4th Circuit Pays W&L Law a Visit

On Friday, March 22, a panel of judges from the U.S. Court of Appeals for the Fourth Circuit visited Washington & Lee School of Law to hear oral arguments. Seated before a professionally dressed gallery of law students, faculty, and attorneys, Judges G. Steven Agee, Paul V. Niemeyer, and Stephanie D. Thacker presided over three cases: S.C. Dept. of Education v. U.S. Secretary of Education, Wilson v. Dollar General Corp., and Hill v. C.O. Crum. Following the arguments, the judges shed their robes and entertained student questions in an informal setting.

Normally, the court sits in the Lewis F. Powell Jr. United States Courthouse located in Richmond, Virginia. However, Fourth Circuit judges have in recent years begun a new initiative, traveling to various law schools in an effort to engage with students located in the five-state circuit. Judge Niemeyer is enthusiastic about the experience, saying, “We’ve been doing this for five or ten years. It’s a wonderful practice in affinity with the academy, and I think it’s a great opportunity for students.”

Judge Niemeyer’s words proved true, as the three cases presented novel issues for argument and gave students front-row insight into appellate advocacy. Docketed for first argument, S.C. Dept. of Education v. U.S. Secretary of Ed. concerned an administrative law issue—particularly appropriate since W&L is one of only a few law schools to include administrative law in its core curriculum. The issues argued were whether South Carolina could appeal directly to the Court of Appeals the Secretary of Education’s decision to reduce its funding by $52 million, and, if so, whether the reduction in funding was proper without notice and a hearing.

While the issues before the court were serious in nature, the arguments were not without levity. Inquirying about the money in question, Judge Niemeyer comically alluded to the hot-button political issue of sequestration, asking, “Well, is this the new citizens’ war? How have the funds been sequestered?” Cracking a genial smile, he followed these questions with another: “Or is that too loaded a phrase now?”

Ultimately, the court asked both sides to prepare a motion in response to recent legislation that may be relevant to the case. Even in the face of prolonged litigation, argument once again gave way to jocularity when the court asked Alisa Klein, along with Alison Klein, counsel for the Department of Education, if a week would be enough time to prepare her motion. Ms. Klein instead asked for two weeks, citing a trip to Utah as cause for the delay. Without skipping a beat, Judge Niemeyer gave all law students in the

Continued on Page 4

U.S. News Law Schools Rankings Released: W&L Stays Strong

The 2014 U.S. News and World Report Law Schools Rankings came out on March 12, and there are several things worth pointing out:

1. Ranking Methodology: U.S. News incorporated placement success into this year’s ranking and gave it heavy weight in consideration. The placement success factor includes employment rates for 2011 graduates at graduation, employment rate nine months after graduation, and bar passage rates. This “new innovation makes the rankings more comprehensive and practical in the sense that it provides an objective view of how schools are doing in admissions, academic programs, and placement. Here is the ranking methodology used by U.S. News: peer assessment (0.25); assessment scores by lawyers and judges (0.15); selectivity (0.25); placement success (0.20); median LSAT scores (0.125); median undergraduate GPA (0.10); acceptance rate (0.025); faculty resources (0.15); student-faculty ratio (0.01); and library resources (0.007%).

2. W&L, slips a little: W&L dropped two spots from 24 to 26. “So far, we haven’t seen any or very little adverse effect on admissions,” said Dean McShay, the Assistant Dean for Admissions. A slight drop could make a huge difference for applicants who want to attend a top 25 school, but when making one of the most important decisions in their lives, applicants should not look only at the ranking itself, but what’s behind the rankings, including geographic locations of the schools, the culture of the cities where the schools located.

Instead of admission, current students worry more about what the rankings indicate about their careers. With placement success becoming a key factor in the ranking system, the rankings do a better job addressing these concerns than they have in the past.

Continued on Page 4
Powell Lecture Featured Judge & Suprise Guest

Continued from Page 1

his family. Judge Sutton explained that even though Justice Powell worked tirelessly every day, his family remained an utmost priority. He sent frequent memos to his children offering advice (a fact that raised laughter from the audience) and encouraging success in their endeavors. When President Nixon nominated Justice Powell for the Supreme Court, he called his son Lewis F. Roberts appointed him to the Sixth Circuit and an embodiment of the values that Justice Powell personified—honor and service. In his lecture, Judge Sutton said that the practice of law is "the ultimate service profession," and he has emulated Justice Powell's sense of honor and service while on the Sixth Circuit. The board invited Judge Sutton to speak this year, says Clarke, because of his "relationship, integrity, and intellect on the bench."

The Powell Lecture Board thoroughly enjoyed the lecture, particularly the personal memories and stories of Justice Powell and the practical advice for law students as they begin their careers. The students and guests attending the lecture appreciated both Judge Sutton’s humor and his wisdom. Frequent laughter filled the room and several questions were asked at the conclusion.

