2007

The Advocate (Vol. 4, Issue 8)
The Bill of Rights Journal (BORJ) scored a touchdown on the eve of the Super Bowl by joining forces with the Institute of Bill of Rights Law (IBRL) to host four panels speaking on the topic of presidential signing statements. Under the leadership of Symposium Editor Katherine Lee Martin (3L), BORJ took responsibility for more aspects of its annual symposium than ever before. The symposium attracted a large number of scholars who will publish in next academic year’s Volume 16, Issue 1 of the journal.

President George W. Bush has issued more signing statements on the topic of constitutional law than all other administrations combined. Though President Bush has made fewer signing statements to bills overall than other recent administrations, the number of signing statements attached to individual provisions of bills numbers over a thousand.

The first panel addressed the history of signing statements. President Andrew Jackson began the tradition of attaching executive statements to bills upon signing them into law. Originally, signing statements reflected thanks to legislators and other mundane affairs, but President Ronald Reagan seized signing statements as a tool for executive interpretation.

Prof. Phillip Cooper of the Portland State University School of Government revealed that Westlaw began to include signing statements as part of the legislative history of bills in 1985. Dr. Christopher Kelley, a professor of Political Science at Miami University (Ohio) explained that signing statements serve three purposes: (1) directing executive agencies to eliminate constitutional problems, (2) relating potential problems in the statute to Congress, and (3) potentially providing a way for courts to later interpret the statute.

Though the panelists agreed that courts have intentionally avoided relying on signing statements (notably snubbing them in the recent Hamdan decision), the purpose of directing executive agencies to act in particular ways has proved effective and controversial. In 1999, signing statements began to attract more attention as potentially abusive unilateral action when President Bill Clinton attached one to a nuclear energy bill.

Prof. Harold Krent of Chicago-Kent Law stated that signing statements have undergone a “sea change” under President George W. Bush. Using a soft empirical analysis, Krent tracked whether signing statements of the current President “sounded in a unitary executive.” Although President George H. W. Bush had more of such objections, President George W. Bush has changed the scope of such objections—to the extent that we are in a “constitutional mini-moment” with a new kind of executive who claims that he need not consult with nor honor the final decisions of his subordinates.

According to Prof. Peter Shane of Ohio State Law, the pressing question is why was there a proliferation of signing statements by a Republican president during the support of a Republican Congress? Shane concluded that the reason for the sheer number of signing statements was the desire to create legal authority in the face of lacking judicial authority—solemnized utterances became “faux law.” The timing shows that the president took advantage of a supportive

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Prof. Neal Devins and Prof. Christopher Bryant chat between panels. Neal Hoffmann // Institute of Bill of Rights Law.

Prof. Christopher Schroeder and Dr. Louis Fisher listen in on a fellow panelist. Neal Hoffmann // Institute of Bill of Rights Law.
Circuit Court Judge Dispenses Lessons About Life and the Law

by Meghan Horn
Staff Writer

On Tuesday, Jan. 30, the Journal of Women and the Law sponsored a talk by Judge Cleo Powell. Judge Powell has been on the Twelfth Judicial Circuit for twelve years. Prior to that appointment, Judge Powell served as a District Court Judge for seven years.

Judge Powell was born and raised in Brunswick County in southeast Virginia. She attended the University of Virginia for college and law school. After graduating, Judge Powell worked as a trial lawyer with Hunton & Williams in Richmond representing employers in employment discrimination suits. She then worked for the Attorney General’s Office before she was appointed to the bench.

One piece of advice she offered was to constantly prepare for a judgeship and legal practice, starting even in law school. She related an anecdote about a 1987 lawsuit in which a professor was suing ODU for discrimination. Opposing counsel was Henry Marsh, who was later elected Senator of Virginia. Several years after that lawsuit, Senator Marsh sponsored Judge Powell for appointment to the bench based on her work on that case. She stressed that “everything you do, you're preparing your next step in life.”

Asked what her criteria for hiring law clerks are, Judge Powell replied that she considers what she called the “airport test”: whether she would want to spend several hours in an airport with the individual. In addition, Judge Powell looks for someone who wants to be a law clerk and who wants to make Judge Powell look good.

In response to a question about how she deals with the challenges of being an African-American female in a profession dominated by white males, Judge Powell stated that she tends to take things at face value before considering ill motive. In addition, she stated that the practice of law is much more open than when she entered it, and the practice of law is much more open than when she entered it, and she has rarely been the target of discriminatory treatment.

Criminal Law Attorneys Discuss Their Careers

by Kaila Gregory
Staff Writer

Whether working as prosecutors or public defenders, the attorneys who spoke at the Feb. 1 Lunch with Lawyers program, Careers in Criminal Law, have one thing in common: a passion for their careers.

Kenneth Troccoli and Arenda Allen of the Office of the Federal Public Defender for the Eastern District of Virginia told students that they find their work defending those who cannot afford representation to be very rewarding.

“I wanted to work in an area where I could have a greater impact,” said Troccoli, who left a lucrative law firm job doing white collar defense in Washington, D.C. to pursue a career in public defense. Although Troccoli’s salary as a public defender was “only slightly less than [his] last bonus [he] received at the law firm,” he said he would not change his decision to work as a public defender. “I’ve never looked back because . . . in this kind of work, you really can make a huge impact in someone’s life.”

Arenda Allen, who works in the Norfolk federal public defender’s office, said she, too, is happy with her career choice. “It was a service decision, and I’ve been rewarded by it,” said Allen. “I like serving those who are considered ‘undesirable’ by society. I believe there’s hope in everyone, and I believe in hope, even if I don’t see the change.”

Like Allen and Troccoli, Robert Bradenham, Assistant U.S. Attorney for the U.S. Attorney’s Office in Newport News, Va., said he feels that his career as a prosecutor allows him to have a positive impact on society. “I’ve always felt that, as a prosecutor, you’re being paid to do the right thing,” he said, noting that “sometimes the right thing to do is not to prosecute—if the person is innocent or if the circumstances would make it unjust to prosecute.” Bradenham said his office prosecutes in cases ranging from white collar and violent crimes to gang-related violence and espionage, noting that 90 percent of those charged with crimes in the area plead guilty. However, “of those [cases] that go to trial, they are long trials.”

William & Mary Law alumna Sandy Conyers, an attorney in the Williamsburg/James City County Commonwealth’s Attorney’s Office, encouraged students to try an internship in criminal law, reminding them that this would not prevent them from pursuing other legal professions if criminal law was not a good fit for them. “If you have some thought of being a trial attorney, I would advise you to do that early on in your career,” said Conyers. “It’s the most exciting job. There’s never a dull moment.”

