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IBRL To Host Conference On Second Amendment

Examining whether the Second Amendment has any meaning in today's world is the topic of a half-day conference at William and Mary Law School Friday, January 24. The conference will assess H. Richard Uviller and William G. Merkel's book, The Militia and the Right to Bear Arms. The conference will be held at the William and Mary Law School on South Henry Street from 2 to 4:30 p.m. and is sponsored by the Institute of Bill of Rights Law.

Arguing that the type of citizen militia referred to in the Second Amendment no longer exists and no lineal descendant can be found on the present landscape, Uviller, from Columbia Law School, and Merkel, of Oxford University, claim that the Amendment has nothing to contribute to the debate on gun control.

With voice of the Constitution stilled by military evolution, Uviller and Merkel would leave questions of the appropriate level of liberty and control of guns in private hands to the wise judgment of the legislatures of the several states and the Congress.

In addition to the authors, other legal scholars will add their assessments: Randy Barnett, Boston University School of Law, Paul Finkelman, University of Tulsa college of Law, Sanford Levinson, University of Texas College of Law, and Jonathan S. Simon, University of Miami School of Law.

The conference is free and open to students and to the public. For more information, contact Melody Nicholas by e-mail at ibrl@wm.edu or in person at the Institute of Bill of Rights Law Office in the law school's North Wing, second floor.

Tarley & Flanigan's turkey basket (center) won first place in the Black Law Student Association's Thanksgiving day charity contest.

SBA Trip Overwhelming Success

Fun and near-death experiences shared by all

The announcements were innocent enough... "SBA Ski Trip - January 10th" Who knew what adventure lay beneath the surface of such a seemingly harmless invitation? Some 51 brave law students succumbed to the pleas of SBA representative Justin Hargrove and enlisted for the trip, and a Pandora's box was opened at noon this past Friday as the bus barreled westward on route 64.

We left Williamsburg with high spirits, full coolers, and eager anticipation. Several hours later, with even higher spirits and empty coolers, our anticipation had been replaced with sheer terror as our chariot charged into West Virginia greeted by blustery winds and falling snow. Our bus driver, George, appeared unaffected by the conditions which inspired our collective fear. He straddled the thin line between courage and insanity as the divided highway turned into a winding country road.

The air was thick with testosterone as thirty alpha-male law students, in a vicious display of brute strength and masculinity, proceeded to will one Lexus coupe out of the path of danger after it veered off a snowy and icy West Virginia road and was almost rear-ended by our bus. Meanwhile, our own William Lamberth proceeded to direct the seemingly endless train of obstructed vehicles that had accumulated as a result of our brush with death. Fortunately, our men returned from battle bearing only minor injuries, mostly due to inebriation and bearing no relation to the displaced vehicle.

We finally arrived at our condos and settled in. The next morning we awoke to find that the storm from the night before had actually been a blessing in disguise, resulting in some of the finest skiing conditions ever to hit West Virginia. After a full day of skiing, snowboarding, falling, and watching football, the students found themselves in need of libations and more libations. With the Green Leaf a harrowing six hours away, we were forced to take refuge in a local establishment known simply as "The Connection." The musical stylings of 'Peep Show' paled in comparison to the normal medley of Van Halen, Def Leopard, and Warrant found in...
Meet Prof. Tortorice

by Marya Shahriary

1) What's your favorite word? My favorite word is a phrase "can do." One of my sage mentors once said people can be divided into two groups, those who do and those who don't.

2) What's your least favorite word? Problem.

3) What's your most vivid childhood memory? I was about five years old, in the town where I was born in Louisiana which is so small it isn't shown on some maps. I followed one of my cousins and his friend who were riding bikes into town and when I could no longer follow them I discovered I was lost and I went into a bar, climbed up on a stool, and asked for a hamburger and a bottle of beer. Everybody laughed and I felt absolutely humiliated even at that tender age. The bartender called an uncle who came and got me. They gave me neither the hamburger, nor the bottle of beer.

4) When you were a child, what did you want to be when you grew up? A professional football player. Like my then hero Billy Canon, who later became a very tragic figure.


6) What's your least favorite smell? Paint

7) What other profession would you like to try? Emergency Room Physician.

8) What other profession would you NOT want to try? Professional boxer.

9) If you have a tattoo, what does it say (or depict) ... if you don't have one, and decided to get one, what would it say (or depict)?

I really shouldn't answer this question because I told my sons that if they ever got a tattoo, I would take it off with a spoon. I really shouldn't answer this question because I told my sons that if they ever got a tattoo, I would take it off with a spoon. A tattoo, I would take it off with a spoon. Everybody laughed and I felt absolutely humiliated even at that tender age. The bartender called an uncle who came and got me. They gave me neither the hamburger, nor the bottle of beer.

10) What's the best thing about your job? What's the worst thing about your job? The best thing is the robust application of ethics to life and the search for the best middle ground among competing schools of thought. The worst thing is that my office is sometimes like a sauna.

11) If you could talk to one person living or dead, who would it be? Jesus Christ of course, because I would like truly to explore the depth of his commitment to pacifism and I would like to find out what he thinks of practices that are being undertaken in his name today.

