Legg
- Alexander Nicholas Apostolou
- Anthony Champa
- Herbert V. Kelly, Sr.
- The Honorable John P. Harper
- The Honorable William Wellington Jones
- Francis E. Clark
- W. Garland Clarke
- The Honorable Ira B. Dworkin
- The Honorable R. Stanley Hudgins
The Honorable Dixon L. Foster
G. T. McCoy
J. Edgar Pointer, Jr.
The Honorable Donald H. Sandie, Sr.
The Honorable A. B. Smith, Jr.
Joseph Smith
Dudley L.S. Woods, Jr.

1950
Number in Class 17
Number Giving 6
% Participation 35.2%

R. Harvey Chappell, Jr.
Myers N. Fisher
Harvey Jacobson
L. David Lindauer
Stanley H. Mervis
William Luther White

1951
Number in Class 20
Number Giving 1
% Participation 5.0%

A. Robert Doll

1952
Number in Class 19
Number Giving 6
% Participation 31.5%

George I. Gondelman
Donald Culpepper Grey
John William Hornsby
James M. Pickrell
Vincent P. Pirri
Elizabeth Wood Walton

1953
Number in Class 12
Number Giving 4
% Participation 33.3%

Gordon Cumming Murray
Rita Rogers Becker
The Honorable Robert Wright Stewart
Hillsman V. Wilson

1954
Number in Class 14
Number Giving 6
% Participation 42.8%

James David Carter, III
The Honorable William L. Forbes
Channing M. Hall, Jr.
Samuel W. Phillips
Peter Shebell, Jr.
James H. Wesson, Jr.

1955
Number in Class 15
Number Giving 1
% Participation 6.6%

William C. Baskett

1956
Number in Class 21
Number Giving 5
% Participation 23.8%

Ira Bernard Hall
William B. Harman, Jr.
Richard Henry Lewis
John Henry Martin
Frank Moses McCann

1957
Number in Class 10
Number Giving 1
% Participation 10.0%

The Honorable John C. Baker

1958
Number in Class 10
Number Giving 2
% Participation 20.0%

Otto Lowe, Jr.
The Honorable Thomas J. Middleton, Jr.

1959
Number in Class 18
Number Giving 4
% Participation 22.2%

J. T. Cutler
Lt. Col. Brian B. Kent
Kenneth H. Lambert, Jr.
Granville R. Patrick

1960
Number in Class 14
Number Giving 1
% Participation 7.1%

Bernard Goldstein

1961
Number in Class 15
Number Giving 2

% Participation 13.3%

Neil W. Schilke
Thomas D. Terry

1962
Number in Class 16
Number Giving 6
% Participation 37.5%

Frederick A. Bush
Douglas W. Conner
Charles F. Groom, Jr.
W. Kendall Lipscomb, Jr.
Daniel U. Livermore, Jr.
Shannon T. Mason, Jr.

1963
Number in Class 23
Number Giving 8
% Participation 34.7%

Otto Edward Donaldson
A. Overton Durrett
Dr. Emeric Fischer
Owen A. Knopping
Thomas O'Connor Moyles
Alan Patrick Owens
Edmund L. Walton, Jr.
Charles A. White, Jr.

1964
Number in Class 22
Number Giving 4
% Participation 18.1%

Richard Crouch
Shepard W. McKenney
Thomas A. Shiels
David L. Short

1965
Number in Class 38
Number Giving 10
% Participation 26.3%

M. Elvin Byler
C. Lacey Compton, Jr.
Nathan S. Howard
Michael A. Ialongo
Nicholas J. St. George
Raymond Holmes Strople
The Honorable William J. Sullivan
Peter Haynes White
Ronald Burt Zedd
The Honorable J. R. Zepldn

1966
Number in Class 46
Number Giving 10
% Participation 21.7%

E. Kenneth Day
Franklin D. Hochholzer
Gus John James, II
Robert E. Kane, Jr.
William R. Keown
B. Dean Lorenz
Alan D. MacDonald
Daniel David Portanova
The Honorable Lloyd C. Sullenberger
The Honorable Alfred D. Swersky

1967
Number in Class 44
Number Giving 9
% Participation 20.4%

The Honorable William C. Atack
Ralph K. Barclay, Jr.
Howard J. Busbee
Craig U. Dana
Stephen David Harris
Raymond H. Kraftson
D. Wayne O'Bryan
John M. Parsons
Colonel James R. Troth

1968
Number in Class 58
Number Giving 19
% Participation 32.7%

MARSHALL-WYTHE SCHOOL OF LAW 23
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The Honorable David Joseph Agatstein
C. Butler Barrett
Sam T. Beale
John R. Boberg
Thomas C. Clark
David D. Dickerson
Mark S. Dray
David L. Gibson
John H. Goodrich, Jr.
Richard H. Harding
Robert A. Hendel
Sal J. Jesuele
Dr. Murray Loring
Frank M. Morton, III
Richard A. Repp
Robert E. Scott
Walter A. Smith, III
The Honorable William L. Wellons
Donald Peter Witty

Karen Atkinson Loffredo
The Honorable Hal J. Bonney, Jr.
Jon W. Bruce
Joel Augustus DeBoe
Robert S. Dutro
Robert C. Elliott, II
Homer L. Elliott
William C. Field
E. Alan Hechtkopf
James D. Kemper, Jr.
Gary E. Legner
Andrew David Parker, Jr.
Harold F. Poe
Glenn J. Sedam, Jr.
James K. Stewart
James A. Swigart

Joseph Anthony Abdelnour
Willard Bergman, Jr.
Peter Michael Desler
Robert L. Freed
James Harris Freeman
Frank Henry Frye
Bruce Roahen Harris
Robert Allen Holmes
Dr. George N. Hudson
Robert R. Kaplan
Richard Ermes Knight
Robert M. Koch, Jr.
F. Ellen Lloyd Trover
Michael D. Lubeley
Robert Lewis Marks
Elise Munsell
William M. Musser, III
John M. Peterson
Robert L. Peterson, Jr.
John A. Scanelli
Donald Franklin Snow, Jr.
Gary E. Tegenkamp
Michael Zuk, Jr.

Phillip Richard Anderson, Jr.
Paul Aaron Belvin
Richard Douglas Carrington
Ronald Arlo Case
Virginia Cochran Miller
H. Vincent Conway, Jr.
John Raymond Cox
Eric Lee Dobberteen
David Strange Favre
Thomas R. Franz
Jon Craig Gilliland
Giacomo Guarnaccia, Jr.
Edward Benjamin Hogenson
Michael David Horlick
Terry Dean Huffman
James Warren Hyden
Stephen Allen Isaacs
William Thomas Jordan, Jr.
Mark William Korotash
James Phillip La Casse
Elaine Lylte Mead

Lauren McFarland Belvin
Edward David McGuire, Jr.
William Glenn McNairy
Edward Alan Miller, Jr.
Tommy Eugene Miller
William Gordon Murray, Jr.
Jeffrey Lee Musman
Alexander Roderick O'Neill
David W. Otey
The Honorable Samuel Taylor Powell
Eric Steven Rehm
Ronald Ricky Reiss
Robert Patrick Rodrigue
Leslie Jay Roos
Larry Benjamin Slipow
Thomas T. Terp
Earl Quigley Thumma, Jr.
Woodrow Wilson Turner, Jr.
T. Thomas Van Dam
Martin D. Walsh
Robert Roy White
Hugh W. Wiseman
Byron Wyndham

The Honorable James F. Almand
Carole Bailey Frantz
Craig E. Buck
George Wendal Campbell, Jr.
William Joseph Carter
Paul Edward Clifford
Glen Conrad
James Edward Cornwell, Jr.
Curtis McFall Coward
Timothy Andrew Coyle
Stephen John Edwards
Randolph Davis Eley, Jr.
Edward L. Flippin
Gregory Giordano
C. Linwood Gregory
Leslie A. Hoffman
Lelia Baum Hopper
Jerry K. Jebo
Donald L. Kornfield
Willard Alvis Lester
John H. Lhost
John Carroll McDougal
Stephen Edward McGregor
Cabell Christian Mercer
Courtney Eason Mercer
William F. Miller
Richard Mitchell
James Brady Murray, Jr.
Joel Mark Muscoplat
Anita Owings Poston
Charles Evans Poston
Lewis Puller
Thomas Kyran Purcell
The Honorable Julian Hines Raney, Jr.
Gary Franklyn Roth
Daniel Zachary Shapiro
The Honorable Eleanor Spence Dobson
Douglas John Stanard
Colonel Anthony Paul Tokarz
William J. Vakos
Raymond Nicholas Villarosa
Sue W. Villarosa
On Saturday, September 6th, the lobby of the Law School was transformed as Dean and Mrs. Sullivan entertained those individuals whose gifts in support of the Law School in the past fiscal year established new standards of distinction. Donors to the 1985-86 Annual Fund whose gifts qualified them as George Wythe or John Marshall Associates, donors to the Marshall-Wythe School of Law Foundation whose gifts exceeded $1,000, and other donors whose total gifts in support of programs of the Law School exceeded $1,000 were invited. Thirty-seven individuals shared in this delightful evening which will be an annual event to recognize and thank special benefactors of the Marshall-Wythe School of Law.