As the attorneys took students’ questions about their lines of work, all of the panelists emphasized that students should not let financial concerns dictate their career decisions. “It’s a shame to me that [students feel as if they] can’t get into public service because of economic concerns,” said Troccoli, who said he had accumulated $90,000 in debt by the time he graduated from law school at Georgetown University Law Center. But, as Conyers noted, “We’ve all been rewarded in so many other ways. I don’t prosecute for the money, but the Commonwealth has provided me other types of rewards, [like] more freedom to take leaves of absence and no concerns about billable hours.”

In addition, Bradenham told students that “public sector jobs’ salaries are more competitive now than they used to be, in an effort to ‘encourage professional people to stay in this line of work.’” Regardless of their salaries, the attorneys said the most important concern for them is finding satisfaction in their work. “Treasure is really where your heart is,” said Allen. “When I go to work each day, my heart’s happy, and my spirit’s happy.”
Academics Debate Wren Cross

by David Benatar
Staff Writer

Hundreds of students battled for limited seating inside the Wren Chapel and the Great Hall last Thursday, Feb. 1, to watch a debate over whether the Wren Chapel cross should be put back up over the altar. Dozens were turned away for lack of seating in what was described by many as one of the most anticipated events of the year for members of the William & Mary community.

The debate, sponsored by the Intercollegiate Studies Institute and the Virginia Informer, pitted David Holmes, professor of religion at William & Mary, against Dinesh D’Souza, a nationally-renowned conservative author. Both sides had their supporters, as the crowd was almost evenly split. Supporters of the decision to take down the cross wore “I Support Gene Nichol” stickers, while those wanting to see the cross put back held a candlelight vigil before the debate.

History
Both Holmes and D’Souza framed their arguments in a historical context to try to show that history supported their respective positions. Holmes pointed to the fact that, from the founding of the college until 1940, the chapel had no cross. Furthermore, he argued that crosses were not used as religious symbols until the 9th century. “It baffles me that the removal of the cross would cause such an uproar, in light of the history of crosses in Christianity and this college,” said Holmes. “If millions of people throughout history lived and worked without a cross, why can’t we?”

D’Souza also used historical arguments to bolster his side. He analogized the Wren Cross to the words “one nation under God” in the pledge, arguing that despite being recent history, the cross has become an integral part of the college’s tradition in the same way those words had become a part of the pledge. He used examples of how Christianity has been an important part of the history of William & Mary and has played a crucial part of U.S. history, and he argued that Christianity was being specifically targeted by Nichols. “Why is Christianity being singled out for special exclusion?” D’Souza asked.

“Over 7,000 signed a petition to reinstate the cross. Why are their sentiments not being given equal weight?”

Nature of the Chapel
Holmes argued that the nature of the chapel warranted the removal of the cross. He mentioned the fact that historically the chapel has been used as a sort of multipurpose room, and that many organizations, not all of which are religious, use the chapel for meeting space.

D’Souza, meanwhile, urged the audience to recognize the chapel for what it was—a Christian chapel. He pointed to the other religious symbols present in the chapel, asking if the college would remove them too. The symbols he alluded to were the pews, altar, organ, and a seal which itself has four crosses on it. Continued on page 4

Economist John Lott Lectures on the "Dumbing Down" of Federal Courts

by Sarah Abshear
Staff Writer

The Institute of Bill of Rights Law Student Division presented the lecture “The Dumbing Down of Courts” with John Lott of the American Enterprise Institute on Wednesday, Jan. 31. Lott, an economist who received his Ph.D. in economics from the University of California-Los Angeles in 1984, has taught at many of the top universities in the country, including the University of Chicago, Yale, Stanford, Rice, the University of California-Los Angeles, and the Wharton School of the University of Pennsylvania. He has published more than 90 articles in academic journals and has appeared on national television on both the ABC and NBC evening news broadcasts, The NewsHour with Jim Lehrer, and The Today Show.

Using a series of graphs, Lott presented statistical evidence to students and faculty illustrating trends in the federal judicial confirmation process. Most of the data was gathered from judicial confirmation proceedings beginning with Theodore Roosevelt’s nominees, and ending with Bill Clinton’s. It also consisted primarily of district and circuit court nominations because of the larger numbers involved. Lott pointed out that it is much more difficult to study Supreme Court nominees exclusively because of their relatively small number.

Lott ascertained several conclusions from the data. The confirmation process has become more lengthy in recent years, more and more nominees have had trouble being confirmed over time, and the process has become more partisan. While these might be guessed at an astute observer, one of Lott’s conclusions is not so obvious. Lott claims that the “smarter” the nominee, the longer and more difficult the confirmation process.

How can Lott determine the intelligence of nominees? He used several objective criteria. The following factors made confirmation take longer: if the nominee was on law review, if the nominee graduated from one of the top ten law schools, or if the nominee published a scholarly article. Lott joked with the students in the audience that they were already on their way to a quick confirmation, as long as they did not join the law review or publish a scholarly article. Clerking for a Circuit Court and/or the Supreme Court also made confirmation take longer. Rankings of judicial quality by attorneys who practiced before the judges have also decreased over time since Reagan’s nominees, seeming to support Lott’s conclusion that the courts are becoming “dumbed down” over time.

Lott also studied whether age, race, gender, religion, or presidential approval rating affects the process. He concluded that being older, female, black, or Asian will help the confirmation process go faster. Although most religions did not appear to influence the process, the least likely to get confirmed were Mormons, followed by Lutherans. He also discovered that the higher the approval rating of the President, the longer the process. He suggested this might be because Presidents with higher approval ratings pick more controversial nominees.

Lott noted that confirmation rates are falling for circuit courts, but district court confirmation rates have actually been rising since George Bush Senior’s presidency. Lott explained that this is because since that time the minority party in the Senate always focuses on the circuit court nominations, which are seen as much more important. They let most of the district court nominations go through without much trouble. Then, when the majority party complains about obstruction in the process, the minority party can point to the aggregate numbers.

Another interesting statistic is that it takes six times longer for district court nominations, and ten times longer for circuit court nominations, than for cabinet nominations. Lott said this indicates that the Senate feels there is more at stake with judicial nominees than there is with cabinet officials.

The cause of these trends in judicial confirmation remains unclear, as are their future implications. One thing is certain. If the trends Lott has identified continue, the federal judiciary of the future could be quite different than the one we know now.
Christopher Schroeder between panels. Neal Hoffmann // Institute of Bill of Rights Law.

Prof. Phillip Cooper is pictured here, alongside the Honorable F. Bradford Stillman. Neal Hoffmann // Institute of Bill of Rights Law.

