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## The Docket (August 18, 2006)

William & Mary Law School

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# The Doctrines

William & Mary Law School  
Volume 22 Edition 1  
August 18, 2006

**CHECKED YOUR E-MAIL?** Remember that you are expected to check your e-mail at least once a day. The faculty and administration send important information via e-mail – information that may not be available through any other means. If you have forwarded your college e-mail account to your personal account, you are responsible for verifying that the forwarded address continues to be accurate.



**E-MAIL ADDRESSES** - ALL STUDENTS are provided e-mail addresses. Your address is typically the first initial of your first name, the first initial of your middle name, and the first four letters of your last name. All students should confirm their address at my.wm.edu. All students' e-mail default password is set as a lower case "p" followed by the last six digits of your SSN with no spaces or punctuation.

**PLEASE NOTE:** For Negotiation & Settlement (724): If you are a waitlisted student or are interested in taking the course, ***you must come to the first class meeting.***

Required texts: Shell, *Bargaining for Advantage*; Fisher, *Getting to Yes*; Stone, *Difficult Conversations*, and Mnookin, *Beyond Winning*. First Day assignment: "Please review the syllabus posted on the Blackboard 'Course Information' page and bring any questions to class. Reading assignment: Shell, *Bargaining for Advantage*, 1-38; and Fisher, *Getting to Yes*, 3-40."

## NEWSWORTHY NEWS



Earlier this month the Courtroom 21 Project was renamed the **CENTER FOR LEGAL AND COURT TECHNOLOGY**. The new name better reflects the increasingly broad functions served by the Center and does a better job of describing the Center's mission than does "Courtroom 21," a name which will continue to be used for courtroom-specific activities.

**Dana Otey**, member of Faculty & Academic Support Center, has successfully completed all requirements at the American InterContinental University (AIU) and has received a Bachelor of Science in Criminal Justice. She graduated *summa cum laude*.

With great sadness, we said good bye to **Della Harris** when she retired from the Faculty & Academic Support Center, but welcome and say **CONGRATULATIONS** to **Felicia Burton** on her promotion to Director, Faculty Support Center. Felicia has been a member of the law school community for nine years. She and her husband, Dana, have two children, Jessica and Christopher. While taking excellent care of faculty members, she is also on the Recycling Committee.

Please welcome to the Law School **Shawn Clarke**, the Center for Legal and Court Technology's new Assistant Director for Research and Assistive Technologies. Among other duties, Shawn heads up the Center's new international assistive technology information clearing house and consulting operation which is designed to assist members of the legal professions with special needs in the areas of vision, hearing, and mobility. Shawn has a multifaceted education and business background that includes a master's degree in Speech and experience in American Sign Language.

The Office of Development and Alumni Affairs has exciting news! They welcome **Elizabeth Wright** as the new Director for Annual Support. Elizabeth, just before joining the staff, owned her own Personal Assistant business in Pittsburgh, Pennsylvania serving senior women throughout the Western Pennsylvania area. Before that she was a development officer at Chatham College in Pittsburgh, Ohio Northern University, and University of Pittsburgh. Elizabeth can be reached at 1-3815 and by email [enwrig@wm.edu](mailto:enwrig@wm.edu). She is in office 136D.

Also, on August 14, they welcomed **Bethany Lindsey** as the Administrative Assistant. Bethany previously worked for LaPetite Academy and her husband is an undergraduate student at William & Mary. Her sister-in-law is Christina Lindsey in Career Services. Bethany will be in office 136 and her phone number is 1-3795. Her email address is [bjlind@wm.edu](mailto:bjlind@wm.edu).

## **PLEASE EXTEND A WARM WELCOME TO OUR NEW AND VISITING FACULTY**

### **NEW FACULTY**

**Angela M. Banks** will join the faculty as Assistant Professor in spring 2007. She holds a B.A. *summa cum laude* from Spelman College, received a Master of Letters from the University of Oxford in 1998, and a J.D. from Harvard Law School in 2000 and was Editor, HARVARD LAW REVIEW. Currently, Professor Banks is the Reginald F. Lewis Fellow for Law Teaching at Harvard, conducting research in International law that focuses on nation-building, specifically democracy and public participation.