The lobby prior to the arrival of the guests.

Dean Sullivan presents a silver bowl to Chris Hoenenberger '77, Chairman of the 1985-86 Annual Fund.

Diners were entertained by the Williamsburg String Trio.

Cocktails were served on the patio prior to dinner.

Joining Dean and Mrs. Sullivan at their table were Mr. and Mrs. Harvey Chappell, Mr. and Mrs. Robert Stackhouse and Mr. William Harman and his guest.
<table>
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<th>Year</th>
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<th>Number Giving</th>
<th>% Participation</th>
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<td>The Honorable Rebecca Beach Smith</td>
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<td>Christie Wynette Cyphers</td>
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DEVELOPMENT REPORT

Jonathan Edward Davies
Carl Edward Eason, Jr.
Jay Robert Fries
Carol Hill Pickard
Kevin Robert Hueneke
Gary Stephen Marshall
Teresa Mary McBride
Robert Bruce McNew
Ann Mary Morrison
Walter Butler Palmer, III
Richard Randolph Pickard
Gwyn Elizabeth Staton
Peter Alan Susser
Barbara Swatling Griswold
William Joseph Swift
Eric Dwight Whitesell
Dianne Hultbert Wilcox
Robert W. Wooldridge, Jr.

1980
Number in Class 148
Number Giving 29
% Participation 19.6%

Francis Cocker Bagby
Christine Barlow Simpson
Peter Hartwell Bornstein
Nell Bucklew
Gary Stephen Cook
Charles R. Davis
Milton Holmes Hamilton, Jr.
James Eppa Hite, III
Michael McKeen Hollingsworth
Stephen Duncan Hoee
James Frederick Ireland, III
Kathy Davidson Ireland
Andrew Illison
Evans Leon King, Jr.
Joseph Francis Lagrotteria
Toni Marie Massaro
Dorothy Martin McCorkle
John Brooks Randle
Donna Jean Snyder
Bruce Chippendale Smith
Richard W. Stern
The Honorable Lydia Calvert Taylor
C. Gerard Thompson
Dennis Lee Vasapoli
Mark Bridger Warlick
Bessida Cauthorne White
Walter Lawrence Williams
Richard Ernest Wolff
Thelma Young Carroll

1981
Number in Class 149
Number Giving 30
% Participation 20.1%

Randolph Marshall Baker
Thomas Andrew Bosinski
The Honorable Lynn Curtis Brownley
Raymond Thomas Bules
William Leonard Carey
James Strother Crockett, Jr.
Larry Kent Elliott
Cherie Hill Gall
Michael Stephen Haigh
Scott Allan Harbottle

Michael Warren Hassell
Michel Yves Horton
James Gregory Humphries
Brian Randall Jones
John Andrew Libby
Stephen Craig Mahan
Richard G. Mann, Jr.
Carolyn Gash Mann
Michael Anthony Nardolilli
Pamela Gersh Nardolilli
Renae Reed Patrick
Peggy Reynolds Reiland
Charles Lewis Rogers
Mark Richard Smith
Ann C. Suhler
Norman Allan Thomas
Edith Diane Newsom Thompson
John Ward Trueax
Susan Cary Watkins
Kevin Turner Williams

1982
Number in Class 157
Number Giving 37
% Participation 23.5%

Wanda Nell Allen
Luke Jeffrey Bierman
Bradford J. Bruton
Thomas E. Burks
Clement Dean Carter, III
Georgia Branscum Carter
Larry Dean Case
Michael J. Casey
Jonathan Mark Coupland
Thomas Samuel D’Antonio
Daniel Purnell Dely
Katherine Wetterer Eason
Thomas Edward Francis
Robert J. Gall
Thomas Micajah Jackson
Lisa Schenkel Kalinowski

Thomas Brian Kelly
Ray Webb King
Philip Joel Kochman
Kathryn Derr Kohler
William W. Kohler
Charles John LeClair
Blaine Benjamin Lewis
Francis Xavier Marnell
Carolann Mary Mullin
Sean Francis Murphy
Jeffry Howard Nelson
Kevin P. O’Mahony
Lt. Janet J. L. Quinn
Kathleen Shaw
Clara Potter Swanson
Capt. Julie Frances Tingwall
Jean Penick Watkins
William Norman Watkins
Lee Edward Wilder
Gregory Paul Williams
Larry David Willis

1983
Number in Class 197
Number Giving 52
% Participation 26.52%

Richard Fox Aufenger
Charles Willis Bowman
Capt. Julie Anne Brady
Daniel Anthony Cassano
Robert Ray Church
John Thomas Cookson
James Lewis Davenport
Sarah Louise Deneke
Timothy Dugan
James Gerald Eckert
V. Alfred Etheridge, Jr.
S. Leigh Fulwood
William Andrew Galanko

MARSHALL-WYTHE SCHOOL OF LAW 27
The Alumni Directory Exists!

To obtain a copy see story on page 9.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number in Class</th>
<th>Number Giving</th>
<th>% Participation</th>
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<td>1984</td>
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Susan Belle Austin
Mary Lynn Williams Bailey
Randall Morton Boilinger
Joseph Raymond Brendel
Nora M. Brown Everett
Kathleen M. Carver
Rolly Lee Chambers
Ned Lowell Craun
Alexander M. Donaldson
Michael Robert Doucette
Marsha Townley Dula
Michael John Garvin
David Armistead Greer
Lee Ann Gustafson
Michael Lowell Heikes
Patrick Wesley Herman
Stephen John Horvath, III
Richard Hugh Howard-Smith
William A. Hunt, Jr.
John Herbert James
Joseph Paul Knap
Robert Kimbark Lee
Cary Alan Levitt
Raymond John Lillie
Jerome LeRoy Lomme
Ellen Gayle Margolis
Donna Susan McCaffrey
James John Milano
Steven Michael Miller
Ilryong Moon
Kendall Joseph Newman

James Randolph Robida
Philip Lee Russo, Jr.
Carla S. Moreland
Sarah Shank Hull
Lee Irvin Sherman
Donna Jeanette Hixon Smith
Julie Anne Stanley
Steven Harold Theisen
Virginia Bidwell Thiesen
Patrick Christopher Toomey
Jere Malcolm Harris Willis, III

Class of 1985
Number in Class 165
Number Giving 20
% Participation 12.1%

George Asimos, Jr.
Edward James Bell, III
Deborah Ann Bosworth
Laurence Vincent Cronin
Kathleen Elizabeth Crotty
Kathleen Marie Edge
Mary Kelley Hawthorne
Howard Taft Macrae, Jr.
Andrea Shaw Maxa
Bradley Alan Maxa
Denise Marie McGorrin
Mary-Shirin Mirkhani
Rita Maria Ros Planas
James Anthony Shapiro
Suzanne Paulette Stern
Craig Nicholas Thomas
Ashton Plesants Trice
Patricia Page Vaughan
George Carl Vitelli
Thomas Mitchell Wootten
DeveloPment report

Marshall-Wythe School of Law Foundation
Contributions July 1, 1985 - June 30, 1986

Unrestricted

Gifts of $5,000 or more
Norris E. Halpern ’30
Hunton & Williams

Gifts of $1,000 – $4,999
Anonymous
Stanley G. Barr, Jr. ’66
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E. C. Ferguson, Jr. ’41
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William B. Harman, Jr. ’56
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Mr. and Mrs. William B. Spong, Jr.
Robert C. Stackhouse ’51
Hillsman V. Wilson ’53

