

# UVA LAWYER

SPRING 2024



**THE PEOPLE'S DEAN**





ROBERT LEWELYN

*From Dean Risa Goluboff*

**T**HIS SEASON OF TRANSITION has been a contemplative one for me. I have long suggested to 1Ls that they look back and take stock periodically during their law school journey. They know so much after even a week—what a tort is, how to find their way around the building, and that the free snacks are in Student Affairs and the free coffee is in the library. Knowing how far they have come helps ground them in the challenges of the present and enables them to dream about the future.

I have been taking my own advice lately, recalling what I knew about this law school when, and what I have learned since joining the faculty 22 years ago. When I first interviewed for a position on the faculty, it was quickly apparent that UVA was unique. At some of my interviews with other schools, the faculty were nice, but their questions were not particularly stimulating. At other schools, people mistook meanness for rigor. At most schools, the questions all sounded the same notes. My UVA interview, on the other hand, made clear that this was a place of excellence and rigor, diversity of thought and inclusiveness and community. The UVA faculty challenged me—and each other—with respect and generosity and from a wide variety of intellectual perspectives. They have continued to do so ever since. As I step down from serving as dean, I am filled with both wistfulness at what is coming to an end and excitement to return to the faculty that has sustained me for more than two decades.

Over the course of my time here, I have learned firsthand how much that rare combination of humanity, joy, intellectual inquiry and a genuine exchange of ideas across difference extends to the whole of this community—its students, staff and alumni as well as its faculty. We intentionally foster a community whose members come from a broad array of backgrounds, embrace myriad identities and hold widely varying views. That we are able to reach across those differences, to create lifelong friendships and professional networks, to learn and discover and work together, is a hallmark of the UVA Law School experience and the Virginia lawyers we educate. We are a “people place”—in that it is the people who make this place so special.

When I became dean eight years ago, I knew that I was taking the helm of a deeply beloved institution. I did not realize how much I would feel that affection and support in a very personal way, and how much I would delight in seeing

it in action. Nor did I know how much our friends and alumni make possible here. Your extraordinary generosity has allowed us to exceed our \$400 million capital campaign goal 15 months early. I know that your incredible support of this institution and its people will continue to make all things possible here for generations to come. Your fingerprints are all over this law school.

With the world as challenging, complex and rapidly changing as it is, I don’t know exactly what challenges will confront my successor, Leslie Kendrick ’06. What I do know is that Leslie is exactly the right person to serve as our next dean. She is a brilliant scholar, a beloved teacher and a compassionate, pragmatic, hard-working and innovative leader. She knows the Law School through four different roles: as student and alumna, faculty member and vice dean. She is someone who shares the love of this institution and its people that has animated all of the deans on whose shoulders she will stand.

Finally, I know that ever since joining the UVA faculty 22 years ago, I have felt immensely lucky to be part of this community. I have sought over the past eight eventful years to maintain the Law School as a place of joyful learning and encourage our regard for one another. It has been my pleasure and honor to help steward this historic institution and prepare it for a future as august as its past. What we have accomplished together, and the community we have maintained in the process, is a source of unending pride.





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Students, faculty, staff and visitors watch the eclipse on the Law School's Holcombe T. Green Lawn on April 8.

JULIA DAVIS



"You can create the universe you want. If the truth doesn't matter, and there is no accountability for these false beliefs, then people will start to act on them."

—**PROFESSOR DANIELLE CITRON**, on the dangers of digital conspiracy theories (The Associated Press)

"People generally know more about the condition of their homes than the government does, which means that homeowners will win when their homes are under-assessed, and the government will lose by having to buy over-assessed properties. And when the 'government' loses, that just means that taxes on other people will have to go up."

—**PROFESSOR ANDREW HAYASHI**, on property tax legislation in Nebraska (Newsweek)

"I don't expect a mass migration of firms from Delaware."

—**PROFESSOR MICHAL BARZUZA**, on Elon Musk's threat to reincorporate Tesla in Texas (The Washington Post)

"I'm a person who likes to have a home. I feel that way about Eastern Kentucky. I feel like I belong there. And I feel that way about UVA. It's my adult home and where I've grown up as a lawyer."

—**PROFESSOR LESLIE KENDRICK '06**, in an interview with her hometown paper about her future dean role (Floyd County Chronicle)

"There are estimates that there are 1.5 million embryos currently in the United States ... [in Alabama], they might need to be stored even longer than the prospective parents live ... and people could be sued if the embryos are destroyed."

—**PROFESSOR NAOMI CAHN**, director of the Family Law Center, discussing the Alabama Supreme Court ruling in February that embryos are children (KCBS Radio)

"So I came to the court with a background in civil litigation, class actions, major commercial litigation. I [now] do immigration law. I do environmental law. I do criminal law. And I love doing these things because it kind of brings me back to why I went to law school in the first place, which was to be a student of the law."

—**JUDGE DANIEL BRESS '05** of the U.S. Court of Appeals for the Ninth Circuit, speaking at a Federalist Society event on Feb. 15 at the Law School

"There is a superstar effect for men and there is a superstar effect for women, and it doesn't seem to be that different for either category."

—**PROFESSOR MITU GULATI**, on a co-authored report examining decreasing gender gaps in Big Law staffing (Bloomberg Law)

"The enforcement of free speech is not largely enforcement by the government. It's enforcement in everyday discourse, it's enforcement in how people react to speech, and so on.

The enforcement of legal norms—the enforcement of constitutional norms—depends to a very significant extent on public acceptance of them."

—**PROFESSOR FREDERICK SCHAUER**, discussing the need to educate public officials, law enforcement and schoolteachers about the First Amendment (VPM News Focal Point)

"I think the Supreme Court has been out of step with the norms governing Washington, D.C.—the federal government—for a long time."

—**PROFESSOR AMANDA FROST**, on the justices adopting a code of ethics ("Common Law")

"[I]f someone brings up the idea of locking people up, then pose the question of: What then? What do we do with them once they're inside? We all pay financially, socially, morally and politically by having a prison system that's not providing opportunities for education, personal or workforce development. About 95% of people who are incarcerated will come out some day, so one way or another, we're going to see them."

—**PROFESSOR GERARD ROBINSON** (Frank Batten School of Leadership and Public Policy)

"I find myself pulling out my computer and turning back to cases all the time.

A lot of it is just because I enjoy it and I want to get it right, but there is a risk that it can start to overwhelm me mentally."

—**JUDGE VIJAY SHANKER '99**, D.C. Court of Appeals, on how his cardio workout boosts his mental fitness (Washington Lawyer)



# CAPITAL CAMPAIGN

## MEETS GOAL EARLY

**THANKS TO AN \$11 MILLION BOOST** from an anonymous donor, the Law School met its \$400 million goal early, in February, in the University's Honor the Future capital campaign.

Though the campaign is ongoing, the current \$414 million tally already marks the third-largest total in the history of any law school. Nearly 16,000 donors have contributed to the campaign, including 70% of alumni. The Law School Foundation, which led the fundraising effort, exceeded the goal 15 months early.

"This milestone is a testament to the deeply felt dedication of our generous alumni, who want to build on their own experiences at the Law School and pass them on to future generations," said Dean Risa Goluboff, who helped launch the campaign and has served as dean throughout. "We are so thankful for their efforts, the work of the Law School Foundation, and our alumni volunteers in contributing to this landmark moment."

The campaign centered on people first, with an emphasis on financial aid, faculty support and unrestricted funds.

"Campaigns are an opportunity to broaden participation and grow the endowment—and we have," said Luis Alvarez Jr. '88, president and CEO of the Law School Foundation. "But most of all, campaigns are when we

assert our values. Our fundraising priorities are about people—students and faculty—and every dollar we have raised will go to support them. That is the heart of who we are and what makes UVA Law so special."

Along the way, the campaign made it possible for the school to fully fund summer public interest grants with donor funds; support the Roadmap Scholars Initiative; and establish more than 75 scholarship and loan forgiveness funds, more than 125 new unrestricted endowments and more than 225 endowed funds, including a dozen professorships. The campaign also drove greater investment in loan forgiveness, allowing all graduates who earn less than \$100,000 to be eligible for benefits.

J. Warren Gorrell Jr. '79, who co-chaired the campaign, called the achievement the result of "an incredible team effort."

"It says so much about the Law School

that we did this with 70% participation," Gorrell said. "It's a real tribute to Risa that we've been able to do this under her leadership. We met our goal 15 months early—that's a testament to the Law School Foundation staff as well."

Gorrell also praised the efforts of campaign co-chairs Catherine M. Keating '87, David C. Burke '93 and Dasha Smith '98, as well as honorary co-chairs Bruce A. Karsh '80 and Martha Lubin Karsh '81, who kicked off the campaign with a gift that made them the Law School's first \$50 million donors.

"It's a great indication of how special Virginia is that when the anonymous donor learned that we were \$10 million away from reaching our goal, [the donor] said 'I'll take care of that,'" Gorrell said. "That sort of stand-up attitude is incredible and a great tribute to our law school, and is consistent with the approach that so many of our alumni have taken."

Donations made to the Law School Foundation will still add to the campaign total until it officially ends on June 30, 2025. Foundation staff emphasized that every gift counts; more than 27,000 gifts under \$100 were made during the campaign, totaling more than \$1 million.

Since the campaign began on July 1, 2016, the Law School's endowment has grown more than \$360 million, to \$831.4 million as of June 30, 2023.

—Mary Wood



Bruce A. Karsh '80 and Martha Lubin Karsh '81 helped launch the campaign with a gift that made them the Law School's first \$50 million donors.

Honor the Future campaign co-chairs J. Warren Gorrell Jr. '79, Dasha Smith '98, Catherine M. Keating '87 and David C. Burke '93 stand with Dean Risa Goluboff at a campaign kickoff event in May 2018.

## ACCOLADES

**1** AQUILA MALIYEKKAL '24 and SEAN GRAY '24 won the 95th William Minor Lile Moot Court competition.

**2** KEEGAN HUDSON '24 was named this year's recipient of the Gregory H. Swanson Award.

**3** MICHAEL PRUITT '24 will work on housing issues for the indigent as the 23rd Powell Fellow in Legal Services.

**4** COURTNEY CAPEN DOUGLAS '25 was named the new editor-in-chief of the Virginia Law Review.

**5** LAURA-LOUISE RICE '25 was elected president of the Student Bar Association.

**6** CHLOE CHILES '24 and TONI WOODS '24 won the ECVC Transactional Law Competition.

**7** JACOB COHEN '25, KATHRYN PETERS '24, KATHRYN KENNY '24 (as coach), MOKSHA PADMA-RAJU '25 and RILEY RIES '24 competed in the International Tax Moot Court competition.

**8** NEIL NORONHA '26, DANIEL ELLIOTT '24, CLAUDIA FRYKBERG '25, JESSICA WILLIAMS '25 and DAISY JOHNSTON '26 advanced to the international rounds in the Philip C. Jessup International Law Moot Court Competition.

**9** LAURALEI SINGSANK '24 made the winning shot for UVA at the pickleball collegiate national championship.

**10** GRACE ZIPPERER '24 is the Law School's first recipient of the Immigrant Justice Corps' Justice Fellowship.





# KATHARINE JANES '21

## TO CLERK AT SUPREME COURT

**KATHARINE JANES**, a 2021 J.D.-M.A. graduate of the Law School, will clerk for Justice Ketanji Brown Jackson at the U.S. Supreme Court during the 2024 term, joining two classmates who were also selected as clerks for that term.

"I feel like the luckiest lawyer in the country, and this opportunity means so much to me," said Janes, who graduated from UVA's J.D.-M.A. Program in History. "I'm a public defender with a background in legal history, and I am excited to clerk for a justice who herself was a public defender, and who so intelligently and honestly employs history to reason through our nation's most intractable legal issues."

With Janes' clerkship, it will be the first time five alumni from the same graduating class have clerked at the Supreme Court since 1981. Erin Brown '21 will clerk for Justice Brett Kavanaugh and Rachel Daley '21 will clerk for Justice Neil Gorsuch, also for the 2024 term. Their classmates Nathaniel Sutton and Avery Rasmussen are currently clerking for Justices Amy Coney Barrett and Brett Kavanaugh for the 2023 term.

The five Class of 1981 alums who clerked are James O. Browning (for Justice Lewis F. Powell Jr.), Tim Flanigan (Warren E. Burger), Gary Francione (Sandra Day O'Connor), Ned Kelly (William J. Brennan Jr.) and J. Michael Luttig (Burger) (see p. 9 for more on Luttig).

The Law School is No. 5 after Harvard, Yale, Stanford and Chicago in placing clerks on the U.S. Supreme Court from the 2007 through 2023 terms.

Janes is currently a staff attorney at the New Hampshire Public Defender. She also worked for the Special Litigation Division of the Public Defender Service for the District of Columbia.

Janes previously clerked for Judge Robert D. Sack of the U.S. Court of Appeals for the Second Circuit.

At UVA Law, Janes was a Karsh-Dillard Scholar, a Program in Law and Public Service Fellow, a Community Fellow, and a Katherine and David deWilde '67 Public Interest Fellow. She served as president of the Student Bar Association, online development editor of the Virginia Law Review and co-director of Virginia Law Women's



Speak Up Project. She was also a participant in the Supreme Court Litigation Clinic, a member of the Raven Society, an Order of the Coif inductee and a Peer Advisor.

Janes was a research assistant for Dean Risa Goluboff, and Professors Richard Bonnie '69 and Andrew Block. She won the school's Margaret G. Hyde Award for character and scholarship, and the Bracewell LLP Appellate Advocacy Award for outstanding oral advocacy. Her master's thesis was "Abe Fortas and Juvenile Justice: The Revolution Secured in *In re Gault*."

Professor Kimberly Jenkins Robinson, a former law school roommate of Jackson's, advised and got to know Janes as a student.

"Katharine Janes embodies an array of strengths that make her a shining example of the best and brightest at UVA Law," Robinson said. "During her time here, she not only served as a leader in several organizations and excelled academically, she also demonstrated a deep commitment to using her law degree to advance social justice. I have had the privilege of getting to know Katharine personally, and she is a person of deep integrity, humility and drive. I am thrilled that she will be Justice Jackson's first law clerk from UVA Law."

Janes said her work with the Supreme Court Litigation Clinic, which included drafting a cert petition and an amicus brief, particularly improved her legal writing. She was grateful for in-depth feedback from "some of the best legal minds in the country" and said she hopes to continue enhancing those skills at the high court.

Janes credits the mentorship of Bonnie, Goluboff and Robinson, as well as that of Professors Charles Barzun '05, faculty adviser for the J.D.-M.A. Program in History, and Cynthia Nicoletti, a legal historian, for contributing to her success.

Janes, a native of Mount Pleasant, Michigan, earned her bachelor's degree from the University of Notre Dame.

—Mike Fox



## J. MICHAEL LUTTIG '81 JOINS UVA DEMOCRACY PROJECTS

**J. MICHAEL LUTTIG '81**, a prominent legal scholar and former U.S. Court of Appeals judge, joined the University's Karsh Institute of Democracy as its first Distinguished Fellow in Law and Democracy, a position sponsored in partnership with UVA Law's Karsh Center for Law and Democracy.

Luttig's one-year fellowship began Feb. 1 and focuses on legal and constitutional issues pertaining to elections, democratic institutions, and the relationship between states and the federal government.

It's a homecoming for Luttig, who graduated from the Law School in 1981 before serving as assistant counsel to President Ronald Reagan, assistant attorney general under President George H.W. Bush, and eventually as a judge on the U.S. Court of Appeals for the Fourth Circuit, from 1991 to 2006.

"Judge Luttig is one of the nation's leading legal minds and most influential voices," said Karsh Institute Executive Director Melody Barnes. "His commitment to democracy and the rule of law and expertise relevant to issues at the heart of our work at the Karsh Institute will benefit students, scholars, and the public."

As the Distinguished Fellow in Law and Democracy, Luttig will participate in public program-

ming throughout the year, discussing the different legal and constitutional questions surrounding the 2024 presidential election. The first event, "The 14th Amendment: When Should a Presidential Candidate Be Disqualified?" took place Feb. 6.

These questions are more pressing than ever, and the Karsh Institute offers an important opportunity for critical analysis, Luttig said. In addition to public outreach and scholarship, Luttig will also hold lectures and events at UVA Law School on current legal and constitutional questions.

After a stint in private practice, Luttig rejoined the public sector in the Justice Department during George H.W. Bush's presidency. He was later appointed and confirmed to the Fourth Circuit Court of Appeals, becoming the youngest judge at that time to have ever been in that role. After leaving the bench in 2006, he served as general counsel at Boeing through 2019.

—Rob Seal



## JEFFERSON MEDALIST CALLS FOR BRIDGE-BUILDING, RESPECT

**JUDGE ROGER L. GREGORY**, this year's recipient of the Thomas Jefferson Foundation Medal in Law, reflected on the Constitution, his role on the bench and the need to build bridges during a talk April 11 at the Law School.

Gregory, the first Black judge to serve on the Fourth Circuit and the court's chief judge from 2016-2023, was first nominated during a failed recess appointment by President Bill Clinton, then renominated by President George W. Bush, making him the only judge on any circuit to be appointed by a president of both parties.

Throughout his remarks, Gregory shared his view of the U.S. Constitution—that it was written to flex over time—while also calling for bridge-building. He rooted his own argument for living constitutionalism in the history and evolution of the document, emphasizing its inherent adaptability.

"Text without context is pretext," Gregory said. "This is what [Justice Joseph Story] said nearly 200 years ago: 'The Constitution must be interpreted with contextual sensitivity to changing circumstances so that it imposes reasonable requirements in such circumstances.'"

Gregory acknowledged that he's typically in the dissent in Fourth Circuit rulings, but joked about the collegial manner in which he and his colleagues disagree. The institution and the process take precedence over one's personal political views and emotions, he said.

"If you stand on the banks of a river, trillions of gallons of water pass by, gone forever, never to return to that point of the river again. The river never stops," Gregory said. "You have to realize, you contribute to the river, but you are not the river. The river is the court. It's the institution, just like our Constitution—that is the river we contribute to."

In calling for bridge-building, Gregory quoted from Justice Thurgood Marshall, who once said, "The legal system can force open doors and sometimes it can even knock down walls. But it cannot build bridges. That job belongs to me and you."

Sponsored jointly by UVA and the Thomas Jefferson Foundation, the nonprofit organization that owns and operates Monticello, the Thomas Jefferson Foundation Medals are awarded each year to recognize the achievements of those who embrace endeavors in which Jefferson excelled and held in high regard. The law medal, and its counterparts in architecture, citizen leadership and global innovation, are UVA's highest external honors.

—Melissa Castro Wyatt





## NFL'S DASHA SMITH '98 TO ADDRESS GRADUATES

NFL EXECUTIVE DASHA SMITH '98 will serve as the school's commencement speaker for the Class of 2024 in May.

Smith is executive vice president and chief administrative officer for the NFL. In this role, Smith is a member of Commissioner Roger Goodell's executive operating committee and manages the administration of all NFL business processes.

Before joining the NFL in 2019, she was executive vice president and global chief people officer for Sony Music Entertainment. Smith was previously managing director at global alternative investment firm GCM Grosvenor, and she worked as Time Inc.'s global head of employee relations, and chief labor and employment counsel.

Smith is a co-chair of the Law School's Honor the Future capital campaign and serves on the Law School Foundation's Board of Trustees. She also serves on the boards of Cohen & Steers, CAP-TRUST and Beautycounter, as well as several nonprofit educational and arts organizations.

Student Bar Association Vice President Kennedy Williams '24 said Smith has been an inspirational leader.

"Dasha's pedigree shows that she can make a mark and a space for herself anywhere," Williams added. "As a Black woman, I know how it feels to work and exist in spaces where very few people look like you. After working in the executive offices of companies like WarnerMedia, Sony Music and the NFL, Dasha showed me that there can always be room for me."

In 2016, Smith welcomed the Class of 2019 to the Law School as the orientation speaker.

"Dasha's accomplishments and leadership are a model for our students of how wide-ranging, impressive and exciting their careers can be," Dean Risa Goluboff said. "Dasha has inspired me since I first got to know her almost a decade ago, and I have no doubt she will inspire our students as they begin their own professional journeys."

—Mike Fox



## SHAPING JUSTICE TALKS '(DE)CRIMINALIZING POVERTY'

STUDENTS, ALUMNI AND PUBLIC INTEREST LAWYERS discussed ways to combat the cyclical and symbiotic nature of poverty and the criminal justice system, at the eighth annual Shaping Justice conference Feb. 2.

Alec Karakatsanis, founder of Civil Rights Corps, delivered the keynote address.

Before founding Civil Rights Corps, Karakatsanis was a civil rights lawyer, public defender and co-founder of the nonprofit Equal Justice Under Law. He has been a leader in designing new legal, advocacy and narrative strategies for challenging pretrial detention, cash bail and other practices in the criminal justice system.



Jonathan Lowy '88

Two UVA Law alumni were honored for their work in public service at the conference, titled "(De)Criminalizing Poverty."

Jonathan Lowy '88 received the Shaping Justice Award for Extraordinary Achievement and Emily Ponder Williams '14 received the Shaping Justice Rising Star Award (see p. 66). Lowy, who was unable to attend, founded the Global Action on Gun Violence in Washington, D.C., and serves as president of the organization. Williams is the managing attorney of the Neighborhood Defender Service of Harlem's civil defense practice.

Panels featuring advocates, scholars and the mayor of Richmond discussed the right to housing, and victories and creative solutions in the fight against the criminalization of poverty.

The conference was sponsored by the Law School's Program in Law and Public Service.

—Melissa Castro Wyatt

## SHORT COURSE EXPLORED JAN. 6 PROBE



JACOB BALTZEGAR was driving home from a dentist appointment the moment he decided to go to law school. He remembers this detail because it coincided with the day rioters stormed the U.S. Capitol to protest the certification of the 2020 presidential election.

Now on the brink of graduating, Baltzegar was one of 16 students who participated in Congress, Oversight and the Separation of Powers, a short course taught by the very people who risked their careers to investigate the attack.

"Jan. 6—and the aftermath, the impeachment and the investigation—felt like a climax to the activism and unrest we'd been going through with COVID and George Floyd, all kind of testing what Americans can take as a society," Baltzegar said. "In my own narrative, it felt like, 'OK, I'm definitely going to law school to learn about how [democracy] works and to maybe play my part in trying to hang on to it.'"

The class was organized and co-taught by Professor Payvand Ahdout, who studies separation of powers issues, and Timothy Heaphy '91, a former U.S. attorney who stepped away from his job as UVA's chief lawyer in 2021 to lead the House of Representatives' investigation into the attack on the Capitol. The course was sponsored by the Karsh Center for Law and Democracy.

The first night of the class featured former Wyoming Rep. Liz Cheney, one of two Republicans who sat on the congressional committee tasked with investigating the attack, its causes and how it unfolded on Jan. 6, 2021. Cheney, who lost her House seat in a Republican primary in April 2022, served as vice chairwoman of the committee before she left office. Cheney joined UVA as a professor of practice with the Center for Politics last March.

"She gave up her family's political dynasty to do the right thing, and that really set the tone for the rest of the course," Baltzegar said.

When Heaphy stepped away from his position as UVA general counsel to lead the investigation, he found no shortage of "all-stars" willing to join his team of investigators. Many of those showed up to address the class, along with at least one more member of the congressional committee, prominent Hill staffers and a Washington Post investigative reporter. U.S. Rep. Pete Aguilar, a Democrat representing California's 33rd District, also spoke to the class.

With just six days to impart lessons learned from the investigation, Heaphy said he hopes students come away with an appreciation for the risk that comes with living lives of consequence.

"There's risk to raise your hand, but it's worth it because without doing things that matter, you're having less of an impact," Heaphy said. "I want them to take away that there are times in your life and your career when you should take risks to do the right thing."

Heaphy is now a partner at Willkie, Farr & Gallagher, and has taught two Law School courses connected to the events of Jan. 6.

Ahdout said she hopes this cohort of engaged students will take these lessons into their lives as lawyers, public servants and citizens, applying them to identify and combat disinformation and toxic partisanship.

"They're each going to take a different tack, but we have people in the class who came from the Hill and I imagine some of them will have Congress as a piece of their future careers," Ahdout said. "If these people are ultimately in Congress and are not demonizing the other side, because they can see that you can be far more effective by having bipartisan goals? What a huge difference that would make."

—Melissa Castro Wyatt



# GLOBETROTTERS

UVA LAW STUDENTS AND PROFESSORS journeyed around the world over the past several months through human rights projects, pro bono service and other international curricular opportunities.

## GENEVA

Participants in the International Human Rights Law Clinic attended the 55th session of the Human Rights Council, held at the U.N. headquarters in Geneva in February and March.

► Grace Zipperer '24, Professor Camilo Sánchez, Sabrina Mato '24 and Jess Williams '25 stand in front of the Palais des Nations in Geneva.



