Davis Competition Finals: An Intense Evening with Celebrated Judges

Jordan Roberts, 3L
Contributing Writer

Can the U.S. government kill its own citizens with drone strikes on U.S. soil or abroad? Do federal courts have the jurisdiction to review the constitutionality of these targeted killings? These were just some of the questions that the competitors at the thirty-fourth annual John W. Davis Appellate Advocacy Competition had to answer. At this year’s competition, finalists Cadman Kiker, James Parker, Krystal Swendsboe, and Paul Wiley had to make their case to the court. Krystal Swendsboe took home the award for top oralist, with Paul Wiley as runner-up. However, with over ninety students participating in the Davis Competition this year, reaching the finals was itself a great achievement.

In the finals, Parker and Swendsboe argued for the petitioners, representing the estate of men killed in drone strikes orchestrated by the U.S. Government, and Kiker and Wiley argued for the respondents, government officials allegedly responsible for the drone strikes.

The competition featured a distinguished panel of judges, the Honorable Rhema Hawkins Barkdale, of the Fifth Circuit Court of Appeals, played the role of Chief Justice. He was joined by the Honorable Mark S. Davis, of the District Court of Virginia, and a W&L alumnus, and the Honorable Stephanie D. Thacker, of the Fourth Circuit Court of Appeals.

The competition began with James Parker as petitioner, and the judges wasted little time in firing questions at him. Chief Justice Barkdale repeatedly asked Parker if there was any evidence on the record that the United States knew Majibullah Saeed (decedent) was in Yemen when it launched the drone strike that killed him. When Parker attempted to explain his position, Judge Barkdale refused to let him continue until he provided a “yes” or “no” answer. Despite this tough line of questioning, Parker, like an experienced boxer backed up to the ropes, was able to parry and transition seamlessly to his stronger arguments.

Law Review’s Roe at 40 Symposium Dedicates Itself to Balance

Howard Wellons, 3L
Editor in Chief

In the Fall Semester of 2012, then-Professor Samuel Calhoun approached the W&L Law Review with a proposition. Calhoun and his colleagues in the University Faculty for Life, a multidisciplinary association of scholars supporting the right to life movement, would assist the Law Review in hosting a symposium focused on the controversial Roe v. Wade decision. The Law Review accepted the Dean’s offer on a single condition: the Symposium’s defining characteristic would be balance.

One year and countless labor intensive hours later, it is obvious that the Symposium’s defining principle was scrupulously honored. Roe at 40: The Controversy Continues took place on November 7 and November 8 in the Milhiser Moot Court Room of Sydney Lewis Hall. The event featured four panels, each including presentations from both pro-choice and pro-life perspectives. Instead of a single keynote speaker, there were two, each championing one side. The event’s commitment to balance was further reflected in its sponsors, which included the University Faculty for Life, but also the ACLU of Virginia and Virginia NOW, a feminist advocacy organization. Even the marketing for the symposium emphasized balance by depicting a scale evenly weighing the words “pro-choice” and “pro-life.” While balance was the watchword of the Symposium, the program made clear that this principle was not intended to “suggest that advocates should give up their principled stances.” The two keynote speakers at the event captured both the vitality of the ongoing debate and the intensity of the differing views in attendance.

Caitlin Borgmann, advocating for the pro-choice stance, spoke first. She argued that despite the vehement arguments on both sides of the abortion issue, many Americans do not see the problem of abortion in black and white terms. Instead, she insisted that the abortion debate is driven by politicians and activists who find it politically advantageous to paint the issue black or white. “We see public policy being formed unmoored by the inevitably more nuanced facts,” advised Borgmann. She concluded her presentation by asking the nation to make the words “pro-choice” and “pro-life” a more integral part of their vocabulary.

Dedicates Itself to Balance

The Symposium’s defining principle was the Symposium’s determining characteristic. The program emphasized balance in its marketing materials, its presentations, and its speakers. The Symposium’s defining principle was not intended to “suggest that advocates should give up their principled stances.” The two keynote speakers at the event captured both the vitality of the ongoing debate and the intensity of the differing views in attendance.

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Roe at 40 Symposium Dedicated to Balance

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The sixteen panelists at the conference each offered a fresh perspective on the Roe decision. Among the panelists were social activists, law professors, and a philosopher. Even a current W&L Law student, Ryan Hrobak, ‘14L, appeared on Friday afternoon’s panel alongside former W&L Law Professor Robin Wilson, Dean Samuel Calhoun analyzed and discussed Supreme Court Justice (and W&L Law Alumna) Lewis F. Powell’s vote in Roe v. Wade during Thursday’s first session. In his remarks, Calhoun stated, “It should give us all pause to think that such a decent, intelligent man—and such a careful, conscientious judge—could be complicit in an outcome so tragically wrong.”

Washington & Lee was not only the school of law to recognize the fortieth anniversary of the Roe decision. UCLA, Stanford, and Rut- ger’s each chose to base Symposia around issue of abortion, with Stan- ford holding two independent conferences dedicated to the issue. Of the many that took place, Washington & Lee’s Symposium and the event organized by Stanford’s Constitution Center were two of the only conferences that dedicated their events to the guiding principle of balance.

Last year, I accepted the post of Editor in Chief of The Law News with one goal in mind: to make the newspaper a worthy contribution to W&L Law. I was fortunate to have enlisted the aid of strong writers and diligent editors. As a result, we garnered an increased readership among the student body and earned the American Bar Association’s Law School Newspaper Award. In my second year as Editor in Chief, I’ve come to realize that these accolades are not going to ensure our continued success; there is still much to do. The Law News began forty-one years ago as a means of alerting people to upcoming events. At that time, The Law News was the only way to inform the student body about anything that was going on in and around the law school, except for a bulletin board that was over-cluttered. In those first years, The Law News released an issue every two weeks, and served essentially the same function as Law Notices does today. The issues served the additional purpose of providing analysis of the events that had already happened.

Nowadays, The Law News isn’t meant to give updates on upcoming events. It’s simply not the best medium for that information anymore. Instead, the newspaper has transformed into a means for the law community to reflect on what has already occurred and to discuss what is yet to come. For Alumni, The Law News provides insight into what is going on in the school and offers students the ability to write their thoughts candidly. For prospective students, it provides an unvarnished look into the type of school they are actually considering. For current students, the paper is a means to stay informed about important people, events, and debates throughout the school. And, for the first time in The Law News’ history, we are instituting a program to expose current students to the intersection between journalism and the legal profession.

Unless a commitment to the success of the newspaper endures among the student body, faculty, and staff of W&L Law, our progress will be fleeting. As recently as last year, there were discussions about whether a law school newspaper was even beneficial to W&L Law, and whether the institution of The Law News should be allowed to continue. These concerns have faded some. But these are the type of questions that should be raised from time to time, and The Law News should be held to a high standard of service to the W&L Law community.

It’s up to you, as a member of the W&L Law community, to ensure that The Law News is effectively serving its purposes. Please take a few minutes to read the next issue of The Law News and decide for yourself whether it meets the high standard we set for it.