Gifts of less than $1,000
Mary E. Abele
Hon. David Joseph Agatstein ’68
in memory of Don L. Ricketts
C. Butler Barrett ’68
in memory of Don L. Ricketts
Sam T. Beale ’68
in memory of Don L. Ricketts
Charles W. Boohar ’72
F. Prince Butler ’68
in memory of Don L. Ricketts
Joseph Thomas Buxton, III ’68
in memory of Don L. Ricketts
Roy R. Charles in memory of
Gordon E. Campbell ’29
Coopers & Lybrand Foundation
David D. Dickerson ’68
in memory of Don L. Ricketts
Mark S. Dray ’68
in memory of Don L. Ricketts
William M. Flynn ’77
Mr. and Mrs. Reno S. Harp, III
in memory of Gordon E. Campbell
Hon. Walter E. Hoffman ’31
in memory of Gordon E. Campbell
Thomas P. Hollowell ’68
in memory of Don L. Ricketts
Murray Loring ’68
in memory of Don L. Ricketts
Alvin B. Marks ’68
in memory of Don L. Ricketts
Anne Scott Daughtrey
in memory of Gordon E. Campbell
McGuire Woods & Battle
Mary Jane Morrison ’81
Frank M. Morton, III ’68
in memory of Don L. Ricketts
Bryan Chappell Nettles ’84
Harold F. Poe ’69
in memory of Don L. Ricketts
Kathryn K. Porter in memory
of Gordon E. Campbell
Richard A. Repp ’68
in memory of Don L. Ricketts
Mr. and Mrs. Stephen T. Starling
in memory of Gordon E. Campbell
R. E. B. Stewart, Jr.
in memory of Gordon E. Campbell
David K. Sutelan ’68
in memory of Don L. Ricketts
Jeffrey L. Tarkenton ’81
T. Thomas Van Dam ’73
William L. Wells ’68
in memory of Don L. Ricketts
Arthur J. Windner in memory
of Gordon E. Campbell
Donald P. Witty ’68
in memory of Don L. Ricketts
J. R. Zepkin ’65

Restricted Gifts

Gifts of $5,000 or more
Robert Friend Boyd ’52
for the Robert Friend Boyd Fellowship
Philip J. Hendel ’64
for the Hendel Family
Special Needs Endowment Fund
Lt. Dan H. Hinz, Jr. for the
Mary Siegrist Hinz Leadership
Fellows Program
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Tom A. Collins
Richard E. Walck

For the William B. Spong, Jr. Portrait

R. Winston Bain
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Vincent L. Parker
Alan F. Rothschild
Shakespear demonstrated nearly four hundred years ago that women could be eloquent and persuasive practitioners of the law, and Portia's poetic arguments have delighted us ever since. One of last summer's hit films shows Debra Winger as a lively if somewhat offbeat "legal eagle," with her own contemporary style and tactics. Across the nation, from Williamsburg to Wenatchee and Williamstown to West Covina, women lawyers are no longer a novelty, and after a long, slow climb are well on their way toward parity with men in the profession.

Recent national surveys indicate that women now account for more than 39 percent of all law school graduates, and that of 649,000 attorneys practicing law in the U.S., 13 percent are women. It was not always thus — there was only one woman in the class of 1956 at Marshall-Wythe, and none among the 45 members of the class of 1967. Today, however, women make up 40 percent of this year's class of 500 students.

The ascent may well have begun following the time of the "infamous" 1872 opinion by Justice Joseph P. Bradley of the U.S. Supreme Court in the case of Myra Bardwell of Illinois who was denied entry into the practice of law. "The paramount destiny and mission of women," Justice Bradley said, "are to fulfill the noble and benign offices of wife and mother." From there the only way to go was up. And yet, a woman's right to vote did not come for another fifty years, and it was not until 1984 that the Supreme Court finally turned its back on the Bardwell decision by ruling with unanimity that the Atlanta firm of King & Spalding was not exempt from the nation's civil rights laws in making decisions whether to elevate employees to the status of partner.

In recent years, the pace of change has quickened substantially. Women lawyers occupy increasingly important and responsible positions in corporate headquarters, in courtrooms, and on the benches of local, state, and federal jurisdictions. Steadily, salaries for women lawyers are moving upward, too. Recent American Bar Association figures place women attorney's median income at about $33,000 while the income for men is $53,000. But this differential may be misleading since women are still relative newcomers to the profession, and the majority are under age 35.

Interviews with a sampling of some recent Marshall-Wythe women graduates provide a feeling for the dramatic progress and success women have made in various aspects of the law. Their positions of responsibility and their candid comments underscore and help to personalize the character of the quiet revolution in their profession and indicate both satisfaction and pride in the quality of their education at William and Mary.

"It wasn't all sweetness and light. We had only three women in our class of about 80 people," Wendy W. Davis '71 says. "I remember that at the time Richmond law firms wouldn't even interview women for possible law jobs."

"We persisted. We all graduated," she continues. "I found my education at Marshall-Wythe to be an excellent foundation, a solid base for my career, though I found, as I'm sure many do, the need to learn some practical and mundane details when I first went to work."

Davis finished her undergraduate degree at Hunter College in New York and began law school in Michigan but left when her second child was born. Later, when her husband was stationed at Langley Field, she sought entry to law school at William and Mary in 1968. "The dean told me I should stay at home with my family. . . . he discouraged me in the strongest possible terms. I applied anyway and did pretty well at that." A classic understatement. Wendy Davis is now a member of an all-woman law firm in Denver, specializing in civil trials, commercial and employment law and domestic cases. (Donnell, Davis & Lerman, 50 South Steele Street, Suite 420, Denver, Colorado 80209.) She is president-elect of the Colorado Women's Bar Association, a member of the Board of Directors of the Women's Bank in Denver, and serves on the board of other prestigious businesses there.

Davis went west "with the frontier spirit, seeking new challenges -- I still find it an exciting area." She started as an attorney for the Department of Housing and Urban Development and moved into private practice before joining her present firm in 1981. She is justly proud of her independence and her own achievements. She believes that generally women in large firms are paid equally, but perhaps in smaller offices and public service they are not. Her two children are on their own now, a son in medical school and a son in medical school and a daughter studying voice and music.

Commonwealth Attorney Ann Palamar '75 recalls her transition from educational administration to law via Marshall-Wythe with a touch of humor and irony in her voice. "I finished my undergraduate degree at Mary Washington in 1967 and went to work in the admissions office there," she says. "I started at about $6,000 a year and worked my way up, but after four years I decided to return to law school. When I finished my degree in law, I was offered a job as assistant commonwealth attorney, and the pay was -- you guessed it -- $6,000 a year. However," she adds quickly, "things have improved a lot since then, and my compensation now is pretty good."

As Commonwealth Attorney for the Fredericksburg, Virginia area, she handles all prosecutions for the City of Fredericksburg and has two part-time assistants. She was first elected to the job in 1981, and in 1985 won re-election.
for another four-year term. Palamar is one of only four or five women among the state's 121 commonwealth attorneys. She looks back with fondness on her Marshall-Wythe experience. "I loved law school," she says. "We had a wonderful mix of students with diverse backgrounds and interests. I'd enroll again if I had it to do over." The old law school quarters in Tucker Hall were crowded, she recalls, "and a lot of the books were stored next door in a leaky basement. But we got along fine and our spirit was great."

Palamar was one of 15 women in the class of 1975 which had a total enrollment of 150. Only eight of the women completed their law degree at that time; some transferred to larger schools, others left for personal reasons. Looking back at a period when women represented a much smaller proportion (10 percent) of the law school, Palamar says, "I didn't see much discrimination against women then -- nor do I now for that matter. I think the doors are wide open, in every aspect of the law. I would encourage any young woman to consider it."

U.S. Magistrate Rebecca B. Smith '79 reflects on her life and career in the Tidewater area. "I guess my husband and I have come full circle, in a sense," she says. "My home was in Hopewell, his in Norfolk. We met at the University of Virginia where he was in law school and I was studying for a graduate degree in planning. Now we are back in the Norfolk area; his in practice and I'm a judge in the U.S. District Court." It may not have been all that easy, yet the Smiths have demonstrated how to achieve the difficult mix of family and professional careers; their two children and both their careers are doing very well.

After receiving her undergraduate degree from William and Mary in 1971, Rebecca Smith moved on to study planning in the UVA School of Architecture. Later, she worked at the National Academy of Sciences before entering law school. Upon graduation from law school, she served as law clerk in the Norfolk District Court and also as a trial attorney in private civil practice for Willcox and Savage, P.C. before being named U.S. Magistrate. Reflecting on her Marshall-Wythe experience, Smith says "I felt my education in law there was superb. It couldn't have been better any place in the country." She remembers that her class had about 25 percent women and that there were fewer women faculty than now.