**B. Glenn George** joins the faculty as Professor of Law. She received a B.A. with Honors at the University of North Carolina, Chapel Hill, and a J.D. *cum laude* from Harvard Law School in 1978. She was a member of the Marshall-Wythe faculty from 1983-88 where she met and married her husband, Gene Nichol. Professor George has taught at the University of North Carolina at Chapel Hill, School of Law as well as the University of Colorado. She will teach Civil Procedure.

**Nathan B. Oman** joins the faculty as Assistant Professor. He received B.A., *cum laude*, from Brigham Young University and J.D. *cum laude* from Harvard Law School. Before joining the faculty, he was an associate at Sidley Austin Brown & Wood focusing on ordinary and appellate litigation in state and federal court involving commercial and contract law, products liability and mass torts, bankruptcy and religious institutions.

## **VISITING FACULTY**

**Thomas E. Baker** is a Visiting Professor of Law from Florida International University College of Law and was one of the founding faculty members in August 2002. He holds a B.S. *cum laude* from Florida State University and a J.D. with High Honors from the University of Florida College of Law. He has taught at Drake University Law School and has been a Visiting Professor at University of Florida college of Law. Professor Baker will teach Constitutional Law in spring 2007.

**David M. Frisch** is a returning Visiting Professor from the University of Richmond. He holds a B.S. from the University of Pennsylvania, a J.D. from the University of Miami and an LL.M. from Yale. He has taught at Widener University Law School and has been a visiting professor at the University of Illinois and at Temple. He practiced law at Britton, Cohen, Kaufman & Schantz in Miami and at Zietz, Mittleman & Webster in Providence.

**Julian G. Ku** is a Visiting Professor of Law from Hofstra University School of Law. He received a B.A. from Yale University and a J.D. from Yale Law School. Professor Ku clerked for the Judge Jerry E. Smith, U.S. Court of Appeals, Fifth Circuit, was a Lecturer in Law and Olin Fellow at the University of Virginia and an associate, Debevoise & Plimpton, NY. Professor Ku will teach International Business Transactions and International Trade Law.

**Wayne A. Logan** is a Visiting Professor of Law from William Mitchell College of Law. He received B.A. from Wesleyan University, an M.A. from State University of New York at Albany and a J.D. from the University of Wisconsin at Madison, where he was Senior Articles Editor, *WISCONSIN LAW REVIEW*. He was a law clerk to Judge Louise B. Meyer, Senior Associate Justice, North Carolina Supreme Court and Judge Robert R. Merhige, Jr., U.S. District Judge for the Eastern District of Virginia. Professor Logan will teach Criminal Procedure and Sentencing Seminar.

We welcome the new faculty to the Law School and note that Professor **Richard M. Hynes** and **Linda A. Malone** will be visiting Thomas Jefferson's SECOND law school, the University of Virginia for 2006/07.

## **ADMISSION**

**WELCOME** - Special greetings are extended from the admission staff to new and returning students! We enjoyed working with you during the admission process and are delighted you chose William & Mary Law School. A summary profile of our new students will be sent via email and a copy will be placed on the administrative bulletin

board. We share great pride in your past achievements. We are confident that you will distinguish yourselves during the coming academic year and continue the great traditions of our Law School.

**Costangy, Brooks & Smith, LLC Diversity Scholars Award Program** will grant a \$2,000 scholars award to a deserving second-year law student in each of the regions where the firm has offices. Selection will be based on the applicant's (1) academic achievement; (2) commitment to diversity in the student's community, school or work environment; (3) and personal achievement in overcoming challenges to reach his or her goals. Please note that these awards are **not** limited to students of a particular gender, or racial or ethnic background. Applications must be submitted by **November 1, 2006**, and award recipients will be notified by December 8, 2006. For more information and an application, please visit their web site at [www.constagy.com](http://www.constagy.com).