Howard M. Wellons
Editor in Chief
The Law News
Uranium Mining in Virginia: The Debate Continues

From the Yucca Mountain debacle to Iran's nuclear ambitions, issues of nuclear energy, nuclear waste, and uranium often appear as distinctly national and international concerns, far away from Lexington, Virginia. Yet, with the continuing interest in uranium mining and how nuclear energy's possibilities and a statewide moratorium remains.

Many courts, while not completely shuttered, were so stripped of staff and resources that they were effectively crippled. David Hurst, 3L, works in the Immigration Rights Clinic and described the state of the immigration court during the shutdown. The court was immediately reduced to a single judge and only heard the cases of immigrants who were detained. If non-detainees had hearing dates on the calendar, the hearings were cancelled with no indication of when they might be rescheduled. This left non-detainees, as Mr. Hurst put it, "in limbo." Detained cases, though heard, were chaotic and disorganized. On the date of the detained client's hearing, the detention facility had no idea which hearings were being held. Likewise, "no one at the court knew what was going on." Some news outlets reported the shutdown was only a laughable matter. Fortunately, the judge recognized the disarray and tried to be flexible by agreeing to postpone certain hearings and ordering a "superseding order." Mr. Hurst acknowledged that for some immigration clients, there was a danger lurking. "To the extent that anyone has not been able to leave the United States, they're off the calendar."

In the end, Congress agreed to a temporary measure that stopped the shutdown, at least for now. The same budget issues will return in January, which means students in spring term externships and clinics may see similar challenges.

Jaffe's talk focused on the potential dangers of a uranium mine, including the threat of contamination of public drinking water. He also pointed out that tourism and agriculture are very important industries to Southern Virginia, which could be jeopardized by nearby Uranium Mining. The majority of local business owners support the moratorium, as Mr. Hurst put it, "just to protect the little guy." Many courts, while not completely crippled, were so stripped of staff and resources that they were effectively crippled.
W&L Opens Doors to Underprivileged with New Financial Aid Program

Adam Gregory, 1L
Staff Writer

According to a study done by the New America Foundation, over eighty percent of incoming Washington & Lee University freshmen come from families that make over $100,000 per year. This disproportionately large number of wealthy students has caused Washington & Lee admissions officials to take a critical look at their financial aid, and move in a direction that some of the other elite universities in the country have already considered—free tuition.

Now, this does not mean free tuition for just anyone. Unfortunately, the program does not cover law students; it is for undergraduates only. So don’t get your hopes up, fellow debtors. In addition, the program does not cover international students.

Beginning next fall, the undergraduate college will offer free tuition to those incoming students whose family income is less than $75,000 per year. Some might find this odd, or inadvisable, but those at Harvard University and the University of Richmond clearly do not think so. Both schools have instituted similar policies already. W&L is simply following an emerging trend. In an interview with the Richmond Times-Dispatch, W&L University President Kenneth P. Ruscio stated, “We just know there are great kids who come from financial circumstances that might cause them not to think about coming to W&L.”

According to the Richmond Times-Dispatch article, undergraduate tuition at Washington and Lee costs a student about $60,000 per year when including room, board and books. That would be quite a substantial fee for those who do not have scholarship funding of some kind. The university feels that this may be deterring some people from applying. The school is currently raising money for the program. W&L hopes to raise $160 million to fund these need-based scholarships, of which it has already raised $32 million. This is not the only change that the University wants to make, however. The President also said that the school wants to move to a “needs-blind admissions policy,” meaning that the fact that someone needs financial aid would not impact whether they are accepted. He acknowledges that it could take some time before the policy is fully implemented, but affirmed that the University was well on its way to achieving this goal.

For now, potential applicants will have to work with the new free tuition program, which includes the possibility of free room and board for those who really need it. It will hopefully become a trend and allow those who have not had as many opportunities to get an education at a first-rate institution such as W&L.

The Executive Committee has started to engage the community in a conversation about the use of “study drugs.” As a committee, we have been elected to represent our respective classes and the student body as a whole. To this end, we are attempting to determine the prevailing feeling regarding the use of study drugs and any implications that use might have on the honor system.

Though the White Book does not codify violations of the honor system, the “Philosophy” section on page two of the White Book is informative. It states in relevant part: “The students’ commitment to honor is grounded upon a recognition of duty. Students who recognize duty choose to discipline their behavior in predictable ways: they will do their own work, take no unfair advantage of their peers, represent themselves truthfully, and claim only that which is their own…The Honor System condemns only acts that the current student generation views as breaches of the community’s trust.” In a recent interview with The Ring-Tum Phi, the President of the Executive Committee, Nathan Kelly, explained, “[t]here are many factors to be considered about the effects and uses of amphetamines which inform the discussion, but the ultimate factor is whether or not the student body considers un-prescribed amphetamines a violation of its trust.” In a recent interview with The Ring-Tum Phi, the President of the Executive Committee, Nathan Kelly, explained, “[t]here are many factors to be considered about the effects and uses of amphetamines which inform the discussion, but the ultimate factor is whether or not the student body considers un-prescribed amphetamines a violation of its trust.”

The Executive Committee will soon be reaching out to the W&L community to hear from them regarding study drugs. These efforts will be through direct meetings with student groups on campus, town hall style meetings, and other means. Additionally, any and all students are welcome to attend an Executive Committee business meeting to speak with us directly.

The honor system applies to both sides of the campus and must accurately reflect the community as a whole. It is important that the law school community participate in these conversations and make their opinion known.

As Nathan Kelly has explained, “[t]here is no timeline or official process for making the decision and it will not be made unilaterally. It will come about through extensive dialogue with the community.” Help your Executive Committee representatives ensure the law school community’s voice is heard and let us know what you think. I can be reached at pelletier.d@law.wlu.edu for any comments, questions, or concerns.
Mock Trial Finals: A Raucous Evening with a Few Twists

On November 15th, competitors Paul Wiley, Sarah Murphy, Krystal Swendsboe and James Pickle, along with star witnesses Keith Jaworski, Stephanie Bollheimer and George Robertson provided a terrific ending to W&L’s annual Mock Trial Finals competition. The finals were held in Sydney Lewis Hall’s Milheiser Moot Court Room.

Judging this year’s final round was the Honorable Henry F. Floyd of the U.S. Court of Appeals for the Fourth Circuit. After stunning performances from both teams, including a little witness theatrics, His Honor declared Sarah Murphy as first runner-up and Paul Wiley the winner. Swendsboe pointed out that this year’s finals featured a little behind-the-scenes rivalry. “Each finalist was a mock trial competitor in college: Sarah Murphy at Georgetown, Jimmy Pickle at W&L, Krystal Swendsboe at Patrick Henry College, and Paul Wiley at UVA. Each of the contestants’ prior experiences made [their competition] . . . even more fun [because each competitor was a] vetted and incredibly skilled” finalist.