## PARIS

► Students in the J-term class meet in Paris in January.

Several students journeyed to Paris for the January term course French Public and Private Law, taught by Professors Marie Goré and Malik Laazouzi. The course has been a staple of the Law School curriculum for years.

## BUENOS AIRES

► Professor Camilo Sánchez (motioning), and Jérémie Swinnen (far left), a transnational crime specialist, meet with students (left-right) Santiago Genovesi LL.M. '24, Lillie Stephens '25, Chloe Chiles '25, Zach Zamoff '25 and Grace Zipperer '24 at the U.S. Embassy in Buenos Aires in March.

Over spring break, a group of students from the International Human Rights Law Clinic, led by Professor Camilo Sánchez, traveled to Salta Province in northern Argentina to evaluate the implementation of reforms to the federal criminal procedure system. The project was a collaboration between the clinic and the U.S. Embassy in Argentina, initiated through a call for projects by the State Department's Diplomacy Lab.



## CAPE TOWN

► Gabriele Josephs '24, Amelia Isaacs '26, Chelsea McKelvey '26, Kyle Trotman '26, Dorehn Coleman '24, Myrabel Gbo '26 and Laura-Louise Rice '25 visit Cape Town in January.

Members of the Black Law Students Association traveled to South Africa through a partnership with Norton Rose Fulbright South Africa to assist the firm's impact litigation team with drafting child abandonment legislation and refugee laws.



## NAIROBI

► Lillie Stephens '25 and Justin Roberts '25 talked with Emily Kinama, who works as litigation and research counsel at the Katiba Institute in Nairobi.

Students in the Human Rights Study Project traveled to Kenya over winter break, spending seven days learning about health care rights and related issues in the East African nation.



## CLINIC INVESTIGATES

► Norfolk Commonwealth's Attorney Ramin Fatehi and Professor Deirdre Enright '92 meet with Enright's clinic students.

## DISGRACED DETECTIVE'S CASE FILES

**AFTER SPENDING 13 YEARS** establishing the innocence of many Virginians—including some whose cases were handled by a notorious local detective involved in the wrongful convictions of “The Norfolk 4”—Professor Deirdre Enright '92 and her clinic have now partnered with Norfolk's chief prosecutor to investigate whether any other defendants were swept into prison by the misdeeds of the same disgraced detective, Robert Glenn Ford.

Ramin Fatehi, who was elected Norfolk's commonwealth attorney in November 2021, announced the school's independent third-party investigation Oct. 27 and stopped by the Law School days later to meet with students from UVA Law's Project for Informed Reform, a clinic that launched in 2021 to produce reliable data in support of criminal justice reform.

While there, Fatehi lauded Enright's record as a national leader in conviction integrity work.

“Professor Enright has created a national model center here for how to make sure that our system is holding the right people accountable,” Fatehi said. “And I can't think of a better partner.”

The investigation may be the first of its kind, at least in the Hampton Roads area, Fatehi said. But outsourcing to the clinic provides additional resources to help his office establish the credibility and transparency it needs to engender trust with the area's residents.

“If you talk to people of a certain age in the neighborhoods where violence has been persistent for decades, they know Glenn Ford,” Fatehi said. “Is it reasonable to expect that people would pick up the phone, call the police and inform on their neighbors or family members, when they know there was a history of irregularities with this particular detective?”

Ford worked as a homicide and drug detective for the Norfolk Police Department in the 1980s and 1990s, until he gained national notoriety when he was arrested by the FBI for extortion, conspiracy and making false statements—including taking tens of thousands of dollars from drug dealers in exchange for arranging favorable treatment for them at sentencing. In 2011, he was sentenced to 12 years in prison for those crimes but was released after 10.

“It has got to be one of the worst cases in the history of the commonwealth,” Fatehi told the students. “But the coercing of confessions and threats of violence during those [interrogations] were peeled away and were not touched by federal prosecutors, and no one has systematically looked for those types of problems.”

Until now. The investigators have so far identified at least 90 cases involving Ford and another 90 that may have involved him, according to Fatehi's office. Uncovering evidence of misconduct or finding exculpatory evidence that was withheld from the defense could lead to further charges for Ford and to pathways to appeals for the defendants convicted in his cases. For Enright's clinic's larger project—providing data points to guide criminal justice reform—the Ford investigation may unearth rich information about misaligned incentives and red flags.

“I'm sure we can't prove every single one of them are innocent, but every single one of them has things in their file that [are problematic],” Enright said. “One person got a hung jury three times, and they just kept going [after him].”

Of the 15 people the Innocence Project at UVA Law has freed, 67% involved police misconduct and 53% involved false allegations, according to that clinic's data.

Fatehi acknowledges that the outcome of the Ford investigation is hard to predict.

“A lot of his wrongdoing may never completely come to light, but we at least have an obligation to look at our prosecution files and see if there's anything there,” Fatehi said.

—Melissa Castro Wyatt



# Sharing

## STAR WITNESS



**"IN COLLEGE**, I got involved with and later ran an organization called Tikkun Olam Makers, or TOM. 'Tikkun olam' are the Hebrew words for repairing the world, and TOM's mission is to do that by making small differences in individual lives. TOM aims to build open-source solutions for daily struggles that people with disabilities face.

One project that stands out to me is one that my team made for Adam, an 8-year-old boy with quadriplegic spastic cerebral palsy. Adam loved to swing when he got anxious, but he could not swing by himself. The family wanted something that would automatically swing Adam and would fit in their living room, so my team designed a mechanical swing with a lightweight metal frame that was easy to take apart and put back together, and we ultimately used a windshield wiper motor to produce the swinging motion of the chair."

—LAUREN GROHOWSKI '26

LAW.VIRGINIA.EDU/STARWITNESS

# INSIDER

## TOPPLING TESLA'S PAY PACKAGE

ELIZABETH WILLIAMS VIA AP





# With a Little Jiu-Jitsu, Alum Invalidates Musk's Pay Package

**David Tejtzel '07 Finds Cosmic Success Off the Beaten Path**

**A LAW DEGREE FROM THE UNIVERSITY OF VIRGINIA** could result in public service work overseas. It could lead you to a clerkship at the Supreme Court. Or it could set you on the path to litigating against a celebrity billionaire.

David F. E. Tejtzel, a 2007 Law School graduate, is a founding partner of a boutique shareholders' advocacy firm that successfully challenged the largest CEO compensation plan in history. In February, Tejtzel and his firm helped Tesla's shareholders invalidate a \$56 billion pay package for Elon Musk, the embattled founder of the electric carmaker.

As he reported to the Delaware Court of Chancery for each day of the trial, Tejtzel found himself face-to-face with national and international media and celebrity witnesses, such as Tesla board member James Murdoch, son of Rupert, whom he cross-examined. Tejtzel, who minored in astronomy as a UVA undergraduate, kept a cool head by focusing on the task immediately before him, blowing off steam at jiu-jitsu and thinking about the infinite.

"Realizing I was involved in something that had the world's attention was incredibly humbling," he said. At times, he harkened back to his astronomy studies to keep things in perspective. "No challenge seems quite as big when I remind myself that I'm unfathomably irrelevant on a cosmic scale."

A Falls Church, Virginia, native, Tejtzel had only to visit his older sister at UVA once to know it was where he wanted to spend his college years. He double-majored in English and history, and picked up an unexpected minor in astronomy.

"I just took astronomy classes because I liked them, but my adviser said, 'You know, if you do an astronomy lab, you'll have sufficient credits for a minor,'" Tejtzel said. "To this day, I'm fascinated by space. I'll listen to astrophysics lectures and they're just the most beautiful teleportation device to this impossibly different place."

While in Charlottesville, he teleported away from stress by working at Wild Wing Cafe above the train station, first as a waiter and eventually as a bartender. He quickly learned that immersing himself in a high-stress activity in his spare time actually helped him recharge and refocus on his primary obligations. It's a lesson he applies to his current career.

"It required the devotion of every single neuron when I was three people deep at the bar, all screaming for drinks," Tejtzel said. "I've got to fill up the ice, I've got to replenish the liquor, I've got to change the keg, I've got to empty the trash—you don't have room to think about anything else in that moment. So all the stresses of law school vanish for three or four hours."

During the Tesla trial, he took a similar approach to de-stressing, carving out precious time to drop into Brazilian jiu-jitsu classes in Wilmington, finding that it helped him "clear the palate" and gave him a "meditation effect."

Brazilian jiu-jitsu is a combat sport based on grappling, ground fighting and forcing an opponent into submission.

"I think of it as a secret weapon to being an effective litigator," Tejtzel said. "Essentially, you and another willing combatant shake hands, bump fists and then try to strangle one another or bring each other's limbs to the breaking point—then someone taps out and you go again."

Relative to that "primal" battle, the courtroom seems much more manageable, he said.

Ironically, this cutthroat grappler has valued and nurtured collegial relationships with colleagues and opposing counsel

since his days on North Grounds. He once missed a class in law school and, within five minutes of its conclusion, three different people had sent him their notes from the day—completely unsolicited.

In his legal practice, Tejtzel strives to exercise the same level of collegiality that he was so struck by on Grounds, even with opposing counsel.

"Frankly, I've made that sort of my guiding light in my practice of law," he said. "And so far, it's paid dividends."

He said he tries to act with utmost respect toward all, often deploys humor as a de-escalation mechanism and approaches negotiations not as an antagonistic zero-sum game but instead an opportunity to achieve a "win-win."

When he was clerking for a federal judge in New Bern, North Carolina, the town was small enough that he met nearly everyone within a few weeks, which allowed him to form friendships that he keeps up with even today.

After clerking, he spent three weeks on a delayed post-bar exam trip, volunteering at a wild animal rehabilitation center in Namibia where he wrangled cheetahs, bottle-fed baby lions and frolicked in trees with adolescent baboons. He also met a fellow volunteer, Ali, with whom he now shares a marriage, three children and two dogs.

"My financial circumstances forced me to choose between a motorcycle or the Africa trip," Tejtzel explained. "For once, I made the right choice."

Tejtzel then spent a few years working at Simpson Thacher & Bartlett in New York, learning the importance of top-quality work and collaborating with "compassionate, conscientious people."

As grateful as he was for the experience at the firm, he nonetheless found himself struck by the "irrepressible desire to know what lies off the beaten path."

He thought about his choices as the hobbyist writer he once was, back when he published a short story called "Contractor's Mix."

"They asked me to write a blurb about myself and I described myself as 'an attorney who dreams of being everything else,'" Tejtzel said, chuckling. "Looking back, I think that was probably a pretty good encapsulation of how I felt, because I loved the practice of law, but there's just so much else out there and I was desperate to explore it."

So he walked off the Big Law partner path and joined his friend, Jeremy Friedman, in co-founding a firm specializing in shareholder advocacy, a specialty Tejtzel hadn't really considered. Friedman, however, was a "powerhouse" in that area, Tejtzel said.

***"It didn't sit well with me to be helping Goliath. I felt much more comfortable and fulfilled fighting for David."***

**—David Tejtzel**





➤ Tejtal met his future wife, Ali, during a trip to Africa.



➤ Tejtal cuddles with baby cheetah Maddox at a wild animal rehabilitation center in Namibia during a trip after his clerkship.

He felt a pull to move to the plaintiff's side because, Tejtal said, "it didn't sit well with me to be helping Goliath. I felt much more comfortable and fulfilled fighting for David."

Along with Spencer Oster, the trio launched Friedman Oster & Tejtal in 2014 "on a shoestring and a hope," with no clients and no office space. They took Greyhound buses to meetings and court appearances, rather than flying, to minimize costs. They did not know if or when they would get paid, or if the firm would survive.

"Plaintiff-side shareholder advocacy sure feels like one of the most difficult practice areas in the world," Tejtal said. "You're competing with top-notch opposing counsel with decades of experience and every resource imaginable. You don't get paid unless you win. If your firm doesn't win, it dies."

Musk's compensation deal had the signs of something that could be problematic under Delaware law. Yet remarkably, and perhaps partially due to Musk's and Tesla's track record of being virtually bulletproof in litigation, no other shareholder stepped forward to prosecute the case.

Pursuing the litigation was an "incredibly difficult road" that required navigating around potential litigation-extinction events and grappling with world-class opposing counsel backed by one of the most well-resourced corporations on the planet. The stakes were high for Tesla's shareholders, Tejtal's firm, and for other shareholders and public companies that would be affected by any precedent.

In the end, the shareholders won.

"It's a good reminder to corporations, directors and shareholders that fundamental rules established by Delaware law for decades apply no matter who you are," Tejtal said. "And the faithful application of the law, of course, is incredibly good news for those same constituencies, and part of what makes Delaware the gold standard for corporate law."

—Josette Corazza



## Professor's *Research* Helps Explain Musk's Moves to Nevada, Texas

**BACK IN 2012**, UVA Law professor Michal Barzuza spotted a trend in corporate law that continues to reverberate today.

In fact, in one of today's most high-profile courtroom battles, the shareholders of Tripadvisor cited Barzuza's observation: Nevada has deliberately created laws that protect companies and their leaders from liability in order to entice more businesses to incorporate in the Silver State instead of Delaware, where half of all businesses, including Tripadvisor, are incorporated.

Accordingly, some controlling shareholders—including corporate titans such as Elon Musk—are seeking to head out West to reincorporate in Nevada.

Barzuza's "Market Segmentation: The Rise of Nevada as a Liability-Free Jurisdiction," which was published in the Virginia Law Review in 2012, was voted a top 10 corporate law paper that year. Perhaps the most striking finding of the paper related to Nevada's corporate law. For decades, legal scholarship—and corporations textbooks—argued that Nevada copies Delaware law and applies the state's cases to firms incorporated in Nevada, but Barzuza found sharp differences, with the state offering substantial protections to corporate leaders against claims of breaches of duty of care, duty of loyalty and of good faith.

"Nevada adopted the law with the intention of attracting firms that are interested in more lax corporate law," Barzuza said. "Some of these firms may be ones that could benefit from regulation the most."

After a Delaware court invalidated Musk's lucrative \$56 billion Tesla compensation package, the X and SpaceX owner pivoted to touting two other states as business-friendly havens for corporate charters.

"Never incorporate your company in the state of Delaware," Elon Musk posted on X, then followed up: "I recommend incorporating in Nevada or Texas if you prefer shareholders to decide matters."

Musk incorporated his X holding company in Nevada, then brought Twitter there after he took it private. He's made it clear in the past that he would like to move Tesla there as well, Barzuza said. But because Tesla is a publicly traded company, Barzuza said, reincorporation in Nevada would still require shareholders' approval and a Delaware court might not count Musk's shares in that vote tally.

"Since Nevada has significantly more protections on directors and officers, a move to Nevada may be considered self-dealing and thus may trigger the entire fairness standard, the same standard that [Delaware Court of Chancery judge Kathaleen] McCormick applied to Musk's compensation package," Barzuza said.

Musk is likely backing off moving to Nevada to avoid triggering such analysis.

"Given Musk's compensation result in Delaware, it would be too risky for him to attempt a reincorporation to Nevada," Barzuza said. "A move home to Texas would be an easier sell to shareholders than a move to Nevada, and is less likely to trigger an entire fairness review, given that Texas is not as protective to management and directors as Nevada is."

There is also another advantage Musk may see in Texas: Tesla employs more than 20,000 people at an Austin factory. With some projecting that the company could soon hit the 60,000-employee mark, Tesla would become one of the largest employers in the state.

"When you provide income to so many employees, you have political clout," Barzuza said. "So in the future, if he needs something, he may be seeing the home state as a place that he could influence more."

On Valentine's Day, Musk announced he was reincorporating SpaceX, a privately held company, to Texas—a gift that Gov. Greg Abbott received with a warm greeting on X.

—Melissa Castro Wyatt



➤ Professor Michal Barzuza



# CATCHING UP WITH ALUMNI

## 5, 10, 15 AND 25 YEARS AFTER LAW SCHOOL



CLARE E. MYERS '19

ASSOCIATE  
MAYER BROWN  
CHICAGO

**DESCRIBE YOUR WORK:** I am an associate in Mayer Brown's litigation and dispute resolution group, and a member of the firm's Supreme Court and appellate practice. Mayer Brown's appellate group is an "appeals and issues" group, so we not only handle appeals, but also are embedded in teams at the pretrial and trial stages to provide strategic counsel. My work includes everything from preparing for the depositions of key witnesses to drafting U.S. Supreme Court briefs, and has covered a broad range of substantive areas. I also maintain an active pro bono practice, most recently successfully representing two young women from Afghanistan in their asylum cases.

**WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK?** I really enjoy distance running, especially marathons. I love traveling with my partner and friends to countries I've never been to before, most recently to Chile and Argentina to explore Patagonia. It has also been wonderful to spend a few years here in Chicago, which has given me the opportunity to get involved with my church, become a member of the Art Institute of Chicago and the Chicago Symphony Orchestra, and devote time to trying every restaurant featured in "The Bear."

**ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE?** Absolutely not! In law school, I never would have expected to have the opportunity to clerk for a federal judge, and my less-than-stellar performance during 1L oral arguments convinced me that appellate work was not for me. After law school, I clerked for two judges at two different federal appellate courts and discovered that I truly enjoyed working in this space. Now I am preparing for my first argument at the Seventh Circuit Court of Appeals and am looking forward to it much more than that first oral argument back in law school.

**WHAT DO YOU LIKE ABOUT YOUR LIFE 5 YEARS AFTER LAW SCHOOL?** I am grateful to be at a stage of my career where I have started to develop some expertise, but still have the opportunity to try new things every day. I like that my work is challenging and demanding, while flexible enough to allow me to work remotely when visiting family and friends across the country. I enjoy having a well-rounded life outside of the law, but I genuinely love being a lawyer—particularly when it means that I can meaningfully help my clients, whether they are government agencies seeking outside counsel, big corporations involved in multidistrict litigation, or refugees seeking protection from violence and a new life here in the United States.



MINGDA HANG '14 (BIMS PH.D. '10)

TRIAL ATTORNEY  
U.S. DEPARTMENT OF JUSTICE  
WASHINGTON, D.C.

**DESCRIBE YOUR WORK:** I am a trial attorney at the Narcotic and Dangerous Drug Section (NDDS) under the Department of Justice's Criminal Division. We identify, investigate and prosecute the most significant transnational drug trafficking organizations and their enablers, such as money launderers and chemical suppliers. We are a small and tight-knit band of prosecutors who take great pride in working on some of the most complex criminal cases and serving the country at this salient moment of the synthetic drug crisis. By the way, I am not the only Wahoo at NDDS: I am serving alongside Kate Nassef '14, Janet Turnbull '04 and Joshua Katcher '09. The four of us make up a hefty percentage of NDDS' litigation unit.

**WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK?** On Fridays, when our respective schedules allow, Laura (Prebeck Hang '14 [Col '00]) and I have lunch together at a Japanese restaurant near our house. We always sit at the same place and order the same dishes. We align, calibrate and compare notes. We plan our next house project or family vacation, and we daydream a bit. We say thank you to each other, but not in those words. We pat each other on the back, both figuratively and literally. And we marvel at our two daughters (College '38 and '41, hopefully?). I love these lunches.

**ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE?** Not in my wildest dreams. I came to America after college to pursue a doctorate degree in bioscience. I never had a conversation in English until I came to the States, and it took me years to overcome the shock, sorrow and enduring uneasiness that I imagine every adult immigrant has to face. But I was given a place at UVA Law, and it catalyzed a voyage of re-establishing my true self. I still remember the life-changing phone calls from Cordel Faulk [01] and Jason Wu Trujillo [01]. Every so often, there are folks who are graciously curious, asking me how a Chinese immigrant who came to the U.S. at 23 became a federal prosecutor. I tell them it's only possible in America. What I also know is, it's only possible because I went to UVA Law.

**WHAT DO YOU LIKE ABOUT YOUR LIFE 10 YEARS AFTER LAW SCHOOL?** I am content. There is nowhere else I want to be.



## CATCHING UP WITH ALUMNI



**LAUREN BROWN PETERS '09**

ATTORNEY  
MALOUF NAKOS JACKSON & SWINSON  
DALLAS

### DESCRIBE YOUR WORK:

My practice focuses on estate planning, probate, and trust administration and settlement. Primarily, my clients are families and their advisers, and I help to structure and put into effect plans that balance each client's personal, tax and business goals. I love that my daily work is so focused on relationships and that I get to be a part of my clients' lives—from births to deaths, the building and selling of businesses, and everything in between.

**WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK?** My husband, Bart, and I have a 4-year-old daughter and a 2-year-old son. So, outside of work, I am busy enjoying ballet classes, backyard soccer games and trips to the park. We have a big family locally, which is fun, and which brought each of us back to Texas from Virginia. We are active in our church and enjoy spending time connecting with the families in our neighborhood and at our children's school.

**ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE?** Yes, and no. My current practice does not look much like I would have thought 15 years ago. I started my career in commercial litigation at a large firm and found my way to a small firm estate-planning practice in an unexpected manner. However, I can say I am where I hoped to be in a broader sense: I am back in my hometown, I enjoy the professional relationships I've built, I find my work fulfilling, and I also get to enjoy and care for my family.

**WHAT DO YOU LIKE ABOUT YOUR LIFE 15 YEARS AFTER LAW SCHOOL?** I love that I have found a rhythm and style of practice that suits me, and that allows for great work-life balance. Although I took a winding path, I don't feel like any professional experience has been wasted. I like that I feel settled in my work and my community, but also that I have exciting things yet to come in my career and so much to enjoy as my children grow up.

## 5, 10, 15 AND 25 YEARS AFTER LAW SCHOOL



**CARLOS M. BROWN '99**

PRESIDENT, DOMINION ENERGY SERVICES CO.;  
EXECUTIVE VICE PRESIDENT, CHIEF LEGAL OFFICER AND CORPORATE SECRETARY  
DOMINION ENERGY INC.  
RICHMOND, VIRGINIA

**DESCRIBE YOUR WORK:** Essentially, I run a large professional services organization that consists of lawyers, accountants, business analysts, engineers, and security, information technology, customer experience, and finance and treasury professionals who support the operations of our utilities and infrastructure businesses totaling approximately 4,000 employees, not including contractors, across seven states.

**WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK?** When I'm not working, I spend a lot of time engaged in the community and serving on several boards, including as vice rector of the University of Virginia Board of Visitors, as a member of the UVA Law School Foundation board, and as vice chair of the Virginia Museum of History and Culture, as well as with several other nonprofits. I am very fortunate to be married to my wife, Tamara Charity-Brown, M.D., whom I met at UVA. We have been married for 25 years and have four amazing children: Carlos Jr., Charity, Chelsea and Cari. When the kids were younger, I coached them through their sports and activities, and now we spend a lot of our free time chasing them around the country supporting their various endeavors. When I do have uncommitted time, I enjoy supporting the Cavaliers in football and basketball, and I am an avid Dallas Cowboys fan. I am also an assistant pastor in my church.

**ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE?** Based on the 20-year plan I drafted in 2003, I would say the answer is no. I expected to be working in a small firm of no more than 10 lawyers in suburban or rural Virginia. It was also a part of my plan to spend some time in elected public service. Instead, most of my public service has been via appointment to various state-level boards such as the Commonwealth Transportation Board and the boards of Christopher Newport University and the University of Virginia. So I guess you would say that I am in a much different place than I thought I would be at this stage of my career, but still as wonderful.

**WHAT DO YOU LIKE ABOUT YOUR LIFE 25 YEARS AFTER LAW SCHOOL?** For what I describe as a simple country boy from Long Ridge, Virginia, the opportunities that my law degree have afforded me have been amazing. It has taken me places and exposed me to things that I could hardly have imagined when I was a young man watching "Perry Mason" in the 1970s. My law degree has allowed me to have an influence on my company and on the community in ways that are very rarely afforded. I've also been able to influence the broader legal community to become more diverse and inclusive so that legal services are more available.



BY KRISTEN EICHENSEHR

## REMEMBERING SANDRA DAY O'CONNOR

FOR THE SELF-DESCRIBED “FIRST COWGIRL ON THE SUPREME COURT,” THE TERM TRAILBLAZER IS ALL TOO APT. Justice Sandra Day O'Connor's remarkable career was the product of her inner toughness tempered by her good humor, sharp wit and abiding pragmatism.

Describing the wooden windmills on her family's beloved Lazy B Ranch, Justice O'Connor explained that they did not have to be beautiful, but they had to work. That same approach might be used to describe her jurisprudence. In her years as the median justice controlling the outcome in many Supreme Court cases, she was guided not by rigid theories but by deep concern for the practical effects of the court's decisions. The court's decisions, in other words, had to work for people, society and government. Justice O'Connor's concern for people extended also to her

official and an elected state court judge herself, she warned against electing judges because doing so compromises their judicial independence. But her concern for education stretched beyond just the role of the judiciary. In 2009, she founded iCivics to educate children on the fundamentals of democratic government, meeting them where they are with online games that teach about government and laws. iCivics reports that it is “now used by up to 9 million students and 145,000 teachers annually in all 50 states and the District of Columbia.”