12) What's one little known fact about William and Mary School of Law that everyone should know? Probably that it was closed after the civil war then didn't re-open again for about fifty years. Did you know that?

13) If you could appoint the next three Supreme Court justices, who would they be? Professor and former Dean of the California Berkeley School of Law, Herma Hill Kay, Marjorie Rendell, who is now a judge in the United States District Court for the Third Circuit, and John E. Donelson.

14) Professor Marcus' question: 50 years from now, which current Justice of the United States Supreme Court will be most admired? Justice O'Connor.

15) Now you have a chance to pose a question to the next faculty member to answer this questionnaire.

Professor Marcus' question: What one most important thing should be done to improve this law school?

Questions borrowed heavily from Bravo's Inside the Actor's Studio's Bernard Pivot Questionnaire and the National Journal's Media Monitor spotlight questionnaire. A few actually conceived by William and Mary law students.

Welcome back from winter break!

House of Haiku

by Jeff Span

How grades affect the 1L spirit:
Wither the ego;
Constitutional crisis,
Blame it on the cold.

A Ditty about Jack & Diane:
Enforceable marital contract?

Shivering he said,
"Facio ut facias."
Her fingers crossed.

From all of us here at the Amicus...
William & Mary's Version of "Electrical Storm"

Administration handled freak "Electrical Storm" well, except for closing school

by Tim Castor

Although Bono has been rumored to frequent small towns that offer a variety of wonderful knick-knacks to the would-be tourist, my sources tell me that he has not visited Williamsburg since Marv Levy took his coaching skills elsewhere (and you wonder why there are buffaloes on the cover of U2's latest anthology).

Yet, for reasons more bizarre than the sight of a human being racing a giraffe (I guess Fox had to fill a time slot, considering the production of When Tuna Salad Sandwiches with Lettuce and Extra Mayo Attack XIV! is a tad behind schedule), we recently witnessed an electrical storm in Williamsburg.

Okay, it was technically what the experts in the business call a "power outage," but the phrase "electrical storm" acts as the glue that keeps this article together and sounds cooler than a scene from the Matrix (Whoa! I cannot believe I just said that.). Thus, I am sticking with the phrase "electrical storm" for the duration of this article, so those of you who are married to the phrase "power outage" had better pay your fare and step off the bus right now (it is probably worth mentioning that one of my New Year's resolutions is to abstain from making gratuitous Speed jokes).

Given that we have democratically decided to forge ahead with the phrase "electrical storm," I wanted to turn to an analysis of the administration's handling of our recent electrical storm. Overall, I felt that the administration dealt with the problem rather well, for it is not every day that an institution is faced with an electrical storm resulting from a renegade law student's decision to install an industrial-sized microwave in one of the library carrels. Although this electrical storm was quite a surprise to everyone (except for the installer of the microwave, who happens to be a descendant of Nostradamus' baron), the administration acted swiftly and in good judgment by temporarily allowing classes to continue. This course of action enabled professors to impart words of wisdom upon their students without fear that IM conversations would prevent knowledge from making the successful journey from the professors' mouths to the students' brains.

While I generally support the manner in which the administration dealt with the electrical storm, I must say that I frowned upon the fact that it eventually chose to close the school. Now, I realize that the Williamsburg police may have twisted the administration's arm a bit (without reading the administration its rights), so it is possible that the school had little say in the decision to shut down the building. However, had the administration presented the police with certain alternatives to closing the school, I tend to think that the police would have allowed one of these alternatives to be implemented. For instance, in order to ensure that the law school building was properly lit, specially scented candles could have been scattered throughout the premises. Although candles that smell like lilacs or dewy meadows on an April's morning are quite nice, these scents are not appropriate in a law school setting. To best represent the essence of law school, the candles placed in the building would have scents of dusty old books that no one has touched since Michael Jackson had a face, over-priced leather that is not really as cool as people think it is, and wrinkled dollar bills that have been exiled from every Coca Cola vending machine built after 1972. By placing these candles in the law school, classes would have been able to continue until the fire department arrived to extinguish an unforgettable fire (Here is one of life's great mysteries: how are firefighters able to slide down that pole if their firehouse is only a one-story building?).

Another alternative to closing down the school would have been to distribute specially designed flashlights to everyone in the building. Upon trudging through the malls in the hopes of finding the perfect present for my mom's Christmas present, I recently noticed a gadget that consisted of a flashlight and television. This contraption could have been the device given to individuals to light their way in the law school building, for it also would have allowed them to simultaneously enjoy their favorite soap opera (it is rather unfortunate that the shampoo bottle has never attained the status of its more televised cousin). While adequate, this flashlight/TV combo would not have best suited the needs of the typical law student. Rather than giving a student a flashlight equipped with a television, the law school would have best met the needs of its student body by distributing flashlights that featured an aspirin bottle, Mr. Coffee (again, Mrs. Coffee has yet to experience the success of her estranged husband), and a ten dollar gift certificate to the local joke store.

While the aforementioned courses of actions are merely my humble suggestions, I strongly believe that they are the appropriate strategies to employ when the next electrical storm comes to town. Until then, I guess I can only continue to ride this bus of mine, in the hopes that I will find what I'm looking for: a television producer who will back my newest shampoo ballet: Pert and Pantene Get a Nutcracker for a Wedding Present.

