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The Advocate

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WILLIAM & MARY SCHOOL OF LAW



"Tom Jackson Returns" Wins Softball Tournament

by William Y. Durbin

The softball field is an odd place to find it, but evidence for the importance of diversity showed up on the dusty diamond last weekend.

A team of stalwarts from all three classes defeated an all-star squad of third-years to win the annual Marshall-Wythe Law School softball tournament by a score of 8-6. The Student Bar Association hosted the annual tournament on Sept. 3 and 4 at the James City County Community Center. Seven teams, each consisting primarily of members of a single class, competed for the right to represent William & Mary at the national law school tournament held in April at the University of Virginia.

The championship game pro-

vided an opportunity for revenge for Theo Lu's (3L) team of third-years, who fell to Chris Bauer (2L) and company on the first day of the tournament. Thanks in part to short-stop Ryan Dolan's (3L) towering home run—his third round-tripper of the tournament—Lu's squad put up six runs and held the lead through three-and-a-half innings. But in the bottom of the fourth, Bauer's team took the lead and, thanks to its vise-like defense, held the third-years scoreless for the remainder of the game to grab the title.

Bauer and company's strong defense also proved to be the difference in the teams' first meeting a day earlier. Lu's team, having just returned from lunch and already playing its third game of the day,

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by Jennifer Rinker

This year's SBA-organized softball tournament saw record-breaking participation. Seven teams, including three 1L and four upper-class teams, played a two-day round-robin tournament on September 3rd and 4th. The SBA has again agreed to fund the winning team in their vie for the title at the University of Virginia Softball Tournament this spring. That team will be Tom Jackson Returns, comprised mostly of 2Ls.

Tom Jackson Returns player and team organizer Chris Bauer (2L) claimed, "We have a unique combination of skills, height, and power socks. I think the other teams didn't quite know how to handle the socks." Giving credit where credit

is due, Bauer added that "Our fashion coordinator, Kelly Street, spent countless hours coming up with the proper attire for the tournament and it really paid dividends today." It might have been the unifying nature of being the only team with an actual
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An Interview With Professor Warren

by Dave Zerby

The most notable feature of Professor Christie Warren's office is its book collection. That collection, which runs the gamut from Islamic law to the "coffered riches of grammar and declensions," reveals not only a rich mental life, but also a varied and singular career.

Q: Do you have a favorite artist?

A: Art is a really important part of my life. I've spent a lot of time in art museums, and I like the diversity of different painters. Of course I like the Impressionists, but everyone does. . . 'The Scream' was my favorite painting during law school because it matched my mindset then, but... in the end, I'd have to say my favorite artist is Maya Lin. [Maya Lin designed the Vietnam Veterans Memorial in Washington, D.C., while she was a student at Yale.]

Q: The Beatles or The Stones?

A: The Stones. That's pretty telling, isn't it?

Q: What are your personal hobbies?

A: They tend towards the physically active. When I'm not working, I'm mountaineering. Above seventeen thousand feet is my favorite place to be. I do ice and snow and ropes in the Himalayas. Above the tree line. That's where I blossom.

Q: When did you start doing that?

A: Well, I grew up in California—in inner-city Oakland—and the Sierras are an important part of many people's lives in California. My father gave me a lifetime membership to the Sierra Club on my sixteenth birthday. I started going mountaineering that summer. I've never stopped. It was very prescient on my father's part.

I took my first trip to the Himalayas when I was 23; I've been back ten or twelve times. I love it. Now my whole family is involved with it.

Q: Speaking of your family. . .

A: I have a husband and two children. My youngest—my daughter—is just starting college, in Massachusetts. My son attends college in California.

Q: Alright. How about a brief gloss of your career? Could we start with undergrad?

A: My career is probably as atypical as they come. I started by studying Comparative Literature and Languages at the University of California at Berkeley because I was interested in literature and languages. I was in the honors program. I studied five languages and their related literary traditions.

At that point, law school never entered my mind. I was on my way to Columbia to attain my doctorate in Comparative Literature, and teach, for the rest of my life, that subject, Comparative Literature. I had been admitted; I had a fellowship; and then I had an epiphany: Did I really want to teach Greek and Latin verbs for the rest of my life?

So I sought out my advisor, who was very encouraging, and very helpful. And I ended up taking a year off and going to Europe, taking 200 dollars and my backpack. I toured around Europe on a Eurail pass, came home, and decided to apply to law school. I think it was the adventure of law school that made me want to go. So I enrolled at UC Davis, which was a great school, a lot like William & Mary—a small, supportive community.

I went to law school with an eye toward becoming an international lawyer, because I liked languages, and I liked the international thing. My third year, I worked as an extern for the United Nations, in London, at a maritime law agency. There I was the only woman out of a couple of hundred employees, and I was not treated well.

So I did an internship at a public defender's office, and fell in love with trial work. I became a criminal defense attorney after graduation, and did that for 16 years. For the last seven of those years, I worked on capital cases. And I did training the whole time, too. I was always training. For a long time, I was the Training Director of California's criminal defense bar.

Then, in 1994, I took two months off to climb in the Himalayas. On the way home I stopped for two weeks in Phnom Penh

to do a training program, the Cambodian Defenders' Project. I trained people—non-lawyers—who wanted to become defense lawyers. The Khmer Rouge had killed Cambodia's judges and lawyers. No one in the country had any legal knowledge anymore. That work combined everything I loved—teaching, adventure, law—and better, it was rule of law work, which turned out to be my biggest passion of all.

Since then, I've done rule of law work in twenty-one countries, in transitional legal systems and post-conflict, developing countries.

Q: What attracted you to working with capital punishment cases?

A: The pressure, and the intellectual stimulation. With the diminishing returns of habeas corpus nowadays, the pressure is on the trial lawyer. And criminal law becomes less of a challenge after you've done it a while. Capital work is more complex, more challenging, and I liked the law. I enjoyed the intensity of the work, and the knowledge that my work was meaningful. If I lost a trial, there was a good chance my client would be executed. I knew what I was doing was worthwhile.

Q: How about a list of countries where you've worked?

A: I've worked in 21 countries. How about I give you regions instead? I've worked in the Balkans, Central and South America, Central Europe, Central and Southeast Asia—I love it there, the Caribbean, Russia and the Newly Independent States, East Timor, Africa... I haven't been to the Middle East yet, but I am probably going to be working on a project in Afghanistan.

Q: Is there a project or country that stands out?

