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The Advocate

VOLUME V, ISSUE THREE



-photo courtesy Alumni Office

The 216 members of the Class of 2010 gather for a photo at Hennage Auditorium during Law Camp earlier this fall.

Welcome, Students of Marshall-Wythe!

Dear Students,

It is great to have you gracing our halls once again. This place without students isn't itself. You provide life and purpose for our common endeavor.

A warm welcome back to those of you who are prior denizens of the country's oldest law school! An equally warm welcome to those of you who are here for the first time, whether as newly minted 1Ls, transfers from afar joining the

Class of 2009, LLMs in the Class of 2008, or visitors from other law schools spending the third year in our midst. It is marvelous to have each of you here.

After eight years of construction and renovation, the law school is about to lay down its hard hat for a while. The new Wolf Law Library came online in July. Renovations of our Front Hall will be complete once the furniture arrives, allegedly this month. It's time

to enjoy the fruits of our labors, unmolested by the rough love of construction.

The faculty is as glittering as always. Vivian Hamilton has joined us full time. Dave Frisch and Jeffrey Manns are visiting this term. The prime mission of our professors remains to teach splendidly in class and out, as has been true since George Wythe taught the first law students at William & Mary in January 1780.

We're off to a rousing start. Let's make 2007-08 one of our most satisfying years ever.

Cordially, **Taylor Reveley**

Editor's Note:

The above letter and photo were originally published in Issue 1 of The Advocate. Because Issue 1 was only available in electronic format, The Advocate has decided to reprint these items for the benefit of the Class of 2010 and LLMs in the Class of 2008.

With Change, Undergrads May Seek **Counsel of Law Students**

by Rob Poggenklass **News Editor**

A change to the College of William & Mary's Student Handbook, expected to be approved by President Gene Nichol, would allow law student volunteers the opportunity to provide assistance to undergraduate students faced with judicial proceedings.

Under the current policy, W&M proceeding. undergraduate and graduate students who have been charged with violating the judicial code may obtain a student counsel to assist them, but that student counsel must attend the same school as the accused. For example, most commonly, undergraduate students charged with violating W&M's alcohol policy may only obtain the assistance of other undergraduate students when faced with a judicial

The proposed change to Section IV.N of the William & Mary Student Handbook would allow law students to assist undergraduate students who might otherwise be unaware of their rights, according to Victoria Starks and Evan Manning, both 3L volunteers at Student Legal Services.

"Lots of times, students will come

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Campus Perk-Up a **Good Time for All— Except the Juniper Bushes**

by Joelle Laszlo Staff Photographer

Aristotle said, "Nature abhors a vacuum." Since Sept. 29, it may also be leery of law students. Fifteen brave souls gathered in the law school parking lot on that not-quite-crisp Saturday morning for SBA's inaugural and cheerily named Campus Perk-Up, uncertain of what lay ahead, except that it required closed shoes (and pants were, according to the planning e-mail, "not a bad idea").

As it turned out, the juniper bushes had to go. Planted twenty years earlier, they had worn out their welcome in the parking lot's median strip. And it is easy to see why: according to Eva Marbach's "Remedial Herbs" website, the Juniperus communis was cultivated in former times as a cure for diseases ranging from gastritis to gingivitis. Writes Marbach, "In our days this reason for growing juniper bushes is nearly forgotten." Furthermore, contrary to popular belief, gin does not come from juniper berries—they merely provide its astringent flavoring.

And so, armed with loppers, garden picks, shovels, rakes, brooms, trash cans, and one moderately sharp hatchet, the students set to work. The plants did not stand a chance. "After Colleen [Loughran (1L)] and I decided we were not allergic to juniper, we showed that plant who wears the pants at Marshall-Wythe," said Jessie Coulter (1L). Quite a feat, considering Coulter was, in fact, wearing shorts!

A few hours later, not a single juniper remained, their now-lifeless forms piled high in the refuse truck and awaiting transport to the local landfill. The students were proud of their accomplishment (if not, they should be) and particularly gratified to have participated in such a unique happening on campus. The feeling was perhaps best captured by Dan Williams (1L), who remarked: "That was the first law school event I attended where alcohol was not served."



-photos by Joelle Laszlo

ABOVE: 1Ls Christine Roushdy, right, and Andrew Reeve, center, lend their hands during the Campus Perk-Up on Saturday, Sept. 29.

BELOW: An unidentified student takes a swing during the Perk-Up.



HE ADVOCATE

"Complete and objective reporting of student news and opinion"

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Editorial Policy

The letters and opinion pages of The Advocate are dedicated to all student opinion regardless of form or content. The Advocate reserves the right to edit for spelling and grammar, but not content, unless the author's content violates the law school's Honor Code.

Letters to the Editor and opinion articles may not necessarily reflect the opinion of the newspaper or its staff. All letters to the Editor should be submitted by 5 p.m.on the Thursday prior to publication.

The Advocate will not print a letter without confirmation of the author's name. We may withhold the name on request. Letters over 500 words may be returned to the writer with a request that the letter be edited for the sake of space.

Northwestern Scholar Offers New Defense of Originalism

by Rob Poggenklass **News Editor**

The Framers got it just about right when they drafted the U.S. Constitution some 200-plus years ago. What they meant when they drafted that pivotal document in democratic history matters just as much now as it did then. Thus, judges and Justices ought to focus on that "original meaning" when interpreting the Constitution.

So says John McGinnis, professor at Northwestern Law School, who advocates "original methods

originalism" for constitutional interpretation. McGinnis spoke to the William & Mary chapter of the Federalist Society during a luncheon on Thursday, Oct. 4.

McGinnis argued that other defenses of originalism do not always hold up and that a new defense is needed. He points to the idea of supermajoritian rule, which he says prevailed during the framing of the constitution—and, he adds, right-

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Advocate by Accident

by Tiffany Walden Staff Writer

In 1989, Debbie Smith, a homemaker, was taken from her house and brutally raped in her backyard while her husband, Rob, a Williamsburg police officer, was sleeping in the bedroom. It took six years to find her attacker, and DNA evidence helped convict the man who raped her. Many people would sulk and hide from the publicity, but Debbie and Rob tried to do something positive. Rob retired from the police department, and now they spend their lives traveling the world and speaking about the importance of DNA testing to solve crimes of sexual assault and murder. In addition to using DNA evidence to convict criminals, they are also heavily involved with the Innocence Project.

The Innocence Project is a nonprofit organization that uses DNA testing to exonerate criminals who have been falsely convicted. The Innocence Project began in 1992 by Barry C. Scheck and Peter J. Neufeld, two Cardozo Law School professors. Today, the Innocence Project has exonerated 208 people in the United States, but it has not always been this successful. The Innocence Project had a bill floundering in Congress for years. It seemed as if Congress would not pass this bill, which would fund DNA testing for convicted persons. The Debbie Smith Bill, however, was doing incredibly well.