On second thought, maybe I should keep the bus above 50 miles per hour and drive right on past the television studio. So much for that resolution thing.

SBA Ski

Continued from p.1

our favorite pub. We drank, danced, drank, laughed, and drank our way into the wee hours of the morning. A few hours after we finally called it quits, as the William and Mary law students nursed their sore bodies and raging hangovers with water and Tylenol, Bob Maylor was knocking on doors, making rounds, collecting keys, and leading an exhaustive search for George.

Sunday brought another full day of skiing for some, and a day of recovery for others. After he was finally located, George made up for lost time by setting new land-speed records across state borders, getting us home in a mere five and a half hours (including a break for dinner and with no stopping for gas). So here we are, back in one piece, no worse for the wear, and anxiously awaiting the next SBA adventure.

After all is said and done, special thanks must be given to the dynamic duo, Justin Hargrove and Rob Maylor, for putting this whole thing together and showing us all a good time. We also have to thank George "I may not know a lot about the law, but I do know about safety" Cutter.
Negotiation & Client Counseling Board Announces Two New Contests

by Amicus Staff

Negotiation and Client Counseling Board Announces Two Competitions

The NCCB will have two competitions this spring that are open to all law students that are ABA student members and have joined NCCB. Participation and/or success in each of these tournaments is a fantastic resume builder and an excellent way of improving your practical skills and experience.

The client counseling competition will be held Friday, January 31st at 3:00. Registration is required by 1/23. The mediation competition will be held Friday, February 7th at 3:00. Registration is required by 1/30.

Both competitions will be team events, so competitors should register with a partner. Individuals without a partner will be randomly paired by the NCCB board. The winning teams will be able to compete in the Regional Competitions in North Carolina.

There will be an Info session for both competitions on Tuesday, January 21st, at 4:30 in room 124. At the session, important details about the competitions will be discussed and a mediation demonstration will take place. Keep an eye out for an NCCB table in the lobby on January 21st starting at 10:00 am. We look forward to having a good turnout for the Info session and both competitions.

If you have any questions, contact Laura Wright at llwrig@wm.edu.

Rules: Study the picture above carefully. The first student to email the Amicus with the names of all the people in the photo still employed by William and Mary will win a $10 gift certificate to the Cheese Shop.

Amicus email is amicur@wm.edu
New Grisham Summons Fishy

by Marie Slesseger

It is with some hesitation that I admit I read the entire thing. And since it’s not readily apparent that the editors did, nor the USA Today reviewer who writes the blurs on the front and back covers, I may be in scarce company. The simple fact of the matter is that John Grisham’s latest legal thriller, The Summons, should have been left to rot on his hard drive.

The plot is about as shallow as a kiddie pool and Grisham’s characters slosh around in it with all the grace and agility of three-year-olds. It goes something like this: somewhere in small-town Mississippi, an aged and ill former chancellor has stashed $3 million in cash of dubious origins, thus setting in motion ah latest legal thriller, The Summons.

It is with some hesitation that I may be admit I read the entire thing. And the hidden jackpot after receiving the editors did, nor the unfortunate and uninspired string of events. The judge’s UVA Law one of Judge Atlee’s famous family origins, thus setting in motion ah latest legal thriller, The Summons, Grisham feels compelled to give us 370 more.

Ray is a problematic character, mostly because of what’s not written about him rather than what is. He discovers the money, loads it into the trunk of his Audi sports car, vows to get to the bottom of it (with a few sanctimonious exclamations that he will seek out and return it to its rightful, if likely unscrupulous, owner, none of which he ultimately acts on), and proceeds to drive all over the South to escape the criminal element in pursuit of him. That’s about all we learn about Ray. Oh sure, we learn that he’s recently divorced, likes to fly small prop planes, and has an addict brother, but Grisham never gives us any reason to care about what happens to him. We don’t know him, we quickly start to not like him, and by the end of the book, we have this vague notion that he got exactly what was coming to him, but we don’t really care enough to feel sorry for him for having learned such a hard lesson.

As any good mystery writers worth their salt will adamantly refuse to admit, mysteries are formulaic. The trick, and the solemn task of the would-be Agatha Christie, is to conceal that bitter reality with a cleverly spun story sprinkled with three-dimensional characters and, preferably, a little plot twist on the side. In The Summons, Grisham fails miserably. The problem is not merely the utter predictability of the story—any devoted reader of mysteries can solve the whodunit element of the story within the first 50 or so pages, but that’s the nature of the beast. The thrill of the thriller is in the way in which the author unfolds the story, and it is this aspect of the genre that Grisham seems to have forgotten.

Perhaps Ray put it best: “I’m not sure what I had planned. It’s kinda hard to think clearly when you find your father dead, then you find three million bucks in cash, then you realize somebody else knows about the money and will gladly kill you for it. These things don’t happen every day, so forgive me if I’m a little inexperienced.”

Like his bewildered constant Ray, Grisham seems never to have had a plan (other than to get some copy to his publisher). But the inexperienced defense just doesn’t hold water for a man who’s produced nearly a novel a year since 1989. He should have it down to a science by now. Or maybe that’s the problem.