Judge Sutton is a graduate of Williams College and The Ohio State University School of Law, where he graduated first in his class. He was a partner at Jones Day & Pogue, served as the State Solicitor of Ohio, and taught at Harvard, Vanderbilt, and The Ohio State University School of Law. After Chief Justice John Roberts appointed him to the Sixth Circuit Court of Appeals in October 2012.
The Smartphone Patent Wars

Daniel R. Collopy, '81L
Alumni Contributor

You pick up your smartphone and unlock it with a single gesture. Then, while typing a message, the phone's spellchecker suggests spelling or completes partially typed words for you. When you want to see a part of a visual more clearly, you pinch to zoom in. When preparing to take a picture, you select a focus for autofocus. When reading a book you swipe or tap to turn pages.

All of these actions are infringing someone's patent. And, in courtrooms across four continents, more than thirty companies have been fighting pitched battles over infringement of these and other pieces of intellectual property. These companies include Apple, Samsung, RIM, Google, Motorola, Kodak and AT&T. They also include a half dozen "patent trolls," non-practicing entities who are trying to make a lot of money off a patent that they have no intention of practicing. Earlier this year, one troll, RPX, calculated that there are more than 250,000 active patents relevant to smartphones. This translates to 16% of all active U.S. patents, even to smartphones. This translates to more than 250,000 active patents relevant to smartphones. These companies include Apple, Samsung, RIM, Google, Motorola, Kodak and AT&T. They also include a half dozen "patent trolls," non-practicing entities who are trying to make a lot of money off a patent that they have no intention of practicing. 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Despite the early humor, the oral arguments stood out as a startling portrait of the messy realities of litigation. These judges will decide the fate of millions of dollars of funding for special-needs children, the weight of responsibility levied from work, and the extent to which a prisoner can be abused by his guards. All in all, there is little chance that the hefty weight of responsibility levied notice of law students. Clearly, Judge Niemeyer was correct: this was a wonderful opportunity to see what lawyers do and what is at stake. That responsibility is not to be taken lightly.

Friday’s visit marked the third time in the past six years that the Fourth Circuit has held argument at W&L, making it one of the more frequented schools on the circuit’s traveling road show. One might expect that the circuit’s preference for W&L has to do with its connection to Justice Lewis F. Powell Jr., former Supreme Court Justice, namesake of the Fourth Circuit Courthouse, and graduate of the Washington & Lee School of Law. However, Dean Nora Demleitner believes that the students are owed some credit: “We’ve been told that the judges enjoy coming [to W&L] because student turnover is so great here. I was very pleased to see so many of our students today.”

Currently, no future arguments have been scheduled to take place at W&L. However, all indications suggest that the Fourth Circuit will be back. Perhaps the next time the Fourth Circuit visits W&L, one of its students will be able to present an argument before the court.

New Rankings; W&L Strong

Continued from page 1

Some students also believe that the OCP and the school should provide more resources on job searches and interviews, but other students believe the OCP has done a good job.

Many employers who do not practice law and some law-yers on the other side of the country are not familiar with W&L. To help fix this problem, some suggest that the school should do more advertising to improve its public exposure. In addition, some suggest that the OCP must look beyond a strategy of relying on alumni and family connections. A 2L, who doesn’t have a job offer yet, suggests that the OCP should provide more information on small- and mid-size firms’ hiring processes.

Some other students also recommend that the school take advantage of technology and provide Skype interviews with the firms that don’t want to send recruiters to Lexington for in-person interviews. Several students give the OCP credit for building a strong network with alumni. While W&L is famous for three things—the small size of the school, the Honor System, and the strong alumni networks—students hope that the school can provide more resources to help them find jobs.

3. Alabama skyrockets: Despite growing concerns about the OCP and the school’s student body, the ABA continues to recognize W&L’s strong reputation.

4. Farewell, UIUC! How much impact this will have on the career prospects of UIUC students is still an unresolved question.

Continued from page 1

The final two cases argued were Dolan v. Washington & Lee Corp., an employment case, and Hill v. C.O. Crum, a civil right case testing the limits of qualified immunity for use of excessive force by corrections officers. Both cases provided insight into the competing tensions that judges must continually weigh. The sympathetic victim and the harsh realities of the law.

In Wilson, Judge Agee suggested that “you have to admit, this is a sympathetic plaintiff.” At the same time Judge Niemeyer later urged, “Yes, but we still need to address the realities of the law.

Hill illustrated the same tension for the corrections officer accused of excessive force arguing that it was permissible under existing case law to maliciously inflict pain permissible under existing case law to maliciously inflict pain to present an argument before the court.

The University Board of Appeals hears all appeals from the student conduct process filed by individuals, groups, or the University Office, with the exception of appeals from the Executive Committee. There are six student representatives to the UBA which includes three 3L students and three 2L students. This board is not called to act often, the importance of review is one not lost on law students. This board would hear appeals from the SFHB, the SJC, as well as other student groups.

The last two committees I would like to highlight are less focused on any legal knowledge or experience. The CONTACT Committee and the General Activities Board are geared to providing campus-wide activities in the form of speakers and entertainment. Additionally, these groups may also redistribute the funds provided to them to other groups whose events seek to further similar goals.

The CONTACT Committee is a non-partisan, all student committee with the mission of bringing prominent speakers to the W&L campus in events that are both educational and entertaining. It seeks to appeal to as many segments of the student body as possible. Past events have included Ron Paul, Rudy Giuliani and Adrian Grenier. CONTACT has the potential to provide funding beyond what law school funds are available to attract national speakers that are relevant to both the law school, as well as the undergraduate community.