## NEED TO KNOW

**ADDRESS UPDATES** - All students should contact Chris Creech ([cbcree@wm.edu](mailto:cbcree@wm.edu)) immediately upon changing addresses or phone numbers. Any student whose name has changed should also contact her as soon as possible for the appropriate paperwork to change the name on the official records. Correct information is needed by **September 1** for an accurate school directory. Any student who wishes their phone number and address to remain unpublished must submit that request through a specific form obtainable from Gloria Todd – NOTE: Administration must always have updated information even if it is not published. Changes of Address forms are available at the handout counter in the Library.

**STUDENT ORGANIZATIONS** - There is a mandatory student organization meeting for all student leaders on Tuesday, August 29 at 12:50 p.m. in room 133. If your organization has not registered with the Law School Administrative office, please see Gloria Todd. Registered organizations will receive priority for room reservations at the Law School, are provided hanging files, and may be provided bulletin board space from the SBA. Officers should frequently check organization-hanging files. FYI: Room Reservation Request Forms can be found on the Library handout shelves.

**STUDENT LOCKERS** - Lockers in the Student Lounge can be used on a first come first serve basis. If you see a locker without a lock on it, and you would like a locker, please put your lock on it!

**DECEMBER GRADUATION** - Students who expect to graduate in December 2006 should contact Dean Jackson NLT **September 1** to file a notice of candidacy form.

**VIRGINIA BAR UPDATE** - The Application for the Virginia Bar Examination and the Applicant's Character and Fitness Questionnaire are available online through the Virginia Board of Bar Examiners web site at: <http://www.vbbe.state.va.us/forms.html> Students who expect to sit for the Virginia Bar Examination can file the Character and Fitness Questionnaire within the first 14 months of their law school career for a discounted rate. The Bar Application, itself, cannot be filed more than three months prior to sitting for the exam.

Those planning to sit for the Virginia Bar are forewarned that the Virginia Board of Bar Examiners requires applicants to take the Multi-state Professional Responsibility Examination (MPRE). The MPRE is a fifty question, two-hour, multiple-choice examination administered three times each year. You can register online at <http://www.ncbex.org/tests/mpre/mpre.htm>. **GOOD LUCK!!!**

**Reminder!** No signs on walls, doors or windows. You may post notices in the Student Lounge. Obtain permission from Gloria Todd to post notices on the Administration Bulletin Board in the Student Lounge.

**FACULTY ACCESS** - If there is a need to contact an administrator or faculty member through their Law School mailbox, please place the item in the appropriately marked box in the reception area. The item will be placed in the administrator/faculty mailbox. PLEASE REMEMBER THAT STUDENTS ARE NOT ALLOWED IN THE WORKROOM.

**REMEMBER THE INTERNET!** Use the Law School web site to answer common questions regarding academics and/or student life. AND, please review the Unified Honor Code found from the Law School Homepage by clicking on Student Life, then Academic Regulations, then Honor System or: <http://www.wm.edu/so/honor-council/honorcode.htm>. Students should also review the Student Handbook, a copy of which will be placed in your hanging files.

## ALUMNI DEVELOPMENT

On September 6<sup>th</sup> and 7<sup>th</sup> from 9:00-11:00 a.m. we will have Co-Counsel sign-ups in the front hall. Each year the William & Mary Law School Alumni Association sponsors the Co-Counsel Program. This is a program that pairs first-year students (Junior Counsels) with alumni (Senior Counsels). The purpose is to identify alumni mentors who can provide advice, guidance and moral support, as well as insight into legal careers.

## FROM THE OFFICE OF CAREER SERVICES – WELCOME BACK!

**World Wide Web Site of the Week** - The **Professional Development Center**, sponsored by FindLaw and the Center for Professional Development in the Law, is dedicated to helping people find satisfaction through the choice of a legal career consistent with their personal values and professional goals. <http://profdev.lp.findlaw.com/>

## ANNOUNCEMENTS

**Aviation Law** - If you are a law student who (1) is a licensed pilot; (2) is interested in aviation; or (3) wants to learn more about aviation law, you are invited to consider a student membership in the **Lawyer-Pilots Bar Association**. LPBA members are pilots, lawyers, or both, from throughout the U.S. and abroad who practice or have an

interest in aviation law. For more information, go online to: [www.lpba.org](http://www.lpba.org), <mailto:tloranger@swlaw.edu>.