Curiously, this year, each finalist was also a second year law student, none of whom had yet completed the mandatory Evidence course. While no real damages were at stake, Swendsboe points out the “competition was a fabulous opportunity to put action to the foundational knowledge we are gaining in law school. It’s one thing to learn about hearsay and motions for judgment as a matter of law, but it is entirely different when we have such great academic work going on here at the school,” said Alison Leary, a 2L. Many of the writers themselves were in attendance and were very humble about their writing, “I’m just one of many,” mused Professor A. Benjamin Spencer, author of a Civil Procedure textbook and respected supplement, “Everyone’s a real leader. I’m glad that we’re doing this.”

Dean Nora Demleitner addressed the attendees briefly during the event to remark on the wonderful turnout and to announce that this event would continue annually. The Dean also recognized the efforts of the Francis Lewis Law Center and Organizers Christensen and Miller. “This is the first library-sponsored event of this type. It really allows us to celebrate the scholarship in this building.”

Feenstra and Richmond Take Top Honors at Client Counseling Competition

Chelsea Richmond and Emily Feenstra emerged as this year’s dominant Client Counseling Team, beating out dozens of challengers.

Feenstra and Richmond were this year’s winning team, while second year students Elizabeth Farrell and Julie Mayer secured the runners-up team position.

Chelsea Richmond and Emily Feenstra earned their title, and a QR icon on the back that had a color card with a photo, their name, and their client’s goals, and ethical issues, present the client with alternative courses of action and identify and analyze any potential legal issues, present the client with alternative courses of action and maintain professionalism throughout the entire consultation process. Local legal practitioners and W&L Law Alumni John P. Vita served as the judge of the final round of the competition, which was held on November 11, 2013.

This year, the attorney was asked to get details from her client about the factual circumstances surrounding a refusal by a wedding photographer to take photos in a homosexual marriage. Third year students Emily Feenstra and Chelsea Richmond were this year’s winning team, while second year students Elizabeth Farrell and Julie Mayer secured the runners-up team position.
From the Desk of The Moot Court Executive Board

This year, the Board has undertaken the task of inviting this year's internal competition judges earlier than in years past, and that process is well underway. We are pleased to announce—as surely you’ve heard by now—that Associate Justice Samuel Alito of the Supreme Court of the United States will be one of our three Davis judges next October.

We owe Dean Demleitner thanks for personally inviting him, and we are going to surround him with appellate judges who will complement him well. Our goal is to have invited the judges for all five competitions by the time we turn over the reins to the Moot Court Executive Board of 2014–2015.

We are also in the process of developing a spring semester appellate advocacy competition for first-year students. This competition would resemble the Davis Competition in format, and would provide first-year students with an opportunity to begin honing their oral advocacy skills in advance of the second-year crush of moot court and mock trial competitions.

In the spring, we will begin accepting applications for next year’s Board. We will be seeking rising third-year students who have been enthusiastic-ly involved in this year’s program, have demonstrated excellent performance, and are well-equipped to meet the demands of this important service to the student body.

Thank you for helping us keep Washington & Lee’s proud tradition of Moot Court and Mock Trial lively and strong; and we’ll see you in the Mediation Competition next semester.

DFK

Katriel Statman, 3L

Contributing Writer

For those who do not know, the Journal of Energy, Climate and the Environment—affectionately known as JECE—is one of the four student-run law journals at W&L. Our goal is to advance legal scholarship and debate on all issues concerning the environment we use every day, the climate that we live in, and the environment that we call home.

We accomplish this through two annual publications featuring articles from world-renowned legal scholars and by inviting top thinkers in energy law. In addition to Professors Guruswamy and Tai we will also have Professor Linda Malone from William and Mary Law School, Professor Sara Seck from the University of Western Ontario, Professor Kim Connolly from the SUNY Buffalo Law School, and Professor Monique Segarra from the Bard Center for Environmental Policy. This exciting panel will address important issues affecting both the United States and the rest of the world.

To stay up to date on JECE happenings, check out our blog at www.jecelawschool.blogspot.com. If you have any questions about JECE or the work that we do, please do not hesitate to contact me directly.

From the Desk of The Editor in Chief, JECE

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From the Desk of The Editor in Chief, JECE

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Tom’s back. Dan Morrow, an alumnus of the University of Virginia, is a historian and author. Morrow currently serves as a publisher, columnist, and reporter for The Middleburg Etcetera, a newspaper with circulation throughout Northern Virginia. He has always been interested in ethics and is intrigued by the motivations behind making difficult ethical choices. Given his background, it was no surprise that Morrow became very interested in the story and was curious to know more when he came across a box labeled “Murder of Tom Blackburn” at the VMI library.

As a part of his research on the subject, Morrow interviewed Alma Walker McCarthy, Charles Burks Christian’s fourth cousin, twice removed. Her family was very close with Charles’s, and Alma’s father was with Charles on his deathbed. The rest of Morrow’s research focused on newspaper articles and other contemporaneous materials.

Morrow believes that three main concerns led to Tom Blackburn’s refusal to allow Charles to walk Mary to the church: (1) Charles was an older, fashionable man with a tidy mustache and a penchant for the trendy English pocket watch sport coat; (2) Charles was a law student, and presented an intellectual and social challenge to undergraduate; and lastly, (3) Charles, prior to beginning law school, had been expelled from Richmond College for having named the College’s President. Charles appeared to be an extremely self-assured and proud man. A few days before the incident, at a Lexington barber shop, Charles had publicly boasted that he was capable of seducing any woman in Virginia. Not only was seduction perceived as immoral, certain acts of seduction were illegal at the time. In fact, during the trial, many suggested that Charles should be tried for seduction as well as murder.

Charles’s defense team was comprised of some of the best attorneys in Virginia, including the Honorable Alexander Hugh Holmes Stuart—a powerful political figure in the Confederacy during the Civil War and Secretary of the Interior from 1850 to 1853. The defense’s strategy was to exploit the mores of antebellum Virginia to get Charles acquitted. They argued self-defense, and painted Charles as man of honor who had no choice but to defend his name, as any proud, upstanding man of the time would do.

Interestingly, many of the major players in the trial ended up being important figures in the Civil War seven years later. For instance, Stonewall Jackson tasked the VMI cadets to watch over Tom Blackburn’s body throughout the trial in order to give them a sense of purpose and help them stay occupied, rather than try to exact their own justice. Charles himself served in every Civil War battle fought by the Forty-Ninth Infantry, until he was captured in the Spring of 1864. Even Tom Blackburn’s closest friend, Cadet John Howard Sharp, acknowledged that “Christian made a good soldier in the Civil War.”

Murder in Lexington proved to be a compelling read, and Morrow’s insights into the trial were incredibale. The circumstances underlying the incident shed light on the legal system and social complexities of antebellum Virginia. If you are a fan of history, and want to learn more about the historical connection between VMI and the law school, the importance of honor to a well-bred young man, and especially the lure of a forbidden young lady, pick up Morrow’s 2013 book Murder in Lexington. It is available in both the VMI Museum Store and in the W&L University Store.

Image Source: Barnes & Noble.com

Image provided by Dan Morrow

As the year draws to a close, few students look back with wistfulness on their “Technology Year.” If things went well, there’s nothing to recall. If you had hardware breakdowns, upgrade rush, or both, who wants to think about it?