Debbie and Rob had been lobbying Congress and speaking publicly about Debbie's attack. Congress had rallied to Debbie's cause and created the Debbie Smith Bill, which would fund testing the thousands of DNA samples that were currently sitting in labs around the United States. Because of massive support of the Debbie Smith Bill, the Innocence Project attached its bill to it, hoping that the power of Debbie's Bill would allow its bill to pass as well. The new act was entitled Justice for All and includes three sections: the Debbie Smith Bill, the Innocence Project Bill, and the Victim's Rights Bill. The Victim's Rights Bill set certain standards to treat victims nationally; previously, different states followed different guidelines, and there was a great deal of confusion among the states.

Even with a nationally known spokesperson, it was not easy to pass, and fund, the Justice for All Act. One day before Congress went



on vacation (and we all know how much Congress likes to vacation), Debbie started playing hardball and went to the press about how her bill to help victims was not being passed in Congress. She even called a Senator who was flying home to Vermont and convinced him to turn around his plane and go back to Washington. The pressure worked, and the Justice for All Act passed.

Now, years later, Debbie is back in Washington lobbying to get more funding for Justice for All. There are actually more DNA samples that need testing than ever before. Because DNA evidence is advancing, a miniscule sample can be matched to a perpetrator. Debbie Smith was just an average housewife in a small town. Her rape is one of shock and

disgust. But her actions afterwards are inspiring, and her positive outlook is encouraging. "One person in this world is not more important than another person. Everyone deserves justice;" Debbie Smith's words are something we all can live by.



ABOVE: Rob and Debbie Smith at the presentation. Photo courtesy of Alana Seifts.

LEFT: Debbie Smith speaks to students at Marshall Wythe. Photo courtesy of Alana Seifts.

BELOW: Students mingle at a reception after the presentation. Photo courtesy of Alana Seifts.



All "Thai-ed" Up: Professor Moliterno Helps Draft Lawyers' Code of Ethics in Bangkok

by Abby Murchison Assistant News Editor

While W&M law students feverishly memorize the Model Rules of Professional Conduct, Professor James Moliterno is helping other countries write their own. In early September, under the auspices of the ABA's Rule of Law Initiative (ROLI), Moliterno ventured to Thailand for ten days to advise the country's Council of Lawyers on amending their professional code.

This was Moliterno's second trip to Thailand, his second exposure to the bustle and buzz of Bangkok, and his second opportunity to work with Thai legal professionals through ROLI.

ROLI is an ABA public service project that promotes legal reform in over forty countries. American legal professionals—lawyers, judges, professors—volunteer to collaborate with their counterparts in host countries, bolstering the practice of law in both governmental and nongovernmental sectors. Volunteers with ROLI's Asia Division target their reform efforts at criminal law, human rights, legal professionalism, and legal education.

Many of ROLI's reform goals are right up Moliterno's alley. Cofounder of W&M's award-winning Legal Skills program, Moliterno is well equipped to advise on matters of professionalism, codes of conduct, and legal education. Law Camp in Bangkok!

The highlight of Moliterno's trip was a three-day workshop he led on revising the lawyers' code. "Before arriving in Thailand, I really wasn't sure exactly what I'd be doing at the workshop," Moliterno said. "I thought perhaps I'd be sitting in on their meetings, chiming in with advice once in a while." To his surprise—and excitement—he ended up as the workshop's ringleader, the consultant, the source of dialogue and direction. For three days, 35 to 60 legal professionals gathered before Moliterno. They donned headphones connected to translators. and they discussed the modernization of Thailand's standards of ethical conduct.

Written in the 1980s, the current lawyers' code in Thailand covers limited ground. It scarcely addresses a key element of American legal ethics: conflict of interest. "Thai lawyers know that they can't switch sides, but



Prof. Moliterno in Thailand. Photo courtesy of Professor Moliterno.

that's pretty much it," Moliterno said. So, they spent an entire afternoon ruminating over conflict-of-interest scenarios, discussing some of the very issues W&M 1Ls grappled with this month in Legal Skills.

Women were considerably outnumbered by men at the workshop, yet they made their presence known by voicing concerns with the old standards of conduct. "We were exchanging proposals about what to revise," Moliterno said. "And one woman stood up and submitted the idea that female lawyers should no longer be compelled [by the code] to wear dresses or skirts in court."

The workshop of lawyers looked expectantly to Moliterno for comment. Sensing a potential cultural conflict, he responded sensitively but earnestly. He explained that, while not codified outright, certain stan-

dards of appearance exist in American courtrooms: "No lawyers wander in wearing blue jeans, for example." Furthermore, lawyers "just know" to oblige certain judges' preferences for pressed white shirts ("or no facial hair," he added while stroking his beard). Still, when female lawyers began to wear slacks to the American courtroom, he said, "No one noticed any difference in the quality of their work." Thus, Moliterno gave tacit yet solid approval to what could amount to an upheaval of Thai tradition: letting female lawyers wear what they choose!

Moliterno was happy to oversee the workshop, but he was very conscious of his limits. "I remember how one gentleman raised his hand to ask, 'Why can't you just write our code for us?" As Moliterno remembers responding, "Of all the people in the room, I am probably the least able

Continued on Pg 6.

LEFT: Professor Moliterno addresses the Lawyers' Council of Thailand about how to modernize its code of professional conduct. The shirt he is wearing is yellow, the color which demonstrates respect for the Thai royal family. A framed photograph of the venerable king stands at the front of the workroom, next to the requisite shrine to Buddha. Prof. Moliterno's 3-day workshop opened with a ceremony to honor Buddha and to ask for his blessing. They lit 3 sticks of incense, said a prayer, and performed the Buddhist bow (a "wai").

Photo courtesy of Prof. Moliterno.



Originalism Defense

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fully so.

"It's the Constitution-making process that makes originalism desirable," McGinnis said.

McGinnis believes that simple majorities create temporary and often poor rules, but supermajorities create better, more permanent ones. This is evident in the Constitution itself, McGinnis said, hence compromises such as federalism, the electoral college and the creation of two houses of Congress.

"I don't view the document as just the product of a few great men," he said. "I look at it as the result of the supermajority rules of the time."

McGinnis contrasted originalism with a "living Constitution" theory of constitutional interpretation. Under the latter theory, judges place an emphasis not on the original meaning of the document or on the Framers' intentions at the time of the drafting, but instead on what will produce the most just outcome in today's world. Although no judge always adheres to a particular judicial philosophy in every decision, current Justices

Antonin Scalia and Clarence Thomas are generally considered originalists, while the living Constitution philosophy resembles that of Justice Stephen Breyer.