Not long after graduation from Marshall-Wythe, Kathy Ireland '80 joined the Washington, D.C. office of Gibson, Dunn and Crutcher, one of the nation's better-known firms employing some 450 lawyers. She is working in the department dealing primarily with labor law and her cases include employment law and discrimination, pensions, etc. "I found my William and Mary experience to be a good one," she says, "especially the legal writing program, which was excellent and remains extremely useful to me in my work." While at Marshall-Wythe, she did writing and editing for the law review.

"Law school gave me all the fundamentals I needed for employment," she recalls, "though in the first year on the job I ran into the routine procedural problems that must face all new lawyers, simple things like learning the ropes, finding the way to the courthouse."

After graduation, she worked part-time in Washington and attended George Washington University to complete her LL.M. degree, which she did in a year and a half. She believes this additional credential will reinforce her experience in labor law. Ireland returns to Williamsburg with some regularity -- to seek recruits. "There are lots of Marshall-Wythe graduates in the Washington area," she says, "and we know we will find high quality students here."

She completed her undergraduate degree at Lebanon Valley College in Pennsylvania and sought out Marshall-Wythe upon the recommendation of her advisors there. Ireland says she found more and more women coming into law school when she entered, and she feels that women in the law today are being treated with equality, particularly in terms of pay and advancement, based on performance, and, inevitably, on seniority.

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Women Faculty

BY HILARY HOLLADAY

Marshall-Wythe currently has six women, including one visiting professor, on the full-time faculty of 26. Two are from Virginia; one is a graduate of William and Mary, and two are graduates of Marshall-Wythe. All are married and in their 30s; five are married to other lawyers. Their professional backgrounds range from handling discrimination cases in Los Angeles to defending the Nuclear Freeze movement in Chicago to educating elderly clients in Hampton Roads.

Ingrid Hillinger

Ingrid Hillinger does not see herself as a role model for working women, but that does not stop some of her female students from casting her in that light. Mrs. Hillinger is a mother of three as well as a professor specializing in commercial law.

A Boston native and a 1968 graduate of Barnard College with a philosophy major, she grew up in a family of doctors and originally leaned toward that profession herself. But, after a stint with an insurance agency and a job tutoring homebound students, she decided to become a lawyer. The decision occurred while a number of her friends were choosing the same career path. She was assistant director of the Voluntary Action Center in Hampton – and she was expecting her first child.

After her son was born, she left her job and commuted from Newport News to Marshall-Wythe. She originally intended to return to volunteer work with "a skill to offer."

But things didn't work out quite that way. Mrs. Hillinger entered private
"Tranquility is not something I’ve found—time for reflection, time to read that novel, doesn’t exist. But it’s a trade-off I’ve been willing to make."

practice after graduating from Marshall-Wythe in 1976. She and another woman lawyer "attracted poor women clients. I could never charge them," she recalls with a rueful smile. Such soft-heartedness amounted to unintentional volunteer work. When her husband suggested she find a job that would pay, she turned to teaching law.

She joined Marshall-Wythe as an adjunct professor in 1977 and became a full-time faculty member the following year. She has been there ever since. "I love the academic environment, I love teaching, I love students. It’s just been fun. I can’t think of anything I’d rather do."

Mrs. Hillinger’s husband, Michael, soon found that he couldn’t think of anything he’d rather do, either. Formerly a political science professor at the Hampton Institute, he graduated from Marshall-Wythe in 1983 and is now a law school faculty member as well. Mrs. Hillinger says working together has not been a problem for them, partly because their areas of legal interest don’t overlap. Hillinger teaches legal writing and appellate advocacy.

When she was a law school student in the late 70s, Mrs. Hillinger found that some male students baited female professors and generally acted like "sharks in the water," waiting for the professor to make an error. But, in her own experience, both male and female students have been a pleasure: "They’re hard-working, they have a good sense of humor, and they’re caring people. To work with people like that is a real high in itself."

She has noticed that more women students than men are reticent about volunteering in class. She cites one happy example, however, of an especially shy woman student who is now a successful litigator. On the whole, she doesn’t see any reason why women shouldn’t have the same experience at law school as men: “If you work hard and you’re prepared, you’re going to do fine.”

As for succeeding in practice, she does not believe that women need to project a tough-as-nails attitude. "Quite frankly, I don’t want to see women get tough. You really defeat yourself if you’re not who you are. I just don’t think it works."

For her, teaching has provided more flexibility than a law practice would. She notes that you can’t expect a judge to reschedule a trial because your child has strep throat. "The amount of hours I put in [as a professor] is not any less, but when I put them in is a different matter." She may stay up into the early morning preparing for class, but she still has time to cook dinner and be at home with her family.

She does not give herself an A+ all across the board. She admits that either the family or the job—or both—may get shortchanged once in a while. "The myth of the superwoman has been dispelled. The first thing you need to know is, you can’t be a superwoman."

That doesn’t mean, however, that women interested in law and in raising a family can’t have both. In that respect, she is a role model, even though she brushes the label aside. She does not pretend to have it all together all the time. "Tranquility is not something I’ve found—time for reflection, time to read that novel, doesn’t exist. But it’s a trade-off I’ve been willing to make."

Lynda Butler

Lynda Butler has returned to two things she likes: William and Mary and teaching. As a William and Mary graduate from Fairfax, she took a job after graduation as a junior high math teacher. She did not find that as stimulating as she hoped, so she enrolled in the University of Virginia’s law school. After a year of private practice in Washington, she returned to Williamsburg as a law professor.

Her year with Wilmer, Cutler and Pickering taught her a lot, she says, and sometimes she wishes she’d stayed longer with the firm. “But when you’re practicing law, you never have time to think about anything. Here, you can focus on a problem in depth. Plus, I’ve always liked teaching.”

She majored in math at W&M. She considered going into law when she graduated—sort of. "When I graduated from college, I told my mother, ‘If I were a guy, I’d go to law school.’ When I did go, she reminded me of that.”

Not being a guy is no obstacle, she believes now. She says that as more and more women enter and stay with the profession, law is becoming increasingly accessible to women. She finds that women and men are equally assertive in class. That is mainly “a function of personality,” not gender, she believes.

Naturally, teaching property law requires quite a different approach from teaching junior high math. “I’m trying to get students to think instead of just feeding them information. The students here are demanding as far as what they expect. There were plenty of bright ones when I came [here to teach]. And there are more of them now.”

While she has not ruled out private practice in the future, she is happy right now with teaching. She and her husband, an engineer for Colonial Williamsburg, do not have children yet.

Her advice to women entering law? “Work hard—it’s the same thing as I’d tell a guy. Be assertive.”

Doris Edmonds

When Doris Edmonds was in eighth grade in Portsmouth, she read a book about a little boy in Harlem who grew up to be a lawyer. She decided that if a black boy could do it, so could a black girl.
“Being a black female lawyer in many localities is still an anomaly. It has to grow on a community.”

And so she did. After graduating from Old Dominion University in 1976, she enrolled in Marshall-Wythe. She commuted from Portsmouth where she lived with her husband and children. William and Mary was convenient and offered her what she wanted:

HAVING A LAW DEGREE FROM WILLIAM AND MARY PRETTY MUCH ASSURES YOU OF BEING ABLE TO GET A JOB IN VIRGINIA, PARTICULARLY IN TIDEWATER.” SHE WAS ALSO AWARE THAT MARSHALL-WYTHE’S MINORITY STUDENTS HAD A GOOD RECORD OF PASSING THE BAR EXAM.

She had a special goal in mind when she decided to stay on home turf. “I had a desire to go back to Portsmouth and help the poverty community. Ultimately, I had the opportunity to do that, and I find that very fulfilling.”

After graduating from law school,

Women on the faculty: (standing from left to right) Doris Edmonds, Jayne Barnard and Judith Ledbetter, (sitting from left to right) Lynda Butler, Ingrid Hillinger and Glenn George.
she worked as an assistant commonwealth's attorney in Portsmouth for two and a half years. Then, for the same length of time, she worked as a staff attorney in the Portsmouth office of Tidewater Legal Aid. Many of her clients were elderly people, and she found that she enjoyed working with them and educating them about their legal rights.

It was natural, then, for her to move on to a position as managing attorney of the Senior Law Center in Norfolk, a branch of Tidewater Legal Aid. All of her clients there were 55 and older.

Now she teaches a seminar in law for the elderly at Marshall-Wythe. Students in the seminar work with elderly clients in the Tidewater area, and she often represents these clients in court.