Regardless of your circumstances, this is one of the best seasons of all to inventory your technology tools and strategies for the coming year. With Spring Semester just around the corner, taking care of a few simple tasks now could spell freedom later when you hope to pack those exams behind you and get out of town, or turn your attention to summer placement, or better still—GRADUATION!

Hardware “To Do” List:

- **PC users:** Defragment your drive…does anyone do this any more? One year out of school and you can do it! Make sure you get those Windows security updates, uninstall outdated versions of programs, and disable javascript under the Adobe reader preferences.

- **For both Mac and PC users:** Don’t forget to back up your critical files and data weekly! External hard drives make great Hanukkah gifts, stocking stuffers, or just a great way to say “Thanks!” to those you care about! (No apologies to Linux users…if you use Linux…you don’t need an external drive, do you? When you think about it, a laptop acting “cranky” Check out a loaner from the Law Library for your exam…no charge AND networking support! Print out these as long as you log onto the machine at the circulation desk when you check it out.

Software “To Do” List:

- **Mac users:** when considering an operating system upgrade…remember: SIX MONTHS STALE IS FRESH! Don’t forget that Ap能使ong…or that other hardware manufacturers and software developers…IT’S TRUE!!

- **PC users:** are you still paying for antivirus?…REALLY? Microsoft Security Essentials is free…and it won’t slow down your machine. Google some reviews if you don’t believe me!

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At Law Technology, we hope you hit the break ready to rest. Stop by 314 if you have questions or concerns about your hardware or software…and don’t forget: ALWAYS PRINT A TEST PAGE 30 MINUTES PRIOR TO THE EXAM AND SAVE THE PRE-CIous WRITING OFTEN ON THE NETWORK OR ANOTHEr SECURE LOCATION AS YOU GO!
The legal clinics at Washington & Lee provide law students with real-world legal experience. Working in these clinics fulfills the law school’s “actual practice” requirement and many students find working in litigation to be the most personally rewarding. Yet, despite the hype that surrounds these practice opportunities, many law students are unaware of exactly what goes on in W&L’s clinics. To address this, several students have volunteered to share their insight into the unique demands of their respective clinics.

The Black Lung Benefits Program
Seeking skills-intensive training in litigation, Ben Wilsson entered the Black Lung Benefits Program mindful of the accuracy and detail required in Professor Timothy McDonnell’s Criminal Law course. Ben found his expectations fully validated. “The learning curve is very steep,” stated Wilsson, “and the material is very detailed.” Ben noted that the clinic required skills both old and new, remarking, “Where summer legal jobs usually required me to research already-determined legal issues, this work has required me to find those issues in the record and actually shape the legal terrain.”

David Knoespel noted that he joined the Black Lung Benefits Program with a desire to better his written and oral advocacy skills while aiding this unique client set. “For these clients, the stakes of the litigation, this is the place, to be honest,” stated Knoespel. “You pick up cases at various stages of the litigation process and then hit the ground running. In one case, you may be writing a Fourth Circuit brief, while in another you may be arguing in front of an Administrative Law Judge.”

Now preparing for a hearing and its related motion requirements, Knoespel adds, “It is validating as a student to be entrusted with a heavy burden of responsibilities.” Knoespel noted that despite the clinic’s demands, this has hands down been the most fun that he has had in law school.

The Immigration Rights Clinic
David Hurst remarked that the newness of the Immigration Rights Clinic—with its broad range of experiences and energetic clinic director, Professor David Baltuarte—drove him toward working in immigration. “David indicated that ‘Professor Baltuarte offered to tailor the program to the specific needs of his students by offering transactional experiences or immigration litigations for other.’” While Hurst originally wanted to go into transactional work, his summer experience has led him toward litigation. Providing outlets for exploration in both fields, the Immigration Rights Clinic affirmed his litigation interests.

Hurst’s clinic colleague, O’Dane Williamson, felt compelled to join the Immigration Rights Clinic because Williamson had experience with immigration and its procedural and emotional challenges. Williamson explained that his experience has enhanced his understanding of the attorney-client relationship, impressed upon him the importance of addressing case-specific goals, and allowed him to confront logistical and communicational hurdles.

Both Hurst and Williamson contended the program for the emphasis it places on the human element. Hurst stated, “It’s one thing to think about aylum law in the academic context, but it’s an entirely different thing to sit down with a client and know your work can have a significant effect on a human life.”

The Criminal Justice Clinic (CJC)
Coming from a summer experience focusing on research in transactional work, Ellen Marks joined the CJC seeking opportunities to interact with clients and develop a more comprehensive legal skillset. “As I looked at the different states, ‘I’ve been interviewing clients, taking witness statements, and investigating my cases to prepare for trial. With the help of Professor King, Professor Shapiro, and my clinic mates, I have had the opportunity to think creatively about how to advance my clients’ goals and construct trial strategies.’” Marks added, “My clients may have no prior experience with jail, pay fines, or even have a criminal record as a result of my work. Ellen has said that this experience caused her to rethink her career goals and, ultimately, she noted this experience as being far more gratifying than any of her previous legal positions.

The Virginia Capital Case Clearinghouse (VC3)
Impressed by Professor David Bruck’s dedication to death penalty cases, Emily Kuchar joined the VC3. While her expectations of Professor Bruck’s mentorship were exceeded, Emily noted, “I am also realizing that I will learn a great deal from my clinic’s ‘coworkers.’ I am so impressed by their intelligence and dedication.”

Emily found managing multiple responsibilities uniquely demanding compared to her substantive course demands. She stated, “It’s more complicated than real assignments, but also more fun.”

While the clinic requires her to develop a stronger discipline for time management, it also widens her perspective on how law graduates are able to use their degrees in various ways.

The Tax Clinic
Chad Dunn joined the Tax Clinic as a result of his interests in direct client interaction and desire for exposure to “complex, highly structured federal and state agencies.” Chad explained that he took Professor Drumbl’s Federal Income Tax of Individuals course and became intrigued about how the Internal Revenue Code’s policies impact everyday life.

M. Dunn indicated that behind most tax issues clients face, “there are usually complicated—but sometimes unfortunate—circumstances as to how their client’s controversy arose.”

Chad explained that he joined “because it offered me an opportunity to represent real people on a variety of legal issues. I don’t think any other clinic at this school gives students the variety of experience that you get in the CLPC.” This past week alone: I executed a set of wills, durable powers of attorney, and health care directives for two of my clients; advocated on behalf of another client with her child’s guardian ad litem; and helped individuals understand the consequences of the death penalty. Students in the CLPC will have the experience of preparing and trying cases in nearby Juvenile and Domestic Relations and Circuit Courts. Our Director, Professor Belmont, puts a lot of faith in her students to make judgment calls, whether in planning an estate or in preparing a case. The sense of responsibility I have for my clients is still new for me, and I can only imagine how challenging the legal issues learned in the CLPC will prepare students attorneys for practice.

Does it Help or Harm: Debating the Role of the Defendant in the Lives of Women

Vincent L. Smith, 1L
Staff Writer

What is the role of government in women’s lives? Do we have a big government that harms women? Or would a stronger government better serve women?