Features

A. Carroll's: Drink away your GPA

Continued from p. 11

option for students.

Finally, A. Carroll says the beauty of owning your own business, is that you can be flexible enough to take staff and customer recommendations without too much hassle. Just like in corporations, she is the majority vote. So if you make a good pitch your recommendations could end up on the wine or martini list or even the menu the next time it’s changed. (But remember.. she once was a lawyer too.)

Great on sophistication, bad on price but when you are racking your brain for something a little different to do, or some way to impress somebody, or just to pretend you are an educated adult, this is the place to go. But, make sure it’s either drinks and free live entertainment or go after you have cashiered in the advance on your summer internship. May every martini help you raise your blood alcohol content and your GPA or help you forget them both in the passionate embraces you may receive when you take your date home.
Michael E. Toner is a dyed-in-the-wool Republican and makes no bones about it. He worked on the Dole-Kemp campaign for the presidency, the Bush-Cheney 2000 Presidential Campaign, was General Counsel to the Bush-Cheney transition team and was the immediate past Chief Counsel to the Republican National Committee. He’s also a new member of the Federal Election Commission (FEC).

And that’s exactly the way it was meant to be, said Toner to a group of law students. Friday, October 18, 2002, the Institute of the Bill of Rights Student Division hosted a brunch with Michael Toner, Bush appointee to the FEC, on the topic of “Campaign Finance Reform.” For over an hour in a casual back-and-forth exchange, he described the FEC, the work it does, and told some personal experiences.

The FEC is an executive branch agency, set up in the aftermath of the Watergate trauma to help deal with the, at the time, new regulations on political campaign financing. Much thought was given to the make-up of the Commission then and in the ensuing years. Consensus decision has always been that partisanship would exist no matter how it was set up, so the facts were recognized and accommodated. The FEC consists of six members, three Democrats and three Republicans. Decisions on any matter brought before the Commission have to be made by a four-vote majority. A continuing testament to the workability of the FEC is the fact that voting has been deadlocked in less than two percent of all actions for the life of the agency.

Briefly, the FEC does three things:
1. Issues regulations based on congressional statutes regarding campaign financing;
2. Handles complaints and enforcement of violations; and
3. Issues advisory opinions, 50-60 of them a year.

The passage of the McCann-Feingold Campaign Finance Reform Act this past year put a heavy load on the regulation work of the FEC. It had 90 days to issue new regulations on soft money contributions (already done) and 270 days for everything else (on target for December 2002 completion). Mr. Toner explained that “hard money” is any political contribution raised and spent within federal guidelines, while “soft money” is simply the money raised and spent outside those guidelines. Historically, soft money has been regulated by state statutes. McCann-Feingold now imposes federal regulations to all contributions, hard and soft. A major effect of the new act is to make disclosure of contributions of any kind mandatory, making the political process more transparent than ever. Mr. Toner recommended that everyone go to www.fec.gov to see who is giving money to which candidate. He promised we would be both surprised and impressed.

The FEC now expects a tidal wave of complaint and enforcement actions to follow in the near future, as politicians and campaigns grapple with the new regs. Complaints can be lodged formally or by handwritten notes and Mr. Toner emphasized that the FEC handles ALL complaints, approximately 1000 a year. The Commission serves as both judge and jury, with real subpoena power to collect evidence, and its decisions are final.

Interspersed with the dry information on the FEC, Mr. Toner also told of some of his experiences in the past, working on presidential campaigns. In relation to the problems of campaign contributions, he told about getting a call from a reporter inquiring about a $1000 contribution made by a five year old child. Turned out an over-zealous campaign director thought he could circumvent the contribution limit by having his whole family make individual contributions. Not so, and Mr. Toner had a lot of follow-up work to do to make sure everyone knew that. Another experience was the elation, for an hour or so, when Bush was initially declared winner of the presidential election. The elation was, of course, followed by weeks in the doldrums as the 2000 election sniffs proceeded. For Mr. Toner this included days on end of discussion of legal advice on how to proceed on a daily basis.

Finally, Mr. Toner highly recommended that all of the students look to Washington, D.C., for a career in law. There is lots and lots of work, much of it of a kind that is hard to find anywhere else, like lobbying, administrative issues and policy work. In addition, he thinks it’s a great place to live.
Adapted Narc

Both movies suffer for lack of pacing and direction

by Peter Flannigan

Birth of a Nation and Intolerance are films often credited for starting the movement of intertwining between different stories to create a sense of parallelism. Recent examples include Magnolia and Short Cuts, which allowed viewers to follow multiple story lines to their satisfactory, intertwined endings. Adaptation is not one of those movies. Surreally based upon fact, part fantasy that chronicles Charlie Kaufman’s (writer of Being John Malkovich and played by Nicholas Cage) attempt to adapt Susan Orlean’s book The Orchid Thief actually during the movie. The movie switches back and forth through time between the story of blossoming love between a New Yorker writer (Meryl Streep) and her subject (an orchid thief played delightfully cynical by Brian Cox) argues that there always must be conflict in the story with some resolution.