Prof. Christopher Schroeder of Duke Law analogized the issue of signing statements to a fan being upset if Philadelphia Eagles Coach Andy Reid reported his intention to trade Quarterback Donovan McNabb. Schroeder argued that the act of publicly communicating a future problem actually helps the私营ization of the act of standing because of the ability to know what to anticipate. This presents the “Whack-a-Mole” problem: if you stamp out signing statements, the same function could be served in other mediums such as executive orders. “Trans-substantive attacks” do not address the real issue on debate: the scope of executive power.

Dr. Louis Fisher of the Library of Congress Law Library echoed Schroeder’s remarks in saying, “Inherent power comes remarkably close to monarchical power.” The proper focus of public attention should be the unconstitutional activities of the president, not signing statements in and of themselves.

Agreement

Despite their differing viewpoints, both men were in agreement that the unilateral decision to remove the cross was a poor one, and that much of the controversy could have been avoided if President Nichol had sought the opinions of the community before making a decision that was sure to be controversial either way. Both men agreed that the broader William & Mary community should have a say in the final decision.

“This decision was done recklessly, deliberately, and without consideration,” said D’Souza. “Ultimately, it should be a community decision.”

In the end, the crowd was treated to a very civil debate, and hopefully all came out with a better understanding of the issues and a greater appreciation for both sides of the argument.

To learn more about Dinesh D’Souza, readers may visit his website at www.dineshdsouza.com. For more information about the college’s own David Holmes, readers may visit his faculty page on the Religious Studies Department at www.wm.edu/religiousstudies.
Black Law Students Association and Admissions Office Host Talk for Minority Students on Legal Education: On Wednesday, Feb. 7, the William & Mary Chapter of the Black Law Students Association and the William & Mary School of Law hosted a presentation for minority high school and undergraduate students promoting the importance of a legal education. The Honorable Michael Powell, Rector of the College of William & Mary Board of Visitors and former Chairman of the Federal Communications Commission, and the Honorable John Charles Thomas, former Justice of the Supreme Court of Virginia and current Member of the College of William & Mary Board of Visitors, addressed the students in the Center for Legal and Courtroom Technology. BLSA and the Admissions Office invited the two distinguished speakers to share their experiences and insights into the role and importance of minorities in the legal profession based upon their experience and their status as members of the William & Mary community. Approximately 50 students attended. Picture by Alan Kennedy-Shaffer // William & Mary Law School.

Trial Team Lunches with Presidential Hopeful Edwards: On Thursday, Jan. 25, a handful of members from the William & Mary School of Law Trial Team took part in a lunch with presidential candidate John Edwards. Jeff Breit, a trial lawyer in Norfolk and the team’s coach, hosted the event for about 30 people, including the Mayor of Norfolk, Paul Fraim. After an introduction by Breit, Edwards talked about what he believes needs to be done to bring America back together: chipping in and being productive. Because of campaign finance rules that limit spending, the participants dined on Chick-Fil-A sandwiches. Picture courtesy of Josh Whitley.

Students Take “Polar Plunge,” Raise Funds for Charity: On Saturday, Feb. 3, Karen Anslinger (3L) and Rebecca Price (3L) joined more than 3,700 people in taking a dip in the frigid waters of the Atlantic Ocean. The 15th annual Polar Plunge in Virginia Beach saw record participation and funds raised to benefit the Virginia Special Olympics—over $750,000. With the large crowd and water temperatures in the high 40s, Anslinger and Price were disappointed in not being able to make it a complete submerging plunge. With the wind and chilly sand, they felt the cold plenty. The two raised over $350. Pictures courtesy of Rebecca Price.

Public Service Fund Sponsors Fake Kills for Real Help: Adding to its already long list of fundraising events, the Public Service Fund launched its first game of Assassins on Jan. 29. After paying a $5 registration fee, 38 members of law school community were given plastic spoons and targets—other members of the Assassins squad. The Assassinators must tap their targets with the spoon in certain designated areas (offices and the library are off-limits) and under certain conditions in order to register a “kill.” The game will last until there is a sole survivor, or until April 13. As of Friday, Feb. 9, nine participants had been confirmed as assassinated, while two other kills were reported, and one was merely rumored.

Kelly Wins Sports and Entertainment Law Society Super Bowl Pool: Incorrectly guessing 14 of 23 categories and missing the final score by only one point, Ginna Kelly (3L) won the Sports and Entertainment Law Society’s Super Bowl Pool. She beat out 44 other participants, each of whom paid $5 to play, to win the grand prize—$50 and two tickets to a Washington Wizards game of her choice. Eddie Nickell (3L), one of the pool’s organizers and SELS president, also guessed 14 categories correctly, but his prediction for the final score, 38-17, fell farther from the game’s actual final, 29-17.

We Know What You Did Last Summer…

Every year the Public Service Fund, in cooperation with the Law School, provides financial support to a large number of William & Mary students during the summer so that they can pursue opportunities with government and public interest organizations. Each issue of The Advocate will feature stories authored by the sponsored students.

Protecting Consumers with the Wisconsin DOJ

by Michele Slachetka
Contributor

Living in Madison, Wisconsin and working for the state’s Department of Justice was one of the best ways imaginable to spend a summer. Imagine clear blue skies, sparkling lakes and biking trails, a job in the heart of the city right across the street from the Capitol building, a bustling farmers market on weekdays—a convenient place to buy fresh fruit, flowers, vegetables, and more, right after work—and you’ve just pictured my summer.

And then, of course, there’s the job itself. As someone with little exposure to and interest in both non-profit and government work, working at a state government office as a rising 2L was the perfect way to learn about the law in action. Although some disadvantages of pursuing a public interest summer job do come to mind, the most obvious one being the lack of money, there were many advantages that make this type of job very appealing. First, working for a government agency is a great way to get your feet wet practicing those legal concepts from first year courses, and it looks good to future employers, even if you aren’t interested in government work long term.

The Wisconsin Department of Justice, like any state’s Attorney General Office, is divided into different divisions. The four main divisions are the Division of Criminal Investigations, the Division of Law Enforcement Services, the Division of Legal Services, and the Division of Management Services. These divisions are broken down further into units based on particular subject areas and issues, such as Civil Litigation, Criminal Appeals, Consumer Protection, Employment, and Environmental Protection. I was able to exercise some control over where I worked by ranking my preference for each unit. Ultimately, I was placed in one of my top choices—Consumer Protection.