The Feminist Society and the Women Law Students Organization partnered with the Washington & Lee Student Government to hold a debate on February 17 to provide the community of Washington & Lee with an intriguing debate contrasting perspectives on how government impacts the lives of women in America. Specifically, the presenters focused on the themes of “How Big Government Hurts Women” and “How an Activist Government Can Serve Women.”

In this joint discussion included Karen Agness, J.D., Founder and President of the Network for Enlightened Women, an organization for conservative university Women, and Robin LeBlanc, Ph.D., a professor in politics and law on the undergraduate side of Agness & Lee. Many guests spoke and answered questions regarding the harms of a big government’s perception of women. Dr. LeBlanc addressed the benefits of an activist government in protecting women from injustices. The moderator, 3L Cadman Kiker, asked broad-ranging questions permitting both Agness and LeBlanc to speak to the issues and motivations behind their beliefs, and how each believed the government should be structured.

From this joint discussion, it is clear that the reason the current administration won the past election is because women recognize that they have specific vulnerabilities. Women are in danger in today’s culture and thus the government has a valuable role in protecting women against specific injustices. The question is not about a right to, and I’m a clinical-mate, I have started an issue is one protection in a society that continues to discriminate against women.

Addressing various policy concerns, both speaker discussed the government’s role in granting respectability to the realm of employment with regard to equal pay legislation. While both speakers agreed that the pay disparity between males and females has presented an extreme injustice, LeBlanc suggested that governmental action in this regard does not harm women, but rather provides necessary protection against injustice that women cannot remedy alone.

This debate expounded two competing paradigms of government and its impact on women. Women. Both Agness and LeBlanc presented strong arguments for whether a certain form of government affects women’s quality of life. Yet, together, the Feminist Society and the Women Law Students Organization held a side-by-side debate between contrasting perspectives among women in terms of how government may help or harm their present and future prospects.
Career Services - Rebuilding Under a New Assistant Dean

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

For Want of a Postage Stamp, the Discovery Objections Were Lost: Microcosmic Advice for Lawyers-To-Be

For the April 1, 1994 issue of the Law News (my last as Editor in Chief), Associate Editor Michael Stakes '94 wrote a parody of my columns that remains one of the highest compliments I've ever received. I tended to rant intensively about picayune matters that were of limited concern to the greater world outside my cranium. Stakes managed to capture my voice almost precisely in a 500-word diatribe against, mostly, seedless grapes. Seedless grapes! I de-500-word diatribe against, mostly, tervention my voice almost precisely in a Chief), Associate Editor Michael the Law News (my last as Editor in
Continued on Page 13

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What really matters… when you are stressed out.

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

How Law Professors Spend Their Weekends

John R. Fitzgerald, 1L
Staff Writer

You know the moment: there’s ten minutes left in your last class on Friday. The professor drones. Your eyes start vacantly into the back of someone’s head. The refrain from “Working for the Weekend” by Loverboy unexpectedly (yet pleasantly) creeps its way from your unconscious into your conscious mind. You imagine your weekend plans. Suddenly and prematurely, your professor dismisses the class. “Goodbye,” you think, “what’s his hurry?

How exactly do your professors spend their weekends? Perhaps you just assumed they spend them like most American working adults: catching up on sleep, spending quality time with family, and watching sports on TV. Perhaps you imagined (bitterly) that they drive directly home to set about concocting and mastering the next torturous assignment.

Your author decided (shamelessly) to satisfy his curiosity by sitting down with a couple of his own professors, Luna and Eggert, to pick their brains. “Shouldn’t he have interviewed a broader sample of law professors,” you may be asking, “to garner a more representative sample?”

Your author decided (shamelessly) to satisfy his curiosity by sitting down with a couple of his own professors, Luna and Eggert, to pick their brains. “Shouldn’t he have interviewed a broader sample of law professors,” you may be asking, “to garner a more representative sample of the law school community?”

Hiking helps clear my mind,” Jessica said, “I feel healthy when I go hike and get to do something for a few hours that has nothing to do with law school.”

While House Mountain may help to clear your mental fog, one important factor to keep in mind is the rapid formation of actual fog that can develop in the morning hours. Be prepared for cool and damp conditions. Because of this hindrance, my friend and I did not see any breathtaking vistas from the top. Still, the yellow leaves blended together with the mist to create an opaque blur floating in the distance, serving as a very distinctive—if not eerie—backdrop.

Narges Kahvazadeh, for one, enjoyed the House Mountain fog that morning, “I actually loved [the fog], it was very unique and beautiful.”

Typical as hiking may be to law school, a hike on a late News Escape column, my experience on House Mountain was not. I encourage everyone to take advantage of this season’s sporadic warm weather and escape to our nearby hiking trails—starting with the one right on our doorstep.

Professor Luna indicated a passion for the “strategy and gamesmanship” of baseball, and admires how John Kruk—“guys that look like they could be sitting on a bar stool next to you”—can use their “tenacity and will to power over to [their] physical limitations.”

Even more important than watching sports, Professor Luna enjoys spending quality time with his children. As Professor Luna says, “Children remind you of what’s important in life.” Since most of his relatives live out of town, he occasionally takes family trips out of state to visit.

When not busy with sports and family, Professor Luna likes to have drinks with Professors Miller and Drum at the Southern Inn. He really enjoys the opportunities at W&L to engage in social interaction with both colleagues and students—something not usually found at larger schools.

Professor Eggert teaches Torts Law at W&L, and usually spends his weekends in Harrisonburg, VA, where he lives with his wife (a nurse practitioner who drive trucks across rebel lines and delivered food to children during Liberia’s civil war) and three children. Professor Eggert enjoys golfing, backpacking, and reading history books, social justice essays, and “the occasional crime fiction novel.”

When he’s not spending quality time with his family in the land of the JMU Dukes, Eggert is who the Allman Brothers might refer to as a “ramblin’ man.” He has traveled to nearly fifty countries in his lifetime and has no intention of stopping. He once ate “a deep-fried spide the size of a baseball” at a truck stop in Cambodia, back-painted in West Virginia for three days, scuba-dived in the Red Sea and in the Great Barrier Reef, saved the lives of a drowning couple at a waterfall in Korea, and contracted malaria.

But the adventures Professor Eggert most enjoys are his weekend trips for “Just Justice Ventures International” (at www.justiceventures.org), a nonprofit which he started less than 10 years ago, and for which he currently serves as Vice President. The organization deals with issues of human trafficking, slavery, urban poverty, and poor and dispossessed people in India and China. Professor Eggert has been to China twice and India once, and plans on going to Seattle over Thanksgiving break to do fundraising for JVI.

So, next time your law professor cuts out of a Friday class a little early, remember this: everybody’s working for the weekend.
W&L’s Renaissance Man
Christopher Riano, ’10L
Alumni Spotlight:

about the impact a small court had on a glass of Krug Clos d’Ambonnay. His experiences with what he referred to as “the 90% of America” and the best way for our. I class to obtain exposure to the issues that truly affect the great majority of Americans.