From here, the story takes a strange turn as Charlie is convinced that the only way to finish the script is to interact with the author. This creates a very strange and violent movie where people take drugs, die and find love. In other words, a fairly prototypical Hollywood movie.

While Kaufman’s earlier structure mystifies the viewer, the final thirty minutes disappoints the viewer with a fairly typical ending. In either vein, Kaufman’s attempt fails to engage the viewer in the same way as Magnolia or Intolerance. While Cooper’s performance as the orchid thief might bring some awards his way, the rest of the movie is not as laudatory. Kaufman is a brilliant writer but his introspective almost narcissistic movie fails to transcend from the screen to the audience (much like Steven Soderbergh’s indulgent Full Frontal).

Uneven temperament continues in the movie Narc starring Jason Patric and a very fat Ray Liotta. Patric plays Nick Tellis, a narcotics officer who accidentally shoots a woman during a drug pursuit. The movie does score some points in that for a predictable cop ‘pot boiler’, the cinematography styles are all over the place. We jump from hand held camera shots to blue filter shots (reminiscent of the ochre shots in Traffic), quick cuts to prolonged takes. Despite the stylistic changes, the movie tiredly flashes back to past scenes with voiceovers

Ultimately, Narc attempts to look at the physiological bent of the people who work the streets with scum and what lines they will and won’t cross. While an interesting message, the movie’s pacing and lack of character depth fails to realize the presumed subject of the movie. If you are looking for a good undercover movie, go rent Donnie Brasco.

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Uneven temperament continues in the movie Narc starring Jason Patric and a very fat Ray Liotta. Patric plays Nick Tellis, a narcotics officer who accidentally shoots a woman during a drug pursuit. This causes him to get kicked off the force and eventually lands him in detox. However, a few months later, Nick is called back for one assignment that only he can do (which is pretty standard issue cop drama, see The Fifth Element and Blade Runner).

His assignment this time is not only to investigate another ‘narc’s’ death but to also investigate the dead cop’s friend, Henry Oak (Ray Liotta). Both of them ride around Detroit actively breaking the Fourth and Fifth Amendments every chance they get.

This is a tough assignment for Nick because he is pulled between being safe with his family and the street with its violence and black knit caps. Things, of course, are not quite what they seem. Suspects come and go with Henry starting to become the prime suspect. Nick continues to investigate the murder and Henry at the same time but frustratingly, for the viewers, we are not let in on the knowledge that informs his choices.

In the end, whatever Nick’s investigation turn up does not matter because we know what he is going to find. One of the few surprises in the last hour is seeing Busta Rhymes beat up (which might be a good thing if you had to listen to When Disaster Strikes).

The movie does score some points in that for a predictable cop ‘pot boiler’, the cinematography styles are all over the place. We jump from hand held camera shots to blue filter shots (reminiscent of the ochre shots in Traffic), quick cuts to prolonged takes. Despite the stylistic changes, the movie tiredly flashes back to past scenes with voiceovers.

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Miyares Misguided

I write this letter in response to the letter by Jason Miyares in your October 30th edition.

I found Mr. Miyares letter a vicious (if carefully veiled and hedged) attack on our gay and lesbian colleagues and friends at the law school. Personally, I found Mr. Miyares' attack offensive even while celebrating his right to put forward his views.

I doubt Mr. Miyares would have raised this issue with such obvious fervor had he not been made uncomfortable by the subject matter being celebrated. Mr. Miyares' use of words such as 'gay drag' (a technically inaccurate term in this case) 'desecration', and his mocking and belittling tone elsewhere were, at best, inappropriate to the point he claimed to be making. His final paragraph, asking "my fellow students to be voluntarily respectful towards the memory of John Marshall and George Wythe when expressing themselves" very clearly reveals Mr. Miyares' underlying point: that celebration of National Coming Out Day is somehow too dirty to associate with our hallowed fore-lawyers. The fact that Mr. Miyares includes Santa, a cross, and the Redskins in the same list is a matter of his personal tastes and distastes, not a cover for his anti-gay attitude.

"We have become a society that increasingly devalues what was once valuable, mock what was once revered, and finds actions acceptable which were once deplorable", rants Mr. Miyares. I say GOOD! This happens as societies progress. We now value, revere, and accept the basic human rights that were once denied various groups by the very founding fathers Mr. Miyares reveres. I state with pleasure and pride as an American that, today, we devalue, mock, and deplore the aspects of history and society that enslaved African-Americans, obliterated Native Americans, and subjugated women.

George Wythe at least emancipated his slaves in his will. John Marshall’s decisions declining to protect Native Americans were at least coated with a little polite lip-service as to the injustice being done to them. Neither of these facts change the underlying truth: our founding fathers and fore-lawyers created and enforced systems of law that perpetuated slavery, killed off Native Americans, and kept women in their 'proper' place. I will not set Marshall and Wythe above us as though they are a shrine to be worshiped. They are not saints. They were complex and flawed. Our views of them must be informed by this.

In this spirit I say to Mr. Miyares: if you wish to revere Marshall and Wythe, do it in your own way. Be 'voluntarily respectful' if you like, but don't ask me to bow down before those you idolize.