In her 2018 statement announcing her withdrawal from public life, Justice O'Connor pointed to civics education as key for the future, arguing that it is “vital ... for all citizens to understand our Constitution and unique system of government, and participate actively in their communities.” In words that sum up her own career, she emphasized that “[i]t is through this shared understanding of who we are that we can follow the approaches that have served us best over time—working collaboratively together in communities and in government to solve problems, putting country and the common good above party and self-interest, and holding our key governmental institutions accountable.”

Since Justice O'Connor's retirement from the court in 2006 and withdrawal from public life in 2018, the divisions on the court, in government and in the country have grown deeper. But she was not one to be easily deterred. She saw the fractures coming and set about to lay the groundwork for bridging them.

Justice O'Connor famously said that she was happy to be the first woman on the Supreme Court, but she didn't want to be the last. Thanks to her, I and some of her other clerks were born into a world where that particular glass ceiling had already been shattered. But Sandra Day O'Connor didn't stop there. At every stage in her life, she set a high bar for what one can accomplish with hard work, good will and a devotion to public service. I miss her tremendously but will forever draw inspiration from her example.

*Professor KRISTEN EICHENSEHR is director of UVA's National Security Law Center and a senior fellow at the Miller Center. This article was originally published on the UVA Miller Center website.*



Justice Sandra Day O'Connor visits UVA in 1987 to receive the Thomas Jefferson Foundation Medal in Law.

clerks. I had the honor of clerking for her in the 2010 term, and throughout the year, she made time to meet visiting family and friends, including ones who joined the early morning “exercise class” she convened on the court's basketball court for decades. Generations of clerks had their own new generations welcomed into the O'Connor family with gifts of tiny T-shirts emblazoned with “SO'C Grandclerk.”

Justice O'Connor's unique background and concern about the future led her to advance a new cause in her extremely active retirement: civics education. After leaving the Supreme Court, she spoke to many audiences about how judges should neither be—nor be seen as—“politicians in robes.” Having been an elected

clerks. I had the honor of clerking for her in the 2010 term, and throughout the year, she made time to meet visiting family and friends, including ones who joined the early morning “exercise class” she convened on the court's basketball court for decades. Generations of clerks had their own new generations welcomed into the O'Connor family with gifts of tiny T-shirts emblazoned with “SO'C Grandclerk.”

# The People's Decan



# Pride of Place

## Risa Goluboff Made It Her Mission To Share With the World What Makes Virginia Special

By Mary Wood

**WATCHING RISA GOLUBOFF WORK A RECEPTION** reveals a master at her craft. There are the funny anecdotes, active listening, usually some animated gesticulating and facial expressions that no photographer can do justice, and always, always—as she makes her way among different pockets of those gathered—moments where she is beaming with pride.

Yet it's the work she does behind the scenes as dean that explains how Goluboff has made her mark over the past eight years, carrying the University of Virginia School of Law through unforeseen challenges and steering the 205-year-old institution to many remarkable successes. Her optimism, coupled with a drive to make the school even better, has motivated those around her to happily carry out marching orders or find solutions.

"She's a force of nature, and as a dean, she was that—she led with vision," said Leslie Kendrick '06, who worked with Goluboff as vice dean and is preparing to step into the dean role herself on July 1 (see p. 33). "But she's also very collaborative. She gets other people excited in her projects and she listens to other people about what needs to be done and what would make the Law School a better place. She brings so much enthusiasm to everything she does, and that is completely infectious."

That vision included extolling and enhancing Virginia's famously collegial culture and beating the drum for faculty research, recruiting a large wave of professors, adding clinics, building robust intellectual centers, and creating a program to help low-income and first-generation undergraduates progress to law school and the legal profession—all while launching the Honor the Future capital campaign and exceeding its \$400 million goal 15 months early (see p. 6).

"All the things that you think of the University of Virginia Law School standing for, she has made it happen," said J. Warren Gorrell Jr. '79, who co-chaired the capital campaign. "We've been blessed to have a long line of fantastic deans, and Risa has just continued that and more."

### Stepping Into the Spotlight

**A THIRD-GENERATION BROOKLYNITE**, taking on new challenges has been part of Goluboff's DNA since her youth, when her interests outside of school included everything from debate to dance to theater to at least one venture into an unlikely sport. A take-charge kid willing to test her mettle, she joined the boys' wrestling team in ninth grade and found it advantageous to be able to compete in the 89-pound weight class.

"I like to be busy," she laughed. "I have a lot of energy."

Intellectually, those years also grew her interest in civil rights issues, as racial conflict around New York City—such as in Howard Beach and Crown Heights—brought conversations about race to the fore in her high school, St. Ann's.

She studied history and sociology at Harvard University, eventually earning her M.A. and Ph.D. in history from Princeton, and her J.D. from Yale Law School. Following clerkships with U.S. Judge Guido Calabresi and Supreme Court Justice Stephen Breyer, she went on the teaching market, where she was impressed by the approach of her Virginia interlocutors.

"UVA's was the interview at which the faculty interviewers combined generosity with rigorous inquiry, as well as a breadth of perspectives," she said. "They challenged me and each other with respect, and from every possible intellectual perspective—and they have been doing so ever since."

After joining the faculty in 2002, she wrote two award-winning books focused on constitutional law and civil rights—"The Lost Promise of Civil Rights" and

"Vagrant Nation: Police, Power, Constitutional Change, and the Making of the 1960s"—and collected a number of other honors: UVA's All-University Teaching Award, a Guggenheim Fellowship and a fellowship from the American Council for Learned Societies.

Though her focus was on scholarship and teaching before becoming the first woman to serve as dean of the Law School, she smoothly transitioned into leadership. Kendrick, who had worked for Goluboff as a research assistant when she was a first-year law student and Goluboff was a first-year professor, had an inkling that her mentor would soar as the school's manager-in-chief.

"Risa is someone who is just a natural mentor and supporter to everyone who's around her," Kendrick said. "When she is taking on work, she's always working harder than everybody else, but bringing everyone else in, in ways that make it really meaningful for them."

Goluboff said her goal "was to make us the best version of ourselves that we could be."

Long impressed with UVA's "vibrant intellectual community," she looked for ways to share the faculty's ideas more widely with the world at large. She joined Twitter and Instagram, and launched a podcast with Kendrick focused on faculty research, "Common Law," allowing her to celebrate the many strengths of the school in a more public way. She also encouraged faculty to join Twitter, now X, and the school's faculty became among the legal academy's most prominent in the space.

"We live in a time when it's hard to get people's attention, and it's hard to figure out what are the best avenues for our faculty to reach different audiences with what is truly groundbreaking and

Dean Risa Goluboff greets students in a fall 2021 event welcoming the Class of 2023 back to the Law School.



“One of the things I learned is, **things might seem impossible, but they’re not usually impossible.** They just require a lot of work.”

—Dean Risa Goluboff





➤ UVA Law student leaders, faculty and staff gathered for a photo with Goluboff on Feb. 26 in honor of her deanship.



➤ Goluboff continued to teach throughout her deanship, including this Seminar in Ethical Values class in 2018 with her husband, Richard Schragger.



➤ Goluboff connects with some of the first class of Roadmap Scholars in June 2023, their second summer visiting the Law School.

path-breaking work,” she said.

The faculty Twitterverse took note when Goluboff led a hiring spree that caught fire during the pandemic. She led efforts to recruit 36 faculty members, including prominent lateral hires, early career talent and experienced clinical professors. Among the faculty joining the school were one of the foremost theorists on originalism (Lawrence Solum), a prominent leader in trade secrets (Elizabeth Rowe), an internationally renowned scholar on sovereign debt (Mitu Gulati) and many more (see “By the Numbers” sidebar).

“We were incredibly fortunate that, thanks to the generosity of our alumni, we were in a financial position that a lot of schools were not in, to be able to hire during COVID,” she said.

Goluboff said that the new faculty are not only “terrific” scholars but also deeply committed to the school’s long tradition of exceptional teaching, a lineage exemplified by the 19 UVA Law professors who have received the All-University teaching award since 1996.

“As we have tried to elevate the impact and visibility of our faculty scholarship, we also wanted to preserve our faculty’s legendary commitment to teaching and to being fabulous teachers.”

## Harnessing Growth

**GOLUBOFF, KENDRICK AND CURRENT VICE DEAN MICHAEL GILBERT** helped organize and launch 13 new centers to showcase areas of excellence within the faculty and to facilitate collaboration among them and with external scholars. The new centers include the Virginia Center for Tax Law; the Program in Law, Communities and the Environment (PLACE); the LawTech Center; the Center for Public Law and Political

Economy; the Education Rights Institute; and the Family Law Center. The Law School also reorganized other programs to better connect with Virginia’s faculty expertise.

“These centers bring more people to the Law School for convenings and events of all kinds,” Goluboff said. “They enable the outside world to better see where our strengths lie and the impact we are having on the world.”

The faculty hires and research promotion dramatically improved the law school’s ranking on multiple measures of academic impact.

In a shift that began before her tenure, the curriculum also progressed toward a more even mix of lectures, seminars and clinical courses, and away from a reliance on traditional large lecture classes.

“To make the kind of UVA lawyers that we want to put out there in the world, students need the doctrinal fundamentals, the building blocks of how to think like a lawyer,” she said. “And they also need the practical experience to hit the ground running, and then they need the theoretical perspectives and the deep dives into particular subjects that really let them see the big picture.”

As part of that transition, Goluboff added nine full-time clinical professors to the six who were on the faculty when she became dean, plus eight new clinics, bringing the total to 24.

“People often don’t recognize how resource-intensive practical and experiential education is, especially clinics,” she said. “They’re incredibly valuable, and they are worth the resources that we put into them. It is not just that they provide essential practical experience. It’s also that they help us fulfill our mission as a law school—and especially a public law school—to serve the public and enable our students to engage in public service.”

Goluboff also increased support for students seeking public service careers. During her tenure, the school added public service counselors, hired a full-time faculty member to run the Program in Law and Public Service, guaranteed and increased funds for public service summer fellowships, created scholarships for students interested in public service, provided funding for public service callback interviews, initiated an annual public service conference and expanded the Loan Forgiveness Program.

“Because we’ve added more support for public service, more and more students are coming to the Law School because they know it’s a place that will support their public service career,” Goluboff said. “Our goal is to help enable—financially, pedagogically and professionally—every student who wants to do public service.”

The school also added career counseling positions for private practice and clerkships, supporting a best-in-class operation that trains all students not only on how to succeed at their job search, but how to become full professionals.

The investment has paid off: In addition to The Princeton Review ranking the school No. 1 for Best Quality of Life every year of Goluboff’s deanship, the Law School is in the top 5 for Best Career Prospects, Best Classroom Experience, Best Professors and Best for Federal Clerkships. According to American Bar Association data, the school has also been No. 1 for the past two years in the percentage of graduates obtaining full-time, long-term jobs that require bar passage, considered the gold standard for measuring law graduate employment. The school is No. 4 in the percentage of graduates from the classes of 2021-23 going directly to federal clerkships after law school, and five

UVA Law alumni from the Class of 2021 were selected as clerks by U.S. Supreme Court justices, tying a school record set by the Class of 1981.

The school’s footprint also became more global. Four new student exchange programs and three new faculty exchanges across three continents are giving students opportunities to learn and faculty to teach and do research abroad. Students are also taking shorter trips with help from faculty: Professor Camilo Sánchez, whom Goluboff hired to direct the International Human Rights Clinic and co-direct the school’s Human Rights Program, has taken students to Argentina, Nepal, Kenya, Colombia and Geneva, Switzerland, among other far-flung locales, for classes and research over the past few years. Professor Ruth Mason advises the student International Tax Moot Court Team, which has traveled to Belgium to compete in final rounds several times—and won three times.

## After ‘Charlottesville’

**WHEN WHITE SUPREMACISTS DESCENDED ON CHARLOTTESVILLE** for a weekend in August 2017 to protest the removal of Confederate statues, many anticipated something like a typical KKK protest—abhorrent views aired in a nonviolent manner. Instead, community members witnessed a torchlit march down the Lawn and an attack on University and local community members who were surrounding Thomas Jefferson’s statue on Aug. 11.

Goluboff sent a message on Aug. 12 to the Law School community condemning the previous night’s violence, just hours before Heather Heyer was killed by a Unite the Right supporter in downtown Charlottesville. Goluboff spent the fol-

lowing days reassuring new students and their families that this was not the norm for the famously welcoming college town, which had recently been named the “happiest city” in America by the National Bureau for Economic Research.

The shocking events raised many questions.

“How did they get to be here? How was it that they needed a permit to use a city park but there were no policies in place that required informing the University of their plans? It turned out I would spend the year answering those questions,” she recalled.

University President Teresa Sullivan, who had announced months earlier she would be stepping down from leadership, appointed Goluboff to chair the Deans Working Group. The group analyzed what went wrong and recommended new policies, processes, programs and investments to prevent future violence. They also set a path to enable the University to reckon with its history and live its values for the future.

“She was just superb” in leading the group, said Frank M. (“Rusty”) Conner III ’81, who was then serving as UVA’s rector. “That group worked very hard, in relatively short order. They brought the University back to a level where the community had trust in the future of the organization and had trust in its leadership.”

Within a month, the group released a report—on Sept. 11, 2017—that included a timeline of events on Aug. 11 and an assessment of the University’s response to the events.

The University later adopted many of the group’s recommendations, including improving safety and security; developing time, place and manner policies to govern First Amendment activities in University common spaces; increasing funding for faculty hiring, scholarships

and efforts to build bridges across differences within the University community; and following up on recommendations made by the group’s Advisory Committee on the Future of the Historic Landscape.

At the Law School on Aug. 11-12 and in the days after, Goluboff admired the way students, faculty and staff rallied to support worried new students, inviting them to their homes or just meeting with them to provide comfort. Among the new students in town were the first class of Community Fellows, a program designed by Goluboff and Assistant Dean of Student Affairs Sarah Davies ’91 and her office to bolster a sense of collegiality and mutual respect and to enhance the free exchange of ideas among diverse 1Ls.

“One of the things that was really heartening was the support that every member of our community gave other members of our community and the larger Charlottesville community,” Goluboff said.

Though Goluboff had long made it a goal to ensure that all students felt a sense of belonging at the Law School, the protests over race and policing in the summer of 2020 intensified her commitment to increasing access for students from all backgrounds, identities and viewpoints, and building an environment where every member of the community can thrive and engage. During her tenure, the school recruited its most academically accomplished and most diverse classes in its history.

In 2022, with help from Mark C. Jefferson, whom she hired from Harvard Law School to be the school’s new assistant dean for community engagement and equity, the Law School launched the Roadmap Scholars Initiative, which provides extensive financial and academic support to low-income and first-generation undergraduates seeking a





Connecting with the community remained a priority during the pandemic. Goluboff and other faculty members attend a Black Law Students Association reception in fall 2021.

JULIA DAVIS

At orientation in 2018, Goluboff launched her social media presence with a selfie with the new class, a rite she continued in this 2019 photo.

JESSE PIVO

Before orientation, Goluboff hosts the Law School's Community Fellows at her home in 2021, in what became an annual tradition.

path to an elite legal education. During the participants' final two years of college, the program exposes them to law school classes, prepares them for the LSAT, and provides mentors and internships. Students receive stipends for two summers to help them offset lost income.

"The stipend is important because without it, a lot of our first-generation students, if not all of our first-generation students, wouldn't be able to come," Jefferson said, adding that it's the most comprehensive and generous program in the country—thanks in large part to Goluboff.

"It was her idea," he said. "We worked shoulder-to-shoulder to put it together. There's no part of the program that she hasn't been hands-on with in terms of trying to help think through, and providing creative and critical feedback and insight on how to structure it."

Jefferson said Goluboff has taken the lead in encouraging faculty members to participate, securing summer internships with alumni and raising the "extraordinary gifts that we've gotten."

"This is in many ways, Risa's program," he said. "I feel very lucky to have been able to help bring her vision to life." Goluboff, who taught constitutional law to Roadmap Scholars the past two summers, said she is excited to see where the students go.

"We are a more accessible and diverse place along lots of different dimensions, and I think the Roadmap Scholars Initiative is a big piece of that," she said. "It's both emblematic of our goals of being accessible, and an accelerator for achieving those goals."

As she laid a path forward for a new generation of students to succeed in the profession, Goluboff-the-historian worked with the Law Library and others around Grounds to better understand and document the Law School's full history by supporting oral histories and archival resources, and contributing

chapters to a forthcoming book about that history.

She also honored trailblazers who paved the way for the diverse student body at the Law School today. In 2018, the school established the Gregory H. Swanson Award, given to students in honor of the first Black student to attend the Law School and UVA. In 2022, the school commemorated Elaine Jones, who became the school's first Black female graduate in 1970, with a scholarship in her name.

Swanson's daughter, Karen Swanson, attended the 2018 event honoring her father, during which Goluboff gave the first Swanson Award, and has been to most of the award presentations since. She hailed the dean's stewardship of his legacy.

"[Goluboff] brought his story to life—it was an American history story, and she felt it was worthy of recognition," Karen Swanson said. "What may have been a small piece of history kept well within a certain community, Dean Risa's effort made global."

Swanson said the portrait, which grade-schoolers have visited on field trips exploring civil rights history, provided a great deal of comfort to her family, including her mother, Betty Swanson, who is now 93.

"It gave me a glimpse of his history before he met my mother, before he became my dad," Karen Swanson said. "I don't think I can find an adequate way to thank her for her kindness, her intellect, her heart, because she didn't have to do this. But she did it, and she did it well."

Goluboff's efforts to honor more stories and people from the Law School's past have represented a "transformative change" for the UVA Law community, according to Ashanté Smith '02, a partner at Troutman Pepper and a member of the Law School Foundation board of trustees.

"She's reimaged the art and artifacts that represent our Law School his-

tory to make sure we're telling a more vibrant and complete story of our legacy," Smith said. "That is change we can all be proud of—and change that will be an indelible part of her legacy."

In doing so, Smith said, she transformed the relationship many alumni have with the Law School and larger University.

"I've always felt like UVA was my second home, but during Risa's tenure as dean, that affinity deepened in ways I never imagined," Smith said. "Risa has also made others feel welcome to return home and meaningfully reengage with the Law School."

## An Unprecedented Challenge

IT WAS HARD ENOUGH FOR THE LAW SCHOOL to move 139 courses online in the span of eight days over spring break in 2020, as the COVID-19 pandemic began. In the fall of 2020, the school chose what many educators viewed as the hardest path forward: hybrid learning.

Goluboff's decision to offer both in-person and online classes aimed to preserve a sense of community while protecting the health of its people. The Law School had a size advantage—large event spaces like Caplin Auditorium, the Purcell Reading Room and Caplin Pavilion could be converted to allow for sizable classes in which masked students could sit 6 feet apart. At the same time, any student who wanted to take classes completely online could do so, and professors could teach in their preferred format.

But transitioning the school to this new way of teaching wasn't a simple task. It meant an overhaul of the school's sound systems, installing individual desks for formerly empty event spaces, and adding plexiglass partitions, custom podiums and new monitors for profes-

sors to see online learners.

"We moved heaven and Earth so that we could be hybrid and maintain our core values," Goluboff said. "One of the things I learned is, things might seem impossible, but they're not usually impossible. They just require a lot of work."

The hard work paid off: 90% of 1Ls and 70% of all students took at least one class in person during the fall of 2020, and the Law School and library remained open. Still, the arrangement posed many challenges as the school continued to seek input and adapt to the disparate needs of different parts of the Law School community.

Goluboff hosted a series of online meetups with staff, as well as with students, section by section. As restrictions relaxed, she welcomed community members to her own backyard for gatherings and meals. Photos from her social media accounts in that era captured distanced gatherings—guests were sitting 6 feet apart but, importantly, they were sitting together.

"We wanted to continue to provide the best education we could to our students and develop new ways to connect and maintain our culture," Goluboff said.

David C. Burke '93 said Goluboff "provided us with a vision during a period of unique challenges."

"Risa is the rare individual who combines an extraordinarily warm, caring and genuine personality with the most elite of academic credentials and a selfless approach to ensuring the institution will continue to thrive," Burke said.

## Navigating a New Era

AS GOLUBOFF AND OTHER ADMINISTRATORS were holding the community together while wrestling with the COVID threat, they also dealt with the more intangible challenges posed by a notable increase

in polarization nationwide.

"We've worked hard against a lot of headwinds to continue to be a really big tent," she said. "People often describe the free exchange of ideas as being at odds with being a diverse place along multiple dimensions—that's not my view. The faculty, students, staff and alumni of this law school are both heterogeneous in every way, and a real community. That combination is what makes us special."

Goluboff pointed to community bonds as being integral to overcoming polarization—knowing classmates from small sections, from softball, from the Libel Show "enhances the free exchange of ideas" and "actually enables you to have the hard conversations," she said.

Gorrell, who attended law school during an era of different controversies in the 1970s, said it was notable how Goluboff has managed the Law School amid such national division.

"She makes everyone feel good about being a part of the Law School, which is a really hard thing to do in academia today—actually, in our country," Gorrell said. "She's made sure that we have all different perspectives represented in the student body and the faculty. And she's encouraged a continuation of pluralism and freedom of expression and—not just tolerated it—encouraged it and made it work. That's one of her unsung incredible contributions to the Law School."

Goluboff said it works because UVA Law students spend time nurturing the school's diversity and pluralism, and their relationships with each other.

"I have been so impressed with our students, time and time again, as I have witnessed their friendships across political and ideological lines and how much they appreciate and learn from one another," she said. "They recognize that these relationships and interactions are a special and yet very vulnerable thing that they have to intentionally nourish and foster."

## An Advocate for UVA

IN HER LAST YEAR IN OFFICE, Goluboff has continued to build connections outside the school to strengthen Virginia's reputation. Describing herself as a "both/and person," Goluboff admitted she sometimes takes on more than her schedule might appear to allow, but always finds a way to make it work. She taught throughout her deanship, viewing it as

a crucial way to connect with students.

She also prioritized University service, not only on the Deans Working Group, but also in chairing the search committee for the vice provost for enrollment and serving on committees dealing with topics ranging from research infrastructure to strategic plan implementation.

"There's a saying that if you want something done, ask a busy person. Risa is that person," UVA President Jim Ryan '92 said. "She has approached each of these assignments with extraordinary thought and care, not to mention warmth and humor. When you consider all she's accomplished for the Law School on top of that—plus her own writing and scholarship—it's astounding. Risa has been an invaluable contributor to this community, and she is someone I deeply admire as a leader and as a person."

Goluboff also has worked to build relationships, through both formal and informal means, with deans across the country, including former Harvard Law School Dean John F. Manning, who recently became Harvard's interim provost.

"Risa has been a terrific dean of a great law school and has led with wisdom, creativity, and integrity throughout her deanship," Manning said. "I have been grateful for her friendship and good counsel during the time we have served together as deans."

Goluboff played a critical role in organizing her fellow law deans as the inaugural chair of a deans' advisory board to U.S. News and World Report, and has recently joined the executive committee of the Association of American Law Schools and the board of Equal Justice Works, which funds postgraduate public service law fellowships across the country.

During her deanship, Goluboff has also continued to engage as a scholar and is currently working on a book about the legal history of the events of Aug. 11-12, 2017. She was elected to the American Academy of Arts and Sciences and the American Law Institute, was selected as a distinguished lecturer for the Organization of American Historians, and was appointed by President Biden to serve on the Permanent Committee for the Oliver Wendell Holmes Devise, through which she will help document the history of the U.S. Supreme Court. A former recipient of a Guggenheim Fellowship, she has also joined the board of the John Simon Guggenheim Foundation.

In October, Goluboff was named chair of UVA's Karsh Institute of Democracy





When the pandemic made an in-person graduation ceremony impossible in 2020, Goluboff delivered a recorded graduation message.

Goluboff and University President Jim Ryan '92 take a break after a Law School run/walk in October 2022.

Goluboff and Inaugural Gregory H. Swanson Award recipients Jah Akande '19 and Toccara Nelson '19 stand beside a newly commissioned portrait of Swanson in 2018.

Goluboff and incoming dean Leslie Kendrick '06 hosted "Common Law" for three seasons together before Kendrick stepped down as vice dean.

advisory board. The institute, which regularly draws notable figures such as Judge J. Michael Luttig '81 (see p. 9) to the University for events and engagement, was established with a \$100 million investment in 2021 with founding support from Law School graduates Martha Lubin Karsh '81 and Bruce Karsh '80, who previously funded the Law School's Karsh Center for Law and Democracy.

"Martha and Bruce have been transformative in this campaign and to the University as a whole," Goluboff said. "It has been a privilege to get to know them and to share their vision of how to enhance the Law School, the University and our democracy."