He explained that a prestigious federal clerkship may look great on a resume, but emphasized the impact of his experience as a state court clerk. He spoke compassionately about the impact a small claims action can have on a struggling family. He also spoke of the affinity he feels for his current clients and the close, almost familial relationships he has developed working in a small boutique firm over the years.

It was an honor to meet Mr. Riano. He is truly an inspiration to look forward to the day when I am asked where I obtained my J.D., so I can reply: “Washington and Lee University School of Law.” The same institution as Christopher R. Riano.”

Virginia Film Festival 2013: Spotlights Charlottesville’s Arts Community

Hector DeJesus, 1L Contributing Writer

Sourced from Columbia University.

The 7th Voyage of Sinbad (1958)
The 7th Voyage of Sinbad

Image Source: http://media2.firstshowing.net/
From *Lawrence* to *Windsor* and Beyond: Paul Smith and the Journey of Equal Rights Before the Courts

Among the vast collections in Washington, D.C.'s Smithsonian Institute lies a rather austere object, a binder, containing lists of bullet points, tabs, and penciled-in notes. Perhaps some day it will serve as the centerpiece in an exhibit reflecting a transformation of the American social fabric. Exactly ten years before the Supreme Court announced its decision on DOMA in *U.S. v. Windsor*, the nation’s highest court released the highly anticipated *Lawrence v. Texas* decision, finding an implied constitutional right to privacy protecting private consensual sexual acts. And the object stored in the archives? The binder and notes of Mr. Lawrence’s advocate before the Court, Paul Smith.

Paul Smith has long been a champion of LGBT rights and holds a special connection to W&L Law. A graduate of Amherst College and Yale Law School, Smith went on to clerk for W&L Law’s own Justice Lewis F. Powell after spending a year with Judge James L. Oakes of the Second Circuit. He is currently a partner at Jenner & Block in Washington, D.C. His story before the assembled audience in the Millhiser Moot Court Room began with the tragic outcome of *Bowers v. Hardwick* in 1986. In Georgia, a police officer arrested the defendant for acts in violation of the state’s anti-sodomy law. Despite recognizing an implied right to privacy in *Griswold v. Connecticut*, the Court held Georgia’s statute Constitutional. Powell himself had initially decided to overturn the law, but ultimately decided to uphold it. In the 5-4 decision, his reversal proved essential to the outcome. It was a decision Powell came to regret in later years.

As Smith recalled the tumult of *Bowers*, he noted that the strategy in the Equal Rights Movement shifted to achieving incremental progress through state-level victories. A new opportunity for national change finally emerged in 2003, *Lawrence v. Texas* began with the arrival of police at the home of John Lawrence, weapons drawn. Of the three officers on the scene, only one had purportedly observed a sexual act. Lawrence and Tyron Garner were charged under Texas’s sodomy law. After the Texas Court of Criminal Appeals declined an appeal from the lower courts, the Supreme Court granted certiorari. Smith emerged as the oral advocate.

When the day came, Smith arrived with his binder, ready to argue what would become a landmark case. The crowd’s support was clear. And the Harris County District Attorney, on behalf of the state of Texas, had one of the worst oral advocacy experiences to ever come before the nation’s highest court. *Lawrence* prompted a critical sea of change in the LGBT rights movement. As Smith noted, nothing seemed to encapsulate what is means to have a socially acceptable relationship than marriage. In 2004, Massachusetts was the first state to find a state prohibition on gay marriage unconstitutional. The response was swift. It was an election year, and various state ballot initiatives went forward in opposition to expanded rights. By 2008, gay marriage was gaining traction across the country. More state courts began to recognize a right to marriage. Eventually, state legislators began enacting laws. And in 2013, *U.S. v. Windsor* paved the way for state-recognized marriages to claim federal marriage benefits.

What is the next step? Smith noted the continuing state-level battles and cases going forward in various jurisdictions, including Virginia, and predicted that progress would continue.
Restaurant Review: Kind Roots Cafe

Eating right should be a top priority for any law student. That being said, when it comes down to a choice between outlining or finding something decent to eat, convenience reigns, and the easiest option is rarely the cheapest or healthiest option. Go ahead and take a quick peek—yes, those cabinets of yours are bare. So now you have to ask yourself, “which drive thru is it going to be tonight?”

Enter Kind Roots Cafe. One of Lexington’s best kept secrets, it is tucked away inside the YMCA at 790 North Lee Highway (College Square Shopping Center). Kind Roots Cafe is affordable enough for a loan-dependent student, with a menu averaging $7 for breakfast and lunch, manage to keep the prices reasonable, Beyonce thirty feet away. And they there are people sweating it out to cozy, and you will quickly forget that conservation techniques and all sorts of restaurants getting to know the taste of food between the directors and viewers.

Meet the Festival Filmmakers Party, here at Washington and Lee University School of Law’s The Law News. Audrey M. Sistar, 1L Staff Writer

Photography by Audrey Sistar

Both healthy and delicious.

The atmosphere is surprisingly cozy, and you will quickly forget that there are people sweating it out to Beyonce thirty feet away. And they manage to keep the prices reasonable, averaging $7 for breakfast and lunch, and $11 dinner entrees. Locally owned and operated by Sarah Cook and Jonathan Cummings, a young couple native to Virginia, their love for food and devotion to the community is genuine. Offering as much as they can locally, they can ensure the quality of their ingredients, and ultimately their meals. “I want people to know I cook the cleanest and tastiest food possible,” says Jonathan. “I don’t think additives should be in food. It just needs to be basic, fresh, wholesome ingredients.” They are also dedicated to environmental kindness. The Cafe eschews the disposable-everything motto of a typical café by recycling everything that they can.

They have been open just over a year, but have been food-focused since 2005. Jonathan admits he started with a raw know ledge of cooking. “Prior to 2005, I didn’t even know the difference between a cucumber and a zucchini!” A passion for wowing someone who appreciates the look and taste of food led to several years working in a variety of restaurants and kitchens in Boonie, N.C. His most valued experience was working at Earthfare, the health-food grocery chain, where he “learned food conservation techniques and all sorts of ‘street smart’ kitchen knowledge.”

When asked what he would recommend on the menu, he is proud of their burgers, claiming it is a contender for best in the zip code: “It is local beef seasoned perfectly on an onion roll with clarified butter topped with local bacon, and five kinds of cheeses (including blue cheese).” However, even if burgers aren’t your thing, they have something for every appetite. From gluten-free pancakes and brownies, to sugar-free “Death by Chocolate” cheesecake, to a Sweet Potato Black Bean Burger that has my previously only-eat-meat-and-potatoes husband admitting that vegetarian food can be edible, and even downright delicious. They have something that will tempt veteran food-lovers, and those who just want something other than a frozen dinner. Check in on the soup of the day, grab the Cuban (which includes house made honey dijon and cucumber lime salsa), or order the customer-favorite Pan-Seared Jumbo Lump Crab Cake and prepare to be amazed. I know that a southerner’s stamp of approval on crab cake might not go any further, but the last time I was in Kind Roots I met a Maryland woman who regularly makes a detour for the crab cake when she travels through Virginia.