I too celebrate Marshall and Wythe, though not blindly - rather for many of the principles they embodied: new freedoms and horizons. Rule of law by the people and for the people. Repudiation of despotism. George Wythe was a devoted professor dedicated to educating the young men who came to him in these principles. John Marshall was an innovator, a great legal light guiding the nation forward.

The use of the statues to demonstrate and celebrate tolerance - for me, each of these uses seems entirely in keeping with the Marshall and Wythe I honor. Rest assured that they will be used again, with respect, for the same purposes.

As to decorating the Jefferson Memorial next year for Coming Out Day, I think this is a fantastic idea. I'll drive. I especially invite Mr. Miyares to join us.

Sincerely, Emma Zitter-Smith, President, American Constitution Society for Law and Policy
W&M Chapter
Writing on behalf of the ACS W&M Executive Board

2002 Honor Council Activities

During the Fall Semester of 2002, the Law School Honor Council dealt with two issues.

1. Allegations of cheating under section 2.2 of the Honor Code were filed against three students by another student. Before investiga-

See Letters, p. 9
Love and Law: The Doctor is In

by Shannon Hadeed

Let me explain by way of introduction why I am now writing this column. Many of you may not know the other side of my education. Not included under my name in the face book is my Ph.D. in the sociology of dating in the modern era. I have also published many articles discussing the changing face of American dating the 21st century including: “Women, Ask or Not Ask, What is the Answer?,” “Who Pays for What, When, and Why,” “Bring Your Resume to the Bar,” “Sex and the First Date: The New Foreplay,” and “Keeping it Interesting, Toys and Dating.” In addition, I am an adjunct professor at William and Mary in the department of sociology and I primarily teach classes on dating rituals in the wild. Due to the falling percentage of people who get married either during law school or the first six months after they graduate we are experiencing a drop in our school ranking. Therefore one of the deans requested that I encourage the student body to succeed in both the academic and the social aspects of William and Mary law school life. As a personal favor to the staff of this book and the Deans I have agreed to advise the law school population on the various techniques that I have found to be successful in most dating pools I have studied.

As many of you may have noticed, the dating population in graduate school is small in comparison to the number of students. You may ask yourself “Why is this?” There are many different reasons but here are the top three: marriage, engagements, and long distance relationships (which as you may know are illegal in Alaska, as the female population is still disproportionately small). Why are there so many “taken people” in graduate school? Well…first those time bombs are ticking, and many people are pressured by their parents to find the right person and make a family or something. It’s considered part of the process of being successful at our age. It is the next logical step in our careers. So, people begin to feel that urge to quickly settle down before all the good ones are taken. And let’s face it, in today’s materialistic world, we are the good ones, so there are a lot of people doing the snatching up. It usually sounds so good to parents…well she’s in law school. Instant acceptance. So, sadly enough what looks good on paper for interviews, looks good in person too. Luckily, the GPA doesn’t count, or the dating pool might be even smaller.

Okay, you’re thinking so that’s why there aren’t so many people available to date, but what about the ones who are, why aren’t they going at it like raging rabbits? We are all of legal age…there are many reasons. We are in law school. We don’t have the time to invest in initiating a relationship. We are also broke, which means we can’t afford to date because like a business, the startup costs are greater than your annual overhead. The amount of places you can go in Williamsburg are very limited which says a great deal of the informal bargaining out of initiation (let me explain, if you say, they have you ever been to….random place in Williamsburg, the other person will 9 times out of 10 say yes. So there is no novelty to bribe them with. You also can’t offer easy things like…”Hey I’ve got two tickets to the concert/game/other amazing event, would you be interested?” Therefore, unless they have already decided that they are interested, you ain’t getting any honey) At least half of the dating population is obsessed with somebody else already and they only have eyes for….you guessed it: Marshall and Wythe. Studying is a great escape, your books never need to go out to dinner or just a little romance, they don’t complain if you don’t spend time with them, they never need to watch a game, they don’t spend your money and they are always willing to stay up late or go to bed with you whenever you want. They just aren’t good company at the leaf. Meeting people isn’t easy. Sad, but true breaking the class lines is easier said than done, and many people don’t do the Thursday night bar review or other law-school sponsored events. And once you have already acquainted yourself with the dating options in your class, well you’re usually out of luck. Even at the leaf the class lines can be seen in the groups of people talking and drinking. As for transfers, well folks we only had six this year and only two of them make up part of the dating population. And fresh meat is always in high demand. Finally, meeting other graduate students or locals is next to impossible. We just don’t move in the same circles. Imagine, it’s hard enough meeting someone who isn’t in the same class as you, let alone a completely different school.

But don’t despair of never finding your very own valentine (this year….I will be here next time to give tips on how to or not to date in law school).

Announcements and Letters (Cont.)

Continued from p. 8

warning as sanction. The accused was admonished to thereafter learn and comply with the widely accepted standards of citation practiced in the legal profession. Principally, the accused was encouraged to learn and adhere to the rules regarding proper quotation of source material, proper handling of primary and secondary source material, and proper attribution of others’ work. All potential appeals are pending.