***Labor and Employment Law*** - The Peggy Browning Fund is sponsoring their eighth annual **National Law Students Workers' Rights Conference** on Friday-Saturday, October 13-14 in Silver Spring, Maryland. The program will include a keynote address, a film and panel discussion, four interactive workshops led by leading labor practitioners and professors, and more. The law school may select up to three students for the program; students should have a demonstrated interest in either workers' rights issues or public interest law. Some support is available for on-site meals and lodging. **If you are interested in attending in this program, see Dean Lewis by September 15.** For more info, see [www.peggybrowningfund.org](http://www.peggybrowningfund.org).

***Intellectual Property Law*** - Students interested in pursuing a career in intellectual property law should consider participating in the **American Intellectual Property Law Association (AIPLA) Student/Junior Member Job Fair on Saturday, October 21, 2006**, at the Marriott Wardman Park Hotel in Washington, DC. The job fair offers an excellent opportunity for students to interview with employers recruiting for available intellectual property positions. There is no fee to participate in the Job Fair itself, but **you must join the AIPLA as a student member by August 30, 2006, to become eligible to participate in the Job Fair.** Employers are accepting resumes and cover letters now. For more information, go to [www.aipla.org](http://www.aipla.org).

## UPCOMING PROGRAMS

***Interview Tips for 2Ls and 3Ls*** - OCS will present a refresher course on **Interviewing Skills**, with special emphasis on call-back interviews, on **Tuesday, August 22 at 1:00 p.m. in room 124.**

***Cover Letters*** - OCS will present a refresher course for 2Ls and 3Ls on writing cover letters on **Wednesday, August 23 at 1:00 p.m. in room 133.**

***Interested in working on Capitol Hill?*** Heather Arpin (W&M '04), Staff Attorney for the U.S. Senate Office of the Legislative Counsel, and Wade Ballou, Senior Counsel for the U.S. House of Representatives Office of the Legislative Counsel, will be on hand to share information about opportunities on the Hill, how you find out about them, what career moves are possible once you're there, and much more. **Thursday, August 24, at 1:00 p.m. in Room 133.**

***Lunch with Lawyers: Intellectual Property and Franchise Law*** - Marisa Faunce (W&M '94), an attorney with Wiley Rein & Fielding in Washington, DC, Joel Ankney (W&M '91), an attorney in private practice in Norfolk, and Dennis Rainear, Chief Patent Counsel for NewMarket Services Corporation in Richmond, will be on hand to talk about career opportunities on **Monday, August 28, 1:00 p.m. in room 141.**

***Lunch with Lawyers: The Central Intelligence Agency*** - Jeff Yeates (W&M '00) and Jim Petrilla, attorneys with the CIA's Office of General Counsel, will talk about legal careers with the CIA on **Thursday, August 31, at 1:00 p.m. in room 133.**

**Careers with the U.S. Department of Justice** - Jim Ropelewski (W&M '90), an attorney with the U.S. Department of Justice, will be on campus to discuss job opportunities through the Attorney General's Honors Program (for 3Ls) and the Summer Law Intern Program (for 2Ls) on **Wednesday, August 30, at 1:00 p.m. in room 124**. Which divisions are hiring? Where are the assignments? What's the work like? The **application deadline is September 18** (see below), and *this is your best opportunity to learn from one of our own graduates what they look for when hiring*.

## **ATTENTION 2007 AND 2008 GRADUATES**

**2Ls and 3Ls** - Information on the **U.S. Department of Justice hiring programs** is available in OCS as well as online at [www.usdoj.gov/oarm](http://www.usdoj.gov/oarm). Applications for the **Summer Law Intern Program** for 2Ls and the **Attorney General's Honors Program** for 3Ls must be submitted online. **You have until midnight on Monday, September 18, 2006 to submit your applications online**, but we advise students not to wait until the last day to submit, in case anything should go wrong with their web site. If your application is not in by September 18, no matter whether the problem is yours or theirs, it will not be accepted.