A: Different places stand out for different reasons. Professionally, the most exciting job I took was last summer. The UN hired me to work in Southeast Asia to assess the legal component of their anti-drug efforts in six countries. Part of my job was to find a way to bridge the differences between each country's legal system. I had to recommend

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THE ADVOCATE

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Writers:

Lori Barstow	Jennifer Rinker
David Byasse	Marie Siesseger
Aimee Byrne	Nicole Travers
Colleen Diver	
William Durbin	
Kevin Gross	
Raj Jolly	
D.G. Judy	

Address Correspondence To:
 The Advocate
 William & Mary School of Law
 P.O. Box 8795
 Williamsburg, Virginia 23187
 (757) 221-3582

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Motorbikes and Pipes: Professor Van Alstyne Comes To W&M

by Marie Siesseger

Pipe in hand, the renowned First Amendment scholar and newly-appointed Lee Professor of Law at William & Mary, William Van Alstyne tells me about the etymology of the term "Devil's Advocate" as we make our way out into the courtyard. Although law students frequently play the infernal part in class discussions, Professor Van Alstyne explains that the phrase was once a legitimate job title. (Which begs the question: When will eAttorney include this listing?) Reserved for skeptics, the Devil's Advocate was a position within the Catholic Church. Today it's the name of Duke University's law school newspaper. And Duke is where Professor Van Alstyne last taught.

Family, history, and, of course, academics brought Professor Van Alstyne to William & Mary. Noting the "special allure of this school, ... its unique history and excellence in constitutional law," Professor Van Alstyne said "I think it's constitutional law faculty is fully as good as that which I enjoyed at Duke."

Professor Van Alstyne is not an entirely new face at William & Mary. "I visited originally back in 1978, and then again just two or three years ago. I've always felt there's something special about it," Van Alstyne explained. Citing the historical setting as one of William & Mary's alluring attributes, Van Alstyne said "every time one teaches the basic course in constitutional law, or even the seminar I teach on federal practice of civil rights, certain fabulous Williamsburg names come back—George Wythe, St. George Tucker, Marshall..., Madison."

History abounds in Williamsburg, of course, but Professor

Van Alstyne's work has not been limited to retrospective studies. To the contrary, Van Alstyne has participated extensively in legislative hearings in Washington, including hearings on the confirmation of Supreme Court justices, presidential impeachment proceedings, declaration of war, separation of powers, proposed constitutional amendments, and proposals to strip courts of jurisdiction.

The proximity of William & Mary to Washington, DC, without being in the District, is "really an advantage," said Van Alstyne. "It's well not to be inside Washington, because the politics so dominate the city that you kind of lose sight of scholarly, long-term perspectives and become too absorbed in using the law just for ideological purposes," he said.

His first legal job was as Deputy Attorney General of California, a position in which he researched international river law, the same topic he would later work on at the Hague. After his brief tour with the California AG's office, Van Alstyne took a position in the Civil Rights Division of the Justice Department. "What attracted me was that they were very new," he said, and the Division provided litigation experience to young attorneys. In the waning years of the Eisenhower administration, "all of the cases were really test cases," he explained, "because it was the first major effort of the Justice Department, almost since Reconstruction, to make more aggressive use of federal law on behalf of voting rights."

But Van Alstyne was subject to the draft, and he subsequently left the Justice Department for the Air Force. After completing his military service, he accepted his first teaching position at Ohio



State. He said that the impetus behind his move from practice to academia was that "[while] the work in the Justice Department was important, ... [after mapping out the basic legal theory] you weren't adding much, you weren't learning much. Honestly, I thought that going into academic life would provide time to add to the law, rather than just take from the law. And so I started at Ohio State."

And add to the law is exactly what he did. Two books and dozens journal articles later, Professor Van Alstyne has been a voluminous, and highly respected, contributor in the area of First Amendment law and theory. Speaking about his professional passion, Van Alstyne said "there's a lot of First Amendment law—my casebook itself runs almost 1,500 pages." He jokingly added that "for cases and materials on just one amendment to the Constitution that is preposterous."

There is still more work to be done, however. He's currently working on an article entitled "The

Marketplace of Ideas: Enter the Elephant," which addresses the potential First Amendment constraints on the power of government to become a propagandist. The research in this particular area of the law is "unsatisfactory," he said, but the phenomenon is an increasing one, and is grounded in historical precedent.

When he's not in the classroom or authoring cutting-edge scholarship, Professor Van Alstyne may be spotted burning rubber on the Williamsburg roadways. An avid motorcyclist since the 1970s, Van Alstyne has biked across the U.S. Other extracurricular activities include scuba diving and mountain climbing. He's trekked up Mt. Kenya, the Matterhorn, many mountains in the western U.S., and the Andes.

At the end of our discussion, Professor Van Alstyne confessed that he had one regret: Too few students took the First Amendment class. But, he said "I always liked [William & Mary]. It's a great pleasure to be here—it was a decision of enthusiasm."

SBA Softball Success for Tom Jackson Returns

Durbin: Softball from pg. 1

was slow on its feet against the fresh Bauer squad. The third-years could muster just a couple of runs against the mixed squad, ultimately losing to Bauer's team, 7-2.

Still, Lu's team went 4-1 in the tournament and made an impressive showing. The captain pointed to the outstanding defense of second basewoman Katie Aidala (3L) and solid pitching of Mike Kavanagh (3L) as keys to the team's run to the championship. Lu also cited the importance of his players' intangibles.

"Blake Points (3L) was the most enthusiastic player on the field," he said. "She really gave our team a lot of energy."

Although it was not necessarily the clincher, the mix of players helped strengthen Bauer's squad. Third-years Christian Larson, Kelly Street, and Christine Dealy dropped down, and first-year Scott Hetterman had the honor of playing up for the championship squad.

"We made exception for the 3Ls because of their experience," Bauer said. "We added our only 1L because of his solid defense and great enthusiasm."

The mixed squad went undefeated for the tournament, winning all five of the games it played.

Approximately 100 students played in this year's tournament, which, according to the organizer, 3L SBA representative Steve Del Percio, was approximately double last year's participation. Spreading the games over the course of two days also distinguished this tournament from prior years'. Those who participated in previous tournaments noted that this year's edition was as enjoyable as ever—if not more so.

"Last year, there was a scheduling conflict with another SBA event due to the hurricane, so that diluted some of the competition," Bauer said. "But I thought the 1L class was very well-represented this year, and overall it was a good tournament."

First-year participation was strong, with 1Ls fielding three sizeable squads. Because the double-elimination tournament was broken up into two uneven pools—one pool of three teams for the 1Ls and another of four for the "upperclassmen"—only one 1L team advanced. This drew the ire of some first-years, but most were unconcerned and enjoyed themselves anyway.

"I thought it was a great event, particularly for the 1Ls, who were able to get play each other and get to know each other outside of class," said Bryan Shay (1L), who played on one of the all-first-year squads. "It was a good time regardless of how many games we got to play. There seemed to be a lot more enthusiasm and cheering during the games coming from the 1L field than the other fields. Others took it a bit more seriously, perhaps."

Matt Gaetz (1L) and Tristan Tyler (1L) led the team that emerged victorious from the first-year pool, but not after two hard-fought victories over the teams captained by Stephen Cobb (1L) and co-captained by Karen Anslinger (1L) and Alex Blumenthal (1L), the latter cheekily named "Off in the Shower."

Gaetz and Tyler's team lost to a 14-13 heartbreaker to Lu's 3L squad in the semi-finals. The first-years posted a mighty six runs in the bottom of the sixth inning, the last of the game, but the rally fell short by one run.