The General Activities Board exists to provide diverse entertainment to the W&L University community. It specializes in bringing a wide range of concerts to W&L as well as comedians and other regular campus activities. Much like CONTACT, this is an opportunity for the law school to ensure consideration when the university is planning and scheduling such events.

Again, these are only brief introductions to a few of the upcoming committees. Further information will follow in campus notices and, as always, the EC members are available for any questions.
PILSA 5K: A Torturous (Tortious?) Experience

Dan Jacobs, 1L
Staff Writer

I am not a runner. I used to have to run for high school sports, but that was dark, dark time in my life. However, when I heard that the Public Interest Law Association (PILSA) was holding a 5K at Jordan’s Point Park to benefit its summer grant program, I decided it was time to tie the sneakers up once more and put myself into a false sense of security. I felt like I should have an answer about what my work/life balance look like?

JG: Yes, my job was to go into the jail, after people had been arrested but not yet interviewed, and make sure they didn’t fall through the cracks – to make sure that the defendant’s office knew they needed representation.

JG: Watching what criminal convictions can do to people. Watching what it does to families as well as the person going to prison, and watching that person be defined by one bad mistake, or one stupid thing they did on one day.

JG: Can I have wi-fi? If I can have that I would need my iPad. Then I guess I would bring my dog Fiji. (laughs) But note that wifi was first.

*Professor Clarke is married to Professor Speedy Rice. He was not consulted on his willingness to go to a desert island.

JG: What would you do if you won the lottery?

JG: If I feel like I should have an answer to this question (laughs). Well, I guess first I would check twice and make sure that was right. I have no idea then – I would probably try to figure out some good causes to give to and then just continue working. I wouldn’t know what else to do with myself.

JG: Do you have a favorite book?

JG: Mostly read for work, so generally my favorite book is the last one I’ve had a chance to read (laughs). So right now I guess I would say it’s “The Center Cannot Hold” by Elyn Saks. She’s a professor at the University of Southern California law school and she is also schizophrenic.

JG: I wasn’t much into law in law school?

JG: Well, the Zags are my Cinderella story favorite, but my heart is always with the Tar Heels. I grew up in North Carolina.

JG: And finally, if you couldn’t be an attorney, what would you do?

JG: Actually when I walked out of the bar exam, I was sure I had flunked it so I’ve considered this before (laughs). I ended up passing, so that hasn’t been an issue, but I thought maybe at that point I’d be a doctor. I don’t like blood though, so maybe I’d just have worked a coffee cart on a beach somewhere. I think I would like that. Maybe if I win the lottery I’ll buy a coffee cart for when I retire from law.

JG: Why did you decide to go to law school?

JG: Well, that was all the way in 1974, you expect me to remember that long ago? (laughs). I guess I would say that I had an upbringing that encouraged me to want to stand up for people who didn’t have what I had. I suppose I had some lofty goals then – but mostly I guess, what else do you do at 22 with a liberal arts degree?

JG: What was your favorite class in law school?

JG: (laughs) I wasn’t much into law school. I don’t know that I had a favorite class. My highest grade was in secured transactions – and I still have no idea what that’s about, if that tells you anything. I started working at a public defender’s office and I was really more into that.

JG: Completely out of balance (laughs). It never has any hope of balance – I am a workaholic. Balance is a good idea, I would promote it – I am pro-balance – I am just not a very good example of it.

JG: Well, if you had to be stuck on a desert island and you could only bring three items, what would you bring?

JG: Can I have wi-fi? If I can have that I would need my iPad. Then I guess I would bring my dog Fiji. (laughs) But note that wifi was first.

PILSA 5K: A Torturous (Tortious?) Experience

Kelsey Perego, 1L
Staff Writer

Judy Clarke received a Bachelor of Arts in Psychology from Furman University, and her J.D. from the University of Southern California. She is admitted to practice in California, and has been a criminal defense attorney for over thirty years. She had held positions as President of the National Association of Criminal Defense Lawyer (1996-1997) and Chief Trial Attorney for the Federal Defenders of San Diego. She has been a visiting law professor at Washington and Lee intermittently since 2006. The Law News sat down to ask her some questions to get to know her better.

JG: Wow, well that was all the way in 1974, you expect me to remember that long ago? (laughs). I guess I would say that I had an upbringing that encouraged me to want to stand up for people who didn’t have what I had. I suppose I had some lofty goals then – but mostly I guess, what else do you do at 22 with a liberal arts degree?

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Greetings from your SBA President-Elect! As we wind down the school year and head into the summer, I hope you look back on the year as one of progress and milestones: 1Ls, finishing your first finals; 2Ls, getting over the hump; 3Ls, making every moment count. Although we are all in different stages, we are united here within these 70s-style brick walls for a few more days.

Looking forward to next year, I am honored to serve as your President and advocate until it turns spring again. I will have an open door (or open e-mail) policy that I hope you take advantage of. As many can tell you, I send a lot of e-mails. I plan to begin the year asking for your suggestions on programming, band choices, party themes, everything! The SBA is here to serve you, but we can’t do our best without your input. We will continue to have sack lunch forums, post our meeting minutes, and send weekly updates. Transparency is important to us.