If you don’t have time to stay and dine, they always have a wide selection of salads in their deli case ready to go. They have multiple varieties of chicken salad, hummus (I especially like the chipotle which has a subtle kick), couscous, and savory blends of seasonal veggies. If breakfast is your thing, they have that covered too. With bagels, omelets, and the famed Roots Hash plate, they may even motivate you to get out of bed on Saturday in time for breakfast. They also have a wide selection of healthy and delectable smoothies that will count as penance for your week of pizza-binging.

So stop in, take a break from that outline you are stressing over and prepare to find yourself addicted to the wholesome food in the cafe that is kind to its roots.

Photography by Audrey Sistar

Microcosmic Advice for Lawyers-To-Be

Continued from Page 9

2. Learn how to work the postmaster, and keep emergency backup stamps on hand.

E-filing is the norm for pleadings and motions, but courts still require discovery responses to be served the old-fashioned way: on paper, through the mail. As a junior associate, written discovery responses are likely to be your problem, and the night will inevitably come when you won’t have them ready to go out until after staff have all gone home. Before that night comes, a pensive young attorney will have nicely asked one of the dudes in the mailroom to demonstrate how to print postage for different sizes of envelopes. And, from personal experience: Postage meters tend to malfunction. Keep a sheet of different sizes of envelopes. And, from personal experience: Postage meters tend to malfunction. Keep a sheet of postage stamps in your desk, just in case. Postage meters tend to malfunction. Keep a sheet of postage stamps in your desk, just in case.

3. Read the local rules.

Every court has a set of local rules of civil and criminal practice. They’re almost certainly on the court’s website. Look at examples of what a case caption format, you WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong, because the format WILL be wrong.

Meet J.D. Lowry

J.D. Lowry ’94L is of counsel in the Las Vegas office of Dickinson Wright PLLC, where she practices commercial and intellectual property litigation. She doesn’t actually have an issue with seedless grapes, but emphatically prefers Gala over Granny Smith apples.

Photography by Audrey Sistar

Image Source: http://www.dickinson-wright.com/
WORST Gifts to Give W&L Law Students

Jane Park, 1L Contributing Writer

As the holiday season quickly approaches, regardless of what you believe, it is time to start thinking about gifts. The generation of us who are wailing with what to give a law student something thoughtful is always easy, perhaps something that will help them cope with their difficult lives out of law school.

Law students appreciate a wide variety of gifts. Some gifts, however, are better than others. Do we want these functional gifts, or do we want a break? Do we really have time for this? Is that carved-wooden cookie cutter really appropriate, when you look at it that way?

Black's Law Dictionary

They probably think they're doing us a favor. After all, they're saving us an appreciable expense on what is a must-have on every law student's bookshelf. Actually, it would be a wonderful gift if we didn't already have a pocket edition, the iPhone and the Web. Black's Law Dictionary search page saved to our bookmarks.

It would also be a wonderful gift if the right side of it didn't give us all fatal-related PTSD.

New Year's Resolutions for the W&L Law Students

Tina Rossi, 1L Contributing Writer

Finally Buy that Seat Cushion for your Carrel Chair

Dean's confirm that new chairs are not in the works and won't be for quite some time. So you're completely safe in hitting up that plush Target seat sale at Target (while you're home, of course) and getting the most fabulous and comfortable chair cushion you can find. Save yourself the chiropractor bills somewhere down the road.

Win LSFL in the 2014 Season

Everyone knows that championships are won during the offseason. Captains, make sure you are making the right free agent trades. You never know where you'll find that diamond in the rough. Players, start thinking like champions. Pump that iron and learn those plays to give your team the competitive advantage next year. Remember—you are your greatest competitor and "trying hard" means you failed.

Mock Trial Finals

Continued from page 5

frent to make the argument in trial."

Competitors faced the following scenario: Megan Merino sued Dr. David Beam, a man with a sordid and tumultuous past of medical malpractice claims, for malpractice following the mysterious death of Judge Merino. Dr. Beam defended himself by alleging, among other things, that Judge Merino's death was the result of foul play. Competitors were given the task of having to represent either Megan Merino or Dr. Beam.

George Robertson, in the role of Dr. Sargda, expert witness for the Plaintiff, related: "This was not my first time testifying at trial, but it was surely the most entertaining. I have been a doctor for twenty years, and over that time I have served as an expert witness often. I do not know if it was these attorneys or their school, but this was the most civilized trial I have witnessed by far."

Murphy was especially enthusiastic about both her co-counsel and her opposing counsel's demeanor. She applauded "the professionalism and zeal of my fellow members of the Lee County [fictional] Bar. Their courtroom performances seemed inspired by the values of that great legal institution whose walking stick [an exhibit used during the competition] was almost life-like simulation of an average day in the courtroom."

Summer Clothing

No, really. We're not going to wear those t-shirts in the light rain. No one is going to see what any of us are wearing under our heavy coats and sweaters in between classes. Besides, summer dresses and khaki cargo shorts won't get nearly as much wear as the pencil skirts and pressed collared shirts.

Relaxation Tea Sets

The best gift of them all, especially after all the time we spent about our invisible spine into depression, and knocking back too-many-shots.

For those of us with commitment problems, for those of us with commitment problems. Apparently, January 17 is, "Ditch New Year's Resolution Day.

Cut Down on the Caffeine

There's a fine line between being able to stay awake to get all of your work done, and giving yourself tremors due to caffeine intake. Maybe it's not such a bad idea to take yourself off the caffeine I.V. for 2014. If you've stuck to your resolution past the middle of January, you've got yourself the grand prize: no caffeine in your system for over two weeks can't be that bad, and maybe it will even help you in the long run. It's all about the baby steps.

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After the theatrics of closing arguments and several minutes of deliberation, the jury unanimously found Dr. Beam not liable. Perhaps Pickle epitomizes defense counsel everywhere when he said, "I'm glad the jury came to the just verdict, the right verdict, the only verdict—when they found Dr. Beam not liable."
you come from large schools with Division I football teams, don’t let that keep you from attending a game and cheering on the Generals.

70. Go shopping - Retail therapy can be a cure for the law school blues. There are malls in nearby Lynchburg, Charlottesville, and Roanoke.

69. Go to a W&L football game - Although many of you come from large schools with Division I football teams, don’t let that keep you from attending a game and cheering on the Generals.

68. Take an ice cream break - When the going gets tough, the tough break for ice cream. There are several places to choose from, such as Sweet Things Ice Cream Shoppe, Sweet Frog or Dairy Queen (and Don’t forget No. 91, Pronto’s Gelateria).

67. Get involved - Join one of the many organizations that W&L Law has to offer. There are a variety of options, from WLSO to the Epicurean Society.

66. Tour the Edgar Allan Poe Museum - Our English majors will appreciate the many artifacts of Poe’s life on exhibition. It is located about 2.5 hours away in Richmond.

65. Visit the Lawyer Center for the Arts - Enhance your culture by taking advantage of one of the choral or dance performances or plays offered.