Even though Lu's team failed to capture the championship, he plans to field a squad for the UVA tournament in the spring. All schools are welcome to send teams, as long as the teams pay the registration fee. Bauer's championship squad will have its fee paid for by the SBA, but Lu's team will likely pay its own way.

Although their expectations are modest, both captains look forward to the spring tournament up I-64.

"I think we might have a hard time winning it all," Bauer said, "but we will be a solid team."



Members of the 1L team celebrate an in-the-park home run during Game 2 of Saturday's final tournament. Photos by Jennifer Rinker.



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team name (that is printable), or Friday's matching blue T-shirts and Saturday's matching green T-shirts. Who knows? Let's go back to the skills and height thing. Everyone knows there's NOTHING superstitious about sports.

The other teams were not without their own secret weapons. Most notably, power hitter Ryan Dolan (3L) of the second-place Theo's Team hammered four balls out of the park, including a three-run homer in the championship game that helped narrow the final score to 8-6.

The first day of play began at noon on Friday with all teams scheduled to play at least once throughout the day. The top-winning teams of that day advanced to Saturday's round of play. Tom Jackson Returns faced off in Saturday's Game 1 against Levy's Team (Roster: J.T. Morris (2L), Doug Smith (2L), Kelly Campanella (2L), Brett Rudduck (2L), Brian Levy (2L), David Baroni (2L), Melissa Daniels (2L), Christina Eberhardt (2L), Matt White (2L)

and John Cox (2L)). Although Levy's Team was up 10-5 at one point thanks to a single-inning 9-run rally, Tom Jackson Returns ultimately triumphed. There was some contention as to whether it was an 8-run or a 9-run rally, but it didn't matter in the end so detailed coverage of the heated discussion will be left out of print. Tom Jackson Returns' Ryan Riesterer later said Levy's Team was one of their toughest competitors of the tournament.

Saturday's Game 2 pitted Tristan Tyler's 1L Team (Roster: Sara Lennet, Jordan Gilman, Harry Clayton, Todd Purdy, Tristan Tyler, Rhys James, Matt Gaetz, Allison Sawyer, Matt Dobbie, Adam Long, Jerry Miles, Ryan Wertman, Erin Ashcroft, Stephen Cobb, Amy Liesenfeld, and Mike Spies) against the predominately 3L Theo's Team. In one of the highest scoring games of the tournament, helped by a 1L home run that drove 4 runners to home plate, Theo's Team squeaked out a 14-13 victory to advance to the final game.

Good luck in Charlottesville, Tom Jackson Returns!

Addressing Stress: W&M Launches Lawyers Helping Lawyers Student Division

by Marie Siesseger

The irony of holding classes on Labor Day was probably lost on few law students. In a profession dominated by billable hours, stopping to observe, let alone celebrate, the traditional federal capstone of summer may seem like a quaint throwback. After all, who has time? There is work to be done! Resumes to refine! Applications to address! Secured Transactions to study! (Sound familiar?)

Casual non-observance of federal holidays may be symptomatic of a larger problem plaguing the legal profession. Long hours and little leisure time are ubiquitous, and these practices are inculcated in lawyers from the first days of their legal education. Helping Virginia lawyers and now law students to cope with the excesses of their work ethic is a volunteer group of attorneys called, appropriately, Lawyers Helping Lawyers.

This year, William & Mary launched a pilot program for what will become the state-wide Lawyers Helping Lawyers Student Division. Under the guidance of Professor Susan Grover and recent William & Mary graduate, Dana Bowling ('04), the Student Division program will identify and address the issues confronting law students. To that end, the first activities sponsored by the Division included a series of small student-faculty discussion groups that considered the stressors law students encounter, particularly in the first year. The focus of the program will not be limited to the 1L experience, however, but will encompass the entire three years of law school. "This is an opportunity for students to weigh in on what they think legal education should be," explained Grover.

The small group sessions garnered many appreciative responses. As the word about the discussions spread, demand for seats grew, and the Division scheduled additional sessions, including a

recent discussion led by Professors Donald Tortorice and John Levy. Over a dozen students participated in this discussion.

The development of the Student Division sprung, in part, from an expanded focus within Lawyers Helping Lawyers itself. Formerly dedicated to assisting lawyers battling alcohol and drug abuse problems, Lawyers Helping Lawyers recently adopted a broader mission that focuses on lawyers' mental health and well-being, in addition to substance abuse concerns.

Another impetus behind the creation of the Student Division was the "disjuncture between the institution's concern about students and the students' awareness of that concern," said Professor Grover. The activities of the Student Division are meant to increase the latter and provide a forum for students to express their concerns. Grover noted the tendency of law schools to fail to fully acknowledge that the legal educational process can be stressful, but noted that William & Mary has an exceptionally good track record in fostering an environment that is conducive to both learning and good mental health. "I'm proud that William & Mary is taking the lead," said Grover, adding that the Division's activities are complementary of other programs the school sponsors.

Although still in its infancy, the Division has many activities in store for William & Mary students. The Division plans to integrate with the annual substance abuse program for 1Ls, which will be followed by an ice cream party this year. In November, there will be a stress-reduction program for students as they gear up for exams. The Division also plans to implement a peer mentoring program for students.

As the Student Division of Lawyers Helping Lawyers takes off, William & Mary will become a focal point for other law

schools looking to start their own programs. At the end of the year, Grover and Bowling will write a full report on the Division's activities and the student response to them. This year promises to be a particularly productive one for the Student Division. "We're

in a dynamic setting now," said Grover, "the more we learn about what students need, that is how we will grow."

For more information about Lawyers Helping Lawyers, call 1-800-838-8358 or 804-644-3212, or e-mail info@valhl.org.

Warren from pg. 2

ways to draft protocols to bridge the varying legal systems so that the UN conventions and treaties could be implemented.

Last summer, I worked with John Levy in Nigeria, and that was fascinating because Nigeria has three different legal systems, including the Shari'a. We were tasked with the job of increasing and improving legal access to the poor in all three systems.

Southeast Asia always stands out. I just love Southeast Asia. But each part of the world has different things going on, and I learn so much. I'm amazed that I am paid to do a job that I love so much. I hope all our students feel the same way when they graduate. That should be the goal. Realize that the first job you take may not be where you ultimately end up. And the goal should be to end up in a place you love, even if it takes 25 years. Work towards a goal that will make you happy. Decide what you want to do for a few years, and then reassess. With a law degree, you can do so many things. It's a wonderful tool.

Q: How unique is the reform or remedy that each country needs?

A: Every single place, every single country, is unique—even subsequent visits to the same country—it's always different. Legal reform has no standard answer. What you do in a country is work with the people that live there as they try to figure out what the next best step for them is, to provide them insight into the ways other systems approach similar problems. You try to contribute something appropriate to their own culture, their own nation.

Q: Could the U.S. benefit by

adopting any foreign legal devices.

A: Well, other legal systems can contribute a lot to the United States. There are a lot of problems in our court system: delay in trials, the jury system... I think that our own system could benefit from adopting certain measures. One idea that comes to mind immediately: France has developed a supervisory judge—a *juge de la mise en état*—appointed to oversee the pretrial and discovery phases of civil cases in order to expedite their litigation. That role could be helpful in the United States.