The Office of Consumer Protection investigates and prosecutes violations of state consumer laws, either alone, or, in the case of national issues, with other states and federal agencies. The unit was small enough that I got to know my coworkers well. I worked side by side with three experienced attorneys, two investigators, one paralegal, and two other interns from the University of Wisconsin Law School. I worked on a variety of projects, always fighting to represent ordinary consumers in the state against fraudulent, misleading, or deceptive practices. Sometimes, innocent consumers were being deliberately misled by individuals whose objective was to steal from them. This was the case with the ring of “businessmen” in northern Wisconsin who created a group of fraudulent charities and solicited funds from individuals throughout the Midwest. They would call ordinary, hardworking families, representing that they were local firefighters, police officers, and veterans, and persuade them to donate when, in reality, very little if any of the money went to the stated cause. Other times, legitimate corporations with businesses nationwide had violated consumer protection laws, sometimes unwittingly, that were specific to Wisconsin, and the Office of Consumer Protection would identify those violations and work with the company to encourage compliance.

Overall, I worked on approximately twelve different projects over the summer. Most of the projects involved legal research of some sort, and a few required writing an accompanying memo. I researched case law for specific legal issues in pending law suits, but other times I took on a more hands-on approach. I was asked to mediate a couple of disputes, which involved investigating a complaint that was received by our office and actually advocating on behalf of the consumer with the company in question. As a result, I was even able to get a Wisconsin woman a reimbursement of over four hundred dollars in overages from her cell phone company!

I still don’t know what sort of law I want to practice after law school or where I want to practice it, but I do know that I learned a lot last summer. I enjoyed the friendly, relaxed environment of the Department of Justice. I enjoyed the people that I worked with, their openness and willingness to answer my basic questions. And I learned that I enjoyed working on consumer protection and unfair trade practice laws—I liked the idea that the work we were doing was designed to benefit and protect ordinary people from predatory practices. Furthermore, my job last summer definitely helped me to become a stronger and better legal writer and researcher. Of course, spending the summer in the beautiful city of my state’s capital was one of the best perks!
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Upcoming Events

Wednesday, February 14

Benjamin Rush Symposium: The symposium continues in Room 120 at 1:00 p.m.

Friday, February 16

American Constitution Society and IBRL Speaker, Prof. Mark Tushnet: Harvard professor Mark Tushnet will speak about how the Constitution expands, and whether such expansion is warranted, during times of emergency, in a talk entitled “The Political Constitution of Emergency Powers.” The talk will take place in Room 124 at 1:00 p.m. Refreshments will be provided for those who RSVP to Jacksy Bilsborrow at jjbils@wm.edu.

Benjamin Rush Symposium: The symposium continues in Room 120 at 1:00 p.m.

Spong Moot Court Tournament: William & Mary’s invitational moot court tournament begins.

Benjamin Rush Symposium: The symposium continues in Room 120 at 1:00 p.m.


Benjamin Rush Symposium: The symposium continues in Room 120 at 1:00 p.m.

Lunch with Lawyers: Panel on “Starting and Building Your Own Practice” at 1:00 p.m. in Room 133.

Wednesday, February 21

Spong Moot Court Tournament: The tournament concludes.

OCS Information Session: Information on judicial clerkships for 2Ls at 12:45 p.m. in Room 119.

Bushrod Tournament Finals: The finalists of the 2007 intra-W&M Moot Court tournament compete at 6:00 p.m. in Room 120.

Saturday, February 24

PSF Date Auction: PSF’s annual Date Auction will be held at the University Center that evening. Tickets are $12 and will go on sale in the lobby on Monday, Feb. 19 through Friday, Feb. 23. Tickets may be purchased at the event for $15. If you are interested in being auctioned off as a date, please e-mail Courtney Bennett at cnbenn@wm.edu or Alexis McLeod at ammcle@wm.edu.


Tuesday, February 27

International Law Society Legal Systems Program: LLM students will give short presentations on the legal systems of their home countries from 12:50 to 1:50 p.m. in Room 124.

Guess The Whiteboard

by Joelle Laszlo
Staff Photographer

Great job, everyone—a whopping two-hundred percent increase in responses over last semester’s contest, and most of them are printable! In the opposite category, honorable mention goes to Cliff Allen for a valiant effort that would have made it in if this wasn’t a family paper (someone tell that guy he swears like a sailor...or a “seaman,” if you’re in Professor Oman’s Contracts class). The plastic spiders and flies go to Anonymous, who offered this gem:

“Concrete ‘it’ is different from ‘doing it.’ Incentives and disclosure are not enough to close the circle or reach the end of time. But a Latex Prophylactic Device Secured Tightly (LPDST) may be.”

Let’s see how well you all can do with this next photo (see above). Remember: explain the legal principle or lesson in two sentences or less (as you can see, we’re really strict with the rules). Send entries to jelasz@wm.edu. Winner this time gets a locker mirror from the hit TLC series “What Not to Wear.” Good luck to all!

SBA Presidential Election: Cast your vote and make your voice heard! The polls will be open from 8:00 a.m. until 5:00 p.m. in the lobby.

Lunch with Lawyers: Panel on “Child Advocacy and Family Law” at 12:50 p.m. in Room 133.

Benjamin Rush Symposium: The symposium, at which the law school’s five Benjamin Rush Scholars present papers on current issues in health law and bioethics, continues in Room 120 at 1:00 p.m.

Thursday, February 15

Benjamin Rush Symposium: The symposium continues in Room 120 at 1:00 p.m.

Robert Gray, Black History Month Speaker: Former American Bar Association President Robert Gray will discuss the importance of African-American attorneys in the past, present, and future. The talk will be held in Room 120 at 12:50 p.m.

Lunch with Lawyers: Panel on “Women and Prisons” in the classroom.
What are you doing this Valentine’s Day? Whether you are planning on a romantic date or a night out with the girls (or guys, I guess guys can have a nice dinner out together), Valentine’s Day is a chance to eat some great food and not worry about the consequences. The Williamsburg area offers some great places to satisfy any palate.

(Note that this article was written by a vegetarian, and Williamsburg restaurants are not overly vegetarian-friendly. I take no responsibility for any misrepresentations of the food).

If you are looking for a fun casual environment you can try the Corner Pocket. It’s a great place for a non-date date. You can invite that guy or girl you’ve had your eye on to play pool and enjoy some cheese fries. You cannot pay a visit to the Corner Pocket without trying their cheese fries. If you have a date coming in from out of town you can take him or her to the Green Leaf or the 415 Grille (Ho House, to the karaoke goers). I think, as law students who are there several times a week, we forget that they actually have really good food.

If you want something a little more upscale that you can pay for with your GRF checks or loan funds (i.e., something that will impress your date, but won’t leave you eating Ramen for the next two weeks), you can try a number of the Asian restaurants in the area. Chez Trinh on Monticello (in the Marshall’s shopping center) offers traditional Vietnamese food. Hayashi Japanese Restaurant and Kyoto Japanese Steak and Seafood House on Richmond Road both offer hibachi style grills. This is a great place to go with a group, or with someone you barely know. Just think, if there are other people at your table and there is a chef throwing vegetables at you for half the meal, you won’t have to think of much to talk about. On second thought, you can also take your boring last minute back-up date to these places if needed. Le Yaca in Kingsmill is a French restaurant you won’t want to waste on just any date. This place has it all, a great atmosphere, great food, and a chocolate truffle cake drenched in vanilla sauce. My advice is not to share this dessert because there will be blood shed over the last piece.