The wide territory the program covers often means she drives hundreds of miles a week. That, plus a long commute from her home in Portsmouth, can get hectic. Divorced and remarried, she finds it helpful that her husband, at least, lives closer to home. He can handle a sick child or other family crisis during the day. Her husband is executive director of Tidewater Legal Aid in Norfolk.

She has found that combining a career with raising a family is "a very, very delicate balance. It's a difficult balance now because I commute 110 miles a day. But it's a workable balance because I have a support system at home." She notes that her husband shares the cooking, and, because they're in the same profession, each knows essentially what the other has been through on a rough day.

In the past, she faced some obstacles as a black woman lawyer. "Sometimes judges were reluctant to accept the arguments of a small, black woman. That caused me to be more aggressive in prosecution." Once the judges got used to her, however, she found that she could relax her style somewhat.

In recent years, she has found that it is mainly her clients' prejudices she must overcome. And, because of her height — 5'-5" in three-inch heels — people around Marshall-Wythe sometimes mistake her for a student.

But she is not overly bothered by such matters because she has learned to deal with them. "The key to selling yourself is being aggressive and confident. Being a black female lawyer in many localities is still an anomaly. It has to grow on a community. It's something the community has to learn to accept."

She is pleased to be back at Marshall-Wythe and enthusiastic about the law profession overall. "A career in law makes you a versatile person. You have a lot of fluidity in the job market; you don't have to be a lawyer. It's a very interesting thing in the practice of law — I never have two days in sequence that are completely the same. They're always different. It's an immensely interesting job."

Glenn George

B. Glenn George switched from her first name, Betty, to her middle name, Glenn, when she enrolled at Harvard Law School. "I never liked the name 'Betty,' " she says now with a laugh. She wasn't trying to make a statement with the new name, but she's found that it is "sufficiently ambiguous" to be helpful sometimes in her profession.

A native of Charlotte, N.C., she double-majored in political science and psychology at the University of North Carolina, and her career goal was anything but ambiguous. She chose a career in law over one in psychology because it seemed like a "faster way to become a professional." It was also what she wanted to do.

When she entered Harvard in 1975, the law school was about 25 percent women and there was only one full-time female law professor. She felt somewhat intimidated at first but came to enjoy law school, particularly the "diverse and incredibly talented student body. They were from literally all over the world. My classmates were infinitely fascinating."

After graduation she took a job with a large corporate firm in Los Angeles. She specialized in labor law and employment discrimination because she found those areas exciting and the benefits for clients tangible. Eventually, though, she grew homesick for the East Coast, especially the South, and began looking for a new job.

In retrospect, she considers her job here ideal in terms of location, but she considers the fact that Marshall-Wythe needed a labor law specialist — and she was available — a matter of "pure luck."

Here she has found that "a very few" male students seem to react negatively to a female professor. She is pleased that the school has as many female faculty members as it does and hopes it will continue to recruit women. "There are a lot of qualified women [who can teach law] now. You don't have to go hunting for them. They're there."

She is married to Gene R. Nichol Jr., also a Marshall-Wythe law professor. The two met when he was a visiting professor here. She says the combined home and work life has not been a problem. Since teaching requires a lot of solitary preparation, she says, "it really doesn't matter if your husband is in the building."

Judith Ledbetter

Judith Ledbetter taught law school for a year after graduating from Hastings College of the Law in San Francisco in 1976. Then she decided she "needed some practical experience to enhance my teaching ability." Now,
after clerking for a California judge and a lengthy stint as a government lawyer, she's back in the classroom.

A native of Colorado Springs, she graduated from the University of Colorado at Boulder with a degree in Central and East European Studies. She worked for three years as corporate vice president and treasurer for a small record company in California before enrolling in law school. She also considered graduate school in history and a master's in business administration. "I decided law school was the most versatile of the three. You can do a lot of things with a law degree."

After teaching at Hastings, which is part of the University of California system, she clerked for two years for a federal judge. Then she took a job with the civil division of the Justice Department. There she dealt with constitutional issues and major political cases. Sometimes she had a chance to do on-the-job teaching. "I worked with new, young attorneys and tried to help them be the most effective lawyers they could be."

When her husband, also a lawyer, took a job with Hunton and Williams in Richmond, she began looking for another job. The opportunity to come to Marshall-Wythe as a visiting professor proved timely. She is teaching Constitutional Law and a second-year course on legal ethics. She has found the students here "at the same time, hard-working and friendly."

She does not feel she has faced many discrimination hurdles, since a lot of female lawyers work for the Justice Department. She notes, however, that "I know some women [lawyers] who have felt closed out. I know that's been part of the experience of some people. It just hasn't been my experience."

She and her husband have a daughter, 7, and a son, 3. Teaching has given her more flexibility in her schedule at home. "There are no more hours in the day, but they're more effectively arranged. You manage your own time, what little of it there is."

Though she is still adjusting to the shift from practice to teaching, she believes that her work experience provides her with a helpful outlook on the profession. "It's a matter of perspective. As a litigator, you know which rules are important, which ones aren't."

She hopes to instill a sense of perspective in her students. "The learning doesn't stop in law school. The first three years on the job may be just as educational as the three years in law school. There's always more to learn. It's not a profession with a dead-end. It has tremendous importance to society and to the lives our children will lead."

Jayne Barnard

Jayne Barnard did not originally set out to be a lawyer. A native of Cleveland, she majored in journalism at the University of Illinois at Champagne. But she gradually came to believe that journalism had more to do with "day to day" concerns than with larger social issues. So after working as a writer for a small publishing house, she joined the staff of Senator Adlai Stevenson in 1970.

While she enjoyed the press work she did for him, she eventually recognized the "decreasing rewards" of such a career. "Capitol Hill is covered with bright, ambitious women who've sacrificed their lives to one politician after another." She didn't want to join them.

Law school at the University of Chicago was the next step. That law school is "very different than it is here. There's a great deal of distance between faculty and students. That's good and bad. It's good for the faculty's sophisticated scholarship. But it's bad for students trying to get a more well-rounded view of what legal issues are really about. Here, there's a mentality of aspiration among faculty and students that I find refreshing."

After graduating in 1975, she took a job with a large Chicago law firm. She worked there for eight years, specializing in securities litigation and civil rights. Her firm was "extremely generous" in taking on unpaid civil rights cases. She worked on cases involving ballot access for independent candidates, the Nuclear Freeze movement, and prisoners' rights.

She did not feel discriminated against while she was in private practice. "I went with a firm that already had women partners. In that sense I took the path of least resistance." She believes that women need to be tough to succeed in law. "But I think men do, too. Women shouldn't set up more barriers for themselves than already exist. There are a lot of late nights and interruptions in your personal life. Conjuring up perceived indignities only makes it worse. It's a tough, tough way to make a living."

In 1983 she left the firm to become deputy corporation counsel for the city of Chicago. She enjoyed being part of Mayor Harold Washington's "new and very charismatic and provocative administration and found managing the administrative activities of 180 lawyers "rewarding but also exhausting."

She and her husband, also a lawyer, eventually decided to leave behind the combined rewards and the exhaustion of Chicago life. Her husband is semi-retired from law and is now pursuing a career as a writer while she teaches civil procedure and a course on corporations.

She says she is pleased with the number of women on the faculty at Marshall-Wythe. "But I wish we could move beyond feeling compelled to comment on that fact."
Vice Dean Richard Williamson has completed an article to be published in the University of Richmond Law Review on "Recent Developments in Criminal Law." This past June, he addressed the meeting of the Virginia State Bar on a similar topic of recent developments in criminal law and procedure. Also during this past year, Williamson has taken part in the Virginia District and Circuit Court Judges Continuing Judicial Education program and the Commonwealth's Attorneys Association Annual Meeting panel on the Virginia Court of Appeals. He continues to serve as the Reporter of Decisions for the Virginia Court of Appeals and as a member of the committee on Continuing Legal Education for the Virginia Bar Foundation.