Q: Any goals you haven't met yet?

A: I've never had one concrete goal on the horizon. The opportunity to come to W&M was unexpected to me. It's been one of the most enjoyable parts of my career. I don't really have any plans for afterwards.

Q: It seems like throughout your career, you've blended both the intuitive and the cerebral. You know five languages, and, like we've talked about before, that's an aspect of creativity—but there is also a lot of analysis in comparative literature and comparative law. So is that a theme of your life? Blending both the intuitive and the cerebral?

A: That's interesting. A theme to my life? ... I haven't thought about that before. I don't like the idea that life is black and white. Always, there are so many paths to choose from, so many approaches even to just one problem. I've always liked systems. And I've always enjoyed comparing how different people approach certain subjects, whether it's law, or literature, or language. And how does that connect to self and culture?

Interning in the Garden State

by Colleen Diver

I drove to the office of New Jersey's Attorney General (AG) a week before my start date, even though it was an hour away from my summer home, so I would know where to go my first day. That kind of Type-A apprehension rules my personality. I can't help myself. All the same, I managed to get a little lost in Trenton on the 'real start' date. Despite careful planning, Colleen still forgets to breathe. That's me too. I don't know why I am telling you this; I guess a little background to help you interpret my summer experience.

In New Jersey, the State's departments and agencies hire the AG's office for representation (some Departments hire other counsel) and the AG's office treats these Departments as clients. Before the summer begins, students hired as summer law clerks submit to an Assistant Attorney General (AAG) their preferred department placement. Selections include the Department of Treasury, the Department of Mass Tort Litigation, and the Department of Youth and Family Services. I requested the Department of Health and Human Services, anticipating assignments researching Medicaid, Medicare and Health Insurance Portability and Accountability Act (HIPAA) issues, but I never dealt with any of these topics.

First day. All 25 of us are on our best behavior. Wearing our "good" suits. Firmly shaking hands and doing our impressions of how we believe "professionals" act. All except me and four others are from Rutgers (New Jersey's state university). About two-thirds will be entering their third year.

The department mentors begin picking us up and the casual atmosphere of the office begins to sink in. Everyone seems to know everyone else. Few attorneys wear suits on a daily basis. People arrive around 9:00am and the office—eight floors, hundreds of attorneys, paralegals and support staff—is nearly empty every night by 5:30pm. Deputy Attorneys General (DAGs) must bill 35 hours

a week to their Department but, unlike most firms, they can bill administrative tasks.

Space and resources, including the DAGs', are scarce commodities. I and the other intern in my department sit at a hallway desk and share a computer. While I am researching, I wear earplugs to drown out some of the hallway chatter even when the Admins openly make fun of me. From what I can tell, every DAG is loaded with cases. Each DAG does a little bit of everything, but mainly they focus on one of the Department's practice areas. There is the Sexually Violent Predator (SVP) Unit, the HIPAA people, the DAGs that handle civil suits against the state, etc.

Due to the ratio of work to lawyers, I was able to get a lot of hands on experience. My projects included drafting motions to dismiss and replies to interrogatories, conducting discovery and writing both formal and informal internal memoranda.

Every other week the AAG held an informational meeting. Topics included applying for a judicial clerkship, an overview of the different Departments and the cases they handle, and getting a job with the AG's office following graduation. Other than these bi-monthly meetings and a couple of intern-organized happy hours, I almost never saw another intern and primarily worked on my own. Toward the end of the program, the AAG arranged for the interns to go to Atlantic City and get a behind-the-scenes tour of a couple of the casinos. Unfortunately I missed both, as well as an end-of-summer breakfast with Peter Harvey, New Jersey's Attorney General, and all of the gossip following the McGreevy scandal.

Over the summer I experienced first-hand the tension between zealously advocating your client's position (in this case New Jersey) and maintaining your own contrary opinion. For example, I worked on cases prosecuted under the new Sexually Violent Predator Act which sometimes resulted in moving inmates finishing up their sentences from one wing of a prison

(General Population) into another (Psychiatric) in order to keep them jailed as civilly committed 'patients.' Although I am supportive of tougher penalties for people who commit sexually violent crimes, I could not shake the feeling that the law violated the spirit of the double jeopardy clause.

Working for the State Government also drove home the reality that every person has the right to protect their legal interests, sometimes to a mind-boggling degree. I worked for several weeks on a matter involving the involuntary civil commitment of a man who had

murdered a family member during a psychotic episode. In response to his commitment the man filed forced medication claims against the State of New Jersey, the hospital, the staff, the assessing and treating doctors, and the assignment and ruling judges. Over the course of three years he filed over 30 hand-written, extremely lengthy complaints and motions in federal and state court against these and other defendants. His assessing doctors said that this compulsion to file complaints was a manifestation of his disorder.

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Defending The Defense

by Aimee Byrne

It felt like one of the worst interviews of my life. My hand had barely released from the introductory handshake when the interviewer asked me, "So, why do you want to work for a Public Defender?" If I had been one of those people with an innate life calling to criminal defense, perhaps the question wouldn't have seemed so difficult. I, however, only had a vague idea about my interest in the position, and something about this interviewer made me think that trying to construct the "right" answer wouldn't put me in his good graces. So I told him the truth: that I didn't know what I wanted to do, but that I wanted to experience an area of law to which I hadn't been exposed during my year of working for a firm; that defense work interested me; that I had heard good reports from second and third year students about working for a public defender, and that I wanted to contribute to the often condemned and criticized side of our criminal legal system. I don't think he smiled once during the whole interview.

Imagine my surprise when I got the call offering me the position. Of course, upon meeting the other three interns, I discovered that my interview experience was par for the course. That same interviewer greeted us all on the first day with a big hug and a smile.

My work primarily involved research and writing on a variety of

criminal law topics. I also received a crash course in portions of evidence, learned far more about the al Qaeda terrorist network than I ever dreamed I would, observed several court proceedings, and made some new friends from the "other" side of Richmond. There were times that the somewhat cramped space and windowless desk area made it difficult to focus, but for the most part, I enjoyed the people, work, and environment. The downside to the position was, of course, the "unpaid" factor, but the PSF fund deflected a little of the "summer in DC" blow to the pocketbook and definitely allowed me to partake in an interesting and worthwhile introduction to the world of criminal defense.

And what of my elusive desire to contribute to the oft chastised side of our legal system? My contributions were small, but always welcomed and appreciated. More importantly, I learned to appreciate and respect the diligent and demanding contributions that each Public Defender makes every day. There is rarely fame, and little glory, in defending the accused but as I observed throughout the summer, the energy and passion that each defender gave to every case put before them was inspiring and deserving of praise. Not every lawyer is cut out to be a Public Defender, but I firmly believe that all would greatly benefit from an experience like the one I had this past summer.