The Cities Grille on John Tyler Highway offers dishes based on various cities (hence the name) across the country. It’s a fun trendy environment with a chef trained at the Culinary Institute of America. Similarly, the Center Street Grille in New Town offers upscale dishes at moderate prices. Center Street actually appears more fancy than its prices. Personally, I would be happy just eating off of their appetizer menu. I couldn’t tell you what I have eaten there, but there were tasty little things on fancy nachos. A. Carroll’s has pretty good food, but most importantly they have the longest martini menu in the area. Depending on who your date is, martinis could be essential for the evening. If you wind up taking your boring date to a hibachi restaurant, take him or her out to A. Carroll’s for drinks. If you are looking for great wine, you can try the Gabriel Archer Tavern at the Williamsburg Winery. Unfortunately, at this time of year the restaurant is only open for lunch from noon to 4:00 p.m. If you decide to go, just don’t tell them you are from the law school. If you are willing to travel and open your wallet a little, go to the Melting Pot in Newport News. Nothing says romance like dipping assorted foods into cheese, chocolate and oil.

Williamsburg also has an abundance of really good seafood restaurants. The Sea Fare Restaurant on Richmond Road might look like a tacky boat on the outside, but it’s actually really nice on the inside. Berret’s on South Boundary Street also offers great seafood choices and is in walking distance for those
**Boys Don't Want to be Hippos: Valentine's Day B-LAW-Gs**

by William Y. Durbin  
*Editor In Chief*

Do you smell that? No, it’s not scorched popcorn from one of the lounge microwaves. It’s either a rose-petal-scented candle or a highly heated non-petroleum-based lubricant. Whatever it is, one thing’s for certain—love is in the air. It’s Valentine’s Day! So, in honor of this loving-est of days, *The Advocate* has decided to profile three couples in the law school community and see how well they know each other.

Bob Fay (3L) and Melissa Mott (3L) first met at J.M. Randall’s during “law camp” two years ago—at least according to Bob. Melissa claims not to remember. Melissa more distinctly remembers getting to know Bob better when they were boat buddies on the SBA rafting trip.

“Bob was there to witness when I almost died, trapped between a rock and Trey Freeman,” Mel said.

Although they saw each other around (how could they not around here?), they did not start hanging out until the second semester of their first year.

“We bumped into each other at Ukrop’s one day, and I gave him my number,” Mel said.

But it took a little while longer for them to start dating in earnest. Bob asked Melissa to be his date to Barrister’s Ball during the spring semester of their second year, and they’ve been inseparable ever since—almost.

“We don’t study together too often,” Bob said. “Mel likes to study with the TV on, and that’s too much for my feeble mind to handle.”

But the two have taken a number of classes together—including identical schedules this past fall—because of their shared interests in government and international affairs. The two take Virginia Procedure and National Security Law together now.

So Bob and Mel clearly get along and have some good ground in common. Let’s see how well they really know each other.

The first question we asked, *Newlywed Game*-style, was “During whoopee, what animal does your significant other most resemble?”

Just kidding! This is a family publication. Get your mind out of the gutter.

Bob and Mel pretty much nailed our first question about favorite foods. Bob correctly guessed that Melissa would name cheese as her favorite comestible.

“Cheese— all kinds, any time of day, and in anything (especially mac and cheese). Think a Steve Urkel-level obsession,” Bob said.

For her part, Mel rightly guessed Bob’s food ambivalence. Bob’s half-hearted answer of “fish” was fairly close to Mel’s uncertain “scallops” response.

Similarly, Bob rightly guessed that Melissa would most like to be stranded on a desert island with Matthew McConaughey more than any other celebrity. Likewise, Mel predicted Bob’s indifference/uncertainty.

“I guess someone with experience being stranded on a desert island—any hot chick from *Survivor or Lost,*” Bob said. “I’m sure they have names, but I wouldn’t know them.”

Where the two did not do so well was in the animal department—and not in the way jokingly suggested above. Melissa said that if Bob could be any non-human animal, he would want to be a hippo.

“Bob saw a hippo at the National Zoo last year, and I think he may have fallen in love,” Mel said.

Bob thought otherwise and said he’d like to be a brown bear. He did admit that he came to the answer only “after much thinking and Googling,” and that Mel would never guess it.

“They have incredible endurance, they’re largely vegetarian, and they eat a lot of fish,” Bob said. But even his back-up answer was off the mark. “If it were up to Mel, a puppy, without doubt.”

Doubt, Bob! He also thought she might reincarnate herself as a puppy, too. Failing that, he listed other possibilities, based on Melissa’s frequency of discussion: sea turtle, shark, and cow (but, in Bob’s defense, he based that on her relatively infrequent discussion of a cow’s tastiness when served as steak). It turns out he was fairly close.

“I think maybe a dolphin,” she said. “I have always thought they are awesome.”

Darren Abernethy (2L) and Amy Markopoulos (2L) did not meet in law school but came to Marshall-Wythe together. The two met as second-semester seniors at Duke at an “Anything for a Dollar” party, to which neither of them wanted to go. Lucky for them they both did, because they have been together ever since. For Darren, who hit on Amy first, it was love at first sight—at least according to Amy. But Amy was clearly smitten, too.

“We went out to dinner for our first date,” Amy said. “We were supposed to go to a bar afterwards, but Darren kept yawning, so I made him take me home—and told all of my friends how boring he was.”

Ooookaaaay. The two clearly get along, though, as they study together and take one class per Continued on page 11
Boys Don't Want to be Hippos: Valentine's Day B-LAW-Gs

Blawgs, continued from page 10.

semester together—but no more than that, since they want to stay together through law school. Their love is also evidenced by their string of correct answers to our probing questions.

Amy knows all too well Darren’s fixation on Mexican food, which he said is his favorite food. She even got him Taco Bell gift certificates for Christmas (among other things—relax, people).

And Darren knows that his snoring, albeit infrequent, is one of Amy’s pet peeves.

One thing they both agree on and both correctly guessed about the other? Their least favorite celebrity is Rachael Ray.

Trevor Hall (1L) and his wife Camela are our only married couple in this feature—and they are the only couple featuring a non-law student. The two met a year and a half ago at church, and Trevor fell instantly in love with Cam’s smile and dimples. Trevor said she provides him solace in a law school world gone mad with Bluebooks and Client B memos. Fortunately for Cam, she works out a lot and travels for work, so she doesn’t have to deal with W&M b.s. all the time.