64. Buy some W&L Law attire and show some school spirit! - Moot Court Client Counseling Finals!

63. Spend a little time looking up legal song parodies on YouTube - Our favorites are the ones about Civil Procedure.

62. Go wine tasting - Yes, there was a fair for that, but there are several local places that offer wine tastings (sometimes for free).

61. Go on a free guided walking tour of Lexington - They happen every Friday from April to November and start at the Visitor’s Center. By the time this issue hits the stands, they

59. Attend one of the Law Review Symposiums held at the law school - These two-day long events usually have some pretty heavy hitters in the legal and political arena. The last one discussed Roe v. Wade.

58. Consider going to one (or all) if the end-of-semester parties - The one for our rapidly-ending fall semester is December 21. It will be a great place to unwind and wish your (or old) friends a happy winter break.

57. Attend one of the many organizations that W&L Law has to offer. There are a variety of options, from WLSO to the Epicurean Society.

56. Most Court Client Counseling Finals! - This is a great opportunity to see your fellow classmates testing out their considerable lawyering skills.

55. Moot Court Mock Trial Finals! - Moot Court Competitions have all come to an end, but they do happen every year and they’re really fun to watch. My favorite aspect of this competition is that the trial is essentially like a law drama, except you know, accurate.

54. Witness or participate in the John W. Davis Moot Court Competition! - Unfortunately the finals for this event already happened, but I highly encourage attending at least once. The Davis Competition involves a contemporary constitutional question and it’s interesting to see your classmates argue both sides of a controversial issue.

53. The 1L Cockytail Party - It is a great excuse to mingle with all of your law school friends and drink something other than beer, or just people-watch if that’s more your speed.

52. Finish a memo a week early and bask in the done-ness while all of your friends scramble to finish theirs - I know this will probably never happen, but wouldn’t it be fun?

51. Visit the Virginia State Capitol in Richmond - Explore the history of Virginia, and see where the White House scenes in the movie Lincoln were filmed.

50. Go on a W&L lacrosse game - If you’ve never been to a lacrosse game, they’re pretty exciting and it’s always great to cheer on our school's cent variety of restaurants. Try out the sushi

49. Consider going to one (or all) of the end-of-the-year parties - The 1L Cocktail Party at Matsumoto Sushi or enjoy some Italian cuisine at Naples.

48. Spend a little time looking up legal song parodies on YouTube - Our favorites are the ones about Civil Procedure.

47. Go wine tasting - Yes, there was a fair for that, but there are several local places that offer wine tastings (sometimes for free).

46. Go on a free guided walking tour of Lexington - They happen every Friday from April to November and start at the Visitor’s Center. By the time this issue hits the stands, they

45. Attend one of the Law Review Symposiums held at the law school - These two-day long events usually have some pretty heavy hitters in the legal and political arena. The last one discussed Roe v. Wade.

44. Consider going to one (or all) of the end-of-semester parties - The one for our rapidly-ending fall semester is December 21. It will be a great place to unwind and wish your (or old) friends a happy winter break.

43. Attend one of the many organizations that W&L Law has to offer. There are a variety of options, from WLSO to the Epicurean Society.

42. Most Court Client Counseling Finals! - This is a great opportunity to see your fellow classmates testing out their considerable lawyering skills.

41. Moot Court Mock Trial Finals! - Moot Court Competitions have all come to an end, but they do happen every year and they’re really fun to watch. My favorite aspect of this competition is that the trial is essentially like a law drama, except you know, accurate.

40. Witness or participate in the John W. Davis Moot Court Competition! - Unfortunately the finals for this event already happened, but I highly encourage attending at least once. The Davis Competition involves a contemporary constitutional question and it’s interesting to see your classmates argue both sides of a controversial issue.

39. The 1L Cockytail Party - It is a great excuse to mingle with all of your law school friends and drink something other than beer, or just people-watch if that’s more your speed.

38. Finish a memo a week early and bask in the done-ness while all of your friends scramble to finish theirs - I know this will probably never happen, but wouldn’t it be fun?

37. Visit the Virginia State Capitol in Richmond - Explore the history of Virginia, and see where the White House scenes in the movie Lincoln were filmed.

This may not be Division 1 football, but there’s some real talent wearing Generals blue.

Hollie Floberg, 1L

Staff Writer

Patrick Sweeney, 3L

Staff Writer

Kate Ryland, 1L

Staff Writer

'Brian Marchion

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

'Twas the Night Before Finals

With exams lurking around the corner, ready to pounce like an organ thief with a cloth full of chloroform, I thought a bit of awful poetry and shameless parody might put things in perspective. In full disclosure, I am neither talented nor insightful. Most, if not all, of you are probably so sick of reading that you won’t even bother with this, so I’ll just assume that I’m playing to an empty house. Here goes:

'Twas the night before finals, and all through Lewis Hall
The 1Ls were cramming; hitting heads against walls.
With hopes that an “A” would follow them there.
Long gone were the days of exam study and stress,
Except for that whole “Bar” thing, I guess.
And those poor souls at the school had but one thought in mind,
The toils of the job hunt: Will it turn out just fine?
Or will I end up in front of a long Starbucks line?
Who will I be? Which future is mine?
Grades are important, that much is true,
But probably less than they appear with finals staring at you.
Connections are crucial; geography too,
To land you a job, bright, shiny and new.
So hit the books hard, while we 3Ls relax,
And remember, like a kidney stone, this too shall pass.

Don’t demolish yourself with stress and with worry,
Or read till your head spins and the room becomes blurry.
Recall the old toast that the Course calls us to:
"Happy Winter Break to All, and to All a B+."
LSFL Ends with a Bang Under Really Bright Lights

In a showdown under the lights on Thursday November 15, 2013, the top four teams battled for a place in law school history and the title of LSFL Champion. In the semi-finals, the Bulging Brief (who will be referred to as BB because their name is disgusting) defeated the TD Models in a one-touchdown victory. Luke Stone, the 2L - the Huge Subpoenas - made short work of the Bad News Barristers, who were simply outgunned.

Directly after the semi-finals, the athletes and fans alike headed over to the final match of the 2013 season. This championship game could really be entitled the “Casey Floyd Show.” Working off of a nice Subpoenas’ play action and Pickle’s torpedo tosses, Floyd was able to work some magic and come up with a few beautiful touchdowns. That being said, BB did not lie down. Their Coach, Jennifer “The Clip-Board” Commander, would not have accepted that – and instead she concocted plays, made substitutions and ensured a nail-biter. In the last minutes, however, the Subpoenas should give a resounding “thank you” to the dirty, alcoholically infused mouths of Liz Farrell and Julie Mayer, who offered very little, well no, athletic ability but tons of “gigs and lols” and kept every game fun.

On the 40th Anniversary of LSFL, I believe the founders would have been proud. Good, competitive, and fun football was played for at least four or five minutes of every 40 minute (and if I was timing, 75 minute) game this season. We all look forward to the starting whistle of 2014 season, where, if there is not a concerted effort by admissions to recruit ballers, it will likely be a BB/Huge Subpoenas rematch in the final.

Recounting the Final Game: A Eulogy of the 3L Team TD Models

The late Terrance Schroeder, 3L
News and Sports Editor

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