McGinnis says the living Constitution model gives too much power to individual judges, creating several undesirable outcomes. One such problem, he says, is that the Supreme Court is drawn from such a small part of society; thus, the Court's doctrines rarely match the beliefs of the American people, nor are they likely to have a long-lasting structure. Only the kind of broad framework formed by supermajorities, McGinnis says, can accomplish this.

McGinnis addressed one major criticism of originalism. The Framers managed to exclude women, African-Americans, and other minorities when doling out constitutional rights, which makes the original meaning of some parts of the Constitution a bit meaningless today. But this problem can be remedied, McGinnis says, and largely has been through constitutional amendments. He believes the

amendment process resembles the supermajoritian framing process, requiring broad consensus in both state legislatures and Congress.

If the supermajoritian process has failed us, McGinnis says, we are left with precious few choices. One would be to scrap the Constitution and start over, which no one seems to want to do. Another would be a kind of judicial correction, which he suggested that living Constitution judges are already doing. This, too, he said, is undesirable.

McGinnis believes judges would do better with a more hands-off approach, one that relies on an original meaning interpretation—even if the immediate results do not always match our desires. He compared the living Constitution judicial philosophy to government regulation of business, with equal disdain for both.

"Even if the market has failed, it doesn't follow that regulation will improve it," McGinnis said.



John McGinnis, professor of law at Northwestern University, argued for an "Original Methods Originalism" constitutional interpretation during a luncheon with the W&M Federalist Society on Oct. 4. McGinnis later spoke to Neal Devins' Law & Politics course on the issue of congressional fact-finding.

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Upcoming Events

Look to this space for news about speakers, meetings, and other events at the law school. If your organization has an event in the next month you would like advertised, please e-mail TheAdvocateWM@gmail.com.

Wednesday, October 10

ACS Guest Speaker

Jeff Colman, partner at Jenner & Block in Chicago, will be speaking about his experience representing enemy combatants at Guantanamo Bay, Cuba. The talk is entitled "Representing the Unseen: Lawyering on Behalf of Detainees at Guantanamo Bay." This even will be held in Room 124 at 1:00 p.m. Contact Jacksy Bilsborrow for details.

Christian Legal Society Meeting

Come learn more about this group! In Room 141 at 6:30 p.m. Contact Bradley Ridlehoover for details.

Monday, October 15 &Tuesday, October 16

Fall Break—No classes!

Wednesday, October 17

Micro Mash Bar Review Tabling

Micro Mash Bar Review information will be distributed in the lobby all day. Contact Satya Baumgartel to learn how this program can help you

American Constitutional Society Film Night

ACS will be screening the film Chasing Freedom. After the film there will be a discussion led by Professor Angela Banks relating to immigration and asylum cases. This event will be in Room 119 from 5:00-8:00 p.m. Contact Darren Abernethy for details.

National Trial Team Workshop

Optional workshop for competitors in National Trial Team Competition. Location TBA from 6:00-8:00 p.m.

Thursday, October 18

Christian Legal Society guest speaker, Visiting Professor Jeffrey Manns

This event will take place in Room 138 from 12:45-1:50 p.m. Contact Bradley Ridlehoover for more details.

Saturday, October 20

Fall from Grace

The law school's semi-formal will

be held at the George Washington Inn. You can buy tickets in the law school lobby. Tickets for the first week of sales will be \$30. Non-drinking tickets are \$12. GET EXCITED!

Virginia Criminal Defense Lawyers Conference

Starting at 8:00 a.m., this daylong conference will be held in Rooms 124, 134, 135, 137, DCR, and the law school lobby. Contact Professor Fred Lederer for details.

Make-A-Difference Day

Volunteer for the law school's Make-A-Difference Day project. Come out and help the YMCA Child Development Center (CDC) get organized for the new season. Projects will involve classroom clean-up and organization and maybe a few outdoor things too. The CDC is located at 117 Information Center Drive. Lunch, drinks, and snacks will be provided (hooray!). Please e-mail Joelle Laszlo (jelasz@wm.edu) for more information and to sign up. This event will run from 11:00 a.m.-3:00 p.m.

Monday, October 22

Election Law guest speaker, Professor Ned Foley from Ohio State

Come learn more about election law topics. In Room 133 at 1:00 p.m. Contact Professor Dave Douglas for details about this event.

Tuesday, October 23

BAR/BRI Tabling Day

BAR/BRI representatives will be in the law school lobby all day to answer all your questions about this exam prep system.

Phi Alpha Delta (PAD) Meeting

General meeting for PAD at 1:00 p.m. in Room 124. Contact Reneta Green for details about this group.

Wednesday, October 24

1L Program on Mental Health and Substance Abuse Issues

Learn how these issues disproportionately affect those in the legal profession and what step you can take to avoid these problems. In Room 120. Contact Dean Rob Kaplan in OCS for details.

Moliterno in Bangkok

Continued from Pg 5.

to write it." Sure, Moliterno may have years of experience, but it is the Thai culture—and not a belief system imported from America—that should control the codification, he said.

The Thai Lawyers' Council still has much work to do, but the workshop opened the doors of modernization. "It may take them about ten full months to revise their code," Moliterno said, "but I've now been there during the beginning stages." He'll remain in contact as the process presses on.

Another of Molterno's goals has been to introduce new teach-

ing methods into the Thai legal education. "Thailand education is traditionally very passive," he said. "Professors lecture, students listen." Last spring, Moliterno met with law professors and gave advice on how to energize—and make more productive—the classroom experience. He suggested tailoring exercises from W&M's Legal Skills program to the Thai classroom.

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The Thai Lawyers' Council
has much work to do, but the ekshop opened the doors of modization. "It may take them about trol the codification, he said.

Revisiting Bangkok this fall, Moliterno had the opportunity to see whether any of his advice took hold.

And it did—in the most unexpected places.

"What I had considered to be the least productive of sessions," Moliterno reflected, "turned out to have had a big effect." Last spring he had advised a lawyer and a judge, co-professors of a legal ethics class, on how to make their teaching styles more interactive. "I didn't think it was going well with these gentlemen. I didn't think they were following me. I didn't think we were making connections."

Imagine how surprised, then, Moliterno was when he sat in on the final meeting of this legal ethics class and witnessed firsthand how the revised curriculum had indeed taken off. During the high-energy, highly interactive class, students spoke out about issues in legal ethics. They made presentations. They engaged in role-play. The professors did not lecture sleepily into microphones from a podium, as is all too typical in traditional Thai education.