Trevor and Cam’s answers to our quiz were the most accurate—I guess that’s what happens when you’re married, or why you get married in the first place. Moreover, the two agreed on favorites (or least favorites) more than our other couples. The two love steak—though Cam got more specific, saying that she likes her dad’s best and that Trevor likes the meat from a restaurant in Salt Lake City called Spencer’s.

Trevor also knows that Cam’s pet peeve is his TV watching, while Cam knows Trevor would like to be stranded on a desert island with Bono.

The two did goof on their least favorite celebrity, though. Trevor thought they both disliked Tom Cruise most, while Cam said that dubious distinction belonged to Tyra Banks. Both are worthy contenders.

Finally, the couple came so close on our animal query. Trevor was right about Cam’s wanting to be a monkey. Cam was close but no cigar on Trevor’s choice. She said hippo, and he said rhino.
SWEETER THAN SHUG: DATING ACCORDING TO DAVID BULES

Happy Valentine’s Day! By now I hope you have all planned your Valentine’s Day or anti-Valentine’s Day dinners. If not, then that’s OK. I’m going to give you both sides of this: for lovers, and for others. Lovers will undoubtedly be going on lavish dates and showering each other in gifts. Others will more likely be going to Paul’s for Corona Night, and showering themselves with pitchers.

For lovers, Valentine’s Day may be the best day of the year. What other yearly event justifies not only eating as much candy as you would on Halloween, but also going on the perfect date, sending/receiving roses, drinking wine or champagne in celebration, and going to a five-star restaurant? It is a great day to celebrate being a couple.

For others, Valentine’s Day may just be another reason to hate the happy couples of the world.

That sounds a little harsh, but I always love when girls do the whole middle school-ish, “We hate boys. Boys have cooties. So boys aren’t invited to our Valentine’s girls’ night!” That sounds a little harsh as well, but guys are just as bad. The typical guy Valentine’s quote goes something like, “Well at least I don’t have to take some girl to dinner and pretend I’m interested in whatever she is saying.” Personally I don’t condone either one of these approaches. So here are my suggestions for lovers and for others.

Lovers, be happy. Be happy, but don’t take your happiness out on others. By that I mean, don’t rub your relationship in everyone’s face. If you get flowers, that’s awesome. Tell your best friend. But don’t run and tell the guys who are working hard on building the new library. Not everyone is going to be happy for you. Would you rather tell two people and have them be happy for you, or go overboard and tell fifteen people only to find out that one of them just broke up with her boyfriend. You should, however, be proud to be a couple. This night is for you two, and no one else. Don’t get all embarrassed if you see a bunch of single friends out on the town. Have a good time because, as a couple, you deserve your national holiday.

Others, go out and have fun. Don’t sit around all day talking crap about all the couples. Don’t sit there wishing you had a relationship “exactly like Brad and Angelina.”

Continued on page 13

CANADIAN BACON: Headshots and Going Bald

As you read this issue of The Advocate, you may have noticed that we have decided to put in headshots of the authors for various articles and columns. This is part of the ongoing maturation process we are undergoing here at The Advocate; we are working hard to deliver a more professional brand of journalism to the law school’s only newspaper. Other steps in this process include bizarre online election polls and articles where we interview people who aren’t our roommates.

In keeping with this trend, I have decided to go with a wonderful picture of myself from the fall semester. As you can hopefully tell, I am in the process of giving my good friend and editor Will Durbin a headlock. I choose this picture because I feel it demonstrates my kindness and love for all God’s creatures. Also, I can find no other picture which so beautifully shows off my thick and luxurious head of hair.

That’s correct, like many others before me, I suffer from hereditary baldness. Although currently I still have covering over most of my head, I know that it’s only a matter of time before I look like Charlie Brown. As an aside, the general consensus is that the cartoon/comic character I most currently resemble now is Yogi Bear. I get this because (a) people say I’m bear-like, and (b) I like to steal picnic baskets from unsuspecting campers. Unfortunately, I can’t stay like Yogi forever, and I know that the Charlie Brown stage of my life is fast approaching.

Truth be told, I’ll be happy if I can hold it off until I turn 30. Once I reach the days of a receding hairline, I have a couple options: (1) invest in some type of hair restoration product, (2) go bald gracefully, or (3) shave my head. I refuse to even discuss a comb-over, or it’s more distant cousin, the beard-over. Of the three I am considering, I don’t think that option one is for me. We’ve all seen the ads on television to combat baldness, and no matter what they are, transplant, some sort of miracle tonic, or a can of spray paint, they always look incredibly cheesy. As you know, with the exception of my cell phone ring—I don’t do cheesy.

Although, I must admit that I am proud of modern medical science—we have no cure for cancer, but we have mastered the ability to transplant hair to your barren scalp. Thank goodness we have our priorities in order.

Frankly, I don’t think you can go wrong with any of those guys, but I’m going to opt for the former and go bald gracefully. This is partly because I think I’ll be too lazy to shave it regularly (ironically, the same reason I sport a beard) and partly because I want to emulate Zidane—not only with the haircut, but I also hope to deal out vicious head butts to those bastard Azzuri. Not only do they deserve it, but it would make a great headshot for my column. See you all in two weeks.

1 There also exists the possibility that Will Durbin is totally screwing with me and that we’re not posting headshots of our writers. So, if there is no picture of me above this column, Will Durbin is a cheat and a liar. If there is a picture of me above my column, he’s still a cheat and a liar; I’m just not as upset about it.

2 Unfortunately, I can’t remember the exact reason why I was giving him a headlock. It’s either because he’s a cheat and a liar, or I was experiencing “roid rage.”

3 Who, inexplicably, went bald at the age of nine. Really, when you look at it, the entire Peanuts comic strip makes little sense—bald nine year olds, the Great Pumpkin, and a dog who thought he was a World War I flying ace, and yet somehow this is the most beloved comic strip in America.

4 Currently, I’m using Barry Manilow’s “Mandy.” Because nothing says I’m heterosexual quite like Barry Manilow. Seriously, the man is a musical genius.
The Return of the Scotch

by Nathan Pollard
Staff Columnist

I would like to start off this week with a thank you for the emails I have received in regards to my last article. It truly shows that we have a conscientious student body, that people care about the hard issues, and—contrary to popular belief—that more than one person actually reads The Advocate.

To answer the most pressing questions about my intentions—yes, I do actually hold those strong beliefs towards roller bags—and I do hope that my article can eventually spark a rebellion against them—and end in a horrific battle similar to the ending of Space Balls. Although not mentioned in the last article, I also have a strong hatred towards legal writing in a non-legal setting (such as putting footnotes into an Advocate article).