While every class is struggling to achieve a different milestone, I hope to bring the classes together and encourage students to look to the upperclassmen for help on class and 3L program choices, LSFL-appropriate attire, or what time to get to a law school party. Jobs—that which must not be named—will be a focus of mine. While Career Services is our main go-to, students are a fantastic resource and you don’t have to walk through the reading room to get to them. Someday we will all be lawyers and getting to know your fellow Generalists will help you in the long-run. Say you want to move or start your legal career in Dallas and don’t know a soul. Who should you look to first? Your fellow law alumni! You’ll be able to pick up where you left off, talking about that time the power went out and they didn’t close school, when the 4th Circuit came to the moot court room, or when Casey became SBA President. Get to know us while we’re here—you won’t regret it!

Lexington can be a small and confining place after spending months on autopilot from home to school. But who knows this better than lawyers practicing in Lexington? Practicing attorneys in Lexington are underutilized and could be a great resource for students. From advice about the Virginia Bar to starting your own firm, to working for a city, county, or state, I hope to bring fellow Lexingt-тонians to us and have them explain why we don’t have a Starbucks.

Finally, I am making a decree that all meetings must serve Dominos pizza. Only. Always. Just kidding, that would be terrible. Promise you won’t regret giving me your vote of confidence (a.k.a. an uncontested election) and I know 2013 - 2014 will be the best year yet.

Washington & Lee University School of Law's The Law News

A Letter from the Student Bar President-Elect

Casey Coleman, 2L
Contributing Writer

Greetings from your SBA President-Elect! As we wind down the school year and head into the summer, I hope you look back on the year as one of progress and milestones: 1Ls, finishing your first finals; 2Ls, getting over the hump; 3Ls, making every moment count. Although we are all in different stages, we are united here within these 70s-style brick walls for a few more days.

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New Smoking Ban Angers Students

Brad Cochran, 1L
Assistant Editor

The Law School campus where the administration has approved smoking, has also caused concerns. These areas include a bench in the faculty parking lot, a bench in the visitor parking lot, a bench near the law school lawn, and a bench near the interior courtyard. None of these new signs "evolved in a sweeping re- 

policy. The new policy stations, including the student body, which sig- 

was approved. The professor proceeded to take his jacket off, after having to walk through a bunch of these signs. Some students believe 

DT: They are not. We looked into the possibility of cover-

sion to the school's blog. The new policy will promote a better envi-

A peaceful pro-immigration a- 

ling account for a cold call that could come any day, or not at all. This doesn't even take into account the non-class related activities that most law stu- 

lucky student re- 


dents can congregate, socialize and study without having 

The vocal disapproval of the prof- 

'Right to the end, this student didn't 

As finals period quickly ap-

the stresses and ten- 

enforcement areas that most law stu-

DT: We felt 150 feet was a reasonable distance that would move smokers away from entranceways and high traffic ar-

DT: We discussed the change during an SBA sack lunch last 

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In our opinion, having to walk through a bunch 

we put our best foot forward when visitors are on campus. In addition, as a law school, we want to make sure 

at better ease as the summer approaches. Short-term loaner laptops are available at the circulation desk for you to use if needed.

3Ls—Summer Adventures Ahead, Ex-

walltech@wlu.edu if you need assis-

in case of inclement weather?

As finals period quickly ap-

of the idea that we ought to have a 

The vocal disapproval of the prof-

policy accomplishes this goal.

Some students believe 

regional tactics, quickly changed his tune. 

The professor started criticizing 

The schools are not ready to 

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Dean Twitty Responds to Smoking Area Concerns

Dean Wells, 2L
Editor in Chief

On April 4, 2013, Dean Twitty released an e-mail to the student 

system updates current on at least a weekly basis and go into each exam having printed a test page to your 

You may not have a hard deadline! Start your bar application early 

Students, once the semester begins, 

The vocal disapproval of the prof-

not in the student's control, and he was able to restrain himself enough not to leave class and show back as soon as class ended. So, despite having to take time off from class, as well as his other school 

obligations, he agreed to be a contes-

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The professor started criticizing 

The schools are not ready to

By now, everyone in or within complaining distance of Sidney Lew- is Hall knows that W&L Law slipped two spots in the U.S. News rankings of the nation’s best law schools. All in all, number 26 out of 200 isn’t bad, and W&L certainly still qualifies as a top-tier law school. There is one number that buried a little deeper in the rankings, however, that should worry us a lot more than “26.” That number is 27.9— the percentage of W&L Law graduates who were employed at graduation; when you consider the top 100 law schools, our employment figure puts W&L Law gradu- ates out the door with jobs in hand; while off-scorned, #53 U of R turned in a respectable 38%.

If you’re a 1L reading this, you’re probably wondering: What should I do with this seemingly useless information? It’s simple: you should seri- ously consider trying to transfer out of this law school career trap, even if it’s to an ostensibly worse law school.

True, you’ll lose your scholar- ship if you transfer out. And yes, you may have a lower starting salary to look forward to. But the good news is that you might just have a markedly better chance of being able to pay off any student loans you do have, because at least you’ll have a job.