**3Ls - Equal Justice Works Equal Justice Fellowship** applications are now being solicited. These two-year fellowships provide salary and loan repayment assistance to lawyers who advocate on behalf of individuals, groups, or interests that are not adequately represented by some aspect of the legal system. You may obtain additional information and an application on Equal Justice Works' website, [www.equaljusticeworks.org](http://www.equaljusticeworks.org). Deadline to apply is **September 19, 2006, at 5:00 p.m. EDT**.

**New Hampshire Legal Job Fair** - Eighteen New Hampshire and Maine legal employers are joining together to present this eleventh annual recruiting event. The employers will be interviewing for summer and permanent positions depending on their hiring needs. The job fair will be held at the Event Center at CR Sparks in Bedford, NH on Thursday, September 21 from 8:30 a.m. to 5:00 p.m. The interviews will be prescreened, that is, employers will offer interviews after reviewing resumes. To register for the Job Fair, *you must bid online through Symplicity starting Tuesday, August 15*. **The deadline for online bidding is Sunday, August 20, 2006**.

**Equal Justice Works Public Interest Career Fair, October 19-20, 2006, University of Maryland, University College, Adelphia, Maryland** - Law students seeking summer and permanent positions in public service will have the opportunity to conduct one-on-one interviews and participate in Table Talk with more than 200 employers at the job fair. There will also be workshop sessions on public interest career development, loan repayment assistance, and law school organizing throughout each day. Check out [www.equaljusticeworks.org/employers/browse.aspx](http://www.equaljusticeworks.org/employers/browse.aspx) to find complete details on participating employers, including which days the organization will attend, and any available positions. **Each position description includes student application procedures**. Search by issue area, state, or date of the conference to find the employer you are looking for. More employers are registering every day, so be sure to check for updates.

**Strategies for Success If You Do Not Receive an Offer from Your Summer Employer** - If you find yourself in this situation, see Dean Kaplan, Dean Lewis or Ms. Sein, and pick up a copy of the handout on this subject from the OCS Display Rack.

**Targeting the Hidden Job Market** - Most jobs are not advertised or publicized, but are filled by word-of-mouth. To tap into this “hidden” job market, you must network and use informational interviewing. These techniques are effective. Pick up the handout in OCS, consult the binder of articles in OCS, and see Dean Kaplan, Dean Lewis or Ms. Sein to learn how to make these techniques effective for you.

**Students with Disabilities** - OCS receives information from employers targeting students with disabilities. If you would like to receive these notices, please see Dean Kaplan, Dean Lewis, or Ms. Sein in confidence.

## NEW RESOURCES

In the series the ***Vault Guide to the Top Law Firms***, our shelves now include guides for **Boston, Chicago, New York, Texas, Southern California, the Southeast, and Washington, DC**. Each guide features “in-depth profiles in which practicing lawyers employed in the city’s most prestigious law firms reveal their opinions on hours, diversity, training, offices, compensation, and other essential details.”

New editions in the **Yellow Book** series have been arriving all summer:

**Associations Yellow Book** – who’s who at the leading U.S. trade and professional associations

**Congressional Yellow Book** – who’s who in Congress, including committees and key staff

**Federal Regional Yellow Book** – who’s who in the federal government’s departments, agencies, diplomatic missions, military installations and service academies outside of Washington, DC

**Financial Yellow Book** – who’s who at the leading U.S. financial institutions

**Foreign Representatives in the U.S. Yellow Book** – who’s who in the U.S. offices of foreign corporation, foreign nations, the foreign press and intergovernmental organizations

**Judicial Yellow Book** – contact information for over 3,300 federal and state judges in federal and state appellate courts, including staff and law clerks, and the law schools they attended.

**Law Firms Yellow Book** – who’s who in the management of the leading U.S. law firms

**Nonprofit Sector Yellow Book** – who’s who in the management of the leading foundations, universities, museums, and other nonprofit organizations

**Municipal Yellow Book** – who’s who in the leading city and county governments and local authorities

**State Yellow Book** – who’s who in the executive and legislative branches of the 50 state governments

**The 2006-2007 NALP Directory of Legal Employers** allows you to browse through information about hundreds of legal employers (mostly large private firms, but some in government and public interest areas). Listings include many, many details important

to job seekers, such as hiring criteria, salary, hiring contacts, area of practice, web sites and more.