In the next few weeks the law school will undergo one of the most toolbaggy events of the year—elections. Normally the school is at a Code Orange for toolbaggedness (the students, like our country, have never seen a Code Green), with a heightened level of measures taken by the administration to try to keep the peace and ward off any toolbag attacks from students. During elections, however, we are at Code Red of toolbag—there is no longer just a threat. The attacks are fierce and unrelenting, and the only way to avoid being involved is to avoid the law school altogether (maybe by burying one’s head in the sand or visiting that “girlfriend” of yours in New York or D.C.). Those running for elections will be positive to start and we, the student body, will be unassuming (picture the part of the movie where something horrible is about to happen and there are quick “slow shots” of children running in a park, an old couple walking down a path, and a kitten sleeping on the lap of a puppy). Slowly the violins (similar to those in Psycho) will start in the background, those running will begin to get “super-stressed,” and we will begin to see what a horrible beast we have awoken.

Like Barristers, none of the lessons of elections past will be learned, and this year will prove to be another misery-fueled election. Posters will “adopt” the student lounge with cute posters for some (like a picture of the girl running as a child with some adorable phrase next to it), movie quotes for others (obviously something from a movie that everyone will know—such as Anchorman, Ricky Bobby, or Terms of Endearment), and pictures of the candidate with someone famous (either funny or politician). The last one is my least favorite because it doesn’t involve any work or thinking—it just means you either waited four hours outside of a restaurant to get Andy Dick’s picture, or were a nerd in college who, instead of going out and enjoying your youth, helped organize a symposium featuring Dennis Kucinich. Cookies, brownies, candy, and other accouterments will sit at tables ready to be devoured by the masses. The main problem with election time is that the people who are running care deeply about the issues they raise, they get extremely stressed out but don’t really offer any great incentives/platforms, and no one else really cares.

Another problem that has recently come to light is that people will be running for positions they shouldn’t. People are going to talk a lot about one person in particular who is maybe a bit young to be running for the top position in the school. People also are going to say things like “who does this guy think he is,” “this guy is such a tool for running,” “there is no way in hell that he is going to get elected.” As an advocate for this person, however, I believe his tenacity, candor, grit, and magnificent physical prowess far outweigh his inexperience. I hope you will look past the negatives and see that this person has a strong campaign, plans to mix things up around here, and only wants to do what is best for you. So who is this person for you don’t have to ask if there is meat in them. The Carrot Tree Kitchen on Jamestown offers the best carrot cake and other assorted pastries made from the freshest ingredients, including carrots and herbs picked from their own garden. Unfortunately, they close at 4:00 p.m. So, maybe you can have dessert first; it’s worth it. The Trelils on DOG Street has some of the best desserts in the area. The food is nothing to rave about, but one of the chefs created the dessert “Death by Chocolate,” which should give you a pretty good idea about the quality of the desserts.

If you don’t plan on going out for Valentine’s Day, remember that Chick Fil-A offers party platters, and Taco Bell has a Grande meal that comes with ten burritos. There are enough pre-made martini mixes and types of wine at the Food Lion that you can feel like you are out on the town for under $20 and remain in your pajamas.

Dinner, continued from page 9
who live in the Grapiedax.

Shug, continued from page 12
You don’t need a relationship. A relationship will find you one day, and you probably won’t know it right away. So rather than being overly negative (as opposed to the overly positive approach of lovers), just go about your business like you would any other day. When you are done with classes, go out with your friends (notice I didn’t confine this to an all-guys party or an all-girls party), mingle, get some drinks, go out for some food, and be casual. If you do the whole “all-guys” or “all-girls” thing, for every time you look at a couple and make fun of them, just know that two couples are looking back at your group going, “Man, I’m glad we’re not single.” And you know what? In that situation, they’re right. But, if you are in a group of friends, just hanging out and having fun, the couples won’t notice you, and you certainly shouldn’t notice them.

Valentine’s Day is special for a few other reasons as well. First, Washington’s Birthday is coming up. Now, why is this important? Well for three reasons: a) I cannot believe we get out of school for this; 2) My birthday has fallen on Washington’s Birthday (a.k.a. President’s Day) four times during my lifetime, so I enjoy when my birthday is a national holiday; and d) I still cannot believe we don’t get out of school for this.

Now, in general, February is a great month for Marshall-Wythe birthdays. Which makes me wonder what big revolution is going on every year during the month of May or thereabouts. I’d like to take this time to recognize some February Marshall-Wythe birthdays, and if I miss some people, I apologize (but you didn’t invite me to your party): Isaac Rosenberg, Jenn Smith, Maryann Nolan, Woody Rubin, Will Smith, Matt Dobbie, Chris Gottfried, and Mr. Barrister’s Ball all on the 10th, Jessica Johnson, Chizzy Trotta, and myself all on the 17th. Megan Hoffman Amy Liesenfeld, Meghaan McElroy, Nora Burke, Jason Wool, Mr. Date Auction, and, finally, Mike Faus night. I’m just going to throw this out there: February will take on any month and dominate.

Until next week, keep livin’ strong and lastin’ long.
Voting For Democracy: Pushing for Paper Trails

January 28, 2007

When students vote in the SBA elections, they mark paper ballots. Two members of the Honor Council, whose members the SBA appoints, count the ballots in secret and report only the winners.

An Experiment Gone Awry

In preparation for the upcoming Student Bar Association elections, The Advocate undertook its first-ever online poll to help take the pulse of the student body. We had hoped it would fulfill a civic duty by generating interest and greater awareness of the vote that determines some of our most important student leaders. We also hoped the information generated by the poll, both as to candidates and to the issues important to students, would help all candidates, whether already in the running or who might later look more closely at the election snafus aggravated by electronic balloting. The National Institute of Standards and Technology, for instance, condemned paperless voting systems in December, encouraging optical scan ballots that allow for the possibility of recounts in close elections.

The Virginia Senate put a bill on its docket in late January that would bar counties from buying new touch screen voting machines after July 1, forcing them to buy optical scan machines instead. The Washington Post recently reported that legislative leaders in Maryland agree that the state ought to require electronic voting systems to produce a paper trail for every vote cast and will likely pass paper trail legislation soon.

On Feb. 1, Gov. Charlie Crist (R) and Rep. Robert Wexler (D) announced that Florida would abandon electronic voting permanently, opting instead for optical scan balloting. According to the Times, Crist announced the sweeping change in Palm Beach County, home of the infamous “butterfly ballot,” calling the move “common sense.”

With Florida’s dramatic about-face on the issue of electronic voting coming hard on the heels of the 2006 midterm elections and Jeb Bush’s exit from elected office, the stage is set for a major overhaul of the way in which Americans vote. Democracy depends on it.