Of Rhubarb and Okra: A True Life Story Sponsored by PSF

by Kevin Gross

By the conclusion of January 2004, I had secured summer clerkships with the Attorneys General of Iowa and Alabama. I had never ventured to either the Midwest or Deep South and believed that these internships would not only provide valuable legal experiences, but would allow me to broaden my geographical horizons.

I submitted two applications for PSF monies, one for each position, and was gratified to be awarded full funding for ten weeks. After the journal write-on competition, I drove to New York City, my hometown, and was off to Iowa within two days. The distance from New York to Iowa is approximately 1100 miles, and the drive was both adventure-filled and draining. Each time I entered a state I had never before visited, however, I became re-energized.

I had rented an apartment in Des Moines, Iowa, for May and June via telephone and fax several weeks earlier and although, not exactly what I was expecting, it satisfied my needs. I arrived in Des Moines on Sunday and started work with the Environmental Law Division the next day. After introducing me to the staff, the Division Chief walked me over to the nearby gold-domed State Capitol and gave me a personal tour.

After returning to the office, I was instructed to review a box of discovery and other documents pertaining to a case in which a petitioner claimed that the Iowa Department of Natural Resources, represented by the Division, had arbitrarily granted several variances. The variances involved the design specifications of a city's wastewater treatment facility. Our position was that the petitioner lacked standing to bring the suit, but that even if he had standing, the variances were not arbitrary. I was also asked to prepare a memo on standing and variances to aid

the Division Chief in preparing for the upcoming hearing. I had the opportunity to attend the hearing and the Division Chief mailed a copy of the ruling to me when I was in Alabama—we prevailed on both issues.

The next case I was assigned involved a petitioner that claimed its emissions data are trade secrets. The petitioner had sought and been granted a temporary injunction preventing the public release of the data. I was instructed to research the emissions statutes of all 50 states and prepare an argument for use at trial. Although this case is not expected to be resolved for at least two years, it provided a fascinating glimpse into the overlap of environmental and trade secret law.

The Division Chief was an outstanding mentor. He always made time to discuss projects and provided valuable feedback. I had not prepared an argument as a first-year and he reviewed the two samples I produced and offered comments. Even though he was aware that I was receiving PSF funding, he was dissatisfied that the office did not pay me and took me out to lunch four times to make amends. Midwestern hospitality abounds. A further example is the Division Secretary who made and bought pies for me, including my first rhubarb pie.

While not working, I explored Iowa. I familiarized myself with the Des Moines area and took side trips to three Iowa towns, including Winterset—the county seat of Madison County, the famous home of covered bridges. The non-legal highlight of my stay in Iowa was flying a single-engine Piper airplane on my birthday. I also spent an exciting extended weekend in Chicago, Illinois.

At the end of June, I drove another 1100 miles to Montgomery, Alabama. The Alabama Attorney General offered discounted housing to summer interns at Alabama State University and although I was grateful for the low rent and week-

to-week lease, the accommodations bordered on the tenement-esque. The housing, however, did provide a much appreciated opportunity for contact with other interns. The Alabama intern program was more structured than Iowa's. I attended an intern orientation on my first day and, afterwards, was taken to the Violent Crimes Division, where I had requested an assignment. The Violent Crimes Division Chief was the polar opposite of the Iowa Environmental Division Chief. During the entire summer, we spoke for a cumulative total of approximately ten minutes. Most of that time involved requests to fax stuff. Once, I was fortunate enough to drive his car two blocks.

The first few days were a disappointment. I had no mentor, not much work (just one research project involving felony murder), and was instructed to complete a four-hour photocopying job. After nearly two weeks, I was wondering why I had left Iowa.

All of that changed after an encounter with the co-director of the summer program. She was dissatisfied with the work I had been assigned and made it a personal mission to see that my remaining time compensated for the lousy first few days. And she delivered. The next four-plus weeks were amazing. I worked in the Criminal Appeals and Constitutional Defense Divisions. I researched issues such as the constitutionality of changing the State's parole rules and whether mental incompetence can equitably toll the statute of limitations. I was also fortunate to write two appellate briefs: one involving an attempted murder conviction and the other involving a conviction for violating a state boating regulation.

I enjoyed having a real exposure to the workings of the Attorney General's office. Aside from interacting with attorneys in several divisions, I attended court several times, including a U.S. District Court fairness hearing held in a woman's prison. The women

prisoners had brought a class action suit against Alabama alleging poor conditions. A settlement was reached and the hearing was held to determine whether the settlement benefited all class members.

Later in the summer, I had the opportunity to go on a guided tour of one of Alabama's male prisons. On my last day at the office, an inmate that had been on death row for more than 20 years was scheduled to be executed. Several interns and I were invited to sit in the Executive Conference Room at 5:30pm and listen as the Attorney General communicated with the Commissioner of Prisons via speaker phone. The Commissioner informed the Attorney General what was occurring at the prison and the Attorney General ensured that all legal procedures were properly followed. The inmate was executed at 6:36pm.

As in Iowa, I also had the opportunity to see the sights during my stay in Alabama. I became familiar with Montgomery and the surrounding area and ate a lot of okra and corn bread. I also took a side-trip to Destin, Florida. The non-legal highlight of my stay in Alabama was going to a gun club in Macon County with three attorneys and two other interns and shooting pistols and a shotgun. Like Midwestern hospitality, the Southern variety rings true. For example, the summer program co-director gifted me the largest apple pie I have ever seen.

This summer may have been the most educational, fun, and exciting summer I have ever had. I feel that my legal skills and knowledge have increased exponentially and am grateful for the opportunities. I would urge the current 1Ls to consider splitting their upcoming summers so that they can experience more than one legal setting. The post-1L summer offers an excellent opportunity to discover. I would encourage 1Ls to explore different areas of the law and different geographical settings. And don't forget to support PSF.

Student Bar Association 1L Representative Elections

compiled by David Byassee

Congratulations to our new 1L SBA Representatives: Linda Quigley, Kelly Hart, and Jacquelynne Jordan. Thanks to all 11 students who ran; you brought an incredible turnout of voters! The following are statements from each of the newly elected representatives.

-Linda Quigley-

I am a wife and mother of three. I am originally from New York State, but most recently I lived in Roanoke, Virginia. I went to the University of Notre Dame for undergrad, and I am a die-hard Irish fan. Since graduation I have been a freelance editor.

I think the role of the SBA is to make life a little more enjoyable around here. One of my goals is to help with the great events the SBA already has planned. In addition, I want to come up with other creative ideas to appeal to the wide spectrum of students here and their diverse interests. In terms of quality of student life, the first issue I intend to bring up to the SBA is the bathrooms. I have heard numerous complaints about the ladies' room, and with my fel-

low Reps I will work to solve this problem. You can contact Linda at lmquig@wm.edu.

-Kelly L. Hart-

I am thrilled to be a representative for the SBA this year. I am repeatedly impressed with the energy and passion of the students and faculty here, and I feel honored to have been elected to represent what has already proven to be a driven, capable, and fun-loving 1L class.