The Karshes, in a joint statement, said the feeling was mutual, noting that Goluboff was not only "brilliant and accomplished, but also distinguished by her strength of character, integrity and ethics" and her "irrepressible sense of humor and optimism."

"When we first met Risa in 2018, we knew instantly that she was special. It was all of her qualities that inspired and motivated us to increase our support for the Law School," the Karshes said. "Risa was our partner and adviser in imagining and building both the Center for Law and Democracy at the Law School, and the pan-University Institute of Democracy, as well as funding merit scholarships and professorships at the Law School."

The couple helped launch the Law School's Honor the Future campaign with a gift that made them the school's first \$50 million donors, funding the center's efforts, the full-tuition Karsh-Dillard Scholarships and faculty professorships. The campaign, in which 70% of alumni have participated thus far, has put people, not capital projects, first—with a focus on scholarships for students, support for faculty and unrestricted funds. During Goluboff's deanship, the school's endowment has grown 76%, to more than \$831 million today.

Goluboff said she was grateful to all the alumni she's connected with during her deanship.

"One of the best things about leading this institution is the affection and enthusiasm our alumni have for this place that I get to witness—and relish," she said.

Even as Goluboff's role at the Law School transforms again, she will continue to beam with pride, reflecting the feelings Virginia's graduates have long had for their alma mater.

## BY THE NUMBERS: DEAN GOLUBOFF'S TENURE

Through June 30, 2023, except where noted

### FUNDRAISING AND ALUMNI LOYALTY

**76%** growth in endowment, to more than **\$831 million**

**\$415 million** raised in the Honor the Future Capital Campaign, which will end June 30, 2025

**70%** of alumni have contributed to the campaign

**\$4.7 million** in gifts, pledges and expectancies on average per month

### STUDENTS AND ACADEMIC LIFE

**71%** increase in spending on student scholarships

**6.4 to 1** student-faculty ratio in fall 2015 (9.7 to 1 in fall 2015)

**8** clinics added to the curriculum

### SUPPORTING PUBLIC SERVICE

**\$22.4 million** spent on public service fellowships and scholarships, loan forgiveness, the Public Service Center, and the Law and Public Service Program

**53%** increase in spending on summer public service grants

### A GENERATION OF GRADUATES

**3,000+** degrees awarded since July 2017 (expected through May 2024)

**55%** increase in graduates' median salary

**703** total clerkships, **632** at federal courts and **10** of those at the U.S. Supreme Court

### FACULTY HIRES (THROUGH APRIL 2024)

Payvand Ahdout, Scott Ballenger '96, Rachel Bayefsky, Andrew Block, Jay Butler, Naomi R. Cahn, Danielle K. Citron, Kevin Cope, Kristen Eichensehr, Thomas Frampton, Amanda Frost, Alison Gocke, G. Mitu Gulati, Juliet Hatchett '15, Cathy Hwang, Annie Kim '99, Craig Konnoth, Kimberly D. Krawiec, Chinh Q. Le '00, David S. Law, Karen Moran, Joy Milligan, Moira O'Neill, Kelly Orians, Richard M. Re, Gerard Robinson, Kimberly J. Robinson, Bertrall Ross, Elizabeth A. Rowe, Karoline Homer Ryan '92, Camilo Sánchez, Lawrence B. Solum, Megan T. Stevenson, Crystal Shin '10, Sarah Shalf '01, Xiao Wang

# Leslie Kendrick '06 NAMED NEXT DEAN

THE UNIVERSITY ANNOUNCED DEC. 18 THAT LESLIE KENDRICK '06 has been selected to serve as the 13th dean of the Law School. Her term begins July 1.

"I'm thrilled to welcome Leslie Kendrick as the new dean of the Law School," UVA President Jim Ryan '92 said. "She has a tremendous record of teaching and scholarship in torts and the First Amendment, and her University service has been invaluable. She ably led the committee that crafted UVA's Statement on Free Expression and Free Inquiry, and served as vice dean of the Law School during a time of rapid growth.

"I'm grateful to the search committee for their consideration in selecting Leslie Kendrick, as well as to outgoing Dean Risa Goluboff, who has been an exceptional leader and has left an enduring legacy at UVA Law."

Kendrick is the White Burkett Miller Professor of Law and Public Affairs, the Elizabeth D. and Richard A. Merrill Professor of Law, and director of the Center for the First Amendment at the Law School. She serves as a special adviser on free expression and inquiry to the University provost and served as the Law School's vice dean from 2017 to 2021. She said she was "humbled and thankful" to be chosen as dean.

"The Law School has been my home since I arrived as a student 20 years ago," Kendrick said. "I believe now, as I believed then, that the UVA combination of world-class research, consummate professional preparation and deep sense of community makes this the best law school in the country. The Law School faculty, staff, students and alumni are my beloved colleagues and friends, and I am honored to partner with them in building the future of this exceptional institution."

Kendrick is a member of the American Law Institute and co-author of the casebook "Tort Law: Responsibilities and Redress." Her work has appeared in publications such as the Yale Law Journal, Harvard Law Review, and Philosophy and Public Affairs. Kendrick is a recipient of UVA's All-University Teaching Award and the Law School's Carl McFarland Prize for outstanding research by a junior faculty member.

"Leslie has been a terrific partner in helping us with matters relating to free expression, and it was clear during the search process that her extensive knowledge, excellence in research and teaching, and leadership experience would benefit the Law School community tremendously," said Executive Vice

President and Provost Ian Baucom, who co-chaired the search committee with UVA Law professor John C. Jeffries Jr. '73. "I look forward to working closely with Leslie in her new role as she builds upon Risa's brilliant work as dean."

Jeffries, who served as Law School dean from 2001 to 2008, added that Kendrick was a star student whose dedication to UVA and the law has never flagged.



"Leslie is a homegrown leader," Jeffries said. "Her deep knowledge of this institution and the people who live and work here will be an inestimable advantage."

A native of Eastern Kentucky, Kendrick studied classics and English as a Morehead Scholar at the University of North Carolina at Chapel Hill and received her master's and doctorate in English literature as a Rhodes Scholar at the University of Oxford. She attended the Law School as a Hardy Cross Dillard Scholar, served on the Virginia Law Review and received several awards, including the Margaret G. Hyde Award, the Law School's highest honor; the Judge John R. Brown Award for Excellence in Legal Writing; and first place in the Food and Drug Law Institute Austern Paper Competition.

Before joining the faculty in 2008, Kendrick clerked for Judge J. Harvie Wilkinson III '72 of the U.S. Court of Appeals for the Fourth Circuit, and Justice David Hackett Souter of the U.S. Supreme Court.

A member of the Virginia State Bar and the Fourth Circuit Judicial Conference, Kendrick has served on the executive committee of the Charlottesville-Albemarle Bar Association and as an adviser to the "Restatement of the Law Third, Torts: Defamation and Privacy," part of a series by the American Law Institute that provides guidance to judges and lawyers on general legal principles.

"She was a true partner in every success the Law School achieved and every challenge we overcame during her time as vice dean," said Goluboff, who also paired with Kendrick to host the podcast "Common Law" for its first three seasons. "I cannot imagine a better-prepared, more highly qualified or more exciting successor. Leslie is simply fantastic."

—Mary Wood



► Professor Xiao Wang, who directs the Supreme Court Litigation Clinic, created the National Appellate Clinic Network and the En Banc Institute.

## May It Please the Court

## New Program Prepares Students for Appellate and Supreme Court Practice

By Melissa Castro Wyatt

**THE LAW SCHOOL** is launching a new Supreme Court and Appellate Litigation Program that will expand the scope of the school's appellate advocacy opportunities and build upon synergies between related clinics and their dockets, the Law School's faculty and alumni in the appellate bar.

Under the leadership of Professors Xiao Wang and Scott Ballenger '96, the Appellate Litigation and Supreme Court Litigation clinics have already begun working in tandem to find promising cases that are wending their way through the federal appeals process, giving students in both clinics—and the related En Banc Institute—potential involvement in multiple stages of a high-stakes case.

"Many of the oral argument skills that appellate clinic students use are also used by Supreme Court advocates," Wang said. "And my students in the Supreme Court clinic will use our research, writing and organization skills in their appellate practices down the line. So we saw it as a natural way to give students a chance to work on a variety of subjects and see the whole appellate process play out."

The new program builds upon the Law School's traditional strengths in the field, including a strong slate of oral advocacy classes, related courses like federal courts and civil procedure; extracurricular moot court activities; the Supreme Court clinic, where third-year students research and write petitions and merit-briefs and prepare a principal for oral argument; and the Appellate clinic, where third-years may even argue their own case. Several other clinics, including the First Amendment Clinic, the Environmental Law and Community Engagement Clinic, and Innocence Project Clinic, also handle appellate matters at times.

Wang, who joined UVA in the fall from Northwestern University's Pritzker School of Law, has been a high-profile leader in the clinical field, creating networks to connect appellate clinics across the nation to share resources and insights as they develop their cases.

Two of those creations—the National Appellate Clinic Network and the En Banc Institute—have also been folded into UVA Law's Supreme Court and Appellate Litigation Program.

The National Appellate Clinic Network provides a searchable platform for appellate clinics to share briefs, workshop upcoming arguments and discuss classroom ideas.

Wang met Ballenger through the network while Ballenger was teaching the Appellate Litigation Clinic with Cate Stetson '94, who in her private practice co-directs Hogan Lovells' appellate group.

"We've been talking for a couple of years about potential synergies between an appellate clinic and a Supreme Court clinic, and ways to generate more cross-fertilization of cases and experiences for the students," Ballenger said.

The En Banc Institute provides exactly that kind of opportunity, drawing on students and faculty from both clinics to work on a case that has the potential to make an appearance at both the circuit court level and the U.S. Supreme Court.

The institute provides a moot court on Grounds as a free

service to advocates who are scheduled to appear before an en banc appellate court—the full panel of all judges on the circuit. These lawyers get the opportunity to practice their arguments before a panel of "judges" comprised of UVA Law faculty, alumni and appellate practitioners, most of whom have clerked for at least one federal court (see p. 36).

Cases argued before en banc panels are typically high-stakes affairs, Wang said.

"About 20% to 25% of cases that are heard en banc are eventually heard by the Supreme Court, compared to 2% of all appellate cases that seek Supreme Court review," Wang said. "So I think this is a good way for students to see cases



► Professor Scott Ballenger '96 and Cate Stetson '94, a Hogan Lovells partner who co-directs the firm's appellate practice, together teach the Appellate Litigation Clinic. Ballenger also directs the new Supreme Court and Appellate Litigation Program with Wang.

that are at that midway station before reaching the Supreme Court."

Although other law schools have moot programs that focus on Supreme Court practice, UVA's program is the only one in the country dedicated to en banc arguments.

"En banc arguments are, in some ways, just as difficult and maybe more difficult than Supreme Court arguments," Ballenger said. "But there has never been a group that regarded it as their job to try and help people get ready for them."

While students will focus on finding cases appropriate for moot at the En Banc Institute, they also have the opportunity to gain their own courtroom skills through four student moot court offerings, including the William Minor Lile Moot Court competition, which is judged in the final round by sitting state and federal judges; the Philip C. Jessup International Moot Court Team; and the International and European Tax Moot Court Team.

In the fall, Wang worked with two of Ballenger's students who argued on behalf of a Ukrainian immigrant facing deportation in the Ninth Circuit (see p. 37). This spring, another Appellate Clinic student has been working with Wang's





► **Jamie Miller '24**, a Supreme Court Litigation Clinic student, prepared and delivered a mock oral argument as opposing counsel for the En Banc Institute's first mooting of a live appeal.

## Inside the En Banc Institute

**"MAY IT PLEASE THE COURT,"** the plaintiff's advocate began. "The parties here agree that *Farmer v. Brennan* sets the deliberate indifference standard for criminal recklessness, and a prison official is liable under the Eighth Amendment if ..."

Less than one minute into her oral argument, she was cut off by a question from Professor Xiao Wang, who directs the Law School's Supreme Court Litigation Clinic and runs its new En Banc Institute, which was making its debut this particular Friday in a Slaughter Hall classroom.

The plaintiff's advocate, Rachel Brady, would be facing a panel of 12 or 13 judges the following Tuesday in a real rehearing of a case she lost in May, *Wade v. Georgia Correctional Health*. To help her prepare, Wang, UVA alumni and a few volunteer faculty members took on roles of judges, while a student played opposing counsel.

"Just to be clear, in the panel opinion below, you lost on a

form of a negligence test, correct?" Wang asked. "I'm sort of confused because you lost on an easier standard—negligence—and now you want us to let you win on a harder standard that you propose using, criminal recklessness. I guess I'm trying to figure out how that all works."

Brady, a partner at Chicago-based Loevy & Loevy, got another 30 seconds to explain why negligence never should have been

part of the original panel's analysis of whether the prison's health care providers could be liable for failing to give a prisoner his anti-seizure medication for four days. At that point, another "judge," Robert Long—chair of Covington & Burling's appellate and Supreme Court litigation group—looked up from his accordion folder of documents to interject his first query. Professor Sarah Shalf '01, director of clinical programs at the Law School and a former appellate litigator herself, also served as a judge.

The tough questioning and occasional redirection were precisely what Wang had in mind when he created the En Banc Institute while supervising the appellate program at his previous school, Northwestern University's Pritzker School of Law.

Most federal appeals are heard by a three-judge panel of circuit court judges. The circuit courts sometimes grant en banc hearings in front of the full court to reconsider a panel's decision if the case is of exceptional public importance or the decision appears to conflict with a prior decision of the court.

The En Banc Institute offers lawyers who are scheduled to argue before these full panels a place to practice their arguments in a full dress-rehearsal before faculty, alumni and practitioners. In his last year at Northwestern, Wang hosted 10 online and in-person moots for the institute.

A student in the UVA Appellate Litigation Clinic, Ben Buell '24, found this particular case while reviewing circuit court dockets and thought it would make a good candidate for mooting at the En Banc Institute.

"There's an argument that the negligence standard used by the 11th Circuit in this case is actually contrary to what the Supreme Court has said should be the standard," Buell said. "Depending on how this case comes out at the en banc rehearing, it could be a really suitable candidate for the Supreme Court."

Buell will be clerking for the U.S. Court of Appeals for the Ninth Circuit after graduation.

The "judges" had also been fed questions from both clinics' students who reviewed the record.

"Whether students go on to work in a law firm or a government shop, they're going to have to help other people prepare their cases," Wang said in an interview. "One of the best ways to help other people is to read through their briefs, figure out the tough questions and moot them."

One student, Jamie Miller '24 from the Supreme Court clinic, was tasked with preparing and delivering a mock oral argument as opposing counsel representing Georgia Correctional Health. She spoke for 38 seconds before the questions started. After arguments wrapped up, Miller earned kudos from the judges for her "advanced jiu-jitsu" when she deftly turned evidence of one guard's knowledge of risk into evidence that he acted with care.

Professor Thomas Frampton, portraying another judge, had asked: "There's a guard saying, [after the fourth night of not receiving medication,] 'Go seek medical care from a medical professional at your very first opportunity.' Doesn't that show that, unquestionably, that guard appreciated the seriousness of the risk?"

"That just shows that the [guard] took it seriously that he wasn't getting his medication and that he cared for him, but it does not necessarily show that he understood there was a substantial risk in him not getting his medication," Miller had responded.

Wang noted that Miller, who is on the board of the Virginia Law Review, prepared her oral argument while battling the flu and helping to draft a Supreme Court petition in one of the clinic's own cases.

Miller, who plans to join Gibson Dunn's New York office, said she didn't want to miss such a unique moment.

"While I was preparing for this on top of many other obligations, I knew I would not be able to advocate against a lawyer who is going before an en banc court until well into my career," Miller said. "This was such a rewarding experience, and I am very grateful to Professor Wang for giving me the opportunity."

CONTINUED FROM P. 35

Supreme Court clinic on a petition for certiorari in a complex civil matter. The first case the En Banc Institute mooted was identified by an Appellate Clinic student while a Supreme Court Clinic student played the role of opposing counsel (see story above).

Students in both clinics reviewed the briefs and fed the "judges" challenging questions.

More than 50 faculty members at UVA Law teach classes that cover appellate litigation skills, including those on federal courts, constitutional law, impact litigation, jurisprudence, and civil and criminal procedure. Three professors—D. Ruth Buck '85, Joe Fore '11 and Sarah Stewart Ware—lead the foundational Legal Writing and Research Program, teaching core skills in

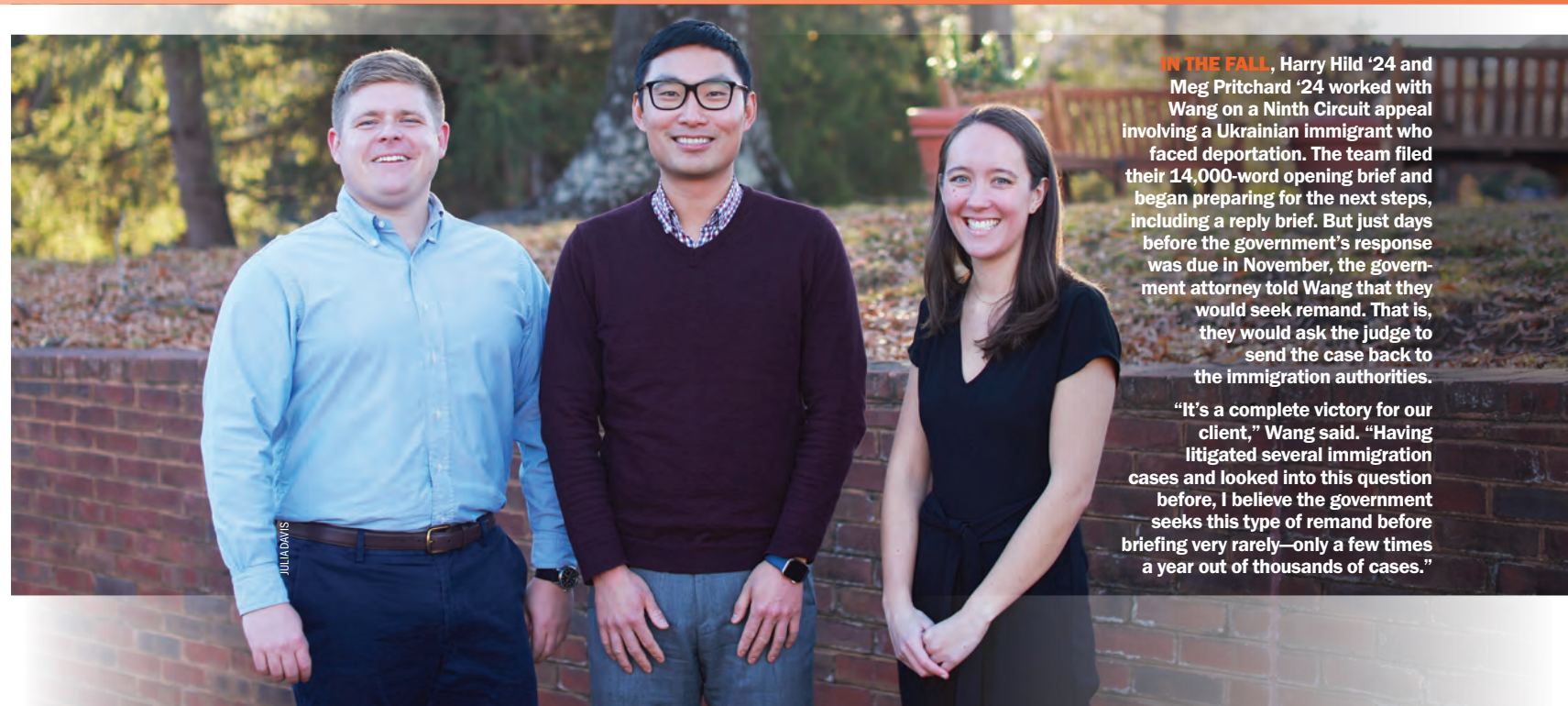
brief-writing and oral argument through a required 1L course and through its first-year oral arguments program, and by guiding the Lile Moot Court organizers. Professor Molly Bishop Shadel, a former Justice Department lawyer and off-Broadway director, teaches the suite of oral advocacy courses, which currently include Advanced Verbal Persuasion, Hallmarks of Distinguished Advocacy, Oral Presentations In and Out of the Courtroom, and Persuasion.

As co-instructor of the Appellate Litigation Clinic and instructor of the Appellate Practice course, Stetson brings significant experience to her classroom and clinic work. In her private practice, she has argued more than 100 appeals, including multiple arguments before the Supreme Court and

every federal circuit court of appeals.

Dean Risa Goluboff said the new structure and collaboration—in connection with the robust course offerings—will offer an especially rich training ground for students.

"I'm thrilled to see Scott and Xiao build on the Law School's longstanding strengths in appellate advocacy, and especially the national reputation Dan Ortiz created for our Supreme Court clinic over the past 17 years," Goluboff said. "Bringing together the enormous expertise and experience of so many of our faculty and alumni, this new program will offer even more opportunities for our students to witness and participate in appellate advocacy at the highest level."



**IN THE FALL**, Harry Hild '24 and Meg Pritchard '24 worked with Wang on a Ninth Circuit appeal involving a Ukrainian immigrant who faced deportation. The team filed their 14,000-word opening brief and began preparing for the next steps, including a reply brief. But just days before the government's response was due in November, the government attorney told Wang that they would seek remand. That is, they would ask the judge to send the case back to the immigration authorities.

"It's a complete victory for our client," Wang said. "Having litigated several immigration cases and looked into this question before, I believe the government seeks this type of remand before briefing very rarely—only a few times a year out of thousands of cases."



**A. E. Dick Howard**  
Has Been  
Shaping World  
Constitutions  
and UVA Minds  
Since 1964

By Melissa Castro  
Wyatt

# From Virginia With LOVE

**FOR A MAN** WHO HAS HAD A HAND in more constitutions than all the Founding Fathers put together, it's a bit ironic that Arthur Ellsworth Dick Howard gleans such special joy from a morning routine he has performed countless times since moving to Charlottesville to teach at the University of Virginia School of Law in 1964.

Howard wakes at 5:30 a.m., retrieves the daily newspaper from the impeccably landscaped driveway near his carriage house and sits down to a bowl of Scottish pinhead oats and half a grapefruit.

As he turned the pages of those newspapers over the years, he would have seen snapshots and clippings of moments from his own remarkable career of more than 60 years.

He would recognize the Rev. Leslie Griffin and his daughter, who convinced the U.S. Supreme Court to order all Virginia public schools to reopen and desegregate—10 years after *Brown v. Board of Education*.

He'd spot Clarence Gideon winning the right to counsel for indigent defendants.

Virginia voting Jim Crow and sex discrimination out of its constitution.

Protests in Central and Eastern European town squares, the fall of the Berlin Wall, nascent European democracies and so much more.

Howard has traveled the world and served the world at large—helping to write a dozen democratic constitutions—without ever truly moving out of his native Virginia or leaving the Law School he calls home.

"Many of the most amazing things that have happened to me were not part of my original game plan," Howard said in his Tidewater accent, sipping tea in a Queen Anne armchair as he reflected. "But from the first day I stepped into the classroom, I knew I was where I ought to be. It hasn't changed in 60 years."

His constitutional ideals, his home and his aesthetics reflect the Age of Enlightenment. He trusts in the "fundamental values" and "extraordinary insights" of the men who wrote the U.S. Constitution and believes they intended to leave room for future generations to change and perfect the document's defects.

"It's a basic model with some obvious flaws—it was drafted by propertied white men, many of whom were slaveowners. Women and Blacks were not at the table," Howard said. "But they worked under the Enlightenment idea that there are enduring truths."

When he formally retired from teaching at the end of the spring semester, he was the longest-serving professor in UVA history. He can look back with confidence that he has inspired generations of lawyers and

judges who have gone out into the world and—on national and international stages alike—nurtured those democratic ideals.

**BORN IN RICHMOND'S GINTER PARK** neighborhood in 1933, Howard was raised by his father—a beloved neighborhood pharmacist—and an aunt who was his father's younger sister. She gave up her nursing career to move to Richmond to raise Howard and his older brother after their mother died of complications from an ectopic pregnancy when he was just 18 months old.

Ultimately, neither parent would survive long enough to see Howard become one of the University of Richmond's first Rhodes Scholars, or the top graduate in UVA Law's class of 1961, or Justice Hugo Black's two-year Supreme Court clerk. Before any of that could happen, his dad died of a heart attack at age 49.

Howard was 15.

After living at home through college, Howard was commissioned as an Army officer through the ROTC. Eager to see the world outside the parochial confines of Richmond, he marked a preference for any and every station overseas.

Instead, he got stationed at Fort Eustis outside of Williamsburg.

"They put me on the staff and faculty of the transportation school at Fort Eustis for the next two years, writing manuals 50 miles from my hometown," Howard said with a laugh.

Using savings from his Army pay, Howard went to Paris, bought a car and drove to Istanbul and back with a friend, thus satisfying some of his hunger for travel.