One answer to this might be that W&L grads get jobs, they just get them later. Without more out- looking wave of 1L transfers (and the smart money says there won’t be any. One answer to this might be that W&L grads get jobs, they just get them later. Without more information, though, we can’t know for sure how the unknown can only increase students’ anxiety and fear.

To prevent the possible ongoin- wave of 1L transfers (and the unknown effect it might have on our already-tenuous ranking), the law school administration should act quickly to diagnose the problem and devise a new job placement strategy. The explanation for W&L’s weak- ness in this area and the new strat- egy should be announced to students publicly and before the beginning of finals. Students have a right to know how our leaders plan to correct what is arguably W&L’s Achilles heel—a problem far more important than the amount and type of alcohol served at club events.

Can We Still Trust The Honor System?

Matt Sorensen, 2L Staff Writer

(Based on his size and strength, I bet the Predator monster would make a pretty good ballplayer. I mean, the fear would be that he would kill all the other players. I guess you can ask him not to. But I think he’d probably just tell you what you wanted to hear. I mean, I think eventually his hunter instincts would be too hard to resist.

— Harry Caray [Will Farrell]

In light of the W&L Honor System, professors and administrators have passed policing duties on to the student body. In return, we are prom- ised a culture of trust reflecting our mutual appreciation for the anxiety and long hours that go into the pur- suit of a J.D. Sure, we all know what it’s like to envy the gas station atten- dant because he gets to think menus and cut some kind of venereal disease. Our shared feelings of self-pity do make us less likely to under- cut you.

But what practical advantages come from an honor system? Students sign in Leo Chapel to promise fidelity to the Honor System.

I comply with the Honor System so that our professors will trust us to take exam only once and our exams at our carrels, so we can enjoy more flexible exam schedules, and so we can leave our possessions lying around without fear of anyone taking them. I suppose the curtain has been drawn on this last perk—even though clearly the towns- ies are behind all of the thefts here at W&L, right? So what are the rest of these perks worth to you?

The Honor System thrives off mutual trust. We are each asked to believe that the student body will abide by the system, and that our peers will expose and drum out the recidivist. If we don’t believe this is the case, then we are allowing the less deceitful (or more desperate) to de- prive us of an even playing field. In exchange, we enjoy the comforts of a flexible exam period and exams that we can take wherever we want.

We think we put too much stock in human integrity. But we aren’t just human, right? We are honorable people. Honorable people at- tend institutions with honor systems. With no shortage of law schools that do more honorable if he did, but it is far safer to keep your head down in our delicate social environment. See generally middle school. Besides, the smart money says there won’t be enough evidence to go on; with only the Honor System as a deterrent, cheating doesn’t call for extraordinary action.

So at the end of the day, it doesn’t make sense to place our trust in am- bitious strangers jockeying for cov- eted jobs in an unfortunate market. While most of us are genuinely hon- est, reliable individuals, the temptation to cheat is simply overwhelm- ing for some. And the rest of us are left to wonder if we aren’t the biggest suckers in higher education. But hey, you really might have to take exams at your carrel.

“Took you trust him? . . . Don’t joke me around. It’s a simple ‘yes’ or ‘no’ question. I mean, if the Predator monster promised he wouldn’t kill all the other players, would you put him in the game?”

Our admitted students are qualified to attend, why would they come to a school with an honor system that they have no intention of respecting? I’m not cynical; I don’t think people come to W&L because it’s a bonanza for thieves and cheaters. In light of last year’s admissions debacle, which was predicated upon W&L’s climb in the U.S. News & World Report’s rank- ings, can it seriously be argued that all of the students enrolling at W&L Law were influenced by something as insignificant as an honor system? If we can assume that the honor system was a pull, then perhaps it is safe to assume they were all stoked about spending three years in Lexington.