I graduated from Connecticut College, Phi Beta Kappa, this past May with a major in English and minor in Psychology. I was the Captain of our varsity volleyball team for three years, and I also rowed for the crew team. I am proud to be from the beautiful state of Rhode Island (check us out at www.visitrhodeisland.com).

Similarly to Linda and Jacquelynne, I hope that my position in SBA will help create an atmosphere which is as relaxed, enjoyable, and as productive as possible. Although we are all new to the law school, I have already received several suggestions for this coming year. Due to the wet weather we have

been experiencing, I feel there is a need for complimentary umbrellas for the walk to our cars. A 2L, too busy to check the weather channel states, "Yeah, I sure would like one [umbrella]; getting caught in a squall happens to me all the time." These "loaners" would be returned after each use, on your honor.

Also, the stress that we are all expecting from our first semester's exams is an important issue to address. I think it would be great if SBA could look into hiring one or two professional massage therapists to come to the law school during exam time and provide short 10-15 minute massages for us. These are just a few of my ideas which I hope to bring to SBA.

Thank you for your time and support. I am really looking forward to working with the other representatives to make our first year of law school great! You can contact Kelly at klhart@wm.edu.

-Jacquelynne Jordan-

Originally from Atlanta, GA, I am very happy to be at the W&M Law School, and am very excited about representing the 1Ls in SBA. I believe that one of the SBA

reps' greatest responsibilities is to represent and implement the ideas of the 1Ls, and I am committed to doing this whole-heartedly.

Several of you have already let me know what you would like to see from SBA. Thus far, there are plans for publishing an "Obiter Dictum" for incoming law students (as MaryAnn Noland has suggested and will spearhead) and organizing a master contact list of 1Ls (coming to you soon!). There has also been talk of new social activities. Many students have expressed an interest in socializing with students outside of class, but feel that the bar just isn't their scene.

Although the SBA already organizes the weekly Bar Review, I would like to promote a monthly get-together that is centered around an activity other than drinking (gasp!), such as bowling or putt-putt, in addition to the usual bar scene (where you can find me weekly). If you have any ideas or concerns you would like for SBA to address, please let me know and I will do my best to see them implemented. Thank you for your support! You can contact Jacquelynne at jmjr2@wm.edu.

Bone Marrow Drive Gets Underway

by D.G. Judy

Preparations began Tuesday, Sept. 14, for the law school's participation in the 14th Annual Alan Bukzin Bone Marrow Drive. Last year William & Mary raised over \$50,000 and added more than 900 people to the National Bone Marrow Registry. The law school set a record by registering 140 people.

This year's Drive will occur April 14, 2005. Co-chairmen Patrick Speice (2L) and Josh Baker (2L), expect to better the 2004 numbers. "We'd like to get 100% participation from the 1L class," Baker said.

The first meeting gave interested students a bit more information about the Drive and about the importance of expanding the Bone Marrow Registry. Dean Rob Kaplan shared his personal connection with the Bone Marrow Drive. Six years ago he lost his daughter Ali to leukemia.

"It's crucial that as many qualified persons as possible put themselves on the Registry," said Speice. "You have the opportunity to give someone a second chance at life."

Registering requires about five minutes and just a few drops of blood, but placing a person on the

Registry costs about \$60. Last year the law school chapter of the Drive raised enough money to pay for almost all of its new registrants.

Baker and Speice plan to hold several fundraising events between now and April. The main event, the 2nd Annual Bone Marrow Drive Texas Hold'em Tournament, will take place in the spring semester. The inaugural tournament, roundly considered a success, featured beer, food, and fierce no-limit action between more than 50 players. "From what we hear, the 1L class thinks they can throw cards, so we'll be glad to see them come out and prove themselves," said Baker.

The Bar Review to be held on September 23 at JM Randall's will feature a 50/50 raffle to benefit the Bone Marrow Drive. Speice, selling the event, said, "We need to pay for every willing law student's registration. Our kick-off event will be a great time and a good start towards that objective. I'm personally looking forward to seeing the place packed."

Anyone who would like to get involved with the Bone Marrow Drive, or who simply wants more information, should contact Josh Baker (jebak2@wm.edu) or Patrick Speice (pfspei@wm.edu).

Student Organizations Kick Off New Year

compiled by Marie Siessegar

Less than a month into the semester, William & Mary's student clubs and organizations have already slated a full complement of activities for members and new recruits. In keeping with the active, involved atmosphere at the Law School, these groups offer something for everyone. Below is a description of each group and a preview of what they have planned.

ADR Team:

The Alternative Dispute Resolution (ADR) Team prepares students for the legal profession of the future. As negotiation, mediation, arbitration, and other ADR options will become a key part of every attorney's practice, team members receive intensive training in these areas from experienced practitioners.

After hosting an in-house competition for William & Mary students in the fall, the ADR

Team sends representatives to negotiation, mediation, and client counseling competitions around the region. The American Bar Association sponsors several regional competitions each year to determine who will attend the national competition.

In addition to training competitors and traveling to regional events, the ADR Team organizes social functions and works to promote awareness of the importance of alternative dispute resolution in the legal profession. A nine-member board, elected yearly, coordinates all events and oversees the selection of new members each fall. Interested students may contact President Scott Barbag, shbarb@wm.edu, or Laura Daniel, lcdani@wm.edu.

ADR Team Calendar, 2004-2005

-September 17, 2-5pm; September 18, 9-12am: In-house competition

-November: ABA Law Student Division Regional Negotiation Competition

-February: ABA Law Student Division Regional Client Counseling Competition

TBA: Environmental Mediation Competition, University of Richmond School of Law

American Constitution Society:

The ACS is a group committed to protecting the Constitution and the civil liberties contained within its provisions. We want to encourage discussion of current political issues within the law school and make sure all sides of the debate are heard.

This semester we have many fun activities planned. In conjunction with the Federalist Society we will be presenting a debate on the issue of gay marriage. And, all law students can join us for discussions on current issues once a month at Paul's over a pitcher of beer. Finally, we have several movie nights planned including

screenings of *Election* and *Fahrenheit 9/11*.

Christian Legal Society:

The Christian Legal Society (CLS) is a non-denominational Christian membership association of lawyers, judges, law professors, law students, and other associates (friends of CLS who do not have a law degree) whose members participate in the broad and rich variety of Christian congregational life and traditions. At William & Mary, the CLS chapter is committed to following Christ through fellowship, spiritual growth, and community service. If you are a Christian or want to know more about the Christian faith, we invite you to join us for fellowship at any of our social activities or weekly Bible studies. For more information about CLS, visit the website at www.CLSNET.org, or contact Mike Murphy (mpmurp@wm.edu) or Maggie Shoup (meshou@wm.edu).