A history and government major in college, Howard chose to pursue law school at UVA because some fellow officers he admired were planning to attend law school there. As a student, he applied for the Oxford Rhodes Scholarship because his law school roommate had applied when he was an undergraduate at Harvard. Before that, Howard wound up clerking for Justice Hugo L. Black at the Supreme Court, inspired to apply because his best friend from law school was so enthusiastic about clerking.

"Between the time I accepted the job with Justice Black and the date I reported for duty, a seat on the court flipped from conservative to liberal," Howard said. "After 25 years of so many dissents, suddenly Justice Black's in the catbird seat, writing



many of the big opinions.”

Howard is particularly proud of having worked on Black’s opinions in *Gideon v. Wainwright*, establishing the right to counsel, and *Griffin v. Board of Supervisors*, ending Virginia’s “massive resistance” to desegregation.

For a young man who had grown up in the former capital of the Confederacy—“in the shadow of the Lost Cause” and Confederate monuments—helping Black write the order to reopen Prince Edward County’s schools in Griffin felt like “a kind of expiation,” he said.

**AT OXFORD**, HE STUDIED philosophy, politics and economics under some of the “world’s great minds” and rubbed elbows with future prime ministers and presidents. While overseas, he explored virtually all of the Middle East and much of the Soviet bloc by car. He can even say he spent one night in a Jordanian jail—admittedly, it was for lack of any other place to sleep.

“Being able to do those things transported me—my world couldn’t be the same as it was before,” Howard said. “It gave me a sense of humanity in all its stripes and colors around the world. For a kid who went to a segregated school and had very little contact even with Black people in the same city ... my goodness.”

Dean Hardy Cross Dillard ’27 then offered Howard a faculty position at the Law School. In 1964, he began teaching constitutional law, legal philosophy and evidence. Not knowing much about evidence, he relied on friendly student participation and the occasional entertaining “gimmick.”

In one such class, he asked C. Cotesworth Pinckney ’67—a descendent of a signer of the Declaration of Independence—to read “Julius Caesar” overnight and come back to explain to the class what it has to do with the law of evidence.

Pinckney laid out Caesar’s dead body—that would be Howard’s live body—on the desk, covered him in a shroud and proceeded to recite Mark Antony’s fiery speech.

“For years, I would run into people who’d forgotten everything we talked about in the law of evidence, but remembered that,” Howard chuckled. “If I’d had a gimmick for each day of the class, it would’ve been a brilliant success.”

Howard has treasured his teaching experience and his mentoring relationships with students throughout the years.

“We talk about how special UVA students are, but they really are,” Howard said. “I give lectures at a lot of other universities and law schools; and they don’t have the student body we do. We have students who are bright, they’re engaged, they’re civilized, they’re fun. They’re really human, and they look out for each other.”

Howard acknowledges that he can’t prove this “empirically,” but says the respect and affection that passes between students and faculty “makes this place unique among 200 law schools in the country.”

Students Howard has mentored over the years seem to think just as highly of him.

Katherine Mims Crocker ’12 remembers feeling “nervous” when she first approached Howard to ask him to let her enroll in his already-full Supreme Court seminar. She ended up gaining “a wonderful teacher, but also a model, mentor and friend,” she said.

After the class, Howard asked her to lead a team of research assistants working on what became the landmark article “The Changing Face of the Supreme Court” in the *Virginia Law Review*. She said the experience working with Howard prepared her for her clerkship with Justice Antonin Scalia.

Howard calls Crocker, now a professor at William & Mary

Law School, a “rising star in the legal academy.”

He taught and mentored at least two students who went on to sit on the U.S. Court of Appeals for the Fourth Circuit, including J. Michael Luttig ’81 and J. Harvie Wilkinson III ’72, who served as chief judge from 1996 to 2003. (Howard also taught Wilkinson’s daughter, Porter Wilkinson ’07, nearly 40 years later.)

Calling him an “embodiment of moderation,” the elder Wilkinson said Howard would have made an excellent judge. “But who’s to say his impact as a teacher and scholar hasn’t been just as profound,” Wilkinson said. “Whatever capacity he served in, he was going to make a very positive difference, and there have been generations of Virginia students who have reaped the benefit.”



Howard awards the National Trust for Historic Preservation's James Madison Constitutional Heritage Award to Hungary President Árpád Göncz in 1990.

Wilkinson said he and his daughter were both struck as students by Howard’s accessibility—he was generous with his time and support, and he sets aside erudition in favor of clear communication.

“He would have seminars at his house, and he was never too busy to write a letter or make a call to put in a good word on behalf of a student,” Wilkinson said. “All these same qualities that I had observed in the early 1970s were the qualities that Porter was observing in 2006 and 2007.”

Luttig, a Republican nominee who has made recent news by criticizing Republicans’ attacks on the 2020 election results, said of Howard, “Among teachers and educators of the Constitution and the Supreme Court, as well as scholars of comparative constitutional law, he has no equal.”

Howard has said he is particularly proud of the “nobility and decency” with which Luttig has acted throughout his career, but particularly during his recent outspokenness on the perceived erosion of democracy (see p. 9).

Luttig credits Howard with inspiring in him and others a deep reverence for the Constitution and the rule of law.

“He has lived every day of his sparkling life since joining the faculty educating his beloved students, Americans and the world on the Constitution and the rule of law,” Luttig said. “Himself inspired by the law and the Constitution, he has in turn inspired generations of law students and lawyers to a life in the law.”

**HIS LIFE AS AN ICON** of constitutionalism first took off in 1968, when the members of the Virginia Commission on Constitutional Revision chose Howard to be executive director of the commission while he was still junior faculty at the Law School.

For good reason, Howard calls the experience “life-changing,” and admits to being underprepared for the challenge. He claims, almost certainly apocryphally, that he thought there was a form book for this sort of thing.

“I don’t recall my professors at the Law School talking about state constitutions. Very few people even think about them because we’re so bemused by the federal Constitution,” Howard said. “I didn’t tell them at the time that I hadn’t read the old Virginia Constitution and didn’t know what was in it.”

His quick research of Virginia’s and other states’ constitutions revealed that the answer was “far too much.” Seeing Oklahoma define the flashpoint of kerosene and Louisiana enshrining Huey P. Long’s birthday as a state holiday, Howard decided that Virginia’s new Constitution would be like Virginia’s namesake cigarette—slim.

This part has been written before, but it bears repeating. As *The Washington Post* put it in 1969, “Howard kept the only minutes of the Commission meetings; was the chief author of



In 1968, Howard (far right, standing) served as executive director of the Virginia Commission on Constitutional Revision with (seated) Alexander M. Harman Jr., Colgate W. Darden, Albert S. Harrison, Davis Y. Paschall, Ted Dalton, Oliver W. Hill, and (standing) J. Sloan Kuykendall, Albert V. Bryan Jr., Lewis F. Powell Jr., Hardy C. Dillard and George M. Cochran.

the changes the revisers recommended; wrote the commentary in support of the recommendation; was public relations man and after-dinner speaker for the group; and, ultimately, was the man chosen to interpret the changes to the General Assembly.”

The commission sent the legislature a revised constitution that was 17,000 words, just under half the length of the 1902 version it replaced. They stripped out poll taxes and other remnants of the Jim Crow South, and got rid of issues that were better left to statute. They added anti-discrimination provisions and wrote in protections for public education, the environment and elderly homeowners facing property-tax inflation.

Lewis F. Powell Jr., who would later become a Supreme Court justice, served on the Virginia commission and told Wilkinson—who clerked for Powell—about Howard’s performance and work ethic.

“He said the committee would meet one day, and by first thing the next morning, Dick would’ve drafted a summary of the comments and a framework and would’ve framed the argument,” Wilkinson said. “Justice Powell said, ‘I’ve never seen anything like that!’”

Howard was pulling all-nighters to produce those drafts and still teach classes. Later, as counsel to the General Assembly, Howard felt like a “one-armed paperhanger” trying to keep track of different legislative committees in Richmond.

“I had to be everywhere at once, because they were depending on me to explain to them what the commission intended, to help them think about whether they wanted to approve it or change it,” Howard said. “And I had to worry about all the parts working together as a constitution.”

Ultimately, 72% of Virginians voted to approve a somewhat revolutionary new constitution, at a time when six other states failed to ratify their own overhauls.

Wilkinson said Howard’s leadership “helped change the posture of Virginia from one of defiance to one of compliance with federal law.”

“The contribution he made in changing Virginia’s whole outlook just can’t be overstated,” Wilkinson said.

There is a scene in “Hamilton” where Aaron Burr points out that John Jay wrote just five of the 85 Federalist Papers supporting the new U.S. Constitution, James Madison wrote 29 and “Hamilton wrote ... THE OTHER 51!”

Wilkinson said he sees Howard’s work in that vein.

“Dick not only played the role of executive director—he not only sold it publicly, he not only helped turn the page from the backward constitution of 1902—he then set

Howard teaches in an undated photograph.



to work authoring multivolume commentaries on the Virginia Constitution,” Wilkinson said. “They are the definitive word on our highest law, and it is not an exaggeration to refer to the commentaries as our Federalist Papers.”

“The role that Hamilton and Madison played for the federal Constitution, Dick Howard played for the Virginia Constitution.”

**ULTIMATELY, OTHER COUNTRIES CAME CALLING** on Virginia’s modern-day Alexander Hamilton. Howard consulted on the drafting of new constitutions for Brazil, Hong Kong, the Philippines and Hungary even before the Soviet Union loosened its grip on Communist Europe.

“In 1988,” Howard said, “I had a call from the U.S. State Department saying, ‘We have a delegation of Hungarian parliamentarians visiting; can we send them down to Charlottesville and have you do a seminar for them on how to write a constitution?’”

The parliamentarians descended on Charlottesville, led by a colorful spokesman wearing an opera cloak. For Howard, it was an early clue to the region’s cultures, values and historical ties that would dictate nuances in their new constitutions. At the invitation of Hungary’s parliament, he made several visits to Budapest to consult on the transition to democracy.

“I think what was happening in 1988 was that the communist regime knew they were not going to be in power forever, but [thought] if they effected genuine change and adopted a new constitution, maybe they would get credit for it and stay in power,” Howard said.

Ironically, while in Budapest, Howard met a 26-year-old Hungarian graduate student who was openly anti-Russia and clamoring for the Russians to leave. His name was Viktor Orban, and he would go on to become the self-described “illiberal” nationalist prime minister of Hungary two decades later.



Those sorts of cultural observations continued to play out as he worked with Poland, Romania, Albania and what was then Czechoslovakia.

“I thought of Czechoslovakia as one country, but the Slovak leadership treated the constitution-drafting exercise as a negotiation between two sovereigns, as if they were making a treaty,” Howard said.

“Countries in that region are very small, but they’re so different from each other,” he continued. “I worked in Warsaw at the invitation of the Polish legislature,” Howard said. “If you get Chicago politics, then you’ll get Warsaw. The executive and legislative branches were at loggerheads the entire time.”

Mark Brzezinski '91, who was confirmed as the U.S. ambassador to Poland in late 2021, cited Howard as one of his primary mentors in law school and on the student note he wrote for the Virginia Law Review on the process of Poland reclaiming its 200-year-old democracy after communism.

Brzezinski's note, “Constitutional Heritage and Renewal,” was published in 1991, and Howard was advising Poland's legislature while Brzezinski worked on his paper.

“[Howard] gave me a really good sense of the kinds of constitutional choices that each of these new countries would be grappling with in their post-Soviet existence,” Brzezinski said.

Brzezinski, whose father Zbigniew served as national security adviser under President Jimmy Carter, now watches those tradeoffs play out in the real world from his post in Warsaw. He said Howard gave the former communist countries a “jumpstart” on their democracies.

“It was an important role that he played for a part of the world distant from Virginia, but he drew from his Virginia experience that which is universal and transferrable to conditions elsewhere,” Brzezinski said.

As Howard told The New York Times in 1990, “The Eastern Europeans want[ed] to know what comes after ‘We, the people.’” Others did, as well, and Howard went on to advise on constitutions in Malawi, South Africa and Swaziland.

Among a long, long list of awards and accolades Howard has received over his career, the Union of Czech Lawyers awarded him their Randa Medal in 1996, citing his “promotion of the idea of a civil society in Central Europe.” It was the first time the medal had been awarded to a non-Czech citizen.

**IN 2007, THE RICHMOND TIMES-DISPATCH** and the Library of Virginia included Howard on their list of the “greatest Virginians” of the 20th century. Luttig, however, would go further, giving Howard a place in “the pantheon of the greatest scholars of the Constitution since its ratification in 1788 and the great Virginians among our Founding Fathers—George Washington, James Madison, Thomas Jefferson and George Mason.”

Aptly, UVA awarded Howard its 2013 Thomas Jefferson Award, the highest honor given to faculty members at the University. The award commended Howard “for advancing, through his character, work, and personal example the ideals and objectives for which Jefferson founded the University.”

Despite Howard's sunny optimism and his front-row seat to the Pax Americana era, he acknowledges his concerns about creeping autocracy and Orban-style “illiberal democracy” here and abroad.

“Orban is an autocrat—checks and balances don’t exist in Hungary at the moment,” Howard said. “I worry about the

same thing here,

that we’re so polarized in the country at large that the Senate and the House can’t even conduct their own affairs. Would I go to a foreign country and hold that up as an example of how a free people govern themselves?”

He cites partisan gerrymandering and felon disenfranchisement as two pressing threats to democracy.

“I believe that if the political system is as close to fair as you can get—one person, one vote, no partisan gerrymandering, free access to the ballot for as many people as possible—if you achieve those, a lot of good things follow,” Howard said. “Of course, bad things happen, too, but that’s democracy.”

If the system is open and fair, he said, you have to trust the people to do the rest. “So much of that is not happening now, and that troubles me.”

But, he added, “maybe I’ve lived long enough to start seeing the cycles of history, because I’m hoping it’ll turn the corner again, even though it can’t ever be like it was then,” Howard said.

He finds his rays of optimism in the exuberant ideals of his students, and in the opportunity to effect change at the local and state level.

“I just think people in this country are mostly good people. I have worked with and taught so many wonderful people across the spectrum, conservative and liberal, who go on to do wonderful things,” Howard said. “If you despair of the national or international scene, you can find outlets for your civic energies where you are.”

It’s not clear what the stories on the final pages of his career will say, but A. E. Dick Howard still has the confidence to write a constitution from scratch, draft a Supreme Court opinion and advise heads of state. He’s also perfectly happy in his garden or sitting in the quiet confines of his home office, working out ways to restore the Virginia voting rights of felons who have served out their sentences.

As his former student Judge Wilkinson said of Howard’s longevity, people often make a deeper impact from setting roots in one place.

“Dick has established this marvelous bond with Virginia and the Law School and the University of Virginia, like an athlete who has spent their entire career with one team instead of being traded here and there,” Wilkinson said.

It’s not what Howard imagined when he filled out that Army stationing request, hoping to see the world. But, as he puts it, he could hardly have imagined what adventures lay ahead.

Howard, pictured in 2017, worked with then-Gov. Terry McAuliffe on the restoration of voting rights to former felons in 2016.

A.E. Dick Howard - The greatest legal scholar in VA! Thanks - Terry McAuliffe

# FACULTY

PROFESSOR EXPLAINS  
FORCES BEHIND  
SAN FRANCISCO'S  
HOUSING WOES



# O'NEILL EXPOSES DRIVERS OF SAN FRANCISCO'S HOUSING CRISIS

**MOIRA O'NEILL**, an urban planning and local government law scholar at UVA, produced a widely heralded California-funded investigative research report in October that prompted the state to require the city to overhaul a zoning and permitting process that has stymied new construction and helped cause housing prices to skyrocket.

As O'Neill told The New York Times after her report was released, San Francisco has progressive zoning laws on paper, but its actual practices—which her report uncovered—have resulted in a city that excludes middle- and lower-income workers.

"It's a progressive city, but there's this contradiction," she said in the Times article. "It's really, really important to highlight not just for California, but for the country, how it's possible to use procedural rules to be exclusive and block the ability to house people."

It was particularly important to O'Neill—a longtime resident of the San Francisco Bay area whose research interests include addressing climate change—to disprove that environmental regulations were driving the costs.

Now holding a joint faculty appointment in UVA's School of Architecture and School of Law, O'Neill still serves as an associate research scientist at the University of California, Berkeley, where she also previously taught at the College of Environmental Design and at the law school.

Back in 2016, she told a colleague at Berkeley Law, Eric Biber, who taught environmental law, about her concerns and about a data method she was creating that could analyze the connection between environmental regulations and housing costs.

The two launched an initial study in San Francisco and released their first working paper in February 2018, sharing initial findings from the dataset that would become known as CALES, short for the Comprehensive Assessment of Land Use Entitlements Study.

Over the next several years, O'Neill and her colleagues at Berkeley continued to collaborate on papers looking at the CALES data from different angles. In one instance, the CALES data showed that local governments were choosing to write their local law to trigger state environmental laws that block housing construction.

Finally, California's Department of Housing and Community Development launched this investigation into San Francisco's land use policy and practices, and provided O'Neill a grant to use her data to identify barriers to housing approval and affordable housing construction. O'Neill was also tasked with checking to see whether San Francisco's processes were consistent with California's housing law, which is supposed to remove local discretion to reject affordable housing that meets certain criteria.

The October report showed how San Francisco has maneuvered around California's housing law by applying other parts of its local

law, including a provision in its business and tax code. That provision requires discretionary review of all permits of any type.

As a result, she said, "There is no proposal to do anything that is not subject to discretionary review. If you want to do anything, even build a deck—there's always the element of notification, and neighbors and 'interested parties' can just request a hearing on it."

O'Neill calls it "process to an extreme."

O'Neill and a team of researchers—which included Tim Dodson '24—also looked at every detail of how San Francisco's process unfolds in practice. Some of what she found came through the CALES data set. By interviewing developers, planners and housing advocates, they also uncovered the city's informal conditions for approval, which were rarely referenced in hearing transcripts and documents.

"[T]he process allowed the city to impose conditions for approval that are not codified, that are not enumerated in writing, that are not predictable and that come up in between hearings," O'Neill said.

The biggest takeaway of her 94-page academic report, O'Neill said, is that the housing approval process in San Francisco makes it hard to create any kind of new multifamily housing, affordable or otherwise.

In response to the report, the state mandated 18 specific actions the city must take, including eliminating the right of any individual to object to projects that comply with city rules and speeding up building permits once a project is approved. O'Neill's state report also provided another 10 recommended actions.

If the city doesn't make the required changes within the specified timeframes, California could withhold state funding and revoke local control over development in San Francisco.

While the San Francisco project had personal relevance for O'Neill, she said she hopes to be part of building a more equitable and sustainable future for Charlottesville, Albemarle and the South generally—a place where her husband, Malo Hutson, the dean of UVA's School of Architecture, has family ties.

"I believe in research that helps local and state governments implement policy to tackle climate change and inequality—that's everything I do in my research," she said. "I love teaching land use law and state and local government law, because of how relevant it is to our daily lives. It may not be the area of law you think about first when you come to law school, but the fact is, your day-to-day experience is deeply impacted by state and local laws that affect your choice of schools, how you get to work and your ability to pay for your housing."

—Melissa Castro Wyatt



**KENNETH S. ABRAHAM** published "The Glaring Gap in Tort Theory," co-authored with New York University law professor Catherine Sharkey, in the Yale Law Journal and "The Insurability of Civil Fines and Penalties" in the Tort Trial and Insurance Practice Law Journal.



**PAYVAND AHDOUT** presented her paper "Layered Constitutionalism and Structural Interdependency," co-authored with Bridget Fahey and forthcoming in the Columbia Law Review, at the New York University School of Law's Constitutional Law Colloquium. She presented a new project, "Political Mootness," at a Judicial Decisionmaking Symposium at Washington University in St. Louis and at Duke Law School's Bolch Institute. She developed a course with **TIM HEAPHY '91** on congressional investigations, centered on the Jan. 6 investigation, which brought, among others, members of Congress and the former counsel to the House of Representatives to the Law School (see p. 11).



**MICHAL BARZUZA** presented a paper at the annual Conference on Empirical Legal Studies at the University of Chicago; at the conference on "The Essential Role of Securities Regulations" at Fordham University; at the ECGI Modern Capitalism and Corporate Purpose Conference at Copenhagen Business School; and at the Hebrew University faculty workshop.



**RACHEL BAYEFSKY'S** article "Judicial Institutionalism" is forthcoming in the Cornell Law Review, and she has presented the article at several law schools, including at the universities of Michigan and Minnesota. Her piece on Article III standing and disability "testers" was published in the New York University Law Review Online.



In addition to teaching Children and the Law, and

## AHDOUT WINS AALS AWARD FOR PAPER ON FEDERAL COURTS



Professor **PAYVAND AHDOUT** won an award from the Association of American Law Schools for her article on what happens when federal courts avoid separation-of-powers questions.

The AALS Section on Federal Courts named "Separation-of-Powers Avoidance" the best article by an untenured faculty member for 2024. Published in the Yale Law Journal, the article looks at how federal appellate courts in recent years have gone to great lengths to avoid compelling coordinate branch officials to act in cases in which Congress and the executive branch are in conflict. That avoidance distorts legal meaning and creates vacuums that will ultimately be filled by someone other than a judge, Ahdout argues.

This year's winners were recognized during an awards ceremony at the AALS annual meeting on Jan. 4.

Ahdout previously discussed her paper in an episode of the Law School podcast "Common Law," and the paper was highlighted in a UVA Lawyer article on how federal courts are shaping democracy. Her co-taught course Congress, Oversight and the Separation of Powers, which explored the investigation into the Jan. 6 attack on the Capitol (see p. 11), examined some real-life examples discussed in her paper.

Ahdout's research focuses on the structures that undergird the government institutions that are most often before federal courts. Her work incorporates multiple legal disciplines, including constitutional law, civil procedure, and criminal law and procedure.

In 2022, the Yale Law Journal honored Ahdout as the journal's inaugural Emerging Scholar of the Year for her "significant contributions to legal thought and scholarship" and her work's "potential to drive improvements in the law." Her work has appeared or is forthcoming in the Harvard Law Review, Yale Law Journal and Columbia Law Review.

Ahdout graduated with highest distinction from the University of Virginia, where she was a Jefferson Scholar, with a B.A. in economics and government. She holds a law degree from Columbia Law School and clerked for U.S. Supreme Court Justice Ruth Bader Ginsburg.

—Mike Fox



## BOWERS ELECTED TO AMERICAN LAW INSTITUTE



Professor **JOSH BOWERS** was elected a member of the American Law Institute, the organization announced Dec. 19.

There are now 35 members of the UVA Law faculty currently affiliated with the institute, which produces scholarly work meant to update or otherwise improve the law. The organization includes judges, lawyers and law professors from the U.S. and around the world who are “selected on the basis of professional achievement and demonstrated interest in improving the law,” according to the institute’s website. Members were selected from confidential nominations submitted by ALI members.

Bowers, who joined the faculty in 2008, is the Class of 1963 Research Professor of Law in honor of Graham C. Lilly and Peter W. Low. Bowers’ primary teaching and research interests are in the areas of criminal law, criminal procedure, legal theory and constitutional law.

Bowers has written numerous articles, essays and book chapters on police and prosecutorial discretion, plea bargaining, misdemeanor enforcement and adjudication, drug courts, drug policy reform, life without parole, capital punishment, grand juries, pretrial release and the right to counsel. His work has been published in several books and journals, including the Columbia Law Review, the University of Pennsylvania Law Review, the Virginia Law Review, the UCLA Law Review and the Stanford Law Review.

Bowers is a member of the Virginia Criminal Justice Conference. Additionally, he was the lead reporter for the Uniform Law Commission’s “Alternatives to Bail” Committee, and he served as a founding member of the Civilian Review Board for the city of Charlottesville, which engages in oversight of the Charlottesville Police Department.

He earned his J.D. from the New York University School of Law and his bachelor’s degree from the University of Wisconsin.

—Mike Fox

directing the State and Local Government Policy Clinic, **ANDREW BLOCK** was named a Learner in Residence at Spring Point Partners in the fall. The Learners in Residence program provides “time, space, and resources for values-aligned thought leaders to develop unique projects that inspire new thinking and shift narrative in their respective fields.” With support from Spring Point, he is partnering with faculty in the School of Medicine, law students and graduate students in the Department of Psychology to develop policy solutions to the problem of youth gun violence. His work is relying on the ideas and insights from youth in communities in Virginia affected by such violence. He also published a law review article examining the many challenges facing rural Virginians, which has led to legislative proposals in the General Assembly to study the feasibility of establishing a new secretary for rural affairs—as proposed in his paper—to implement a holistic and cross-cutting approach to supporting rural communities in the state. Beyond those efforts, the clinic this year has taken on an unprecedented number of legislative clients and is working on bills on diverse topics, ranging from special education and foster care to human trafficking and behavioral health.