The question of personal integ- rity would be moot if student en- forcement was an adequate deterrent. Students don’t have the time or the willpower to scrutinize their peers. I can’t blame the individual who decides not to share his suspicions with the proper authorities. It would
Spring is coming! After experiencing two snowstorms in March, it is safe to say that spring is finally here. Since the weather is getting warm, we will switch our escape from an indoor trip to an outdoor one. Last year we took a kayaking excursion on the James River in Buchanan, VA. Buchanan is thirty minutes south of Washington & Lee, and it is even smaller than Lexington. Since we are not there to explore the town, its size and population are not deal breakers. Twin River Outfitters (TRO) runs a canoe, kayak, raft, and tube rental business on the James River. Paddle season begins April 1 of each year. Reservations are required for day trips and multi-day trips. TRO provides different paddling excursions, ranging from five to thirteen miles. Because of the variety of trips, we can choose to spend as few as two hours to as long as seven hours paddling. The difficulty levels vary, and TRO provides this information when you make your reservation if you ask. I went kayaking with around twenty law students last fall. The trip was organized by the Outfitting Club, so rental didn’t cost me any money. Otherwise, the cost ranges from $30 to $35 depending on the trip. The boats, paddles, life jackets, orientation, river maps, use of dry bags, and all required shuttles are included in the price. The trip went on without a hitch. We had opportunities to chat and get to know each other. At the same time, it is good exercise. It is always a good idea to go with a group, not only because TRO provides discounts for groups, but also because it is more fun to hang out together. So, if you are in Buchanan and preparing for exams, spending an afternoon on the river). The minimum age requirement is fifteen. Kids under this age can go as long as they are accompanied by an adult. Reservations are strongly recommended. We are always a good idea to go with a group, not only because TRO provides discounts for groups, but also because it is more fun to hang out together. Just as you can’t judge a book by its cover, you can’t judge Fancy Hill by its nondescript appearance. Fancy Hill Korean Diner serves up Authentic Asian cuisine. It is located on Washington & Lee University’s campus. It is even smaller than Lexington. Even Virginia dining. The owner definitely knows what he’s doing, and it shows in the management of the restaurant. No frills menu, but all-out cooking. Well… near to Lexington. Fancy Hill’s styling was a mix of 1950’s furniture and Korean wall art. There is real Korean food in Lexington. Well… near to Lexington. Fancy Hill Korean Diner is a unique Asian restaurant that serves (authentic) Korean, Chinese, and Japanese cuisine. It is located along twelve miles south of Lexington, right off I-81. The only advertisement that Fancy Hill utilizes is a rather old and nondescript sign in front of their one-story building. Since it was a Friday evening, we were rather wary of the empty parking lot, but the faint “Open” signs in the window guided us to the front door. It was empty when we walked in, so we went to seat ourselves. The Korean owner of the restaurant went out of his way to make sure we were well-fed in the oddly juxtaposed decorations: 1950’s diner-style tables and chairs with Korean wall art and signs. Bright, little flares sitting atop the tables with the token Asian fish tank containing one heady-eyed goldfish. I ordered the ginger tea, and it was surprisingly good. Bitter but not much, and sweet, but not overpowering. It was only half a cup, but it was delicious. Sadly, there are no free refills. The menu provides an interesting variety. Appetizers include vegetable and beef gyroza, edamame, seaweed salad, chicken tempura, and a house salad. For entrees, there are American, Korean, Japanese, and Chinese selections. They are available and are served with miso soup. American choices include chicken wings and sandwiches. Korean dishes include gal-bi (beef short rib), bul-gogi (marinated beef, pork, chicken, or squid); and bibimbap (assorted vegetables topped with an over easy egg, served with beef, pork, chicken, or chicken, or a combination). Japanese selections include teriyaki (chicken, shrimp, or vegetable) and come with fried rice. Chinese entrees include General Choi Chicken, Pepper Steak and Onion, Shrimp and Broccoli, Beef and Broccoli, fried rice, and lo-mein. The miso soup and chicken tempura came out first. Since it’s in the middle of nowhere Virginia, I expected prepackaged miso soup (perhaps of the Wal-Mart variety), but again, Fancy Hill caught me off guard. The soup was oddly fresh, sprinkled with crisp chopped green onion. The chicken tempura was probably the only part of the meal that was mediocre. It was just a very small portion of thin strips of fried chicken. Portion sizes were large and the food was delicious. I got the spicy beef bul-gogi with a hearty scoop of rice, and my companion got the hot pot bibimbap. The bul-gogi was savory, like beefy chocolate melting in my mouth, and there was a perfect amount of spice—just enough to clear my sinuses, but not enough for tears. For the bibimbap, the owner brought a red spicy sauce to pair with it, and it definitely enhanced, rather than overshadowed, the taste of the meat and veggies. The kimchi and pickled radish also were very authentic, and rather addicting. Note: Please take my recommendations with multiple grains of salt. While I have dined at Korean restaurants frequently while in Southern California, I am not Korean, so I cannot back my comments of authenticity with family familiarity. The food, however, is very, very good. And a lot more “real” than Tong’s, Hong Kong Kitchen, or Crystal. If it makes any difference, they have both chopsticks and forks and knives. Fancy Hill Korean Diner is the needle in the haystack in Lexington dining, and maybe even Virginia dining. The owner definitely knows what he’s doing, and it shows in the management of the restaurant. No frills menu, but all-out cooking. Photography by Lucy Zheng.
A Tour of the Finer Artsy Things in Sydney Lewis Hall

In order to discover this little gem, you have to look in the little corridor across from the CJC and next to Professor King's office. In order to discover the hidden meaning and depth of emotion behind this magical piece of art, you need to examine it after carefully watching the movie *Apocalypse Now!* and considering your own mortality. The delicate tar and rusty nail media seemingly used in the piece really brings out the bright and cheerful demeanor of the artist. Interestingly, a couple of pieces from this same line seem to have been featured in the movie *Million Dollar Hotel*. Amazing how New York art seems to make the rounds.

Water Lilies, I Promise
Estimated Value: 10,000 Francs
This work and its sister piece across the Moot Court Lobby, 'Color Sneeze,' are the only two non-portrait paintings in Sydney Lewis Hall that are framed, so we can assume that they were painted by the art school-dropout nephew of the building's namesake. The painting evokes Monet's depictions of water lilies toward the end of his life as he was going blind. This leads to three possibilities: (1) the artist was not imitating Monet, and this is just the hunchbacked hybrid offspring of impressionism and abstract expressionism; (2) the artist intentionally painted the work to look like that of a blind man, which seems in poor taste; or (3) the artist himself was blind, which makes this review in poor taste.