Moliterno had reason to feel proud and reinvigorated, as the positive ramifications of his presence in Thailand multiplied unexpectedly before his eyes. Moliterno initiates many W&M 1Ls into the law school experience during Law Camp. Now we know how he extends his professorial duties beyond the borders of the classroom for the furtherance of the rule of law on an international scale. As the ABA ROLI organization puts forth, rule of law promotion is "the most effective long-term antidote to the pressing problems facing the world community today, including poverty, economic stagnation, and conflict."

THE ADVOCATE

Undergrads May Seek Counsel

Continued from Pg 1.

to us and say, 'What are my rights?'" Manning said.

Sam Sadler, Vice President for Student Affairs, has recommended that Nichol approve the change. To lend its support, the Student Assembly last month passed the Enhanced Student Representation Act, which urged Sadler to endorse the proposed change. Student leaders from the undergraduate college and each of the graduate schools, including SBA President Sarah Fulton, have signed a letter supporting the proposal.

"There is pretty wide support for this," Sadler said.

In an interview last week, Sadler emphasized that the proposed change would not only allow undergraduates the ability to seek law students' counsel, but that students of any school at W&M would be able to seek the counsel of a student at any other school. Nevertheless, according to a report from the college's Division of Student Affairs, nearly 700 judicial incidents involved undergraduate students last year. In contrast, Sadler said that incidents at the various graduate schools, including Marshall-Wythe, were confined to "a handful of cases."

Sadler said that the proposed change, if enacted, would revert school policy back to what it was more than a decade ago, when students of W&M's various schools were allowed to represent each other at judicial hearings. Sadler recalls that students led the move to intraschool representation back then.

"There was some fear that law students' knowledge of process would lead to a focus on procedure rather than substance in the hearings," said Sadler, adding that the fear was probably unwarranted. "That never occurred before."

The majority of judicial incidents involving undergraduates are alcohol-related, and most are settled without a judicial proceeding. However, with the proposed change, the number of contested charges could rise. Starks and Manning say that in many cases students admit guilt, not realizing that, without a student confession, the burden is on the school to prove violations of the judicial code.

"It's still the responsibility of the school to prove the charges," Manning said. "If the school doesn't have enough evidence, it might be smart for the student to contest the charges. The burden is on the school."

If Nichol approves the Handbook change, as expected, Student Legal Services could offer enhanced assistance to undergraduates. SLS consists of about 45 law student volunteers, most of them 1Ls. While these non-lawyers cannot provide actual legal advice, under the proposed new policy, SLS would offer undergraduate students legal research and representation during the judicial process.

"Since we've been to law school, we have a basic understanding of the bigger picture," Manning said.

In anticipation of the change, SLS is looking to increase its offerings. The group put in a \$30,000 budget request to the Student Assembly last year, which would allow SLS to hire a real attorney to assist SLS volunteers who are representing undergraduates in judicial proceedings. The budget proposal was vetoed by last year's SA president, but Starks believes that this year's president, Zach Pilchen, is more receptive to the idea.



Pollard and Bules are taking a leave of absence this week. Don't Worry. David "Shug" Bules and Nathan "I do 1,000 Curls in Front of the Mirror Each Day"

Pollard will be back next issue.

Human Rights Violations and the War on Terror

by Kelly Pereira Co-Editor-In-Chief

Acts of terrorism are not the only threats to human rights. Human rights violations have been committed on both sides of the "war on terror," according to Prof. Jordan Paust. A respected national security scholar and former JAG, Paust did not mince words in his critique of the current administration's treatment of human rights law.

Paust, law professor at the University of Houston and co-chair of the American Society's International Criminal Law Interest Group, delivered a lecture entitled "Human Rights at Stake in the War on Terror" on Thurs., Sept. 27. Paust is the author of *Beyond the Law: The Bush Administration's Unlawful Response to the "War" on Terror.* Two chapters of earlier versions of this book were cited in *Hamdan v. Rumsfeld*, 126 S. Ct. 2749 (2006), and *Hamdi v. Rumsfeld*, 542 U.S. 507 (2004).

Paust argued that the Constitution incorporates not only treaties but also customary international law in reference to "laws." Chief Justice Jay charged the grand jury in *Henfield's Case*, 11 F. Cas. 1099 (C.C.D. Pa. 1793) (No. 6360) that "laws" include the laws of nations.

Customary international law represents a common pattern in the practice of nations combined with the general belief of those nations that they are so bound. Therefore, the fact that Al Qaeda, the Taliban, or even the United States, is not a signatory to a particular treaty does not serve as a defense when a treaty reflects settled principles of customary international law.

The Bush administration's "mantra" that the United States does not practice torture does not exculpate the nation from human rights norms. Freedom from torture as well as cruel, inhuman, and degrading treatment is a non-derogable right. According to Paust, it is clear from the Torture Memos that coercive interrogation short of torture was expressly authorized in "a common, unified plan" by the administration.

Additionally, the U.S. transport and detention of suspected terrorists violates the law. Article 49 of the Geneva Convention forbids transferring a person outside of occupied territory. This prohibition arose in response to the Holocaust, and its breach is considered a grave breach of the convention, a war crime. That transfers are temporary provides no defense.

Forced disappearances are also crimes against humanity. Although the United States is not a signatory to treaties defining forced disappearance, this international prohibition has risen to the level of customary international law. By definition, having unnamed detainees at an unnamed detention facility constitutes a forced disappearance. The fact that detention facilities such as Guantanamo Bay are known does not negate the fact that the names of detainees are not disclosed. Furthermore, the President has acknowledged secret detention facilities.

The United States is also prohibited from contracting with private individuals to perform detention and interrogation. Implied duties of private individuals exist in human rights under the American Declaration on the Rights and Duties of Man, the International Covenant on Civil and Political Rights, and the Universal Declaration of Human Rights, as well as Comment 20 of the Human Rights Committee and rulings by the European Court of Human Rights.

Paust's lecture was sponsored by the Human Rights and National Security Law Program. The Program is sponsoring two other upcoming lectures. Prof. Robert Chesney of Wake Forest will deliver a lecture entitled "Terrorism and the Convergence of Criminal and Military Detention Models" on Wednesday, Oct. 10, at 4:00 p.m. in Room 127. Prof. Michael Scharf of Case Western will speak on the topic of "When, If Ever, Should Torture Evidence Be Admissible?" on Thursday, Nov. 1, at a location yet to be determined.

8 Wednesday, October 10, 2007

We Know What You Did Last Summer...

The Movie reference may be outdated, but the Public Service Fund continues to support law students. 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.

My Most Wanted Internship



by Ben Hughes

As a law student who is currently pursuing careers in law enforcement, I thoroughly enjoyed my summer internship with the United States Marshals Service (USMS), Office of General Counsel. Working on the top floor of USMS headquarters in Arlington, Va., my fellow interns and I primarily adjudicated administrative tort claims filed with the USMS. We also embarked on numerous field trips, including an eye-opening tour of the cellblock for the D.C. Superior Court.