Upcoming Activities:

-The Great Corn Maze at Renwood Fields – September 17

-CLS National Conference – Doing the Impossible with Jesus – October 28-31

-Presentation by Jay Sekulow (co-sponsored with Library and Federalist Society) – October 29

-Housing Partnerships – Fall 2004

-Law school community service activities - TBA

-Game nights - TBA

-Speakers - TBA

Weekly Activities:

-Bible Studies: Tuesdays at 8:00pm (Mike Murphy's house), Wednesdays at 8:30pm (Mark Ohrenberger's house)

Federalist Society:

Here is what the Federalist Society has planned for the fall semester:

-September 16, 12:30pm-1:30pm: Bob Levy of the Cato Institute is coming to discuss Gun Control and

Second Amendment Issues (Rm 119, lunch will be served)

-October 18 – Jeremy Rabkin is coming to discuss the Guantanamo detainees

-October 27, 5pm – Prof. Theresa Collett of the University of Minnesota School of Law (recently testified before SJC on the FMA) is coming to debate visiting Professor Melanie Jacobs on Gay Marriage and the proposed Federal Amendment (this event is being co-sponsored by LGLA)

Next semester:

-January 25: Dr. Robert Pilon of the Cato institute will be coming

-Also in the works are a possible "War on Poverty" debate and a third event.

Institute of the Bill of Rights—Student Division

The Student Division of the IBRL is focused on exposing both students and community members to relevant, timely, and, usually, controversial constitutional issues. We encourage active participation in our organization, including suggestions for speakers or event topics. Our plans for the upcoming year include the following:

- Hampton Roads School Project: Law students coordinate with local high schools and government teachers to bring the constitution into high school classrooms.
- Annual 1L Moot Court Competition: Set for sometime in late January/early February, the topic is still being decided, but it's great practice if you're thinking of joining Moot Court, and it's the focal point of the IBRL's yearly symposium.

- Movie/Discussion Night: Students join together over free pizza to watch a film exploring a constitutional issue. Afterwards, participants discuss their opinions about the film and are exposed (hopefully!) to a range of viewpoints. Last year's movie night was focused on the death penalty.

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After spending days organizing the massive paperwork generated by these cases and reading each complaint to establish each claim, I filed Motions to Dismiss for a few of the cases in both federal and state court. I did not have enough time to close out all of the files before I left and more complaints were sure to be forthcoming from the plaintiff. Despite the fact that several different DAGs would spend hours trying to resolve this seemingly insoluble issue at a high cost to the public, it was heartening to realize that even someone as disenfranchised as this civilly-committed man was being given an opportunity to argue his point and would eventually have (another) day in court.

Overall, I found my experience with the New Jersey Attorney General's Office positive and would recommend it to anyone hoping to get exposure to a wide variety of legal work.

Sex and the Law: Ask Not What Your Undies Can Do For You

by Nicole Travers

Interview season is once again upon us, and 2Ls and 3Ls alike are displaying their "business formal" best. All of the prospective interviewees have received Dean Kaplan's interview refresher tips, and there is a reason why tip number one is about personal attire. "You have complete control over your attire and appearance," advises Kaplan. "Employers assume they are seeing you at your personal best." This is absolutely correct. But I'm not here to talk about your Brooks Brothers suit or Ann Taylor dress set. I want to talk about what goes on first—your undies.

Undies may be both the most important and most easily neglected element of every law student's wardrobe. Sure, it's easy to color coordinate, or match your day-of-the-weeks with what is actually on the calendar, but what does that do for your state of mind? When you're in something as important as a first interview with a big firm, you want to feel professional both under and over.

When you go into an interview, there are things you know your interviewer does not want to see. One of these things is proof that you are wearing the wrong undies with your suit of choice. I assure the incredulous that yes, there are wrong choices of undies, and that yes, people do notice. But don't despair—you have me to help you now. So before you open that drawer and start digging for your favorites, we'll go over the basics together.

Let's begin with the gentlemen, since they have fewer underwear

related choices to make. Officially, there are four.¹

1. Briefs: Pretty much the strangest idea for underwear I have ever seen. Most lads I know scoff at the idea of wearing the tighty-whities (or multicolored bikini bottoms, either way), and for good reason. I have done my father's² laundry, and let me tell you, after a few months of wear those things get stretched out and more transparent than *any* lingerie I have ever owned. In addition, there is the danger of the VPL (which we will discuss later).

2. Boxers: Boxers make a bit more sense as undies, when you consider the basics of the male anatomy. However, there is a reason why they are called boxers—they're boxy! They take up a lot of room, and bunch up when you are wearing anything except pleated pants³—and if you are at all fashion conscious, you threw your last pair of Dockers away when you were eleven.

3. The Hybrid: When lads decided their briefs were too brief, and their boxers too boxy, they invented the boxer-brief—or as I like to term them, the boxief. Boxiefs are functional, and work well with modern fashion. They may take a while to get used to, especially for boxer-wearing lads. But if you wear them once in a while—for instance, under your interview suit, you may be pleasantly surprised at how well they contour.

4. Thongs: Unless you are interviewing for a job as a stripper, this is the wrong choice. Period.

When it comes to undies, the ladies have more choices than I can even list in a humble news column. Suffice to say, when a lass walks into Vikki-Sec's, she can choose



whatever style of underwear fits her personality, hair and eye color, astrological sign, and favorite fruit. But there are two major distinctions that are very important in one's suit-wearing scheme.

1. Those that cut below the butt, a.k.a. normal ladies' undies. These come in many different cuts and styles but where they sit on your derriere is my focus in this case.

2. Those that cut above the butt, a.k.a. thongs.

We have these two different styles for one very important reason: the dreaded VPL, or visible panty line. This is the main way a third party can tell if you've made the wrong choice of under-

wear—whether you're male or female. When the interviewer does the little trick of dropping his or her pen to see if you will volunteer to get it, you bend over. If you are a lad wearing the briefs, or a lass wearing the normal undies and too-tight trousers, SHAZAM. The VPL rears its head, and its unsightly lines give away the bad choice you made this morning. I'm sure many of you are thinking "why on earth would my interviewer care about something like that?" The answer is, she doesn't *think* she cares. But I can assure you, some tiny corner of her brain gives a little snicker. And when she checks your name

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¹ That is, if you exclude tube socks.

² My sisters and I actually bought him a set of boxers for Christmas in order to stop his briefish habits. He still wears briefs, and I think he wears the boxers as hats.

³ Pleated pants are probably the worst invention mankind has unleashed upon itself. They make your ass bulbous, your crotch balloon, and if you stick anything in your pocket, it looks like your hips have grown wings. Seriously, lads. Throw them away.

Montage: Peer Pressure and Republicans

by Rajdeep Singh Jolly

"If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. Let him step to the music which he hears, however measured or far away." — Henry David Thoreau

Nature has endowed humankind with an unfortunate vulnerability to peer pressure. Some preacher men exploit this vulnerability and convince large numbers of people to self-assuredly pray for the salvation of others. Unprincipled opportunists convince us to purchase ostentatious things, with which we can please a "friend", appease a spouse or give unease to a competitive neighbor.

Being lawyers or lawyers-to-be, we should regard ourselves as having no reason to fall prey to peer pressure. We deal in rationality. We even erect statues of eminently rational people in front of our law schools to remind ourselves of the virtue of rationality. Even still, during interview season, we put reason to bed.