Here at the William & Mary School of Law, students have an opportunity to set an example for the future citizen lawyers, let us demonstrate our commitment to reform elections and providing ample opportunity for review and recounts renews the people’s faith in the democratic process. Congress has a duty to standardize voting across states and counties, ensuring that election officials count every vote and that every vote is counted.

A paper trail means little without the opportunity for independent review of the ballots and the public release of results. Some SBA and Honor Council members say that releasing results could make losing candidates feel bad, but that argument ignores the far more substantial costs of secrecy.

Releasing the vote totals for each candidate would demonstrate a commitment to accountability and transparency that would serve the SBA and the Honor Council well. Releasing the vote totals would gauge the level of student confidence in the SBA and in SBA elections.

Without confidence in elections, democracies crumble. Securing elections and providing ample opportunity for review and recounts renews the people’s faith in the democratic process. Congress has a duty to standardize voting across states and counties, ensuring that election officials count every vote and that every vote is counted.

Likewise, the SBA and the Honor Council have a duty to run our student government elections as democratically as possible. As future citizen lawyers, let us demonstrate our commitment to reform by voting for democracy.

Alan Kennedy-Shaffer is the Minority Inspector of Elections for Upper Allen Township’s first ward in Cumberland County, Pennsylvania.

by Alan Kennedy-Shaffer
Features Editor

“The American people have spoken,” President Bill Clinton quipped in the wake of the 2000 elections. “It’s too bad it’s going to take a little while to determine what it was they had to say.”

In the decade before the 2000 presidential election, Americans generally believed that their votes would count. When a citizen walked into the voting booth, she could be reasonably certain that someone would read her ballot, review her ballot, and maybe even recount her ballot.

All that changed with an election season defined by prolonged legal battles, protests in election board offices, and hanging chads. Five members of the Supreme Court issued a per curiam opinion that overruled the Florida Supreme Court and place a man in the White House who The New York Times called the “President.”

Responding to massive public concern, Congress passed legislation in 2002 that provided funding for states to discard antiquated voting machines for shiny new touch screens. Over the next two election cycles, residents in dozens of states and hundreds of counties learned to cast their ballots electronically.

While Diebold and other electronic voting system manufacturers touted touch screens as the greatest advancement in democracy since the ballot box, reports swiftly started to surface suggesting that electronic voting systems lack the basic security features inherent in paper ballots.

According to the Center for Information Technology Policy at Princeton University, a group of Princeton researchers found that they could hack into the most commonly used system, the Diebold AccuVote-TS, in less than one minute. Armed with an altered memory card, or PEB, the researchers found it relatively easy to load malicious software that not only can steal votes but also can cover its tracks.

Unlike optical scan fill-in-the-bubble systems, Direct Recording Electronic systems provide no paper trail and no opportunity for a recount. Five states currently use paperless voting systems exclusively and twenty-eight other states, including Virginia, employ a combination of paperless electronic equipment and optical scan paper ballots.

As the Democratic elections inspector in my home precinct, I constantly field questions each Election Day from voters wondering why they receive no ballot printouts or written receipts. In November, one voter asked me why he receives a printout when he orders a sandwich at Wawa’s but does not even receive a confirmation slip when he votes.

Another voter who works for IBM complained to me that legislators and election officials frequently try to save a few bucks by opting for paperless voting systems but wind up spending much more money in the long run once they confront the problems that come with not having a paper trail. Paper trail technology exists; politicians have traditionally not been willing to pay for it.

Over the past few months, however, interest in voting machine vulnerabilities and paper trails has grown by leaps and bounds as federal agencies and states have

SBA Election Poll:

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Alan Kennedy-Shaffer is the Minority Inspector of Elections for Upper Allen Township’s first ward in Cumberland County, Pennsylvania.
The Really Real State of the Union: A Response to Alan-Kennedy Shaffer’s Take on the Great Deceiver’s Unholy Oration

by Rob Thomas
Contributor

Some may critique Mr. Kennedy-Shaffer’s vociferous exaltation of the Democratic Party’s recent successes within these pages, but I personally think he has been rather conservative in his praise. The current Democratic victories represent a true triumph over Evil and Darkness, as the “President’s” recent State of the Realm address demonstrated.

House Speaker Nancy Pelosi, The Merciful, sat atop her silver mare, brandished her Gavel of Truth, her elven Bow of Serenity, and her quiver of snow-white arrows to call the Congress into session. A procession of dwarves dragged The Great Deceiver and his lieutenants into the chamber, as Senator Robert C. Byrd (D-WV) cast his arcane magicks to protect the throng from any tricks that the Dark Lord might have remaining up his sleeves.

The Black-Hearted One stood in front of his Podium of Lies, groveling and squirming in the Holy Radiance of a Democrat-controlled Congress, while attempting to bandy honeyed words of compromise and reconciliation with his forked, reptilian tongue.

His Republican supporters in Congress, kept alive by the Democratic liberators only to undo the years of sorrow and anguish that their crimes have wrecked upon the citizenry, wept tears of woe for their fallen leader. As they grasped the true gravity of their descent into powerlessness, they emerged from the quagmire (which specifically that the only way to emerge from the quagmire (which he wrought with his own clawed fingers) is to send even more registered Democrats and minorities to the fray). His falsities did not end there, as he cooed sweetened promises of fiscal and environmental responsibility.

Perhaps the most egregious iniquity. He perhaps the most egregious iniquity. He perhaps the most egregious iniquity. He perhaps the most egregious iniquity. He perhaps the most egregious iniquity. He perhaps the most egregious iniquity. He perhaps the most egregious iniquity. He perhaps the most egregious iniquity.

As the night drew to a close, The Utterly Defiled was led out of the room in chains, thoroughly defeated and powerless to stop the prophesized 1,000 Years’ Peace foretold by Druid seers so many millennia ago. Venerable Senator and dwarf, Jim Webb (D-VA), took the podium and reaffirmed the true victories accomplished, while exposing the breadth of the current administration’s iniquity. He concluded his speech by cleaving the Senator and Orc Chieftan Thad Cochran’s (R-MS) skull in two with his mighty Battle Axe.

So, gentle reader, as you can no doubt surmise, Mr. Kennedy-Shaffer’s exuberance is 100% justified and not in the least bit overwrought and melodramatic. Rejoice! After all, with the return of a Democratic majority within both the Senate and the House, lies, deception, sexual misconduct, and false hopes within Washington have become a thing of the past.

1 Published author, 1L, and socialite.
2 Both physical torment and sexual degeneracy.
3 Rep. Emerson’s personal record is 17 kittens in 10 minutes.
4 In his own words, “Oceania has always been at war with Eurasia.”
5 The poisonous fume surrounding the D.C. metro area, the product of continuous open burning of legal tender, belies such promises.