The **2006 Sports Market Place Directory** claims to be “the most comprehensive, current resource available in the sports industry today.” Get details and contact info for every imaginable sport and sports-related organization.

The National Lawyers Guild is the oldest and largest public interest/human rights bar organization in the United States. The **National Lawyers Guild 2006 Referral Directory** lists members and law firms by specialization, state, and more.

The **2006 Comprehensive Guide to Bar Admission Requirements**, published by the National Conference of Bar Examiners and the American Bar Association Section of Legal Education and Admissions to the Bar, will tell you *everything* you need to know about becoming licensed to practice law in every state in the country.

The **2006-2007 Directory of Corporate Counsel** lists information on the organization and personnel of corporate and nonprofit law departments in the United States and Canada.

Students looking for background information on law firms will want to consult the 2006 edition of **Chambers USA: America’s Leading Lawyers for Business**. Evaluations are based on client research and the leading firms and attorneys are ranked on many criteria.

The “Green Book” is the **Official Directory of the City of New York**. Published annually since 1918, it now includes more than 6,000 names and information including telephone, fax numbers and Web site addresses.

If you’re looking for information on career alternatives, check out **The Lawyer’s Career Change Handbook: More Than 300 Things You Can Do With A Law Degree**.

Want to explore commercial litigation? Get a feel for the day-to-day aspects of the work in **The Commercial Litigator’s Job: A Survival Guide**.

## WRITING COMPETITIONS



**Note:** Throughout the academic year we receive announcements regarding essay competitions and invitations to submit papers for publication in law reviews and journals. This information is posted on the bulletin board in OCS, with additional information filed in the Applications Cabinet. In addition to the intellectual and often monetary benefits of these contests, the competitions are another way for you to demonstrate your legal writing abilities to prospective employers. Because they are often sponsored by bar associations and other professional groups, they also provide excellent networking opportunities. Keep in mind that faculty members are a good source of ideas and guidance.

**Berkeley Women’s Law Journal Writing Award** - The *Berkeley Journal of Gender, Law, and Justice* seeks articles that address the lives and struggles of under-represented women. In particular, they seek submissions that examine the intersection of gender with one or more other axes of subordination including, but

not limited to, race, class, sexual orientation, and disability. The winning article will be published in Spring 2007 and its author will receive \$500. **Articles must be received by November 1, 2006.**

**Judicial Independence** - The American College of Trial Lawyers is sponsoring an essay contest for law students on the topic of Judicial Independence and the Separation of Powers Doctrine. The First Prize Winner will receive \$10,000, and the Second Prize Winner \$5,000. **Essays are due March 1, 2007.**

**International Commercial Law** - The International Chamber of Commerce Institute of World Business will award a prize of €10,000 for excellent legal writing and outstanding new contributions in the field of international commercial law, including arbitration. For more information, see [www.iccinstituteprize.org](http://www.iccinstituteprize.org). **Manuscripts must be submitted by February 28, 2007.**

**Public Policy and Society** - The Pacific Legal Foundation's Program for Judicial Awareness announces its **Eighth Annual Student Writing Competition**. Entrants are required to write on one of three topics: (1) whether the rationale of *Grutter v. Bollinger*, which accepted racial diversity as a compelling state interest in law school admissions, should be extended to K-12 public school classrooms; (2) how to resolve the tension between the rights of private property owners and collective environmental values; and (3) whether Justice Scalia's plurality opinion in *Rapanos v. United States* or Justice Kennedy's concurrence should guide future interpretations of federal regulatory authority under the Clean Water Act. **Last year's First Runner-Up was Chris Supino, a 2006 graduate of William & Mary.** Awards of \$5,000, \$3,000 and \$1,500 will be made. **Submissions must be postmarked no later than May 31, 2007.**

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*The Docket* is a biweekly publication of the William & Mary Law School produced during the academic year. All submissions (in either Microsoft Word or WordPerfect) are due to Cassi Fritzius, (Room 108) or by E-mail (cbfrit@wm.edu) no later than 5:00 p.m. the Wednesday prior to the Friday publication date.

**2006 publication schedule**

August 18; September 1, 15, 29; October 13, 27; November 10; December 1

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