We feel compelled to purchase glossy paper on which to print our résumés, as if the gloss of the paper adds substance to what is printed on it. We feel compelled to wear designer suits and cake ourselves in makeup, as if pedestrian shirts and pimples make us stupid and incompetent. We are encouraged to refrain from admitting weaknesses, as if weaknesses make us

less human.

This is not an endorsement of sloppy self-presentation; it is rather a call for more honesty, more authenticity, and more eccentricity. It is a call for less appearance and more reality.

"Our enemies are innovative and resourceful, and so are we. They never stop thinking about new ways to harm our country and our people, and neither do we." — President George W. Bush

It is fashionable to condemn Senator Kerry for voting to authorize an invasion of Iraq and then voting against an 87 billion dollar appropriation for military support and reconstruction. Republicans cry flip-flop and even suggest

that Kerry does not support our troops. Kerry explains it away as a quarrel with means employed to effect some ends, not with the ends themselves.

Many years ago, Congressman Cheney opposed the imposition of sanctions against apartheid-era South Africa and also opposed resolutions calling for the release of Nelson Mandela. During the 2000 campaign, the Vice President explained these votes away as protest votes—as quarrels with means employed to effect some ends, not with the ends themselves.

If we may justifiably second-guess Senator Kerry's commitment to troops on the basis of a protest vote, may we justifiably call Vice President Cheney a racist?

Sex and the Law
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off the callback list, you can be sure it wasn't your dentifrice that pushed things over the edge.⁴

Lads can fix their VPL problems by wearing boxiefs, but ladies' trousers are cut differently. So they turn to the thong. However, the thong is not without its problems. I have discovered in my own underwear research that thongs tend to be a little tighter than normal undies. This may be because there is not as much holding them up, or just because the fashion industry wants to screw with my head. So when I put on the thong, its waistband squeezes my hip fat⁵ and gives me two unsightly bulges. This is a bit less of a problem than the VPL, since a suit jacket will cover your hips, but it is also extremely uncomfortable.

Another problem of the thong is that sometimes one's trousers are so tight, it creates its own line

above the rear area. I call this the thong triangle. Trust me, there is only one thing trashier than sporting a thong triangle in an interview, and that is sporting a thong shadow. A thong shadow is what occurs when you wear a darkish thong with lightish pants. This isn't generally a problem in interviews, since we're usually in basic black. But when you get to the office, and are wearing a pair of cute tight white capris on casual Friday, look out.⁶ I've actually read a news story that a couple in Australia have invented the backless thong.⁷ This apparently employs a bra-strap like device which holds the underwear on underneath the wearer's bottom, as opposed to on the hips. This unique class of undies has, unfortunately, not made its way across the Pacific.

A good way to circumvent the issue of underwear lines altogether (for the ladies, that is⁸) is to wear a skirt. Skirts for interviews are generally not tight enough to show

a VPL, and if you choose to wear a thong, there is little danger of a thong triangle or shadow. However, it does open up a whole new problem—panty hose. Yes, it does make your legs look nice; yes, it does prevent your feet from getting blisters in your rock-hard interview shoes. However, it rides up, cuts your circulation off at the waist, and there is always the danger of accidentally getting your skirt stuck in it after you have your last-minute-pre-interview-nervousness-pee.

There is a solution, and that solution is stockings with a garter belt. Trust me, this combo is not just for Rocky Horror and pornography any more. You can pick up a pair at any Target or CVS. (If you want a nicer belt, these can be difficult to find, but for me the underwear section at H&M has never failed me when I'm looking for inexpensive and nice looking garter belts.) Thigh-highs are a little more expensive than regular pantyhose, but they are more comfortable, and

make things easier when using the restroom. All you have to do is make sure you do not have a "garter belt line" down your thigh when wearing your skirt or dress—but this problem only happens when that area is too tight. An added bonus is that garter belts have natural "control top" protection for the tummy-conscious. Garter belts do not work for short skirts, but then again, you are not Ally McBeal, and are not wearing a miniskirt to your interviews, now are you?⁹

The moral of this story, then, is that the right underwear decisions will ensure a complete package of clothing professionalism. So for your next interview, before you take that suit out of its plastic wrap coffin, take a moment to consider how your undies will work for you today. In retrospect, I suppose this column hasn't exactly been about sex, but I'm sure your sick little minds can keep all of you entertained until next issue.

⁴ I'm just kidding, of course. Interviewers are never petty, and never judge the tiny things. They are as fair and balanced as Fox News, and the reason they didn't call you back is that you are really not good enough as a person, just like you thought.

⁵ Which is, unfortunately, ample.

⁶ I once had a boss—a middle aged woman—who wore white skirts and trousers with black thongs on a regular basis. One day we were getting our normal shipment of FedEx packages when she walked by. Our FedEx delivery man's jaw dropped, and he fairly shouted "She looks like a WHORE!" She turned around and bit through his jugular, but has never lived down the shame. Don't let this happen to you.

⁷ I'm seriously not making this up.

⁸ And Scottish men, but I haven't seen anyone wear a kilt to an interview this month.

⁹ You were thinking about it, weren't you? Whore.



All Photos by Jennifer Rinker

The SBA Pub Crawl: Bar Passage Rate: 100 %

Student Organization Calendars

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-We are also currently planning an event featuring a former death row inmate who was later exonerated and the lawyer who spent thousands of hours doing pro bono work trying, successfully, to free him.

-Lastly, we are trying to coordinate an event with several other groups revisiting the military's "Don't Ask, Don't Tell" policy.

Phi Delta Phi:

Phi Delta Phi has a full semester of activities planned for its members and for the law school

community as a whole. To begin, recruitment efforts are currently underway. These include an Informational Meeting/Ice Cream Social that will be held in the lobby the week of September 13th. If you are interested in being part of one of the oldest professional fraternal organizations, stop by for some ice cream and meet fellow classmates and current members of PDP.

Additionally, we're about to begin recruiting talent/performers for one of the law school's biggest annual events, "Law-Law Palooza," the talent showcase and variety show that benefits the Public Service Fund. Look for us in the coming weeks and get your tickets or sign-up to be part of the show.

Finally, for members only, and that includes any new members who may be interested, we're planning on making our annual trip to the Virginia Supreme Court during the week of November 1-5. Information about a final date will be made available at an upcoming meeting when many of the details of the trip have been worked out.

If you are interested in becoming a member of Phi Delta Phi, or if you would just like to find out more about who we are and what we do, stop by our Ice Cream Social, or stop and ask any officer: Ryan Riesterer, Sara Mariska, Megan Riley, Tripp Whitbeck, or Christine Tollefson.

Sports and Entertainment Law Society:

The Sports and Entertainment Law Society holds monthly meetings and invites local practitioners to address the membership over lunch. The Society will hold try-outs in October for its moot court team that participates in national tournaments. In the spring, SELS will host a Sports and Entertainment Law Symposium at the law school, open to the entire community. The society also meets socially to watch Monday Night Football, major awards shows, and March Madness. SELS is meeting for its first Monday Night Football this coming Monday at Paul's.

Contact President Alana Mallick for more information.