**DARRYL K. BROWN '90** is spending the spring semester as a visiting scholar at Trinity College Dublin, where he is working with Irish colleagues on issues

related to challenges for criminal justice administration in the context of states experiencing forms of democratic erosion. He presented work related to these themes at the Southwestern Criminal Law Scholars Conference in October and will do so with Irish law faculties in the spring and at the Law and Society Association Annual Meeting in June.



**NAOMI R. CAHN**, continues to serve as editor-in-chief of the ACTEC Law Journal. She was elected treasurer for the Section on Trusts and Estates of the Association of American Law Schools. Cahn has presented at the following conferences: “Digital Fertility Tracking” at the Zoom International conference in February; “Health, Equity, and the Law After *Dobbs*,” hosted by American and George Washington universities in February; “Medication Abortion,” hosted by If/When/How at UVA Law in February; “Gender Equality After CEDAW” at Indiana University in March; “The Abortion Pill,” hosted by the Center for American Progress, in March; “Adolescents and Reproductive Equity,” hosted by the Pediatrics Academic Societies, in May; “Informal Sperm Donation” at the American Society of Law, Medicine & Ethics Conference in June; “Child Labor” at the Arkansas Law Review Symposium in October; “Retrenchment by Diversion,” hosted by the New York Area Family Law Roundtable in October; and “Mid-Atlantic Family Law Scholars” at Duke University in December. She moderated the “Sin-

## BROWN '90 AND SÁNCHEZ PREPARE REPORTS FOR CLOONEY TRIALWATCH PROJECT



Two professors assessed sham prosecutions for TrialWatch, a project run by the Clooney Foundation for Justice.

Professor **DARRYL K. BROWN '90** produced a TrialWatch report released in December that found an opposition leader in Azerbaijan was unfairly prosecuted and convicted—then, just days later, he was arrested again.

Based on the human rights organization’s letter grade system, Brown’s report gave the Azerbaijani trial a “D” for court fairness, with an “F” being the worst.

“Yagublu’s case ha[d] all the hallmarks of a politically motivated trial,” Brown said. “The trial court ignored significant evidence that the charges were a sham and an effort to target Yagublu as a prominent opposition voice.”

Yagublu is a former journalist, former deputy chairman of the opposition party and senior member of the National Council of Democratic Forces, a coalition of opposition parties and activists. The outspoken critic had faced criminal and administrative prosecutions for decades before he was tried, convicted and sentenced to four years on “hooliganism” charges stemming from a 2020 incident involving a car accident in the former Soviet republic.

He was released on parole in July 2021 after serving 15 months but was arrested again on Dec. 20—just six days after Brown’s TrialWatch report went public. A district court ordered Yagublu to be held in pretrial custody for up to four months, pending investigation on new forgery and fraud charges, according to Human Rights Watch.

Before Yagublu was arrested on the 2020 hooliganism charges, the European Court of Human Rights had already condemned the Azerbaijani authorities’ conduct in two earlier cases against Yagublu. Brown found that Yagublu’s hooliganism charges matched a broader pattern of harassment of journalists and opposition party members in Azerbaijan—often on ostensibly neutral charges.



In another case, Professor **CAMILO SÁNCHEZ**, director of UVA Law’s International Human Rights Law Clinic and Human Rights Program, served as TrialWatch’s expert and co-authored a report, released Feb. 5, that found numerous breaches of international and regional fair trial standards in Guatemala.

An award-winning Guatemalan journalist, José Ruben Zamora, was tried and convicted in 2023 on charges of money laundering and sentenced to six years in prison.

Sánchez gave the trial an “F,” concluding that Zamora’s prosecution and conviction “appear to be in retaliation for his work as an investigative journalist reporting on government corruption.”

“The trial was marred by severe fair trial violations,” Sánchez said.

Zamora’s case is part of a broader crackdown on anti-corruption work in Guatemala, where “journalists and media outlets who investigate or criticize corruption and human rights violations face harassment campaigns and criminal prosecution,” according to Reporters Without Borders.

Zamora was tried alongside a former anti-corruption prosecutor.

Zamora is now facing trial in another case and retrial in the money laundering case. His detention is under review by the U.N. Working Group on Arbitrary Detention.

“We know corrupt governments aren’t going to pay attention to this, but we do hope that it can have some influence on companies and others who are doing business with these countries,” Brown said of TrialWatch’s work. “It also brings it to the attention of the international human rights community to hopefully get some leverage with players who might be able to influence the governments.”

The Clooney Foundation for Justice was co-founded by George and Amal Clooney and does work in more than 40 countries. Amal Clooney is a practicing human rights lawyer.

—Melissa Castro Wyatt



## COPE LEADS INITIATIVE FOR MEASURING JUDICIAL IDEOLOGY

A breakthrough new empirical initiative developed by Professor **KEVIN COPE** could provide the most accurate estimate to date of federal judges' ideologies, using automated analysis of text to evaluate lawyers' written observations.

Cope started the project, called the Jurist-Derived Judicial Ideology Scores—or JuDJIS, pronounced “judges”—in 2016, but it arrives in another presidential election year, a time when court watchers speculate about potential judicial nominees and how their ideology might shape the direction of society. JuDJIS will offer researchers, journalists and policymakers the first systematic scoring of judges' ideologies based on direct observations, while previous initiatives have relied on proxies and affiliations to calculate an ideological score.

The results have already yielded some surprises.

When Justice Anthony Kennedy announced his retirement in 2018, Cope used preliminary data from an earlier stage of the JuDJIS project to estimate the ideologies of 10 judges mentioned as possible replacements. The study, published online in *The Washington Post*, showed that—based on their appellate records—both Brett Kavanaugh and Neil Gorsuch might be more moderate as justices than many had thought. That prediction has largely been borne out, Cope said.

“The existing ideology measures have been cited in thousands of studies—they’re a cornerstone of the field of courts and judicial behavior—but, like any measure, they each have strengths and limitations,” Cope said. “I hope it will be a breakthrough for the sort of research that can be done in this field, in part because it will rate every Article III judge [those who have life tenure] on a single scale.”

In addition to evaluating judges individually, the JuDJIS data can show the ideological bent of different courts and track ideology of specific courts, or the entire judiciary, over time.

“The data actually show the judiciary has become less polarized over the last few decades,

which is contrary to what some might expect and certainly the opposite of what has happened with Congress,” Cope said.

Despite the cutting-edge methods used to make JuDJIS, Cope built the alternative analytical model on an old-school underlying technology: loose-leaf paper inserts to the Wolters Kluwer “Almanac of the Federal Judiciary,” a subscription service that includes “candid, revealing commen-

tary” by lawyers based on their experiences before federal judges, according to their website.

“For most of the almanac’s history, three times a year, library staff around the country took out and discarded the old pages,” Cope said.

And no electronic backup was retained.

“So I thought, if I could somehow get ahold of all of those hundreds of back issues and digitize them, I could create a new data set going back to the ‘80s.”

In 2017, Wolters Kluwer officials gave Cope hundreds of thousands of pages dating back to 1985—the world’s only

remaining copy. In 2023, the PDFs were then digitized and organized using a text-analysis program developed with the help of Li Zhang, head of the Legal Data Lab in the UVA Law library.

The two have a separate working paper, “A Hierarchical Dictionary Method for Analyzing Legal and Political Texts Via Nested n-Grams,” to explain how the methodology could be used for a host of other applications in law and political research, such as corporate statements and human rights country reports.

“Figuring out how machines can derive accurate meaning from language has long proven a huge challenge for data and social scientists,” Cope said. “Humans are really good at finding meaning in legal writing, but every time a person does it—even the same person—they may find a slightly different meaning. Computational methods of text analysis can address this problem, if it’s done right.”

—Melissa Castro Wyatt



gular Selves” book launch at the Second Singlehood Studies Conference in December. She spoke at “Trusts in a Family Context” and “What Faculty and Administrators Need to Know about the Media” at the Association of American Law Schools’ Annual Meeting in January. She published “Supporting Families in a Post-*Dobbs* World: Politics and the Winner-Take-All Economy,” co-authored with June Carbone, in the *North Carolina Law Review*; and “The Restatements of Trust—Revisited,” co-authored with Deborah Gordon and Allison Tait, in “The ALI at 100: Essays on Its Centennial.”



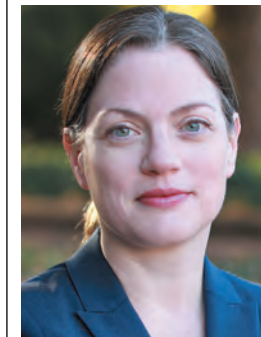
**DANIELLE K. CITRON** has several forthcoming articles: “The Surveilled Student” in the *Stanford Law Review*; “From Bad to Worse: Threats, Stalking, and Chilling Effects” in *The Supreme Court Review*; “A More Perfect Privacy” in the *Boston University Law Review*; and “Resilience in a Digital Age,” co-authored with **KRISTEN EICHENSEHR**, in the *University of Chicago Legal Forum*. In the fall, she published several pieces, including “Intimate Privacy in a Post-Roe World” in the *Florida Law Review*, “The Continued (In)Visibility of Cyber Gender Abuse” in the *Yale Law Journal Forum* and “Combating Online Harassment” in *Democracy Journal*. She continues to work closely with Spotify, TikTok and Twitch on their safety policies. During the fall and winter, she spoke at events held by the National Association of Attorneys General, the State Depart-

ment and MacArthur Fellows Gathering. She also appeared on “CBS News Primetime With John Dickerson.”



Last summer, **ASHLEY DEEKS** presented her article “Checks and Balances in the Technological Cold War,” co-authored with **KRISTEN EICHENSEHR**, at a UVA faculty workshop. At a conference hosted by the Australian National University, she presented a paper on the delegation of war-initiation to machines. In September, she gave a keynote address to the U.S. Department of Defense, “The Double Black Box: National Security, AI, and Democratic Accountability.” She also spoke to the U.S. Attorneys’ Subcommittee on Terrorism and National Security about the relationship between the Department of Justice and the National Security Council. In October, she was the keynote speaker at a Harvard Law School symposium on sanctions, where she discussed “Cognitive Biases in the Economic Sanctions Ecosystem.” She also presented her paper “Sub-Delegating National Security Powers” at a symposium hosted by the University of Pennsylvania Law Review. In November, she participated on a panel at the American Bar Association’s Subcommittee on Law and National Security about the national security implications of artificial intelligence. She helped guide a conversation at the State Department’s Advisory Committee on International Law, which addressed the prospects for a tribunal to prosecute the crime of ag-

gression related to Ukraine. In December, as part of a Congressional Study Group organized by the Brookings Institution, she discussed how to regulate AI in U.S. law. During this period, she published blog posts on Lawfare related to the use of AI in nuclear command and control, the regulation of national security AI and the legality of using force against Mexican drug cartels, and she spoke on Lawfare’s “National Security AI: Year in Review” podcast.



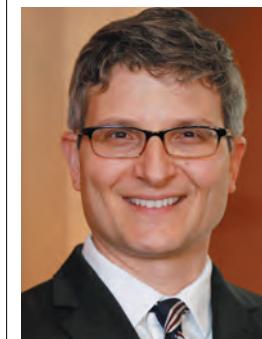
**KRISTEN EICHENSEHR** presented “Major Questions About International Agreements,” co-authored with Yale law professor Oona Hathaway, at the University of Pittsburgh’s American Society of International Law Midyear Meeting in November and at the University of Pennsylvania Law Review Symposium on “The Statutory Foreign Affairs Presidency” in October, both with Hathaway. She also presented “Resilience in a Digital Age,” co-authored with **DANIELLE CITRON**, at the University of Chicago Legal Forum Symposium in November. She was a panelist for “The Ecology of Nations,” hosted by UVA’s Miller Center in December; for “Private Actors in Cyber Operations and Hostilities in Cyberspace,” hosted by the Oxford Process on International Law Protections in Cyberspace at Yale Law School in October; and for “Transforming Tech in Government” at the Government Leaders Forum, hosted by the Miller Center and McKinsey Center for Government in September. She was a presenter for

“*Missouri v. Biden*: Conversation on Recent Court Decision Prohibiting Government Communications with Social Media on Mis/Disinformation” at the National Academies of Science, Engineering and Medicine’s Forum on Cyber Resilience in September. She was also a discussant for “The Application of Non-Intervention Principles in Cyberspace,” hosted by the State Department’s Advisory Committee on International Law in June.



In the spring, **AMANDA FROST** published her essay “Paradoxical Citizenship: A Response to Chin and Finkelstein” and an article, “Reparative Citizenship,” both in the *William & Mary Law Review*. Also in the spring, she published the article “Dred Scott’s Daughters: The Path from Birthright Freedom to Birthright Citizenship” in the *Yale Journal of Law & the Humanities*. In September, she was a panelist on “Rebuilding the Bench” at the NAACP Legal Defense Fund Civil Rights Training Institute; presented at a symposium on the Naturalization Act of 1790 at the University of California, Davis; was a panelist for a Citizenship Day event at the University of California in San Francisco; and was a speaker at Constitution Day at Dickinson College. In November, she presented “Dred Scott’s Daughters” at the New York University Nineteenth Century Interdisciplinary Workshop, and was a panelist at the Karsh Institute of Democracy for “Is Immigration Law Broken? How

Polarized Politics Shape the Law and Policy of Our Current Immigration System,” an event co-sponsored by UVA’s Immigration Law Program. In February, she moderated a panel, “Unaccompanied Children in the Immigration System,” co-hosted by the Karsh Institute of Democracy and UVA Law; and presented her book project on birthright citizenship as part of UVA’s Global Legal History workshop. In March, she was a panelist at a symposium titled “Attachment to Place in a World of Nations” at the Clough Center for the Study of Constitutional Democracy at Boston College. In May, she will present her book project on birthright citizenship at the UCLA Center for the Study of International Migration, and be a panelist on judicial ethics at the Federal Judicial Center’s Mid-Career Seminar for U.S. Court of Appeals Judges at the University of Pennsylvania Carey Law School.



**MICHAEL D. GILBERT** continues to serve as vice dean of the Law School. In recent months, he has presented research at the Latin American and Caribbean Law and Economics Association meetings in Bogotá, Colombia; at Austral University in Buenos Aires; and at UVA in connection with a symposium for the journal *Public Choice*. He gave a (remote) keynote lecture on his book, “Public Law and Economics,” at the Latin American Workshop on Law and Economics in Brazil. He helped organize the University of Maryland’s

Constitutional Law and Economics Conference, and he selected papers for presentation at the meetings of the European Association of Law and Economics. In March, he taught a course titled *The Law of Democracy in the United States* at Université Panthéon-Assas in Paris. His paper “Truth Bounties: A Market Solution to Fake News,” co-authored with Yonathan Arbel, is forthcoming in the *North Carolina Law Review*. His chapter, “Political Corruption,” co-authored with **DEBORAH HELLMAN**, is forthcoming in the *Oxford Handbook of American Election Law*.



**RISA GOLUBOFF** joined the executive committee of the Association of American Law Schools and joined the Guggenheim Foundation board. She was a panelist for the ABA Task Force for Democracy at the AALS Annual Meeting. She was the keynote speaker at the Albemarle County Historical Society Annual Meeting and the UVA Retired Faculty Association, both on “‘Charlottesville’ as Legal History.”



**RACHEL HARMON** is spending this academic year (continued on p. 52)



# FACULTY HONORS IN BRIEF

## Federalist Society Honors **BAMZAI**

Professor **ADITYA BAMZAI** was named this year's recipient of the 2024 Joseph Story Award at the Federalist Society's National Student



Symposium at Harvard Law School on March 9. Recipients demonstrate excellence in legal scholarship, a commitment to teaching, a concern for students and make "significant public impact in a manner that advances the rule of law in a free society," according to the Federalist Society.

On March 27, Bamzai delivered Harvard Law School's 2024 Scalia Lecture, "Statutory Interpretation and the Separation of Powers," in which he argued that the Supreme Court should create an analytical structure for lower courts to

follow when deciding whether to defer to administrative agencies.

Bamzai is the Martha Lubin Karsh and Bruce A. Karsh Bicentennial Professor of Law. He is co-author of the forthcoming ninth edition of the casebook "Administrative Law: The American Public Law System, Cases and Materials."

Also at the symposium, the Federalist Society chapter at UVA Law was named recipient of the 2024 Samuel Adams Award for Membership Growth.

## **CITRON** Recognized for Scholarship on Privacy

Professor **DANIELLE CITRON** received the International Association of Privacy Professionals' 2024 Privacy Leadership Award at the



Global Privacy Summit on April 2. The Leadership Award recognizes an individual or organization who demonstrates an ongoing commitment to furthering privacy policy, promoting recognition of privacy issues, and advancing the growth and visibility of the profession, according to the association. She previously won the association's award for best paper in 2016 and 2014. IAPP has more than 80,000 members worldwide.

Citron, who co-directs the school's LawTech Center, is the author of the books "The Fight

for Privacy: Protecting Dignity, Identity, and Love in the Digital Age" and "Hate Crimes in Cyberspace." She is the Jefferson Scholars Foundation Schenck Distinguished Professor in Law, and the Caddell and Chapman Professor of Law.

## **GOLUBOFF** Tapped for AALS, Guggenheim Roles; Commended by Virginia Assembly

Dean **RISA GOLUBOFF** was elected to the Association of American Law Schools Executive Committee and named a John Simon



**RISA GOLUBOFF** with fellow AALS Executive Committee members Dean John Valery White of the William S. Boyd School of Law at UNLV and President-elect Austen Parrish, dean of the University of California, Irvine School of Law.

Guggenheim Memorial Foundation trustee. In March, the Virginia General Assembly recognized Goluboff through a resolution.

The AALS executive committee appoints the organization's executive director and the members serve staggered, three-year terms. Goluboff's nomination was announced in advance of the AALS Annual Meeting on Jan. 6.

"AALS plays a critical role in advocating for law schools, faculty members, students, and the legal profession as a whole," she said in a statement. "I'm honored and excited to join the Executive Committee and help pursue this important mission."

Goluboff was named a Guggenheim trustee in November. In 2009, she was named a Guggenheim Fellow in the field of constitutional studies. Comprised of fellows and supporters, the board of trustees is the steward of the foundation's endowment and the final arbiter in fellowship selection, according to the foundation.

The Virginia General Assembly passed a resolution March 4 commending Goluboff's term as dean, which ends June 30. The resolution, sponsored by Sen. Creigh Deeds, Sen. Scott Surovell '96 and Del. Rip Sullivan '87, noted in part that she "made history at UVA Law both by becoming the school's first female dean and through her achievements in the areas of faculty hiring, fundraising, and student experience."

Goluboff is the Arnold H. Leon Professor of Law and a professor of history at UVA.

## **RILEY** Leads National Academies Report

A committee chaired by Professor **MARGARET FOSTER RILEY** released a report that recommends improving the safe and ethical inclusion of pregnant and lactating women in clinical research.



"Clinical Research with Pregnant and Lactating Populations: Overcoming Real and Perceived Liability Risks" was commissioned by the National Academies of Sciences, Engineering, and Medicine. The report says pregnant and lactating women are excluded from most clinical studies but found limited exposure to legal liability in including these women and that omitting them poses a greater risk.

"The current reality facing many pregnant and lactating women who are deciding whether to use an approved drug or medical treatment is that they are essentially taking part in a large and uncontrolled safety experiment," Riley said in a statement.

The report's release was accompanied by Riley's article "Including Pregnant and Lactating Women in Clinical Research: Moving Beyond Legal Liability," published in JAMA.

Riley is the Dorothy Danforth Compton Professor at the Miller Center, Professor of Public Health Sciences at the School of Medicine, Professor of Public Policy at the Batten School of Leadership and Public Policy, and director of the Law School's Animal Law Program.

## 'COMMON LAW' Focuses on 'Free Exchange' of Ideas

Listeners are getting a glimpse into the kind of vigorous discussions and debates that go on behind the scenes among the Law School's luminary scholars for the sixth season of the school's podcast, "Common Law."

The season, called "Free Exchange," launched Feb. 13 with guests **AMANDA FROST** and **RICHARD M. RE** discussing ethics at the U.S. Supreme Court. Dean **RISA GOLUBOFF** is again hosting the show while two guests dive deep on cutting-edge legal topics, such as socially responsible investing and the *Chevron* doctrine at issue in



one of the most-discussed cases before the U.S. Supreme Court.

"UVA Law School is a special place—we foster a robust and collegial intellectual community with a true diversity of viewpoints," Goluboff said.

"This season of the podcast is meant to offer a glimpse into the kinds of discussions we have all the time, in which we share our approaches to legal

issues, test our arguments and make our own ideas better by hearing from colleagues with a wide variety of perspectives."

In addition to Frost and Re, guests this season include Professors **QUINN CURTIS**, **JOHN DUFFY**, **CRAIG KONNOTH**, **PAUL G. MAHONEY**,

**JOY MILLIGAN**, **CYNTHIA NICOLETTI** and **DANIEL ORTIZ**.

One episode will feature Melody Barnes and John Bridgeland '87, former officials for two White House administrations on either side of the political aisle. Barnes, who ran domestic policy in the Obama administration and now leads UVA's Karsh Institute of Democracy, and Bridgeland, who ran domestic policy under George W. Bush, will discuss advancing democracy across political differences.

Episodes will post every two weeks throughout the spring.

## **ROBINSON** Appointed to NAS Committee

Professor **GERARD ROBINSON** was appointed to a new ad hoc committee of the National Academies of Sciences, Engi-



neering, and Medicine to improve learning for low-income students. The Committee on Promoting Learning and Development In K-12 Out of School Time Settings For Low Income and Marginalized Children and Youth study will focus on students from low-income households across urban, suburban and rural settings. NAS will publish a national report in 2025.

Robinson is a Professor of Practice in Public Policy and Law at UVA's Frank Batten School.

## **SHALF** To Co-Chair AALS Section

Professor **SARAH SHALF '01** was elected co-chair of the AALS Section on Clinical Legal Education at the AALS Annual Meeting.



She was elected a member of the Section's Executive Committee in 2022 and formerly served as section secretary.

The Section on Clinical Legal Education is the largest section of the AALS. It supports clinic and externship teachers, hosts an annual national clinical conference, assists with multiple regional clinical conferences and provides programming at the AALS Annual Meeting.

The section also sponsors three annual awards recognizing clinical teachers; promotes clinical scholarship through

support of the publication of the Clinical Law Review, workshops and works-in-progress sessions throughout the year; and provides other mentoring, training and help for clinical teachers.

—Mike Fox and Mary Wood



working on criminal justice policy for the Domestic Policy Council at the White House. Harmon also published the second edition of her casebook, “The Law of the Police.” In addition, Harmon produced a custom edition of the casebook along with teaching materials for the American Bar Association Legal Education Police Practices Consortium, which is developing a nationwide course based on “The Law of the Police.” Harmon also published “The Federal Government’s Role in Local Policing,” co-authored with Barry Friedman and Farhang Heydari in the Virginia Law Review, which argues that both Congress and the president wield considerable power to influence local policing, and that both branches could use that power far better than they have in the past.



**ANDREW HAYASHI** published “Present Bias and Debt-Financed Durable Goods” in the American Law & Economics Review, “Christianity and the Liberal(ish) Income Tax” in the Notre Dame Journal of Legal Ethics & Public Policy, and “Technology, Markets and the Income Tax Frontier” in the Southern California Law Review. He presented his paper “Law and Economics for Empaths,” co-authored with **MICHAEL D. GILBERT**, at the George Mason Antonin Scalia Law School and Georgetown Law Center, and presented his paper “The Federal Architecture

of Income Inequality” at Columbia Law School and the UVA Law Fall Tax Invitational.



**DEBORAH HELLMAN** published two pieces: “Defining Disparate Treatment: A Research Agenda for Our Times” in the Indiana Law Journal and the short online piece “The Zero-Sum Argument, Legacy Preferences and the Erosion of the Distinction Between Disparate Treatment and Disparate Impact” for the Virginia Law Review Online. Hellman also presented her work at several events, including a Legal Theory Conference at the University of Southern California from Oct. 13-14; a symposium hosted by the Georgetown Law Technology Review on Jan. 30; a University of California, Berkeley, seminar, Intelligence: Human, Animal and Artificial, hosted by the law school and departments of philosophy and political theory on March 15; and Fordham Law School’s Law and Philosophy Colloquium on April 11.