In the past year Professor Robert Palmer of the Institute of Bill of Rights Law has authored four articles, three of which have been published and one which is presently under submission. "Conscience and the Law: The English Criminal Trial Jury" is published in the Michigan Law Review, "Liberties as Constitutional Provisions, 1776-1791" is to be published in the New York University Series in Legal History entitled Constitution and Rights in the Early American Republic and his article, "The Federal Common Law of Crime," appeared in the Law and Historical Review. His most recent article is "Covenant, Justices Writs, and Reasonable Showings." In addition, this past year Palmer edited the first monograph published by the Institute of Bill of Rights Law entitled "Tolerance and The First Amendment," by Lee C. Bollinger. This past summer, with the assistance of a research grant from the College of William and Mary, Palmer pursued research in England on the Early English Law of Obligations between 1154 and 1307. Palmer has also spoken extensively on Bill of Rights and early legal history during the past year before such groups as the American Society for Legal History, the British Legal Manuscripts Convention, and the Southern Newspaper Pub-
lishers Association. This past winter he presented a paper on the subject of State and Federal Bills of Rights to the Bicentennial seminar of the National Humanities Center and the American Society for Eighteenth Century Studies.

Principles of Insurance Law is being published this fall by Matthew Bender and is co-authored by Professor Emeric Fischer. He is presently working on an article dealing with the potential regulatory problems created by the expansion of banks and insurance companies into the traditional business of the other. Fischer is presently secretary of the Virginia State Bar Tax Section and editor of its quarterly Virginia Tax Reporter. He also serves as director of the Marshall-Wythe School of Law’s Exeter Summer program and annual Tax Conference.

Professor Trotter Hardy is presently doing research in the field of copyright law and the “Work-Made-for-Hire” doctrine. He is also working with the State Council for Higher Education of the Commonwealth of Virginia to develop guidelines for state universities, assisting them in writing copyright and patent policies. He is the author of an article to appear in the Tulane Law Review this fall entitled “When Doctrine Collide: Corporate Negligence and Respondeat Superior When Hospital Employees Fail to Speak Up.”

Professor Ed Edmonds has been elected to the Education Committee of the American Association of Law Libraries at its annual meeting in Washington, D.C. this past July. In addition to working on a history of the Southeastern Chapter of the American Association of Law Libraries, Professor Edmonds addressed this same group at its annual meeting in Charlottesville on the subject of Accounting and Law Libraries. He is also doing research on the Confederate Constitution.

At the annual meeting of the Association of American Law Schools in New Orleans, Professor Ron Rosenberg was elected secretary of the Section on Property. He was also elected to the Board of Governors of the Environmental Law Section of the Virginia State Bar at its annual meeting in Virginia Beach last June. This past year he addressed the Virginia Government Attorneys Association at their annual meeting on the United States Supreme Court decisions affecting local governments, and presented a paper at the fifth annual conference on Environmental Law sponsored by the University of Southern California on the subject of the Future of Hazardous Waste Regulation. Rosenberg has been working on the revision of several chapters of Powell on Real Property and has recently received a grant from the Virginia Environmental Endowment to research the development of regional land use interests and institutions in Virginia. This research is an outgrowth of the recommendations of the Governor’s Commission on the Future of Virginia, chaired by former Dean, William B. Spong.

Professor Glenn Coven’s article entitled “Limiting Loss Attributable to Non-Recourse Debt: A Defense of the Judicial System Against the At-Risk Concept” has appeared in a recent issue of the California Law Review. Professor Coven participated this past year in the Continuing Legal Education program of the Internal Revenue Service as the teacher of a course on Subchapter S Corporations. He is also serving as the Director of the Master of Law and Taxation Program at the Law School.

Professor John Levy has been the recipient of grants from the Legal Services Corporation and the Department of Criminal Justice Services to initiate an ElderLaw Clinic and a Juvenile Law Symposium. More about these efforts can be found in the article on page 10. Professor Levy is also pursuing research on the lawyer-client relationship.

Professor Ingrid Hillinger ’76 has switched her allegiance and devotion to Article 9 of the Uniform Commercial Code and has adopted Grant Gilmore as her new hero. She is presently writing two articles on Article 9 issues and a chapter for Bender’s Uniform Commercial Code Service. She is scheduled to begin work in the near future on the revision of an Article 9 Casebook.

The Georgia Law Review has published Professor Paul Lebel’s article entitled “Legal Positivism and Federalism: The Certification Experience.” Professor Lebel is currently developing a proposal for the reform of the tort of defamation. During the past year he participated in a symposium at Hofstra University on the history of the Burger
FACULTY NOTES

Court and at the Institute of Bill of Rights Law Symposium on Libel Law. This past August, Professor Lebel spoke to the Annual Conference of the Association for Education and Journalism in Mass Communication on the subject of First Amendment Research Centers.

Professor John Donaldson has been active in several continuing legal education programs. He is a member of the Board of Governors of the Virginia State Bar Section on Trusts and Estates as well as serving on the Executive Committee of the Virginia Bar Association. He is also a member of the Virginia Mandatory Continuing Legal Education Board. In the past year he has made presentations to the District Judges Conference, the Northern Virginia State Planning Council, the National College of Probate Judges and the Annual Meeting of the Virginia State Bar. His article entitled "Estate Planning for Clients with Modest Means and Disabled Children" was published in the February issue of the Virginia Bar News. Much of Professor Donaldson's research, writing and lecturing is on current developments in estate and gift taxation and income taxation of trusts and estates.

"Of Genetic Manipulation, Apes and Computers, Who-or-What is a Person for Purposes of the Bill of Rights" and "A Question of Gender Identification, the Law and Social Policy Relating to Transsexuals and Cross-dressers" are two articles presently being researched by Professor Fred Lederer. This past year Professor Lederer co-authored the Proposed Virginia Rules of Evidence and an article published in Jurimetrics entitled "Resolving the Fry Dilemma--A Reliability Approach." He is also the co-author of Court Room Criminal Evidence to be published by the Michie Company this fall and is co-authoring a textbook on Military Criminal Procedure. In addition, Professor Lederer is a member of the ABA section on Criminal Justice and the Law School's representative to the ABA Conference on Law Practice Management. He served as a panel member for the University of Virginia School of Law Center for National Security for its program entitled "The Courts and National Security." In addition to these many other activities Professor Lederer found time to author, produce, and serve as Trial Judge for Kingdom v. Piggy, a trial produced for local public school students, which entailed follow-up legal instruction at two public schools in Williamsburg.

Professor Jayne Barnard has recently completed an article on the need to enhance shareholder access to corporate information and is presently researching and writing an article concerning employee "whistle blowing." This past year she presided at a workshop held by the Work of Women Conference on "Ethical Decisionmaking in Business," and she addressed the Forum of Williamsburg on the subject of ethics in business.

This fall two articles by Professor John W. Lee will be published. The Journal of Corporate Law will publish "Contingent Income Items and Cost Basis Corporate Acquisitions: Correlative Adjustments and Clearer Reflections of Income" and the Virginia Tax Review will publish "Start-Up Costs, Section 195 and Clear Reflection of Income: A Tale of Talismans Tackled on Tax Reform and a Touch of Basics." This past spring Tax Notes published Lee's article on "Capital Gains Exception to the House's General Utilities Repeal: Further Indigestions from Overly Processed Corn Products."

Professor William Williams has been elected as the United States Representative to the International Board of the International Society of Military Law and the Law of War which promotes international adherence to and understanding of military law. In October of 1985 he presented a paper to the same organization's Ninth Congress which focused on the protection of persons in maritime armed conflict. In addition, Professor Williams' article, "The American Maritime Law of Fire Damage to Cargo: An Auto-Da-Fe for a Few Heresies" was published in the William and Mary Law Review.


This past year Professor Gene Nichol was appointed Deputy Director of the Institute of Bill of Rights Law and the James Gould Cutler Professor of Constitutional Law. In his capacity as Deputy Director of the Institute he was responsible for the planning and supervision of the Institute's two major programs held this past spring (see p.3). In April he delivered a paper to the faculty at the Northwestern University School of Law on Article III of the Constitution and this September addressed the subject "Judicial Enforcement of Unenumerated Constitutional Rights" for the Virginia Court Days Forum. Professor Nichol's article "Children of Distant Fathers: Sketching an Ethos of Constitutional Liberty" will appear in the Wisconsin Law Review this fall and his article "Ripeness and the Constitution" will appear in the University of Chicago Law Review this winter.

"Collective Bargaining in Chapter 11 and Beyond" authored by Professor B. Glenn George was published last winter in the Yale Law Review. She is currently working on a book entitled "Divided We Stand: Concerted Activity under the National Labor Relations Act."