Formed in 1789, the United States Marshals Service is the nation's oldest federal law enforcement agency.

The USMS is probably best known for its fugitive hunting, apprehending more federal fugitives per year than all other federal law enforcement agencies combined. Additional diverse duties include protecting federal courts, operating the Witness Security Program, transporting federal prisoners, and managing seized criminal assets.

For my USMS internship, I mainly investigated and adjudicated administrative tort claims filed against the agency pursuant to the Federal Tort Claims Act (FTCA). The FTCA essentially requires a plaintiff to seek settlement with a federal agency before taking that agency to federal court. Claimed amounts usually ranged in the \$1,000s or \$10,000s, although some of the more "creative" prisoner claims demanded \$1,000,000s. After carefully reviewing each claim from a factual and legal standpoint, I submitted a recommended disposition memorandum to be approved by the General Counsel himself, Gerald Auerbach.

The administrative tort claims filed against the USMS generally fall into one of four categories. Most of

my claims arose from motor vehicle accidents involving a USMS employee in the performance of his/her duties. Other claims arose from alleged personal injuries or lost personal property sustained by prisoners. The final category consisted of "law enforcement related" claims, such as property damage caused by a fugitive task force making a dynamic entry into a fugitive's house (i.e., busting down a door).

The highlights of my internship consisted of the plethora of field trips arranged throughout the summer. My favorite field trips included the U.S. Park Police's Aviation Unit and SWAT team, the Pentagon, the National Center for Missing and Exploited Children (NCMEC), and the Attorney General's Summer Lecture Series. Many of the field trips were designed to give us legal interns a taste of the operational side of federal law enforcement.

The field trip coordinator saved the best internship for last – during my final week with the U.S. Marshals, he took us on a memorable tour of the DC Superior Court's notorious cellblock. Before going in, the deputy U.S. Marshals instructed us to stay away from the bars, to ignore the catcalls, and to not try to help if an incident occurred. The cellblock is stinky, loud, crowded (but not overcrowded), and dangerous. It houses everyone from traffic violators to murderers of all genders and ages. Like one of the deputies said, if you can work this cellblock, you can work anywhere. We were amazed by the weapons that have been found and confiscated during body searches of inmates. After exiting the cellblock, we concluded the tour by observing criminal hearings in the Superior Court. It was quite refreshing to finally walk out into the fresh air and bright sunlight.

I am exceedingly grateful for the PSF grant that helped to make this worthwhile internship possible. Thanks to my USMS internship experiences and contacts, I am now highly interested in becoming a deputy U.S. Marshal in the future. Furthermore, I highly recommend the USMS internship program to anyone interested in working for a federal agency, especially in the areas of law enforcement and torts.

An EPIC Summer



by Mark Pike

Have you Googled yourself lately? It's OK. Go ahead and do it. In fact, the Office of Career Services highly recommends that job applicants conduct a web search in order to make sure that their online personas are squeaky clean, and void of any

Fall From Grace photomontages.

From Facebook, to Gmail, to eBay, and the iPhone, the Internet is becoming increasingly omnipresent in our daily lives, but we have only just begun to understand the implications of a continuously "connected" life. All too often we read news stories about sensitive personal information being accidentally leaked by irresponsible companies, significantly compromising consumer rights and privacy. And, as a matter of public policy, America is currently aiming to find a comfortable balance between protecting civil liberties and using technology to defend homeland security.

As a summer clerk at the Electronic Privacy Information Center (EPIC), I had the chance to learn about the exciting intersection of

Internet law and policy, a very nascent field that is rapidly gaining a lot of attention on Capitol Hill and in academic circles.

EPIC is conveniently located in downtown D.C., so I had the unique opportunity to attend congressional hearings and policy meetings in our nation's capital and learn directly from experts on a variety of topics.

In June, I researched and helped draft testimony titled "Protecting the Privacy of the Social Security Number from Identity Theft" for my supervisor to present to a congressional subcommittee. In addition to making my first congressional cameo (on TV just behind Sen. Schumer), I learned a lot about the risks involved with the misuse of Social Security Numbers for identification purposes.

Here at William & Mary, the

first password I received from the IT department was a combination of my last initial and the end of my SSN. And, in addition to that, the gym has biometric data from my thumbprint. Also, I just got an email last week with a spreadsheet of everybody's healthcare policy and their W&M Student ID number. This isn't a science fiction conspiracy theory. Identity theft topped the Federal Trade Commission's complaint list for the seventh year in a row as it continues to cause billions (with a B) of dollars of damage a year. This is real.

The most high-profile project I worked on this summer was researching the proposed merger between Google, the world's largest search engine, and DoubleClick, the world's largest purveyor of online advertis-Continued on pg 9.

The Advocate 9

More We Know What You Did Last Summer...

My Summer at the Newport News City Attorney's Office



by Lauren A. Hughes

This past summer, thanks in part to a generous grant from PSF, I had the opportunity to work as an intern at the Newport News City Attorney's office. The Newport News City Attorney's office has nine attorneys, and they do mostly civil work. The office is entirely client-driven, meaning that the work the city attorneys do stems pretty much entirely from requests and problems encountered by the city's various departments. So, for example, when the police chief had a time-sensitive concern about the ADA, he asked one of the city

attorney's for advice. That attorney then directed me to research and write a memorandum, and later that week I got to meet the police chief himself and present my recommendations to him.

The client-driven nature of the office essentially meant that my assignments required me to research and write on a wide range of legal topics. Consequently, over the course of eleven weeks, I answered a question about the type of interest that could be applied to a promissory note a business owed the city, addressed a "Clean Water Act" question relating to storm water drainage, and traced the legislative history of Virginia's Community Services Boards. I was also assigned to research some constitutional law questions-about seasonal religious displays and the Establishment Clause, about Virginia's adherence to the Dillon Rule and its effect of limiting what city governments can do, and whether the civil remedial penalties for Virginia drivers only, as outlined in the Hampton Roads Transportation Authority Act, violated the

Equal Protection Clause.

The city attorneys really emphasized learning by exposure, and so I was invited to attend and observe depositions, client meetings, city council work sessions, zoning and planning sessions, bankruptcy court, traffic court, and Juvenile & Domestic Relations Court ("J&DR"). Court. In fact, at 9:00 a.m. on my very first day of work, they let me go observe their youngest attorney, a Marshall-Wythe alum from the class of 2005, representing the Department of Social Services (now the Department of Health & Human Services) in J&DR Court. That attorney's docket was every other Tuesday, and I made it a point to attend as much as possible so I could see a variety of permanency planning hearings, foster care reviews, and emergency removals.