**A. E. DICK HOWARD '61** has been heavily focused on

the 50th anniversary of the Constitution of Virginia. Howard was the executive director of Virginia’s Commission on Constitutional Revision, was counsel to the General Assembly when it received and acted on the commission’s recommendations, and directed the successful campaign for the constitution’s ratification. The constitution became effective on July 1, 1971 (see p. 38). Howard wrote articles on the history of Virginia’s Constitution in publications of the Virginia Bar Association, the Virginia Museum of History and Culture, and the Colonial Williamsburg Foundation. He also wrote a series of articles in the Richmond Times-Dispatch. In Philadelphia, he delivered a keynote address as part of a program on state constitutions sponsored by the National Constitution Center. Lectures in Virginia have included an address at the annual meeting of the Virginia Bar Association; the keynote for “Looking Back, Looking Forward” on the anniversary date at the Library of Virginia; a lecture in an ongoing constitutionalism series at James Madison’s Montpelier; a conversation with university presidents sponsored by James Madison University and Norfolk State University; conversations with Virginia teachers at the Library of Virginia’s Teachers Institute in Abingdon, Norfolk, Northern Virginia and Richmond; a Banner Lecture at the Virginia Museum of History and Culture; and a radio interview for Virginia Public Media’s “With Good Reason.” For his work over the years since the current constitution, Howard was recognized at a reception July 1 at the governor’s mansion. The John Marshall Foundation

honored Howard by naming a Virginia History Day prize for him.



**CATHY HWANG** published “Business Associations: A Modern Approach,” co-authored with Paolo Saguato, by Foundation Press in September; “Non-Party Interests in Contract Law,” co-authored with Omri Ben-Shahar and David Hoffman, in the University of Pennsylvania Law Review; “The Lost Promise of Private Ordering,” co-authored with Jeremy McClane and Yaron Nili, forthcoming in the Cornell Law Review; “National Security Implications of Corporate Transactions,” co-authored with Steven Davidoff Solomon, forthcoming in “The Oxford Handbook of Corporate Governance”; “The Limits of Governance,” co-authored with Emily Winston, forthcoming in the Seattle Law Review as part of the Berle XIV Symposium; and “Musk & Twitter: A Case Study in M&A and Contractual Certainty,” co-authored with Steven Davidoff Solomon, forthcoming in the “Research Handbook on the Structure of Private Equity and Venture Capital.” She also gave talks at the Swiss Institute of Comparative Law on national security review of transactions and at Ecole HEAD in Paris on transactional lawyering. She presented “Refracted Intent” at Cornell Law School; “The Curious Case of Corporate Relational Contracting” at the Conference on Empirical Legal Studies at the University of Chicago; and “Refracted Intent” at the University of Pittsburgh School of Law.

She spoke at the conference in honor of Jill E. Fisch at the University of Pennsylvania Carey Law School. Her paper “Shadow Governance,” co-authored with Yaron Nili, was cited by the Delaware Chancery Court in *Texas Pacific Land Corp. v. Horizon Kinetics LLC*.



With Sarah Matsumoto and Cecily Banks, **CALE JAFFE '01** will be presenting at the May 2024 Association of American Law Schools Conference on Clinical Legal Education in St. Louis. The title of their presentation is “Shortcomings of Legal Ethics for Community Lawyering,” which explores the ways in which clinical teaching offers an opportunity to reconsider the conventional model of the attorney-client relationship and to rethink what certain ethical rules mean in the context of public interest advocacy. The presentation asks how, or whether, certain values that are essential to community lawyering, like patience and humility, fit into the American Bar Association Model Rules.



Four years ago, **DAVID S. LAW** and Bryant Garth of the University of

California, Irvine, started working on an idea for a book series, “Judicial Systems of the World,” for Oxford University Press. The first book in the series, “The Judicial System of Russia,” by Kathie Hendley and Peter Solomon, has been published. The series is intended to offer short, readable and empirically informed introductions to foreign judicial systems—for a wide range of audiences, both scholars and practitioners—and to emphasize geographically diverse coverage by highly diverse and distinguished authors. The series will also focus on China, Germany, Mexico and India. Each of these short, interdisciplinary monographs includes a “Quick Guide”—a 15-page table-form battery of consistent questions that ties together the series and makes it easier to do comparative work on courts.

A review of Law’s book “Constitutionalism in Context” by Jaakko Husa was published in the Journal of Comparative Law, and another review, by Oran Doyle, is forthcoming in the next issue of the International Journal of Constitutional Law.



On Sept. 16, **CHINH Q. LE '00** was a speaker on the plenary panel at the National Conference of Vietnamese American Attorneys to discuss the implications of the U.S. Supreme Court’s recent affirmative action decisions. On Sept. 28, he moderated

the inaugural “Poverty & Race Live” panel event, convened by the Poverty & Race Research Action Council and the National Coalition on School Diversity to discuss the intersection of school integration and school finance. This fall, he joined a small group of researchers, litigators and advocates that form a “community of practice” supporting Brown’s Promise, a new nonprofit working to bridge the silos between school funding and school integration work. He also moderated the “Creative Solutions to the Criminalization of Poverty” panel at this year’s Shaping Justice conference Feb. 2. He is one of several authors or editors who contributed to the revised version of the “Federal Practice Manual for Legal Aid Attorneys,” released in February.



Beginning in September, **MICHAEL A. LIVERMORE** started a one-year residency in Paris as a research chair in “Major Changes” at the Sorbonne University and Paris Institute for Advanced Study. During the residency, he has been working on a manuscript that examines environmental and techno-ethical challenges of the current geological age within the framework of law and economics. The project is an extension of arguments he offered in his recent article, “Valuing Diversity,” published in the Journal of Ethics and Social Philosophy. In December, he presented work at the Center for Environmental and

Technology Ethics at the Czech Academy of Sciences in Prague and the Complexity Science Hub in Vienna. Livermore has also recently published several articles that use artificial intelligence tools to study the law and legal institutions, including “Judicial Hierarchy and Discursive Influence,” co-authored with Felix Herron, Keith Carlson and Daniel N. Rockmore, in the Philosophical Transactions of the Royal Society A; and “Judicial Dark Matter,” co-authored with Nina Varsava, Keith Carlson and Daniel N. Rockmore, in the University of Chicago Law Review. He continues to convene the Online Workshop on the Computational Analysis of Law, a scholarly forum for cutting-edge research applying computational techniques to legal data. Presenters this spring include Jed Stiglitz of Cornell University, Hajin Kim of the University of Chicago, Jon Choi of the University of Southern California and Florencia Marotta-Wurgler of New York University.



In September, **JULIA D. MAHONEY**, together with **ANN WOOLHANDLER**, presented their article “State Standing After *Biden v. Nebraska*” at the Article III standing conference at the Constitutional Law Institute at the University of Chicago Law School. The article will be published in the Supreme Court Review in 2024. In October, Mahoney presented her paper “Property Rights, Corruption, and Redistribution” at a

conference on “Rethinking *Penn Central*” organized by the Pacific Legal Foundation. In November, she moderated a panel on “Insurrection and the 14th Amendment” at the Federalist Society’s National Lawyers Convention.



**RUTH MASON'S** paper “Bounded Extraterritoriality” will come out in the Michigan Law Review, and she presented the paper at the University of Pennsylvania’s faculty workshop. In January, she spoke with Koen Lenaerts, president of the European Court of Justice, at the inaugural event for the Max Planck Hub Fiscal and Social State. She continues to write in Tax Notes about developments in the European Commission’s state aid cases involving U.S. multinationals. Her 11th installment was about the advocate general’s opinion in the Apple case pending before

the ECJ. She also organized the UVA Tax Invitational Workshop in the fall. In February, she spoke at the IFA-Europe conference in Paris on state aid.



**JOY MILLIGAN** published an article, “We (Who Are Not the People): Interpreting the Undemocratic Constitution,” co-authored with **BERTRALL ROSS**, in the December 2023 issue of the Texas Law Review. They jointly presented the draft article in August at a UVA Law faculty workshop, and Milligan presented it at the University of Minnesota Public Law Workshop in September. She presented a work-in-progress, “The Constitution of Racial Repair,” at the Loyola Constitutional Law Colloquium in November, and spoke on a panel at the Association of American Law Schools Annual Meeting in January on “Brown, Equal Education and Democracy: Honoring the 70th Anniversary



Koen Lenaerts, president of the European Court of Justice, joined Professor **Ruth Mason** at a Max Planck Institute event.



of *Brown v. Board of Education*.”



**JOHN T. MONAHAN** co-authored two articles: “Pre-trial Risk Assessment, Risk Communication, and Racial Bias” in the journal *Criminal Justice and Behavior*, and “The Predictive Performance of Criminal Risk Assessment Tools Used at Sentencing: Systematic Review of Validation Studies” in the *Journal of Criminal Justice*. In addition, the 10th edition of his casebook with Professor Emeritus **LAURENS WALKER**, “Social Science in Law,” was recently published. Monahan directs a research project for the John D. and Catherine T. MacArthur Foundation’s Safety and Justice Challenge program on ways to improve pretrial risk assessment. He also serves on the advisory board for Advancing Pretrial Policy & Research, a project supported by Arnold Ventures.



On Dec. 1, **DANIEL R. ORTIZ** gave a lecture at the School of Cultures, Politics, and Democracy at the University of Sapienza, Rome, on “Lobbying in the U.S.A.” It was part of a larger lecture series on “Lobbies and Democracy: How the Regulation of Interests Affects the

Implementation of Social, Cultural, Environmental and Digital Rights.” Professors from the University of Sapienza, the University of Florence and the University of Enna commented on the lecture. He also recorded a video for UVA on the legal regulation of elections in America.



**SAIKRISHNA PRAKASH** presented his draft paper “Spirit” at the University of Florida Levin College of Law and delivered the Doyle-Winter Lecture on “Spirit” at the Yale Law School. His article, “Deciphering the Commander-in-Chief Clause,” appeared in the *Yale Law Journal* and won the 2023 Mike Lewis Prize for National Security Law Scholarship (see p. 55).



**KIMBERLY JENKINS ROBINSON** published “*Rodriguez* at 50: Lessons Learned and the Path Forward” in the *Loyola Law Journal*, as part of a symposium on the 50th anniversary of the U.S. Supreme Court case *Rodriguez v. United States*. She lectured on “The Right to a Quality Education” at the UVA Colonnade Club Martin Luther King event on Jan. 31. She spoke on “Consideration of Race after *SFAA v. Harvard*” for

the 25th Annual Federalist Society Faculty Conference on Jan. 5; “Affirmative Action and the Way Forward” for the Association of American Law Schools 2024 Annual Meeting on Jan. 4; and “In Conversation: The Supreme Court, *Students for Fair Admissions, Inc. v. President and Fellows of Harvard College*, Affirmative Action and Equal Protection,” at the University of Connecticut School of Law on Nov. 15. She was a guest lecturer for “Thirteen Ways of Looking at *Brown*” at Yale Law School on Nov. 14.



**ELIZABETH A. ROWE** published two co-authored books: “Trade Secret Case Management Judicial Guide” and “2022 Update to Selected Intellectual Property, Internet and Information Law Statutes, Regulations, and Treaties.” She also published “Academic Economic Espionage?” in the *William & Mary Law Review*, which she presented at the Chicago IP Colloquium and at the 2023 Trade Secret Scholars’ Workshop. She served as a senior editor on “The Sedona Conference, Commentary on the Equitable Remedies in Trade Secret Litigation.” She was a panelist on a big data panel for the American Bar Association-Intellectual Property Law Annual Conference and on a panel at the Georgetown University Law Center about employees who leak confidential information. She presented a 2023 Trade Secret Update to the Florida Bar IP section. She presented her working paper “Owning

Data” at the Scholars in Technology Equity Policy workshop and at the Intellectual Property Scholars Conference. At UVA, she delivered her chair lecture on “Espionage in Academia.” She was interviewed for the “Common Law” podcast on facial recognition technology and gave presentations to the American Constitution Society and served on a panel discussing women in academia.



**FREDERICK SCHAUER** presented his paper “Rules of Order” at William & Mary Law School. His article “Legal Theory and Comparative Law” was published in the “Elgar Encyclopedia of Comparative Law.” He presented “Analogizing Guns,” co-authored with **BARBARA SPELLMAN**, at a University of Notre Dame and Duke University conference on “History, Tradition, and Analogical Reasoning,” with an article to be published in the *Notre Dame Law Review*. He also delivered a public lecture at UVA, “Freedom of Speech and the American University.”



**RICHARD C. SCHRAGGER** published “Seeing Like a

Region” in *Theoretical Inquiries in Law* as a part of an international symposium on approaches to regionalism. His paper “Religious Freedom and Abortion,” co-authored with **MICAH SCHWARTZMAN '05**, appeared in the *Iowa Law Review*. He spoke to the International Municipal Lawyers Association on “Practical Implications of the Supreme Court’s Recent Free Exercise and Establishment Decisions.” He presented “Underdevelopment in an (Up) Zoned City” at the State and Local Government Works in Progress Conference at Northwestern University and also at the Land, Climate, and Justice Conference he co-organized with **MOIRA O’NEILL**, sponsored by the Program on Law, Communities and the Environment (PLACE) at UVA Law School. He also presented “Re-Establishing Religion,” a paper co-authored with Schwartzman and Cornell law professor Nelson Tebbe, to a number of different audiences.



**PAUL B. STEPHAN '77** saw his Hague Academy Lectures on “Municipal Law in International Disputes” published in the academy’s *Recueil des Cours* in November and they will appear as a standalone paperback this spring. He also published a chapter called “The Political Economy of U.S. Law Reform with Respect to International Law and Transactions” in the book “Law Reforms Around the World,” published by Routledge, and

the article “How Do We Express Our Outrage at Russia?” in the *Wake Forest Journal of Law & Policy*. He also gave a lecture on international law and the Supreme Court to the annual visitation of the Middle Temple Society, and took part in a colloquium on “Reimagining National Security” for the Chicago Legal Forum. In January, he will give a lecture to the Judge Advocate General’s Legal Center and School on the Gaza war and the law of war and will teach a course on foreign investment in the energy industry in Melbourne University’s winter program. He also is contributing frequently to Lawfare’s “Cyberlaw Podcast” on various issues and publishing in various blogs and other media outlets on both the Gaza war and the design of sanctions for Russia with respect to its invasion of Ukraine.



**MEGAN T. STEVENSON’S** paper “Cause, Effect and the Structure of the Social World” was published in the *Boston University Law Review*, and her paper “Does Cash Bail Reduce Misconduct?” was published in the *American Economic Journal: Applied Economics*. Her paper “Algorithmic Risk Assessment in the Hands of Humans” is forthcoming in the *American Economic Journal: Economic Policy*. She wrote an op-ed for the *Philadelphia Inquirer* about the high rates at (continued on p. 58)

# PRAKASH WINS NATIONAL SECURITY LAW SCHOLARSHIP PRIZE

Professor **SAIKRISHNA PRAKASH** was awarded the 2023 Mike Lewis Prize for National Security Law Scholarship for his article “Deciphering the Commander-in-Chief Clause.”

The prize is given by the Strauss Center for International Security and Law at the University of Texas at Austin and Ohio Northern’s Pettit College of Law, in consultation with the American Association of Law Schools’ Section on National Security Law.

Prakash’s article, published in the *Yale Law Journal*, uses 18th-century understandings of what it meant to be a commander in chief to topple the modern reading of the clause—a reading that ascribes to the president the authority to start wars, create military courts, direct and remove officers, and wield emergency wartime powers.

“Anyone interested in war powers should be interested in this key puzzle piece,” Prakash said. “People often make assumptions about the clause and what the founders wrought—almost all of these assumptions are mistaken.”

While the commander-in-chief clause does grant the president military powers such as operational control over the military, Prakash argues that the modern interpretation of this clause as granting absolute and exclusive military powers to the president is a significant departure from its original intent.

In the 18th century, the term “commander in chief” was not as singular and powerful as it is today. It was a common military status, and every leader of a military unit was considered its commander in chief. Each naval flotilla had a commander in chief and every army unit had its own commander in chief, so “commanders in chief” were plentiful and unexceptional.

By making the president the commander in chief of the army and navy, the commander-in-chief clause makes the president the principal commander, akin to a “first general and admiral.” The clause did nothing to preclude the existence or authority of other commanders in chief. Nor did it constrain Congress’ power to govern and regulate the armed forces.

Prakash said that the modern, expansive understanding of the powers conferred by the commander-in-chief clause has been driven by

various factors, including overseas crises that require quick action, a military-legal complex intent on amassing power, the absence of judicial pushback, and the modern perception of the clause as a far-reaching grant of authority.

Without clear boundaries, Prakash warns, the clause could become a “wandering clause”



capable of swallowing up new authorities as crises cause the president to put the clause’s powers to the test. The drift toward an increasingly powerful and autonomous executive could threaten the balance of powers envisioned by the Constitution.

“For too long, presidential administrations have argued that, whatever the clause’s hypothetical limits might be, that discussion should be saved for some other day,” Prakash said. “And yet, administration after administration, that day never quite comes.”

Prakash is the James Monroe Distinguished Professor of Law and the Albert Clark Tate, Jr., Professor of Law.

—Josette Corazza



# AFTER AFFIRMATIVE ACTION

## The Future of the Past in Employment Discrimination Law

**GEORGE RUTHERGLEN**

FOUNDATION PRESS

OVER THE PAST TWO YEARS, THE SUPREME COURT has undergone seismic philosophical changes dramatic enough to leave even scholars struggling to predict the aftershocks. In his new book “After Affirmative Action: The Future of the Past in Employment Discrimination Law,” Professor **GEORGE RUTHERGLEN** looks at three of the most high-profile recent precedents—on abortion, affirmative action and religious accommodations—and attempts to predict how they might play out in future employment litigation.

“What I wanted to do is just explore what we are going to do in this brave new world where states can criminalize abortion, where affirmative action is prohibited, and where there are more and more claims for religious freedom and religious exceptions,” Rutherglen said.

Rutherglen teaches admiralty, civil procedure, employment discrimination and professional responsibility. A longtime observer of federal courts, he clerked for two Supreme Court justices, William O. Douglas and John Paul Stevens, and one judge on the Ninth U.S. Circuit Court of Appeals.

His title draws from the work of Alexander Stille, a journalist and author whose 2002 book, “The Future of the Past,” explores efforts to preserve important pieces of history in a rapidly changing world.

Rutherglen predicts multiple “waves” of coming litigation, not only over anything resembling affirmative action by public or private employers, but also for employment policies that may have disparate impacts on different groups of employees and for accommodations for a widening concept of religious belief.

Ironically, Rutherglen said, the Supreme Court’s abortion ruling in *Dobbs v. Jackson Women’s Health Organization* may engender the most employment-related litigation, in part because of the way it sets up a conflict between federal anti-discrimination law and state laws that prohibit or criminalize abortion.

The potential legal morass surprises even Rutherglen. The 1978 Pregnancy Discrimination Act may require employers to provide medical care that is necessary because of an abortion, he said, and the 2023 Pregnant Workers Fairness Act requires reasonable accommodation of all pregnant women—which may require employers to give leave to pregnant workers who want or need to go out of state for an abortion.

What happens, however, when the employer and employee are situated in a state that might prosecute women

who seek out-of-state abortions? It may not be possible for employers in that situation to stay in compliance with both federal and state law, Rutherglen said.

“The obvious safe harbor is for employers to relocate to a state that’s favorable to abortion, and there might be some pressure to do that,” Rutherglen said. “Or they could transfer the [pregnant] employee to New York, for instance, but even in liberal states the window for responding to the pregnancy closes pretty quickly.”

The affirmative action decisions have more immediate consequences for employment, applying directly to public employers covered by the Constitution, Rutherglen said. They also have profound implications for private employers because of statutory prohibitions that apply to all, like the anti-discrimination provisions in Title VII.

“In the current legal and political climate, [the decisions] ensure that consideration of race or national origin in almost any employment decision will be held to be illegal,” Rutherglen said.

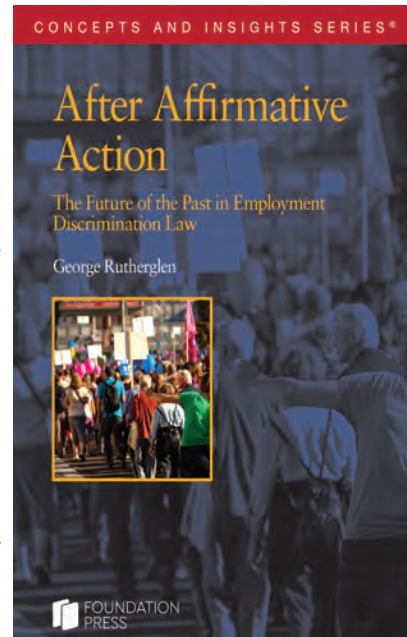
In the past, employers have also been held liable under Title VII for neutral policies that have disparately adverse effects on members of minority groups. Such claims will most likely be more difficult to bring in the future, and any “racial balancing” to undo such disparate impact is now effectively prohibited in employment and college admissions by the recent affirmative action decisions.

In light of ongoing and future developments such as these, Rutherglen wrote the book to illustrate how tricky and technical the field of employment discrimination has become, and to help employers and practitioners create policies to be able to respond as these issues arise in real time.

However, he doesn’t attempt to prescribe what those policies should be.

“I can’t predict where this is certain to go—I think there are too many variables in play and we haven’t even seen many lower court decisions yet exploring these questions,” Rutherglen said. “But there will be decisions along these lines, and they will have cascading effects.”

—Melissa Castro Wyatt



# FAIR SHAKE

## Women and the Fight to Build a Just Economy

**NAOMI CAHN**, June Carbone and Nancy Levit

SIMON & SCHUSTER

A NEW BOOK BY PROFESSOR **NAOMI CAHN** AND HER FREQUENT CO-AUTHORS, June Carbone and Nancy Levit, tackles the persistent issue of women’s economic inequality.

While more women are entering the workforce than ever before, the authors argue that today’s “winner-take-all” economic system leaves many women feeling trapped in what the authors call a “triple bind.”

“If women don’t compete on the same terms as the men, they lose; if women do compete on the same terms as men, they are judged more harshly than men,” Cahn said. “And by the time women see the terms of this game, they’ve either been pushed out or they’ve taken themselves out.”

“Fair Shake: Women and the Fight to Build a Just Economy” takes aim at that zero-sum, winner-take-all system—which the authors say unfairly disadvantages women—and the first three parts of the book are structured around legal cases that illustrate each strand of the triple bind they describe.

The fourth part suggests a path forward that they believe will lead to a more just economy by taming the excesses of the winner-take-all system.

“We use legal cases as a way of personalizing the people behind the lawsuits, dramatizing the issues and drawing out lessons on what has changed since Title VII and the Equal Pay Act, and why women are no longer advancing,” Cahn said. “It looked for a while as though women’s wages would start to catch up to men’s. However, during the 1990s, the gender wage gap stalled and there’s been little improvement.”

No matter which part of the economy they looked at—law, finance, tech, retail—the story seemed to be the same, Cahn said. In law, specifically, the authors found that while the percentage of law-firm equity partners who were female grew by six percentage points over the last 15 years, the wage gap between male and female equity partners grew by 12 percentage points over roughly the same period.

The problem, she said, is that the winner-take-all economic system reserves a disproportionate share of institutional power and rewards for the executives at the very top of the pyramid. Although women are not excluded from that system altogether, the zero-sum nature of the rewards fosters a culture of cutthroat competition that women are punished for joining—if they don’t opt out altogether.

The authors point to a lawsuit by Ellen Pao, a former Silicon

Valley venture capitalist, who claimed she received mixed messages and criticism for “pushing too hard to establish herself instead of being collaborative” and not being “a team player.”

Elon Musk, with his \$56 billion Tesla compensation package (since struck down by a Delaware court, see p. 16), is treated as Exhibit A for slash-and-

burn leadership that looks to promote those who buy into the same vision and ethos.

This isn’t a self-help book telling women how to navigate a broken system, Cahn emphasized.

“‘Fair Shake’ is not a fix-the-woman/lean-in kind of book,” Cahn said. “It doesn’t say, ‘OK women, act the same way as men and you will succeed.’ If women do play on the terms as men, they are accused of having sharp elbows.” In any event, the authors conclude, women should not lean into a system that is rigged.

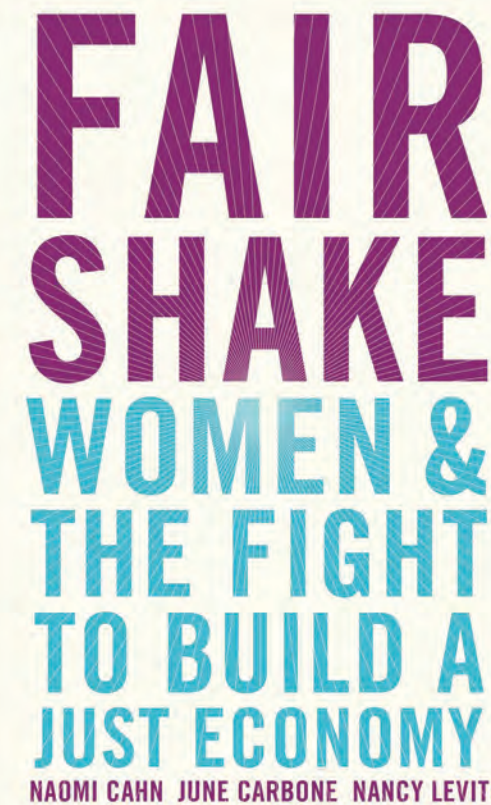
Instead, the book calls for a “new ethos” in corporations that focuses on transparency and cooperation.