Bo Foley Chairman
Paul Dame Vice Chairman

Decorations of Messer’s Marshall and Wythe

The response, in an earlier “Letter to the Editor,” of one of our students to the decoration of the statues by the gay community here at Marshall-Wythe immediately brought to mind a scene from that classic of the “80’s” genre of movies, Ferris Bueller’s Day Off, in which Ferris was discussing coal, diamonds, and a certain part of Cameron’s anatomy. My sense of tact, undeveloped though it may be, requires that I elaborate no further on that! (A cryptic opening, I realize, but it might make more sense after you read the rest!)

Respect for our predecessors who founded this fine nation, and after whom our school is named, is great. But when it gets to be reverence bordering on deification, a line must be drawn, and the madness must stop. John Marshall and George Wythe were humans, not gods. Men of learning and intelligence and integrity, sure, but they probably even masturbated (gasp! and if they didn’t, well, that’s cause more for pity than reverence, I say.)

The decoration of the statues, for whatever purpose, is simply fun with a healthy dose of irreverence. Something we law students could use a great deal more of! The “proper” respect (and more) due these gentlemen was given them when this school was named after them and when they had statues of their likenesses placed at the entrance. It does no disrespect to have a little fun with them every now and then. It changed my opinion of the men not one iota to see their statues dressed in drag (in fact, if I were gay, which I’m not, not that it’s a bad thing you understand, but if I were, I’d say ole’ Johnny-boy looked kinda cute in “rainbow”). Besides which is the very good instant behind the decoration: letting any “closeted” gay students at the school know that if they decide to “come out” there is a community of people that will support them. If ever there is a statue made of my likeness, I hope to God that people don’t all of sudden think of me with some strange reverence, and decide with awe that my statue must not be decorated or desecrated or used for a valuable social purpose. (Mostly, though, I hope it causes the ladies of future generations to took and say “wooh, what a hottie!” (requiring a very, um, “creative” sculptor I realize, but one can hope!).

To quote a parrot named Sailor from one of my favorite novels, “people ofzee wurl, relax.”

Mike DeLuca Class of 2004

P.S., Why no complaints about the “desecration” of the statue when they were dressed in school colors for Homecoming? Just a bit curious (suspicious?) about that.
diet and exercise. (I thought you would like this one lord as mind, body, and soul are all connected.) I figure no more drinking at all not even grape juice, only water, veggies, fruit, and tuna. Oh, and exercise at least once a day (things that can be done in the library of course so that I never have to leave). I am going to be a lean mean legal machine. I will own the other students. I am going to a no-huddle offense, they will never get any rest and I will end up running circles around them. I will pull the goalie, risking it all to have an extra victory will be mine. I am going to bring out the John Elway in me. I will be driving home every touchdown at the last minute. (You remember him lord, Denver Broncos, anyways he’s famous for last minute touchdowns.) Oh, What’s that lord? I sound a little crazy? But I am so tired of taking one for the team. I am ready to win one for the Gipper (Who is the Gipper anyways lord? Is it sports slang for god? Notre Dame is after all a Catholic school.) I am going into training this semester. In every class I will rack up the score so high with slam-dunks, three pointers, field goals, penalty kicks, and touchdowns the other students will be left eating my dust. I will win every face off. I will WIN WIN WIN. SCORE SCORE SCORE YOU’RE MINE I OWN YOU YOU ARE GOING DOWN YOU ARE GOING TO EAT SO MUCH GRASS DIRT AND DUST YOU’LL THINK IT WAS A MEAL. Yes lord, this will be an absolutely historic comeback.

In light of my new game plan, I felt that potential employers should be put on notice. So, I have revamped my resume to reflect my projected performance for the remainder of my law school career. I just feel my current resume doesn’t reflect my potential to do great things.

So, here goes:

### Experience

**A Highly Respected Law Place, Big City, USA**

**Intern**

Summer, 2003

Conducted brilliant research leading to the successful release of over 100 wrongly accused people on death row and 12 falsely accused drug dealers.

Accompanied investigatory team and provided insight that enabled police to find and arrest mafia leaders in both the Chinese and Italian mafia nationwide.

Drafted airtight contracts without any loopholes and helped three of the nation’s largest corporations avoid paying taxes on at least 50% of their profit.

Negotiated settlements for over 50 medical malpractice cases for much less money than we would have received in court (the M.D.’s didn’t have a chance in you-know-where), and successfully represented insurance holders in a civil action suit against a big bad insurance company. Assisted in immigration cases (pro bono) for low income migrant farmers. Researched and found “yellow dog” laws still considered good law and broke up a year long strike. Assisted in a suit against Ford for illegal anti-union practices. Co-represented a dozen sexual harassment cases and helped organize a civil action suit against Colonial Zone for racially discriminatory hiring practices. Aided in the dividing of assets in two divorce cases and one living will dispute.

**McDonald’s, Williamsburg, Virginia**

**Ronald McDonald Public Relations Representative**

Summer 2002

Helped promote new product lines, spent a great deal of time with clients, assisted in culinary creations, acted as a liaison between the office and the public, drafted new scripts and advertisements for the public relations department, mollified dissatisfied clients and children, recruited new clients through using grassroots techniques assisted in the creation of a positive and productive office atmosphere, trained the new recruits in client relations, makeup application, and appropriate attire.

### Other Skills

Speak in tongues, extended knowledge of religions, ability to increase likelihood of miracles, and an expert in ethics and morality.