Ultimately, I developed some-

what of a love-hate relationship with the J& DR Court. I found that some days the cases on the docket were fascinating and empowering, other days they were frustrating, and some days they were downright heart-wrenching. While I cannot offer any specific anecdotes of my encounters there because of confidentiality concerns, suffice it to say that I often found myself thinking that some of the parents I witnessed in the courtroom made Britney Spears seem like a great mother and role model! In all seriousness, though, J&DR court was an eye-opening experience. My exposure to J&DR court solidified my resolve to take an elective course in family law this fall semester, to do GrF research for a family law professor, and to get involved as a CASA advocate or guardian ad litem upon completion of law school.

An EPIC Summer

Continued from Pg 8.

ing. The summer clerks helped submit supplemental materials to the FTC as they investigate the anticompetitive practices and privacy concerns in the \$3.1 billion dollar merger. Between DoubleClick's ability to reach an estimated 85% of all Internet users and Google being the search engine of choice for more than half of all Americans, the amount of data this joint entity could collect about consumers is astounding. After AOL's data breach last year revealed the search habits of over 650,000 supposedly "anonymous" and "non-identifiable" users, it would be prudent to pay attention to these privacy concerns. I don't think anybody wants to the world to know what they're searching for online during a Van Alstyne first amendment class.

In addition to the projects on Social Security and Google, I got to explore several other contemporary privacy issues. I prepared and drafted comments to federal rulemakers to reject the use of "vicinity read" radio frequency identification technology in passport cards, because of substantial privacy and security risks. I helped edit chapters on international privacy law for the annual publication Privacy & Human Rights. And, I filed a Freedom of Information Act request and drafted a letter sent to the Secretary of Defense inquiring about the U.S. military's collection of Iraqi citizens' biometric data in an effort to help prevent genocidal violence.

It was an honor to represent William & Mary School of Law at this summer program and demonstrate that even one of the world's oldest law schools is in touch with the 21st century. I plan on continuing to work in the field of technology and policy, and I believe my clerkship at EPIC put me on the right path to finding an enjoyable career as a public servant.



Wednesday, October 10, 2007

The Dark Side of Marshall-Wythe: a 1L's Perspective

by Mike Wakefield Contributor



I've only been here a month, but what a month it's been. Most things have been really great here, but some things kind of tick me off. Allow me to rant.

Sketchy 2Ls and 3Ls Hitting on 1LGirls: You Studs!

"Hey, you must be a 1L. I just got back in town from my lucrative internship. You can come over after last call tonight to get my torts outline if you want..."

Seriously, shooting fish in a barrel must be very satisfying for you. However, I bet it would be even cooler (if that's possible) to hang out in the local high school parking lot after cheerleading practice.

To the SBA: Sic Semper

Tyrannus

Like most 1Ls, I was disturbed to learn within the first two weeks of school that the SBA "disenfranchises" our student body. Sarah Fulton, how could you do this to us? Don't you know that evil tyrants almost always get their asses handed to them by spirited patriots such as Russell Kennedy-Crowe, Mel Eugene-Gibson, and Luke Quincy-Skywalker?

If the Founding Fathers were alive today to witness such an attack on our freedoms...well...I suppose they wouldn't care. I don't know if the disenfranchisement argument has any merits, but I do know that it took approximately two seconds for me to remember I had more important things to worry about. Let's save the grandiose language and quotes from the U.S. Constitution for issues that actually matter...like getting more trail mix in the snack machines (hint, hint, SBA).

I forgot where I was going with this rant, but I think the conclusion was somewhere along the lines of this: It should be a rule in law school that you can't express your opinion in more than a hundred words unless it's super-important or super-funny.

SBA Elections: They Suck

After weathering my first SBA election, all I can ask is, how do you put up with that two times a year? I should first admit that I ran myself, and I shamelessly solicited with posters and flyers in your hanging file like everyone else. So from the perspective of a candidate, I can say that it was almost unbearable having to deal with the hyper-competitiveness of 13 other politicos.

From the perspective of everyone else, how did you not punch me in the face? Seriously, I was only pretending to be that important. I wouldn't have even cared. I doubt I'll run again but if I do, let me know what kind of cookies you like.

Out-of-State Graduate Fellows: Leeches

I was unlucky enough to have lived in Virginia the past 22 years and not get to take part in this scam.

grad fellows get in-state tuition plus a stipend to rake leaves and sit at desks in the library? I did that when I was 14 for \$5.25 an hour. Administration, if you are reading this...please pay me \$100 an hour to sit at a desk and do my homework.

Lexis/Westlaw: Who Needs Trees?

Do you really need to print out the 100-page opinion of some case that you could just as easily e-mail to yourself and read on the computer? Don't get me wrong, I enjoy laying waste to the environment like any other good Republican, but seriously, you Lexis/Westlaw robber barons are all that is wrong with the world. If global warming wasn't a myth, it'd be your fault.

Green Leafe: Bestest Ever

I've been to some terrible, run down college bars in my lifetime and this place is the worst.

I'll see you there this weekend.

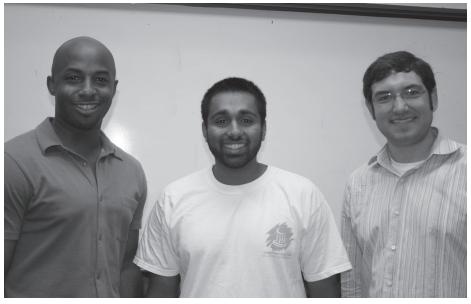
Marshall-Wythe Student B-LAW-GS

Meet the New Kids on the (SBA) Block



On Thursday October 4, the SBA's new 1L representatives introduced themselves (and their ideas) to the 1L class at a "Town Hall Meeting." This week the B-law-gs will introduce the rest of the law school to the 1L representatives in a seldom-seen more serious edition. (I promise this will never happen again and *The Advocate* will continue to write half-truths, make fun of more law students, and feature Shana Hoffstetter.)

Chris Rey, a graduate of Walden University in Baltimore, Maryland, is the representative with the most traditional student government experience. He was a member of the student senate as an undergraduate. Rey decided to run for the student representative position because he has had other political experience in undergraduate and had a lot of experience working with and integrating other organizations. In the years between graduating college



Pictured left to right: Chris Rey, Meezan Qayumi, and Zach DeMeola. Photo Courtesy of Whitney Weatherly.

and coming to law school Rey was a signal officer in the military. He worked on building the communication infrastructure in Iraq.