A Light Snack
Estimated Value: Fifty cases of Pepto
Dan Brown recently announced that this painting would be the subject of his next novel. (Spoiler alert: Robert Langdon gets lost in the Lower Stacks looking for the reasonable man; he didn't find him.) Seriously, has anyone ever really looked at this painting? Yes, the menu looks like it was selected by a drunk, and blindfolded Rachel Ray given free run of the supermarket, but look closely. Look closelier. Right in the middle of the chaos, behind the monstrous pretzel, there is a man in a jacket with elbow patches about to sit down to a nice (and well-painted) basket of fruit. Who is the man in the shooting jacket? Is there anyone else at the table, or is he dining alone? Is he worried about getting that white table cloth dirty? And oh yeah—why is this potentially respectable piece of art covered by a bunch of paint-by-number chicken wings and cheese platters? My only guess is that the artist intended to overshadow the good professor's healthy snack choice with commentary on America's ever-expanding obesity epidemic, as represented by the giant, salty Gordian Knot that dominates the work.

Two Headed Hippie Jesus Painting
Estimated Value: 4,500 disparaging remarks from would-be art critics
This painting is a real gem in the collection, despite what people say. Ok, I'll grant you that the color palate would be at home in the 90s children's TV show "Franklin." I'll even stipulate that the artist didn't seem to pick up on that idea of painting in one direction to achieve an even tone when coloring a solid color, but still . . . it's just so clever! Who would have ever thought to paint Jesus in bell bottoms? And the fact that the scene is the canvas . . . this guy's showing some real ingenuity. Now, if only he could have picked a theme for his background, or taken the time to learn how to show depth.

WASHINGTON AND LEE
University Store
Law Students
DO YOU WANT ADDITIONAL CASH?
Before leaving the Law School, bring your books to the student mailbox area of Lewis Hall.

Casebook/Textbook/Study Aid Buyback!
Get cash (up to 50% of value of book)!
Help your store have more used and cheaper books for future semesters!

Six Days in Lewis Hall
Friday, April 26, 9 a.m. - 6 p.m.
Monday thru Friday, April 29 – May 3, 9 a.m. - 6 p.m.
Desperate Times, Desperate Measures: A Call to Action

Patrick Sweeney, 2L
Staff Writer

Dark days have descended upon W&L Law. For what is the most important, nay, the only important measure of a law school’s success? Top-notch faculty? Committed, hard working students? Innovative programs? Dedicated, successful alumni? Of course not! It is the omniscient, all-powerful U.S. News & World Report rankings. And our ranking has fallen two points.

So what can be done? Are we all doomed to scour the nation for lowly document-review positions and spend our days cloistered in a Topkea warehouse? Will the very earth itself open its cavernous maw and swallow Lewis Hall in a single gulp, subsuming this sad, unworthy sepulcher into its fiery bowels? No, all is not yet lost! But we must first find the source of our shortcomings and remedy it post-haste, lest we suffer an agonizing fate. I propose a few potential causes of our precipitous fall from grace:

1. The Brief Stop no longer uses the I.O.U. system.

Gone are the days when a studious casebook warrior could grab a quick snack to fuel her quest for legal acumen without waiting in line at the cashier. Now, we have descended into the vulgar stew of immediate payment; our credit is no good. If the Brief Stop cannot trust us, then how can the rest of world?

The Honor System is clearly dead, so I say good riddance!

We must rise to the top in the only way this modern age affords us: through constant, intrusive surveillance and senseless suspicion of everyone. Mandatory spyware on all computers! Video cameras trained on every carrel! Do you think we can get tracking chips implanted in every student? I sure do. Perhaps if we can show U.S. News & World Report that we trust ourselves even less than they trust us, we can regain their favor.

2. Nelson Street Bridge is closed.

Yes, at first blush this seems like a strange reason for our ranking to fall, but hear me out. Nelson Street is a critical traffic artery in Lexington—the direct route connecting W&L to the ABC Store. And just as an army marches on its stomach, a law school runs on its liver. See, e.g., Feb Club, Barristers Ball, LSFL, Halloween, Dean’s Cup. With this supply line cut, thirsty students must traverse Washington Street, which is just far too inconvenient. The solution: W&L needs to start a distilling operation in the Back Campus. With a steady stream of pure grain alcohol, our institution would undoubtedly flourish. Gone would be the tragic days of “running out of booze” or “sleeping.” And so what if a few unfortunates end up going blind? Then W&L could be a pioneer in outreach to handicapped students, something that would surely impress U.S. News & World Report.

3. The 1Ls.

We will start with an irrefutable premise: correlation always indicates causation. When we were ranked 24th, none of the current 1Ls were enrolled. Now that we are ranked 26th, all of the current 1Ls are enrolled. Coincidence? I think not. And because there are 187 of them, it is 187 times more likely than anything else to be the cause of our misery!

Irrational fear of newcomers is a core American value. This marauding horde will ruin our school, take our jobs, impegnate our daughters, and steal our Medicare and Social Security! So grab your pitchforks and torches and meet at the Law Lawn next sundown. We’ll drive these despoilers out of Lexington once and for all.