Professor Lynda Butler's article "Allocating Consumptive Water Rights in a Riparian Jurisdiction: Defining the Relationship Between Public and Private Interests" appeared in the University of Pittsburgh Law Review this past year. The University of Illinois Law Review will publish her article, "Defining a Water Ethic Through Comprehensive Reform: A Suggested Framework for Analysis." She is also working on a book to be published by Michie on the tidal waters of Virginia. Professor Butler served as the editor and contributing author of the May edition of the newsletter of the Real Property Section of the Virginia State Bar and serves as a member of the Board of Governors of the Real Property Section.

Professor Charles Koch has been named the Dudley Warner Woodbridge Professor of Law. His article, "Judicial Review of Administrative Discretion," is appearing in the George Washington Law Review and a second article entitled "Effective Regulatory Reform Hinges on Motivating the 'Street-Level Bureaucrat'," has been published by the Administrative Law Review. Koch is serving as Vice-chair of the Judicial Review Committee of the Administrative Law Section of the American Bar Association and served as moderator and coordinator of the Administrative Law Sections panel entitled "An Irreverent Look at Regulator Reform" at the annual meeting of the ABA.
1986 Spring Reunion

Winners of Saturday's tennis, golf and run received their trophies from Associate Dean Follansbee (far left). Winners were (left to right) Bob Shrader (spouse '76) for golf, Professor John Lee for the run, Vicky Alembik (spouse '61) for tennis, Neil Schülke '61 for tennis, and Dick Cohen '61 for golf.

Members of the Class of '61 Neil Schülke, Dick Cohen and Mike Alembik say hello at Friday evening's dinner.

Outgoing President of the William and Mary Law School Association Debra Prillaman received congratulations and a gift of appreciation from her successor Bob Emmett.

1987 Spring Reunion Weekend
May 1st and 2nd

Weekend will include full continuing legal education program to fulfill annual Virginia requirements, major class reunions ('62, '67, '72, '77, '82), alumni golf and tennis tournaments, and much more. May 1-2, 1987. You'll miss not being here.

Plan Now to Attend
Ed. What attracted you to becoming involved with this type of position?

REK My interest in legal education and career issues is longstanding. As a law student at U. Va., I devoted substantial time to admissions and orientation projects and worked as an advisor in the Office of Career Planning and Placement. I also was a member of the Committee on Legal Education and Admission to the Bar in Cincinnati. At my firm in Cincinnati I assisted with recruitment and orientation of new attorneys and summer clerks. Through these activities and, of course, through practicing law for seven years and my own decision to change career paths, I developed an appreciation for the employment concerns facing law students and practitioners.

This particular position presents a terrific opportunity for me to utilize my background. Marshall-Wythe's placement operation already is successful, and the potential for greater success and further growth is, I think, virtually unlimited. Tim Sullivan is committed to realizing that potential. The opportunity to work with him, the faculty, and our students and alumni was one I couldn't pass up.

Ed.

What do you perceive to be the role of the Placement Office?

REK The roles are many. That's what makes my job so challenging and satisfying. Let me mention two.

Certainly, one important function is to get out in the trenches and through personal contact create additional opportunities for our students. We've got to sell Marshall-Wythe or, perhaps more accurately, let Marshall-Wythe sell itself. I really believe many employers simply aren't aware of the high caliber of the school and our students. When they have the information, I'm optimistic they will realize how much sense it makes to recruit here.

Counseling is another major responsibility. One of my colleagues described his job as "counseling, counseling, counseling, and counseling some more." This underscores, I think, that the process of refining and meeting one's career goals can be extremely intimidating. Self-confidence and self-esteem can take a beating. But advising
goes beyond helping students deal with the uncertainties of the job search. A significant component of advising is to assure that each student approaches the placement experience creatively, not reflexively, and makes career decisions that are as informed and realistic as possible. In that context it is crucial to maximize information and resource materials available to students.

**Ed. What action can we take as an institution to improve our students’ employment search?**

**REK A couple readily come to mind, though there assuredly are others. Allocating resources to maximize the efficiency of the Placement Office and to permit a more aggressive outreach to employers is one step. Another is through extracurricular programs and offerings in the curriculum itself to heighten student appreciation of and sensitivity to careers in public service and other nontraditional areas of law practice.**

**Ed. Is there a role for the Placement Office to assist alumni?**

**REK Absolutely. We maintain a listing of job opportunities for graduates. Alumni can get on the mailing list by notifying us. For alumni contemplating changing career paths, there are a number of resources (both of a general nature and compilations of openings) to which I can direct them. In fact, I would like to hear from alumni who have made career changes so we can build a network for others who are thinking about doing so.**

**Ed. How can our alumni be of assistance to the Placement Office?**

**REK One obvious way is to interview on campus or to encourage their employers to do so. In my meetings with students, one recurring theme has been their desire to utilize our alumni network to create additional on-and off-campus recruiting opportunities. Another is to be available, as I’m sure our alumni would, to discuss with students what to expect in the “real world” of law practice and to encourage students to explore a greater variety of geographic and practice options. And by all means alumni can help by contacting me to share their suggestions about placement programming and operations.**

**Admissions 1986**

The American Bar Association reports that the number of applicants to the country’s 175 accredited law schools has dropped by nearly twenty-five percent in the last four years, from a peak of 70,135 in 1982-83 to an estimated 52,658 this fall. A recent article in the *New York Times* stated that “legal educators attribute the decreases to various causes, including what is perceived as a glut of lawyers as well as growing student interest in fields like computer science and business and a declining image of the profession.” Marshall-Wythe escaped the downturn and during this period experienced an eleven percent increase in applications. During the past year, the school received 1,862 applications for admission to the J.D. program, roughly ten times the number of spaces in the first-year class. Competition for enrollment is keen but not as difficult as these numbers may indicate since a significant number of our applicants also seek admission to other prestigious schools such as Duke, Georgetown and the University of Virginia.

The class that enrolled in August of 1986 numbered 176. Thirty-eight percent are female and nine percent are minority students. Enrollees presented a median undergraduate grade point average of 3.3 (on a scale of 4.0) and a median Law School Admission Test score of 39 (87th percentile). These qualitative indicators have remained stable during the past few years, even though many law schools have experienced declines in average GPA and LSAT scores.

The entering class is a diverse and highly talented group and represents twenty-seven different states, the District of Columbia, England, Venezuela and Hong Kong. The Class of ’89 completed undergraduate studies at ninety-one different colleges and universities. The University of Virginia and the College of William and Mary continue to be the predominant feeder schools. Several students have advanced degrees in such fields as education, engineering, medicine, public policy and social work. Other students are pursuing second careers after working as accountants, deputy sheriffs, financial consultants, intelligence analysts, legislative aides, news reporters, and teachers. Eight have military service and four of these individuals are attending law school under the auspices of the highly selective Funded Legal Education Program.

Twenty-three percent of the entering class received scholarships administered through the Law School from state funds and alumni contributions; thirteen percent were from alumni resources. The remaining documented financial need of entering students totals nearly three-quarters of a million dollars and results in substantial debt incurred by most students.

The Master of Law and Taxation program enrolled a total of eleven full-time students in addition to twenty-eight individuals enrolled in the Evening Tax program. A Rotary Scholar from France and a Drapers’ Scholar from England have enrolled as visiting students for the academic year.

Faye F. Shealy
Associate Dean of Admissions
Marshall-Wythe to Sponsor Mandatory CLE Programs

Professor John Donaldson, Director of Continuing Legal Education for the Law School has announced four upcoming programs which will provide attorneys credit toward the new mandatory continuing legal education requirements in Virginia.

The first program on Fundamentals of Qualified Retirement Plans will be held Saturday, December 13, 1986 and will be taught by John M. Peterson, Esq. of Norfolk. A program on Saturday, January 17, 1987 will focus on two aspects of Domestic Relations, equitable distribution and the tax aspects of divorce and separation. On Saturday, February 7, 1987 a program on the Fundamentals of Bankruptcy Law will be presented. The first two programs will be held at Norfolk Academy from 9:00 a.m. to noon. Location for the Bankruptcy program is still being arranged. Prior registration is required and can be effected by calling the Law School (Ph. (804) 253-4304). For further information contact Professor Donaldson.

A fourth program will be offered in conjunction with the Spring Reunion Weekend on May 1, 1987. Watch for the mailing on the spring weekend for more details.

Virginia Mandatory CLE Requirement Summarized

by

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Where can the MCLE rules be found?
The MCLE requirement is set forth in the Rules of Court, Part 6, Section IV, Paragraphs 13.2 and 17. The applicable Rules create an MCLE Board to administer the requirement and empowers the Board to adopt necessary regulations. The Regulations of the MCLE Board can be obtained from the Virginia State Bar, Ross Bldg., 801 E. Main Street, Richmond, VA 23219.