Although Rey has the most experience in student government, he says that his fellow representatives, Zach DeMeola and Meezan Qayumi are actually the ones showing him the ropes. DeMeola, a History and International Relations major from University of Pennsylvania, was a Budget Council Representative in

undergraduate. However, his past student government experience was not his motivation for running for 1L representative. DeMeola was a paralegal for a few years and decided he wanted to become a lawyer. As a result of his real world experience, he has a lot of ideas for outside class events and activities. DeMeola knew that the SBA was the perfect outlet for his ideas. For example, DeMeola wants to host a panel discussion featuring current law students and

alumni that can offer perspectives on their various work experiences in order to aide 1Ls in their job search.

Qayumi graduated from UNC Chapel Hill two years ago with a major in Economics. He brings the "fresh perspective" to the SBA. He has no prior student government experience, but he has people experience. He worked in corporate and community relations for the New York Yankees before coming to law school. He decided to run for 1L representative after getting to know a lot of people in the law school. He saw that it was a small community in which he could make a difference.

The 1L representatives have hit the ground running and are already getting involved. They have been helping to deal with the much maligned parking problem and also on getting outside food vendors into the law school. They have also been working on planning a tour of Colonial Williamsburg, the main campus, and a wine tasting.

Rey, DeMeola, and Qayumi are open to new ideas and would welcome any input from students.

The Arts Brief

Look to this space each week for the more "cultured" side of The Advocate

"Observance" at the Andrews Gallery

by Jenny Kane **Arts Correspondent**

Facts:

Adjacent to the Muscarelle Museum on the W&M campus in neighboring Andrews Hall is the less known, and aptly but unoriginally named, Andrews Gallery. This October 1-26, the gallery hosts an exhibition of painting, printmaking, drawing and sculpture by two visiting Art faculty, Jason Lanka and Naomi Chung. The exhibition's title "Observance" seeks to draw upon the dual meaning of the word as "an act of perceiving one's surroundings" and "an act of honoring or partaking in a ceremonial ritual or reverence." According to Lanka's artist statement, his pieces serve as "lenses" through which the viewer can understand the artist and man's relationship to his environment. Lanka sees this relationship as "fragile yet essential" and notes that his "totemic" art objects ask the question: "Am I of the land or in the land?" Similarly, Chung also finds her inspiration in nature, as she says each of her pieces begins with "an open-ended idea" and follows with her "loose handling" of her materials. She describes her process in the terms of beach erosion, as she builds up deposits of paint only in order to "scrape some of it down, wash parts of it away, and build it up again." Chung also emphasizes her reliance on abstraction in her work as a means to involve all of the senses beyond sight and to suggest that "there is always something unseen" in her images.

Procedural History:

Since 1977, with support from the College, the Andrews Gallery has featured between eight and twelve small exhibits each year, including unique because it is located in the





ABOVE: Print by Naomi Chung

LEFT: Sculpture by Jason Lanka

Photos courtesy of www.wm.edu

the work of regional and national artists, as well as students and faculty. The Gallery, coordinated by Brad McLemore, also serves a pedagogic role, allowing students the opportunity to display and view art pieces in many of the media taught and learned in the W&M Art program. For the greater community, the Gallery offers a space for everyone and anyone to get their art fix.

Is it worth the walk or drive over to main campus to check out "Observance?" Does the exhibition really deliver the profound metaphysical punch it seems to hope?

Holding:

Yes, take a break from the library and go see some art at the Andrews Gallery, even if you will not necessarily leave with a greater understanding of the intersection between society and nature.

Reasoning:

The Andrews Gallery space is

same building as the College's visual arts program and student studio spaces. From the moment you enter the building, you may nearly step on the student sculpture displayed on the lobby floor. With this proximity to the making and casual display of student work, the Andrews Gallery manages to uphold some of the formality of a serious gallery space, while it also maintains a certain rawness, which makes the viewing experience userfriendly and relaxed. This is not Chelsea, after all. "Observance" features a seemingly obvious pairing of two nature-inspired landscape artists, but still manages to be thought provoking. For the most part, I had a hard time determining what was abstract about Chung's work, in particular her almost miniaturist color etchings of flowers, fields and grass. There are, however, a few pieces, including a woodcut entitled "Night Sea" (1998) that embody the mysterious and "unseen" aspect of the natural world Chung describes in her artist statement. Even Chung's oil paintings, such as "Blue Spring Rain" (2007), which are really the only source of non-muted, neutral color in the show, are more quaint and "pretty" than profound. It is not hard to imagine Chung's work on display in a furniture showroom. In agreement is Thos. Moser, the cabinetmakers, who recently commissioned Chung for their Georgetown location, as well as Williams-Sonoma, another home store where Chung has also sold work. Chung's soft lines and thick paint texturing stand in strong contrast with Lanka's sculpture and drawing.

While both are minimalists in their own ways, Lanka's use of natural material as his medium is striking. The space that his larger, freestanding sculptures occupy in the center of the gallery's larger room engages the viewer in a way that Chung's paintings and etchings cannot. In particular, my favorite piece of the show is Lanka's large drawing entitled "Linens" (2007) that he used charcoal, graphite, tar, linseed oil and chalk to create, and which appears to depict a series of large tires suspended from a clothesline. Given the materials, the drawing serves as a reinterpretation and deconstruction of childhood sidewalk chalk. "Plumb" (2007), one of Lanka's sculptural pieces, hangs suspended upon entrance to the gallery, and looks like a massive hornet's nest made from elegantly wrapped concentric band saw blades. Lanka's other featured sculptures "Husk" (2007) and "Leonard" (2006) mimic many of the same noose-like patterns of rope and material in different contexts. By the end of my experience of Lanka's work I have no answer as to whether I am of the land or in it, but I know I want to see more.

Innocent Until Proven Lame: Teaching a Lesson



Faculty members at Marshall Wythe are in a unique position. They can observe the ridiculously frantic behavior of the law students who they are charged with mentoring, while most can also draw on their

own experiences in attaining a legal education. It is this dual role which allows them to offer valuable insight into avoiding the annoyingly uptight activities in which law students generally revel. This wonderful vantage point led me to seek out as many faculty members as possible, begging them to relay harrowing tales of law student insanity, both from students they have taught and students from their law school days. After many days of hunting down professors in the hall, accosting them in their offices, and impromptu inquisitions into the next stall in the bathroom, I convinced several faculty members to dish the dirt.

Professor Barnard, currently teaching courses on securities regulation, recalled one student who wanted to ensure that her focus was entirely on the final examinations in front of her. She wore the same shapeless grey sweatsuit for two weeks straight, because she did not want to waste

time making fashion decisions. At the conclusion of the exam period, the student burned the sweatsuit.