(“Note: The author disclaims every reason this he has just made. Especially violence against 1Ls. He is sure that they are a wonderful group of scholars.”)

4. Get sleep. Figure out how many hours you need in order to think clearly, and then give yourself those hours. Don’t compromise.

Dealing with Law School stress

Finals time is approaching, and the atmosphere within in the school is starting to change. In order to avoid getting sucked in to the general panic, plan ahead.

1. Make a list of the tasks you need to accomplish in order to finish out the semester.
2. Give yourself realistic weekly and daily goals, and meet them.
3. If you currently feel overwhelmed but stuck at the same time, just start working on one thing at a time, and really focus on the task in front of you.
4. Get sleep. Figure out how many hours you need in order to think clearly, and then give yourself those hours. Don’t compromise.

Fun Snacks

For those of you who want to be health conscious but are like me and instead end up forgetting to pack snacks because you want a reason to run into the Brief Stop and pick out a treat from either the wall of candy or the mounds of delectable cookies, don’t! Well, do, but only in moderation. And if you don’t really do “moderation,” then avoid the wall of candy at all costs. A few fun snacks I’m currently munching on:

- Bannon Light & Fit Greek yogurt.
- Mini sweet peppers and hummus dip. These peppers have revolutionized my life, because they take ZERO prep and the peppers last for at least a week in the fridge. They are delicious and crunchy so you feel like you are eating chips, but these things have like forty-five calories in a serving.
- Trail mix. This is a dangerous one, because it is not good for you in large quantities, but it is good from the perspective that it is pretty filling and has both salty and sweet flavors. And it is fun, because every bite is different.
- Frozen grapes.

Hygiene

Change the sheets regularly and make your bed every day. It just recently came to my attention that some people don’t change their sheets, basically, ever. Needless to say, this was very disturbing news. Fresh sheets will make you feel freshly enveloped and cozy. Making your bed keeps it cleaner, longer. Also, bed-makers are 19% more likely to get better sleep than non-bed-makers. Three out of four people said they got a more comfortable night’s sleep when their sheets smelled fresh.

xoxo,
Elle
Spring is (kind of) in the air. The weather has gotten (kind of) warmer. Exams are (kind of) around the corner. And over the weekend of March 29–31, the athletic multitudes of W&L Law (kind of) partook in the annual Dean’s Cup softball tournament.

The temperature topped out at around fifty-five, which is warmer than it was the entire week leading up to the tournament, but still not ideal weather for imbibing significant amounts of alcohol, lazing around, and occasionally swinging a bat at five-mile-per-hour lollipops. Apparently, a pocket of warm air over Greenland felt like ruining everyone’s good time. Luckily it wasn’t too bad when the wind wasn’t blowing and the one cloud in the sky wasn’t blocking out the sun.

An interesting wrinkle in this year’s Dean’s Cup is that it took place one week earlier than usual in order to accommodate the interschool tournament at University of Virginia. This affected the tournament in a couple of ways. Because Dean’s Cup occurred this year over three weeks before exams, 1Ls had not yet reached full-blown hysteria over spring exams, which inevitably occurs after the trauma of receiving first-semester grades. Similarly, the 14L class, which notoriously under-participates in law school sports, was able to field a full team. In addition, without the UVA tournament acting as a Grapefruit League-type experience for some of W&L’s brightest softball stars (read: people with the time to spend entire weekends drinking and messing around a month before finals), the quality of play was especially uninspired.

Finally, the tournament only “kind of” took place because many of the playoff games have yet to be played. Normally, preliminary “pool” play occurs on Friday and Saturday, with the elimination rounds played on Sunday. Unfortunately, the base of baseball the world over, the Weather Channel, spoiled those carefully laid plans. With the forecast calling for biblical floods and hurricane-force winds, the Sports Czars were left with little choice but to delay, and finally postpone, the playoffs. Of course, other than some early-morning misting, the weather was dry, and the Dean’s Cup That Would Not End commenced/stalled. Although some playoff games have since been played, a combination of the UVA tournament the following weekend and a lack of keg-supplied motivation will make it difficult to complete the tournament. The championship game is currently scheduled between Professor Howard’s Bankruptcy Exam-a-Palooza and Professor Murchison’s APLP Bonanza.

As for the games themselves, Victorious Secret, having made a disappointing first-round exit from the LSFL playoffs and literally disappearing from the LSHL, nabbed the top seed and a bye in the playoff rounds by going undefeated in pool play. Sports Czar Trent Lalima’s other team, Community Legal Practice Clinic, grabbed the other bye after fielding a plethora of non-CLPC ringers. The other playoff teams included a depleted Torts Illustrated team, Cases Loaded, Motion to Strike, and the 1L squad Any Given Thursday, which squeaked into the playoffs after having conducted structured practices literally every Thursday since the end of the LSFL season. The Criminal Justice Clinic, Parole Models, Huge Subpoenas, and Maple Briefs failed to make the cut.

Pick up a copy of Volume 41, Issue 1 of The Law News next fall to find out who, if anybody, won the Dean’s Cup and to see if Stephanie Bollheimer breaks the record for strikeouts thrown in a single tournament (a record made either more impressive or sadder, depending on how you look at it, because pitchers pitch to their own teams)—she currently has twenty-seven.