When is the requirement applicable?
The requirement became effective July 1, 1986. Unlike systems used in some other states, compliance is monitored annually.

What must an active member do to comply with the requirement? To comply one must attend at least eight hours of approved continuing legal education during the reporting period. Time devoted to welcoming remarks, coffee breaks, meals and other non-substantive segments of the course do not count. Rounding on a daily basis to the nearest half hour is permitted. Active members must certify compliance by filing Form 1 (Annual Certificate of Compliance) with the Bar by the end of the reporting period. That form will be sent to each active member prior to June 30 of each year.

How does one determine whether a particular course qualifies for Virginia MCLE credit? To qualify for credit a course must be approved by the MCLE Board. A course involving a video or audiotape presentation conducted in a group setting may be approved even though the instructor is not physically present, provided that other requirements involving appropriate setting, qualified faculty and use of written materials of high quality are satisfied. Also courses offered by law schools as part of their undergraduate or graduate curriculums, whether taken for credit or on an audit basis by the attorney, may be approved. The Marshall-Wythe School of Law is an accredited sponsor and consequently attorneys taking evening courses in connection with the graduate tax program earn MCLE credit. In addition, approved courses will be listed in the Virginia Bar News. The MCLE administrator (ph. (804) 786-5973) will furnish information regarding approved courses. One who attends a course lacking prior Board approval may request approval of the course on Form 4, which requires submission of information demonstrating that the course in question meets the standards in the Regulations.

Does participation as an instructor in CLE offerings earn credit? An attorney who serves as an instructor for an approved offering earns one hour of credit for each hour of instruction and may also earn up to four hours of credit for time spent in preparation for each hour of presentation. However, he may not be credited with more than eight hours for preparing a single course.

To claim credit as an instructor the member should complete and return Form 3. Regular and adjunct members of law school faculties do not receive CLE credit for teaching courses in the law school curriculum.

If more than eight hours of CLE credits are earned in a reporting period, does the excess carry over? The excess, not to exceed eight hours, may be carried over to the next reporting period, but not to subsequent reporting periods. Thus, one who earns twenty-four hours credit for the period ending June 30, 1987 has also met the requirement for the period ending June 30, 1986, but has not met the requirement for any later period. Credits to be carried over to the next year should be claimed on Form 1.

Is provision made for interim reporting of credits earned? Yes. Sponsors of approved courses will furnish each attendee Form 2 on which credit for attendance may be claimed. At the end of the session the sponsor will collect copies of those which have been completed and forward them to the State Bar. If for any reason an attendee fails to sign and return the form to the sponsor he may later sign and send it to the Bar. Failure to promptly return the form does not preclude a claim for credit at year end. Near the end of the reporting year the Bar will send to each active member Form 1 which will show the number of credits that have been reported to the Bar for him or her. If a member believes the information reflected on the Board's records is incomplete the member may certify the earning of other credits by listing the unreported courses on Form 1 and furnishing photocopies of attendance records retained.

What is the consequence of failure to comply with the MCLE requirement? A member who fails to return Form 1 certifying compliance with the requirement will be notified of the failure by the Bar shortly after the end of the reporting period. Within sixty days of the mailing of the notice the member must certify compliance or his license to practice will be automatically suspended. CLE courses taken after the end of the reporting period may be used to cure the deficiency. However, credit hours used to cure the default may not be applied to meet the requirements of another reporting period. A member who is suspended may not engage in the practice of law until restored to good standing. For a suspended member to be restored to good standing the Board must first find that he or she has complied with the MCLE requirement.
I will surprise no one here tonight if I say that Bill Spong has been a superb lawyer, a distinguished public servant and a remarkable legal educator. He has truly achieved much — so much, in fact, that his life is a subject fit for the history books. I am sure that one day the right biographer will do him justice.

My remarks tonight are not in praise of the public man. Those of us gathered here are his friends. This is meant to be a celebration of Bill Spong's gift for friendship and it is to that part of him that these remarks are addressed.

Now my friendship is of recent origin. It began only twelve years ago. Some of you have been Bill's friends...
since his youth — a time so distant that it is lost in the mists of memory. I remember very well the beginning of my own friendship. I was chairman of the faculty committee charged with the duty of finding a new dean. It was in that capacity that I drove to Portsmouth on a brilliant October Saturday morning. I met Bill in his office. We had a good talk. He invited me to lunch at his house. Virginia kindly offered tuna fish sandwiches and Bill gave me a bourbon. When I left, I had learned three things: first, we needed him as dean, second, tuna fish and bourbon had charms of which I had hitherto been unaware and third, more about the history of Portsmouth than I think I ever really wanted to know.

In the twelve years since, he has been my mentor and my friend, but most especially my friend — a gift which many here tonight have shared far longer than have I.

What are the qualities that make Bill Spong so excellent a friend? I am sure that each of us might answer that question differently, but let me offer my view:

First, is his capacity for love. He is probably shocked to hear me use the word love, for I do not believe he has ever used it in my presence. I suspect he is saying to himself at this moment that “he is being overly demonstrative.” What I mean by love is the capacity to care and to care genuinely for others so that they know that what happens to them matters to you.

Second, is his understanding of humanity — both in its generality and in its particularity. My memory is very well stocked with stories he has told — and told marvelously — of United States Senators, Governors, football coaches, clients and the proprietors of illegal gambling establishments in Portsmouth. These portraits are all drawn with sympathy and humor, combining a fine eye for detail and a sensitive ear for dialogue, so that Bill invariably captures the moment and the person in unforgettable fashion.

The third is what I would call his companionability. It's just plain fun to be with him. It could be drinking whiskey in his living room, or, as I have, driving him all over Virginia while he provides vivid commentary on the passing scene — one time a description of the Battle of Saylor's Creek, another a long forgotten political speech by a long forgotten mayor of Buena Vista, yet another, the glories of the Hotel Weyanoke in Farmville.

The fourth is his reticence. He has the wisdom never to lecture and never to instruct — even when he knows ten times more about the issue at hand than you do. But he has an uncanny gift for helping you through a problem for yourself. His talent is to help you use your own powers of mind and heart to find an answer.

Five years ago, I went to Richmond to work for Governor Robb. It was an opportunity for public service that fulfilled a life-long dream. Now, I don't want anyone to think that Richmond is a center of sin and cynicism, but politics, as they say, “ain’t beanbag.” I knew that intellectually before I went to Richmond, but I soon discovered that intellectual understanding is by no means the only useful kind of learning. That is hardly a brilliant insight, but I learned it perhaps later than others.

In a series of long conversations stretching over some months, Bill Spong helped reconcile my ideals of public service with the realities of a life in politics. He did it without preaching or without pretense, and he did it almost without my knowing what he was doing — at least until much later when it didn't matter any more.

The fifth is a youthfulness of heart. I am not sure that the phrase captures the exact meaning I intend, but it will have to serve. By youthfulness of heart, I mean a way of looking at the world and at men and seeing it and them clearly — all the meanness and the pretense, the pointless ambition and the insatiable avarice — seeing all that and yet retaining a resilient idealism that expresses itself in almost everything he does. His is an idealism which I doubt he expects ever to triumph, but which I am certain he would never surrender. That quality inspires and fortifies. It inspires you to try to emulate him and fortifies you against a tendency to cynicism which, as Henry Stimson knew, is the deadliest sin.

For me then, what makes Bill Spong so special a friend is his capacity for love, his understanding of the human condition, his companionability, his reticence and his youthfulness of heart. Taken together, they have made a remarkable and an admirable friend.

For centuries, a common part of many of the great houses of England was a so called “gallery of friendship”. This was a room, more often a long hall, in which hung the portraits of those whom the family had known and loved. In some great houses, these portraits memorializing special friendships spanned many generations.

The spirit which caused the creation of these galleries of friendship is captured well in a request made in 1609 by Lord Salisbury who asked a friend for his portrait “to be placed in a gallery I have lately made for the pictures of sundry of my honorable friends whose presentation thereby to behold will greatly delight me to walk often in that place where I may see so comfortable a sight.”

Tonight we have unveiled a truly remarkable portrait of a remarkable friend. For so long as I am dean, I will walk by it every day. Most who pass it will see a United States Senator, a talented lawyer or a great legal educator. My reaction will be different. If the shade of Lord Salisbury will forgive me for amending his words, “I will delight to walk often in the comfortable sight of my honorable friend.”
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