Another faculty member at William & Mary once received an application for employment when he was working in the legal field. The applicant's grades were not strong, so he felt the urge to explain his shortcomings in a typed note, displayed on his transcript. The note read something like this: "Dear Employer, Continued on Pg 12.I'd

Wednesday, October 10, 2007

The 3LT Exposed! Behold the Inner Workings of the Most Exclusive Facebook Group, Ever

For those of you who read my column, it's obvious that the vast majority of what I write is complete fabrication. However, this week's column is based on and inspired by both actual people and events and, frankly, ought to be in the News Section.

It's the journalistic scoop of the century! What you are about to read is a juicy exposé of one of the most reclusive, secretive, and mysterious student groups that Facebook and Marshall-Wythe have ever seen. I'm talking, of course, about the 3LT.

Formed within the deepest bowels of Facebook.com's group privacy settings, the 3LT is a cabal of female law students who single-handedly decide which boys are hot, and which boys are gross. Membership within the 3LT via Facebook is strictly invitation only, ensuring that only girls with the most refined tastes may judge individual hunks on the merits. Even if you find the group, it is impossible to request to join, and it is impossible to see the existing membership. The 3LT is that exclusive. Again, I cannot stress enough that this is an actual group.

The lucky boy toys who obtain the 3LT's approval bask in the glory of their dreaminess, while those who don't (this author included, psh) must live with the knowledge that they are physically mediocre in the eyes of complete strangers. Thus far, the 3LT has anointed four males with hotness: Kyle Bahr, *James "Jacksy"*

Lame

Continued from Pg 11.

like to explain my grades from my first and second years. I suffered from Irritable Bowel Syndrome. The problem is clearing up, though (no pun intended)." Apparently, law students have no pride when it comes to securing employment.

One of our corporations and property gurus, Professor Kades, shared a story from his first year of law school. In his first semester, he stood in the hall with a friend, ripping on a professor and bragging that he was skipping this professor's class to visit his girlfriend. Suddenly, his friend adopted a strange, panicked expression, and the professor who Kades was trashing walked past. That day, Kades was called on in class, and the professor decided to recite

by Rob Thomas
Features Staff Writer



Bilsborrow, Nathan Pollard, and Eric Topor. The name 3LT itself means "3L Triumvirate"...which makes perfect sense since it refers to four guys. I had the chance to sit down with the four of them to obtain a first-hand account of how they were blessed with such fortune.

The saga began on an unseasonably cold night this September. Kyle was leaving the law school after grading some Legal Skills memos. Jacksy had just wrapped up a round at the batting cages in preparation for next year's softball season. Nathan and Topor were high-fiving each other outside the gym in celebration of a good workout. At each of the three locations, a black, unmarked van abruptly pulled up alongside the unsuspecting males, and masked figures threw black hoods over their heads. The unknown captors dragged the guys into the vans and then drugged each of them with a rag soaked in ether.

When the guys woke up, they found themselves in a huge room shaped like a pentagon. In front of them sat about five or six females, their faces shrouded in darkness.

his mandatory attendance policy. For the rest of the semester, Kades was extremely well-prepared but was never called on. He learned that one should always talk junk about professors out of earshot.

Dean Kaplan, of infinite career placement and advancement knowledge, told a tale from his time in law school. Each of the law students received a book with the faces of their classmates, divided into different sections. Some students decided to create a Bingo-esque game, where one purchased faces of different students and could cover his or her face in the book if he or she made an obnoxious comment in class. Of course, the winner had to stand up in the middle of class and shout "bingo." And that is exactly what happened one day... except that the winner was a professor, and his final game piece was a student in his class who had just Once the mysterious females stopped giggling and whispering, they informed the guys of the existence of the 3LT and its stated purpose: To talk about hot 3L boys.

Punctuated with giggles and sighs, the girls proceeded to sing the boys' praises. They noted how they daydreamed of Jacksy's softball performance during CivPro. They glorified Nathan's affable personality and pearly whites. They marveled over Topor's immense muscular stature. And they positively swooned over Kyle's baby-blues and extensive knowledge of Client Amatters. They closed the strange evening by telling the guys to go in peace, safe in the knowledge that the ladies of the 3LT would totally hook up with them, given the chance.

I asked each man for his reaction to receiving such a distinctive honor:

Topor: "Never in my wildest fantasies did I imagine this would happen to me. I just hope this honor doesn't go to my head and spoil my sweet and unassuming disposition, which is one of the things the 3LT girls said was the total hotness."

made a ridiculous comment.

The final story comes from our fearless Legal Skills leader, Professor Moliterno. One year, a fact pattern for Client E in Legal Skills involved a U.S. company selling a device through its wholly-owned Italian subsidiary to an Iranian company. The students researched the legality of the situation and wrote up an excellent memorandum on the subject. Only one of the students had been in touch with the faux client, and he, unfortunately, went out of town. In his instructions to his fellow student, he asked the student to deliver the memo to the client in a "gated community." The student thought this referred to Kingsmill, but the client actually lived in Ford's Colony. When the student talked to the security guard at Kingsmill, he was not allowed in but assured the student the letter would be delivered.

Nathan: "Once we all left the 3LT's meeting chamber, the champagne started flowing. Just to be thought of is an amazing honor, but to be considered among such a group of male hotties...well, I'm probably the luckiest man alive...besides Sisqo."

Jacksy: "I really do compare this feeling to winning an Oscar. First, I'd like to thank God, without whom I wouldn't be so hot. I'd like to thank my parents for giving me such good genes and, and, oh I don't know, I'm just so overwhelmed right now! This feeling is indescribable! I'm walking on air!"

Kyle: "Ten years ago, when I left the family sugar beet farm in Kansas, I had a burlap sack of clothes and a dream. The clothes weathered and faded with the slow passage of time, but the dream, *dabs eyes with handkerchief* the dream stayed alive. Now that it has finally come true, I've realized it has all been worth it. *Pauses to collect himself* To all the critics and haters out there who thought I could never make it, has the 3LT recognized you? Didn't think so. Sit down."

And so, dear readers, should mysterious strangers throw you in the back of a van and drug you, realize that it is your lucky day! Rather than being a likely murder victim, you are officially a total catch in the eyes of a handful of 1L girls in a super secret Facebook group that nobody else can see. Cheers!

When he determined the recipient did not live in his neighborhood, the Barney Fife-like guard opened the letter... and alerted the FBI when he read its contents. An FBI agent actually tailed the student for three days, before Gloria Todd put him in touch with Professor Moliterno, who assured him that Legal Skills is not to be taken that seriously. Thankfully, no one was taken into custody, but it is nice to know that our fact patterns could have potential national security ramifications.

As you, the reader, can undoubtedly see, our faculty members at Marshall Wythe have many insights into the crazy world of being a law student. And their stories can be curiously entertaining. And that, my friends, is the best reason I know to actually listen in class.