### Expected Other Skills/Hobbies

Semi-pro golfer and professional tennis coach, and internationally renowned wine connoisseur.

...Why all this fight now you ask? Well, I guess I just want it more. Or maybe, just maybe getting grades is like a game day rush, nothing beats the thrill and adrenaline, not even first love. And the preparation and anticipation is like the build up to a first kiss only better. Nothing can reach that level. It’s like a drug and this semester I want a top of the line fix.
Classy, jazzy, and smooth are things that come to mind when I think of A. Carroll's. "A tinkling piano in the next compartment... these foolish things remind me of you" Billy Holiday. Recently voted the most romantic spot in Williamsburg, this is a great spot to take someone you love (Valentine's day anyone?). Or somebody you would like to have love you. I took my trusty backup boyfriend #2, Tim. And for just two friends hanging out over some great martinis the evening was wonderful.

The ambiance: As I said very romantic, with a clientele that is mainly locals. Soft jazz plays in the background and on Friday nights there is a live jazz band trio (which originally had a law student member who has since graduated). They often bring in guest artists from local groups to play along and have had a few famous faces such as the sax player Bruce Hornsby. They also allow the occasional law student or audience member to join in. (However, I heard if they aren't any good they are politely thanked and offered another martini.) Finally, every last Saturday of the month they have a female jazz singer. The walls are decorated with vibrant art from a local, Vicki Foster, who sells for fairly reasonable prices. (So after your internship it may be a good place to start your collection, or you can use the layaway system offered only to students. As my aunt says, it's good policy to collect a local piece of art from everywhere you live to record the period with something better than hazy memories, trinkets and bad Polaroids.)

So... if you are just looking for some good music and some drinks it is a great place to go to treat yourself. Better yet, they are very law student friendly. That doesn't mean special prices, but it does mean you get special service. You could spend an evening sipping on wine, listening to jazz in the background and studying without feeling like they are breathing down your neck to get you to leave. Add art

The Dinner: Their chef, (also named Tim), has an American bistro style menu, somewhat pan-Asian with enough variety to please any palate. To start, their famous crab martini is worthy of its popularity. Not only does it taste great, but the presentation in a large martini glass is original. For salad, the chef's choice is the spinach with goat cheese and pine nuts and for the main course he recommends either the steak or crabcakes. The crabcakes were some of the best I have ever had (and trust me I have had crabcakes from all over the country from Louisiana to Seattle). We were specially treated to a sampler plate of all of their specialty desserts, made fresh every day. It was rich, but it was worth it and I am not even a fan of sweets. Can you believe they even make their own ice cream and sherbet? My grandmother doesn't even do that anymore.

You may be thinking, this sounds great, but what is the catch? Ah... the price. My backup boyfriend and I shared a bottle of wine ($30) and an appetizer, salad, main course (steak and crab cakes is however a high price item) and dessert for a total of $100 not including the tip or dessert. You can't eat here for less than $20 a plate (less than $30 is possible). However, there is good news, the lunch menu is more affordable (think average colonial zone price, $7-$12) and offers a great variety of sandwiches and salads not offered anywhere else. And the handmade poppies are a favorite among locals (but not to the chef who has to make them from scratch for every order). This would be a great spot to recommend to parents or interviewers who come to visit. Remember... you can always go for just drinks and appetizers and preserve your money for spoiling your mate on special occasions. Or buying study aids, because it's eat dinner A. Carroll's or buy an Emanuel.

The Drinks: This is one place where you could get into some serious trouble drinking. Not only are the martinis tasty, they are also dangerously large. You could sip on two for the evening and easily maintain a happy fuzzy state of mind. Rebecca, the bartender recommends that non-martini drinkers start out with the lemon drop (For guys this is also a good starter she says because it is not too frou-frou like the pink cosmopolitan or the sour apple). For someone with a little more advanced taste she says her favorite is the vanilla twist. "It has a nice smooth taste." I had the twist, and Tim had the lemon drop. Rebecca's special touch to the twist is to "salt" the glass rim with Hershey cocoa powder. The Hershey's kiss at the bottom was an added treat. Tim said his lemon drop was sweet and sour and definitely drinkable. The martini list is long and varied. It is composed of staff creations, customer's favorites, and frequently requested standards. The prices range from seven to twelve dollars, but the size is right and the alcohol content is high (at least 8oz per glass). If you want to make one at home, the staff is more than willing to help you out with the recipes and will even walk you through it if you give them a call. Although Martinis are the specialty of the house, they also have an unusual wine list. The owner and lawyer, A. Carroll herself, has been trying to create an eclectic wine selection to offer something other than the ordinary for her customers. They change the wine list four times a year and offer wines from a variety of regions, including Chile, Australia, and Italy, and some of the smaller vineyards from California. Unlike most restaurants almost every bottle of wine is also offered by the glass, which could be a more affordable
## Calendar Of Events

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<td>Trial Team Training</td>
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<td>Interviewing Tips</td>
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<td>Trial Team Training</td>
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<td>Informal Luncheon with Elizabeth Dopp</td>
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<td>Luncheon for Chief Justice Margaret Marshall</td>
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