“Our goal is to change corporate culture, and by changing corporate culture, we also want to change cultures outside of companies, including what happens in the education system,” Cahn said. “What we’re hoping for is a reevaluation of what has come to be known as ‘feminine values’—that is, values of community and cooperation—but in the 1950s, those were the values of [good] organizations.”

The authors offer a roadmap for change through collective action and a systemic overhaul that emphasizes the rule of law. They advocate for building an economy that benefits everyone, not just a privileged few.

Cahn is the Justice Anthony M. Kennedy Distinguished Professor of Law, the Armistead M. Dobie Professor of Law and co-director of the Family Law Center at UVA Law. In writing “Fair Shake,” she once again teamed up with Carbone of the University of Minnesota Law School and Levit of the University of Missouri-Kansas City School of Law. All three are law professors (and mothers) who research and write in the areas of employment discrimination, family law and gender theory. Together or separately, they have written both popular books and law school casebooks, including “Red Families v. Blue Families,” “Marriage Markets” and “The Gender Line.”

—Melissa Castro Wyatt





# WANG WINS AALS AWARD FOR PAPER ON RELIGIOUS FREEDOM

Professor **XIAO WANG** won an Association of American Law Schools award for his paper on a recent trend in religious freedom litigation. For his paper “Religion as Disobedience,” Wang received the 2024 Harold Berman Award for Excellence in Scholarship, presented to



scholars for an outstanding article on the subject of law and religion published within their first 10 years teaching at an AALS member school. Published in the Vanderbilt Law Review, the article argues that courts have allowed plaintiffs to use federal religious freedom statutes to make it harder for governments to defend and enforce policies such as vaccine mandates and anti-bias laws. Analyzing the sincerity of plaintiffs’ beliefs will help prevent religion from being used as a tool of disobedience, Wang argues. In the first analysis of its kind, Wang reviewed 350 federal appeals and found that in the past 30 years, the Supreme Court has never found a single plaintiff to be insincere in a religious freedom case. “Federal appellate courts, likewise, have

found plaintiffs sincere 93% of the time,” he writes, adding that in employment discrimination and Americans with Disabilities Act cases, plaintiffs meet the burden of proof for their claims just 27% and 60% of the time, respectively.

“Without appropriate tools to discern genuine religious practice from opportunistic litigation, free exercise becomes an open invitation to true believers and make-believers alike to break the law,” he writes.

Wang thanked Professor **MICAH SCHWARTZMAN '05** for his “valuable feedback and advice” on the paper.

This year’s winners were recognized during an awards ceremony at the AALS annual meeting on Jan. 4.

Wang, who joined the Law School this academic year, writes about federal courts, constitutional law, and law and religion. His research addresses generally how lower courts implement and apply Supreme Court precedent. Wang is also an assistant pro-

fessor of public policy at the Batten School of Leadership and Public Policy. He co-directs the school’s new Supreme Court and Appellate Litigation Program (see p. 34), directs the school’s Supreme Court Litigation Clinic, organizes the En Banc Institute and supervises the National Appellate Clinic Network. He has led appeals before state courts, federal circuit courts and the U.S. Supreme Court. Wang graduated from Yale Law School, where he was a Truman Scholar, and earned his master’s in public policy and B.A. in economics from the University of Virginia, where he was a Jefferson Scholar.

—Mike Fox

which police officers, lawyers, victims and witnesses fail to appear in court. She is also a keynote speaker at the University of Pittsburgh’s Cross-Disciplinary Carceral AI Workshop.



**PIERRE-HUGUES VERDIER** recently completed two articles that will appear this spring. The first, “Transnational Enforcement Leadership and the World Police Paradox,” examines the causes and consequences of the leadership role certain states—prominently but not exclusively the United States—take in transnational enforcement in areas such as bribery, money laundering and cybercrime. It will be published in the Virginia Journal of International Law. The second, “The Role of Regional Journals in Comparative International Law,” which will appear in the Yale Journal of International Law, is part of a project by the Consortium on Scholarship and Analysis of International Law, a group of scholars whose objective is to examine how scholarly publications shape the field of international law, especially in the context of the Global South’s growing presence. Verdier is currently planning the Law School’s spring 2025 Sokol Colloquium on Private International Law on geopolitical conflict and international financial governance. He is working on an article on the same theme.



## A ‘VIGILANTE’ OF INTERNATIONAL ARBITRATION

### Jonathan C. Hamilton '98

JONATHAN C. HAMILTON '98 IS GLOBAL CO-CHAIR OF INTERNATIONAL ARBITRATION at one of the world’s premier law firms. In addition to his business card for Paul Hastings, though, he’s been known to still use his experience as editor-in-chief of the Virginia Journal of International Law as a “calling card” to make connections and solve conundrums.

Members of the journal even have a formidable nickname for their gang: “VJILantes.”



While editor of the journal, Hamilton landed work in Lima with a Peruvian lawyer who had published an article in VJIL on cross-border judgment enforcement. He went on to cross paths and collaborate with journal contacts throughout his career from his home base in Washington, D.C. Even now, when he faces a difficult decision in his work, he sometimes stops and says to himself, “Let’s think like VJILantes.”

The University, and the journal, reinforced the value of teamwork, he said.

“Some of my friends from other schools say, ‘What is it with UVA people—I don’t focus on my law school relationships at all in my life,’” Hamilton said. “And these are people from great law schools! But the UVA Law School alumni network is on a completely different level in terms of the loyalty and fondness that people have, and also the interest in helping each other, the University and the world.”

A handful of moments from Hamilton’s life led the small-town Mississippi native to law, to UVA and to the law of international arbitration.

When he was 10, Hamilton spent a month in hospitals recovering from a life-threatening accident. Later that year, his father, a preacher, was set to depart on a monthlong trip to three countries on three different continents, and Hamilton had no interest in being left behind.

Instead, his father brought him along.

“I went to Brazil—first place that I went—and boom, I was ready for the world,” Hamilton said. “After that, I went to South Africa for a couple of weeks, and then I went to Rome. I was totally internationalized from that experience—it made me totally comfortable with being in diverse international environments.”

He inherited a gift for oratory and storytelling from his dad, the preacher, and for writing from his mom, who was an English professor. He also got a start in a relative’s hometown law firm during high school. In college at Brandeis University, he studied history and Russian to prepare for the globe-trotting future he was still manifesting. He mastered Spanish and learned Portuguese somewhere along the way.

He also picked up a master’s in communications from the University of North Carolina at Chapel Hill and produced a documentary film in Belarus and Russia at the end of the Cold War. He studied government and politics abroad at Oxford, and returned there years later to study strategic leadership at the business school.

In his first week at UVA, he was sitting in orientation in Caplin Auditorium, listening to then-Dean Robert E. Scott talk about the

school’s international law journal.

“I leaned over to the guy next to me and said, ‘That’s what we’re going to do—we’re going to do the Virginia Journal of International Law,’” Hamilton said. “I just had dinner with that same guy—who became an executive editor on the journal—a few days ago.”

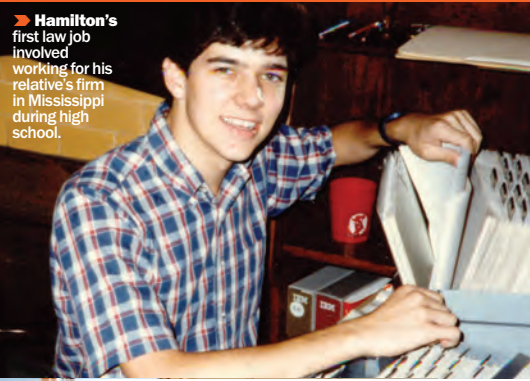
Hamilton even had the opportunity to work with one of the greatest legal storytellers of all time, when author and fellow Mississippian John Grisham hired him as a research assistant. They met in Mississippi when Grisham was a state politician and Hamilton crashed on the sofa where Grisham and other legislators were staying during a legislative session. Grisham carried around a legal pad for his writing, and was known for wanting to write a book. In Charlottesville, they ran into each other again, at the Foods of All Nations store, and Grisham hired him.

As a product of the era of globalization, Hamilton recognized during law school that

sary of the rediscovery of Machu Picchu”). In Italy and Argentina, he helped “tens of thousands” of Italian nationals recover on defaulted Argentine bonds.

He helped get the international airport project back on track by resolving a dispute that had “mothballed” the project for two years.

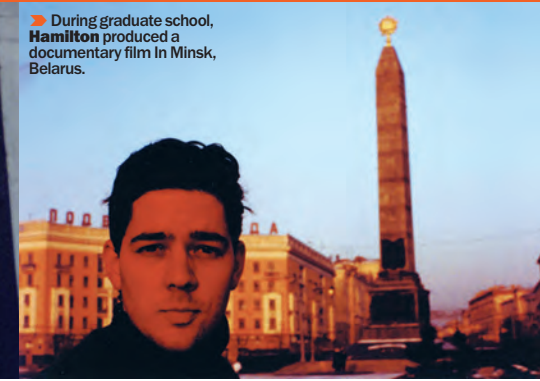
“Infrastructure can have a tremendously



▶ Hamilton’s first law job involved working for his relative’s firm in Mississippi during high school.



▶ Hamilton stands at UVA’s Colonnades.



▶ During graduate school, Hamilton produced a documentary film in Minsk, Belarus.



▶ Hamilton prepares for oral argument in the Japanese Room at the Peace Palace in The Hague for an international arbitration hearing.



▶ Hamilton looks for a better signal in rural Morocco to complete a business call.

there would be a plethora of disputes arising out of that wave of international trade and foreign investment in emerging markets. That’s where he decided to plant his flag.

“I thought, ‘Right now the focus is on the transactional work, but human nature being what it is, in five to 10 years, there are going to be a lot of disputes coming out of all of these deals,’” Hamilton recalled. “So I decided to focus on that.”

To help pave the way, he wrote essays for his seminar classes on the topic and edited related articles for VJIL.

The work has taken him around the world, to places like Bulgaria (“traipsing around a Soviet-era oil refinery”), Ecuador (“The president of Ecuador was there, and we personally welcomed the first plane arriving at the new airport”), Hong Kong (“like a scene from ‘Bladerunner’”), and Peru (“Our mission was to recuperate artifacts from Yale University before the 100-year anniversary

of the rediscovery of Machu Picchu”). In Italy and Argentina, he helped “tens of thousands” of Italian nationals recover on defaulted Argentine bonds. He helped get the international airport project back on track by resolving a dispute that had “mothballed” the project for two years.

His global experience ultimately led to a “Hall of Fame” lawyer ranking, Mississippi legislative recognition and more. The \$1.3 billion resolution of the Argentine sovereign finance dispute was described by American Lawyer as the first mass claim at the World Bank and was highlighted in Global Arbitration Review as the most influential arbitration decision of the decade.

Complex dispute resolution is already complicated by its very definition. Adding an international layer to the practice requires another level of knowledge of foreign and

international law, plus a set of cultural skills and the emotional intelligence to recognize the distinct mindsets and backgrounds of the arbitrators on the panel.

“Usually, the decision-makers you’re in front of are all from different parts of the world, so you have to take into account that you may have someone from Europe, someone from Asia, someone from the Americas, and they each have been shaped by their own cultural and legal backgrounds,” Hamilton said. “You have to take that into account in how you analyze and present information,

how you work with witnesses and experts, even the tone and approach of how you ask questions in a cross-examination.”

Before joining Paul Hastings, Hamilton spent many “great” years helping to build the international arbitration practice at White & Case and serving as its head of international arbitration for Latin America. A Law School reunion “opened his mind to a new adventure” when a friend there noted that Hamilton seemed to be the only graduate at the reunion who had spent his whole career in one organization.

Throughout his career, Hamilton has traveled extensively for work, which is exactly the “swashbuckling” lifestyle he had pictured as a child exploring the world with his father. Once, while representing the Italian bondholders, he found himself strolling down a familiar street in Rome.

“I suddenly realized that I was standing next to the hotel where I stayed with my dad when I was 10 years old,” Hamilton said. “Except now I was back as an international lawyer.”

—Melissa Castro Wyatt



**U.S. ARMY  
VETERAN  
SERVES  
AS ESPN  
VICE  
PRESIDENT**

# A Talent for Sports Law

## Rosetta Ellis-Pilie '99

GROWING UP, ROSETTA ELLIS-PILIE REMEMBERS watching ESPN's "SportsCenter" broadcasts in the early years of the first round-the-clock sports network.

Both Ellis-Pilie and ESPN have come a long way since then. ESPN, which launched in 1979, is now one of the most-watched networks in the world and Ellis-Pilie has risen through the ranks to manage the network's domestic Talent Office. In this role, she is responsible for hiring, negotiating with, developing and guiding ESPN's commentator team.

**BEING DEPLOYED FOR A MILITARY CONFLICT "GIVES YOU THE CONFIDENCE TO BELIEVE THAT YOU CAN HANDLE ALMOST ANY SITUATION IN THE CIVILIAN WORLD."**

"Growing up, I did not imagine that I would become a lawyer, as I did not even know any lawyers at the time, or that my law career would turn into me overseeing the Talent Office for the 'worldwide leader' in sports," Ellis-Pilie said. "That being said, it took a lot of hard work to get here, and it didn't happen overnight."

The hard work started in earnest when the New Jersey native joined the U.S. Army right out of high school, working as a unit supply specialist and unit armorer, a role

"The military teaches and hones many important skills, such as responsibility, teamwork and maintaining calm under pressure," she said. "After being deployed for a military conflict and having the presence of mind, ability and confidence to capably perform your job under that pressure, it gives you the confidence to believe you can handle almost any situation in the civilian world with that same adept approach."

After three years of service, Ellis-Pilie pursued her education at Seton Hall University, graduating with honors

with a B.A. in criminal justice and a minor in business administration. Having missed out on some of the traditional college life as a commuter student, she sought to immerse herself fully in the university experience at UVA Law. She played in the North Grounds Softball League and served on several law school organizations and journals, including the Virginia Law Review, the Virginia Journal of Social Policy & Law, and the Virginia Sports & Entertainment Law Journal, where she served on the inaugural managing board.

Following law school, Ellis-Pilie worked in the New York office of McDermott Will & Emery's labor and employment law group. Several years later, she joined the labor and employment practice group at Proskauer Rose.

That led to an in-house role overseeing Sun Chemical Corp.'s labor and employment law practice domestically and abroad, as well as serving as ethics counsel and global compliance committee chair. By that juncture, she had come to terms with the realization that her career trajectory likely would not encompass sports.

"I no longer thought much about working in sports at that point because I really liked my role and the company, and felt that I was continuing to add value," she said.

Nearly five years later, a friend sent her a listing for an in-house labor and employ-

ment lawyer at ESPN. She declined to apply. Two months later, the position reopened.

"Long story short, my friend persuaded me to apply for the job, given my love of sports and how interested I had previously been in working in that industry," Ellis-Pilie said. "I vividly remember the day of my interview, I met with a number of captivating people working in a dynamic company and industry and at that point I remembered why I always wanted to work in sports."

Ellis-Pilie was hired for the position and started at the network in February 2011. Within her first three months, she assumed legal responsibility for the ESPYs—ESPN's annual sports award show—a role she held for 10 years.

"My background and interests came together, and I was able to do a good job, and it just let me know that this was meant for me," she said.

Ellis-Pilie was promoted three times in ESPN's legal department. In those roles, she was instrumental in developing, negotiating and finalizing hundreds of agreements related to ESPN's rights, content and on-air commentators, including prominent on-air personalities, and multimillion-dollar sports rights agreements, such as ESPN's groundbreaking agreement with the UFC.

In May 2021, Ellis-Pilie moved from the legal to the business side of ESPN when she was named vice president of talent development and negotiations.

There's no such thing as a "typical" day in her job, which could involve meeting with talent, negotiating contracts with agents, watching audition reels, collaborating with numerous stakeholders and managing talent matters with her team.

Looking back, she's grateful she was able to make the leap to sports media.

"I value every job that I have had in my career, and each position is special to me in its own way. My current position as head of ESPN's Talent Office is no different—particularly given its importance to ESPN's connection with sports fans and our overall business," Ellis-Pilie said. "Our talent lineup is the forward-facing cornerstone of ESPN, and I am thrilled at the opportunity to play a small part in it."

—Melissa Castro Wyatt



► Ellis-Pilie attended the NBA Draft, an event on which ESPN partners with the NBA.

in which Ellis-Pilie's responsibilities included maintaining 100% accountability for weapons and other sensitive inventory for her unit prior to and during the Gulf War.

Military service helped finance her undergraduate degree, but also fostered a commitment to precision and punctuality, while cultivating an appreciation of the operational capability of a vast institution like the U.S. military.



**ENVIRONMENTALIST  
CONSTRUCTS  
SUSTAINABLE  
LAW CAREER  
FIGHTING  
CLIMATE CHANGE**

# Cutting Carbons, Optimizing Optimism

**Charlie Lord '92**

**THE NEWS THESE DAYS IS RIFE WITH UNCERTAINTY AND ANXIETY**, but Charlie Lord '92, the managing principal in a Boston-based firm that makes decarbonization possible for its clients, has found his own emotional remedy.

"I think one of the things that is wonderful about doing what I do is that I get up in the morning knowing that I'm going to make a difference," he said. "It's a great antidote to the anxiety in the world."

Renew Energy Partners, which Lord launched in 2013, helps commercial and industrial clients achieve their sustainability goals by overcoming the major hurdle to decarbonization projects: the upfront cost. Renew designs and finances the renovation of existing commercial and industrial buildings to improve their energy performance, providing a market-rate return to investors while reducing greenhouse gas emissions from the buildings.

Renew focuses on a portfolio of owner-occupied commercial buildings, such as hospitals, universities, multifamily housing, schools and manufacturers. For a contracted period, the client pays Renew back with the money it saves in energy costs. After the contract period, the client is able to reinvest the savings in its operation.

"Most of these buildings can cut their energy costs by 30% to 50%," Lord said. But, he added, "we don't do a project unless it eliminates carbon emissions."

At any one time, Renew has two to five projects in construction and five to 10 under contract. They have around 100 customers in the pipeline. Most recently, the company helped a school in Bridgeport, Connecticut, that was dealing with unreliable heating systems and a semiconductor manufacturer in Lowell, Massachusetts.

Greenbacker Development Opportunities Fund, which invests in growth-stage clean energy companies, announced an investment in Renew in 2022.

"In general, a lot of capital is looking to go to work fighting climate change," Lord said.

Lord, who was born in Panama, forged his path long before he ever set foot on Grounds, in part through the example set by his parents. His dad—also named Charlie—worked in international business and moved the family to New York when young Charlie was 5. (Lord has an identical twin, Tim, and a younger sister, Deirdre.)

When his father hit his early 40s, he wasn't happy in his business career, so he switched to education and became an assistant principal.

"In his generation it was rare to switch careers," Lord said. "He showed me that you have to follow your heart and choose

something important for you. It's OK to do something unexpected or nontraditional."

Lord said his mother, Gay, was an early crusader in the environmental movement and co-founder of the first environmental organization in New York City, Consumer Action Now.

"She worked for recycling in the early '70s, right after passage of the Clean Water and Clean Air acts," Lord said. "I remember sitting at the kitchen table licking envelopes."

Lord graduated from Yale in 1987 with a bachelor's degree in history, but his senior essay concerned environmental issues. Then it was on to UVA Law, where he first encountered the concept of environmental justice.

Lord knew he was in the right place at the Law School when, during his first day, a speaker said the majority of the incoming class had listed public interest law as their career interest.

During his second year, Lord and a group of like-minded classmates advocated to make it easier for students to pursue government or nonprofit careers. Around this time, the school established the Mortimer Caplin Public Service Center and expanded loan forgiveness for graduates who pursue public service careers.

He joined the environmental law society at UVA, which led to an invitation to a national conference in 1990. While there, he was impressed by a civil rights activist who stood up to express concern about a hazardous waste treatment plant proposed for an impoverished Black community.

For him it was an introduction to the concept of environmental justice. "It was the missing piece, realizing this intersection of environmental and justice issues," Lord said. "Environmental issues tend to fall hardest on low-income communities and communities of color."

Although he served as editor-in-chief of the Virginia Law Review and clerked for the U.S. Court of Appeals for the District of Columbia Circuit, he dove headlong into an environmental law career without much other legal training.

He received an Echoing Green Fellowship and then founded Alternatives for Community & Environment, based in

Roxbury, Massachusetts, where he served as co-director and board member.

"At ACE, our first case was to fight an asphalt plant in South Bay," he said. "When you forge an alternative career, you're part lawyer and part entrepreneur. But you have to step into the ring at some point, and we stepped into it sooner than a lot of others."

In 1998, he founded the Urban Ecology Institute at Boston College, serving as its executive director until 2008.

Today, when he talks to young lawyers, he encourages them to be open to taking a traditional law job at first. "There's a lot to be said for a two- or three-year apprenticeship before going out on your own."

Still, he said, his grounding in law at UVA gave him the ability to start and run a nonprofit organization. "The soft skills of law—advocacy, the ability to make a case passionately—all of that goes into fundraising."

His focus gradually shifted from the nonprofit to the for-profit sector. "The barriers between nonprofit and for-profit are breaking down," he said. "I became interested in leveraging private dollars to fight climate change and work for urban sustainability."

Lord noted that the U.S. could achieve 40% of its carbon reduction targets in the Paris Accords if buildings were made as efficient as possible.

"Over 70% of commercial buildings are sitting on energy savings they're not realizing because capital is in demand elsewhere," he said.

It's not that there's a shortage of commitment—executives, employees, customers and investors are all demanding climate solutions, he said. But when "the chief sustainability officer says, 'I have our roadmap, but it costs \$500 million,' [...] there's anxiety."

Renew helps alleviate the anxiety with financial backing.

"I feel blessed to have a career I'm passionate about," Lord said. "It's a great time to be interested in this issue, with the explosion of technology and interest by investors. We're doing well by doing good."

—Marian Anderfuren



**FORMER  
JOURNALIST  
WINS  
SHAPING  
JUSTICE  
AWARD  
FOR CIVIL  
DEFENSE  
WORK**

JULIA DAVIS

# A Voice for Those in Need

## Emily Ponder Williams '14

EMILY PONDER WILLIAMS is the managing attorney of the Harlem-based Neighborhood Defender Service's civil litigation practice, where she has a front-row seat witnessing the intersection of poverty, criminal law and access to housing—the topic of this year's Shaping Justice awards.

Williams earned the Law School's Shaping Justice Rising Star award for her contributions to the dignity and economic well-being of indigent criminal defendants.

At NDS, Williams has played a pivotal role in shaping and expanding the group's litigation practice to address the myriad civil consequences faced by clients involved in the criminal and family court systems. Those issues can include deportation, housing loss, employment discrimination, property forfeiture and more.

"When our clients are involved in those systems, it can trigger a whole slew of destabilizing consequences—loss of housing, loss of employment, loss of property, loss of public benefits—among many other things," Williams said. "People on my staff still come up with client issues that I've never heard of before."

She was once a rising star, of sorts, in the journalism world. When Time magazine selected her as a reporter at age 11 for its kids' magazine, she thought she saw her future career laid

out before her.

"Yep, that speed-skating article really made waves," she said, chuckling.

As she finished her bachelor's degree in the University of Missouri's prestigious journalism program, she was pretty sure print magazines—her specialty—were all but dead, and she wanted more effective tools to improve others' lives.

"As I thought about it, what I wanted the most was to be able to expose and give voice to people experiencing injustice, and I felt limited in my options to do that from a journalistic perspective," Williams said. "I wanted to be in more of an advocacy role where I could really call out and say, 'This is not right, this is not fair,' and then do something about it."

In her final semester at UVA Law, she was named a Robert F. Kennedy '51 Public Service Fellow, an award funded by the Law School, and then met Robin Steinberg, the then-executive director of Bronx Defenders, at an event at UVA Law. The two hit it off.

"I was like, 'I really want to come work for you and I have this fellowship option to pay for it,'" Williams said. "She said that would be amazing because they had an opening in their civil practice, which was a new and growing area."

After graduation, Williams and her husband, John Williams '14, chose to live in Brooklyn to be close to his job as a public defender at the Legal Aid Society. When another colleague left the Bronx Defenders to start a civil practice at NDS in Harlem, she followed to help develop and grow the civil defense options there.

Williams said it can sometimes feel like an uphill battle in a system and culture that has "long accepted the narrative that these individuals are less deserving of rights."

"We are constantly pushing against the status quo that it's okay to strip people of their rights, of their ability to support themselves and their families, and to have a stable home because of an arrest—or sometimes just an accusation," Williams said.

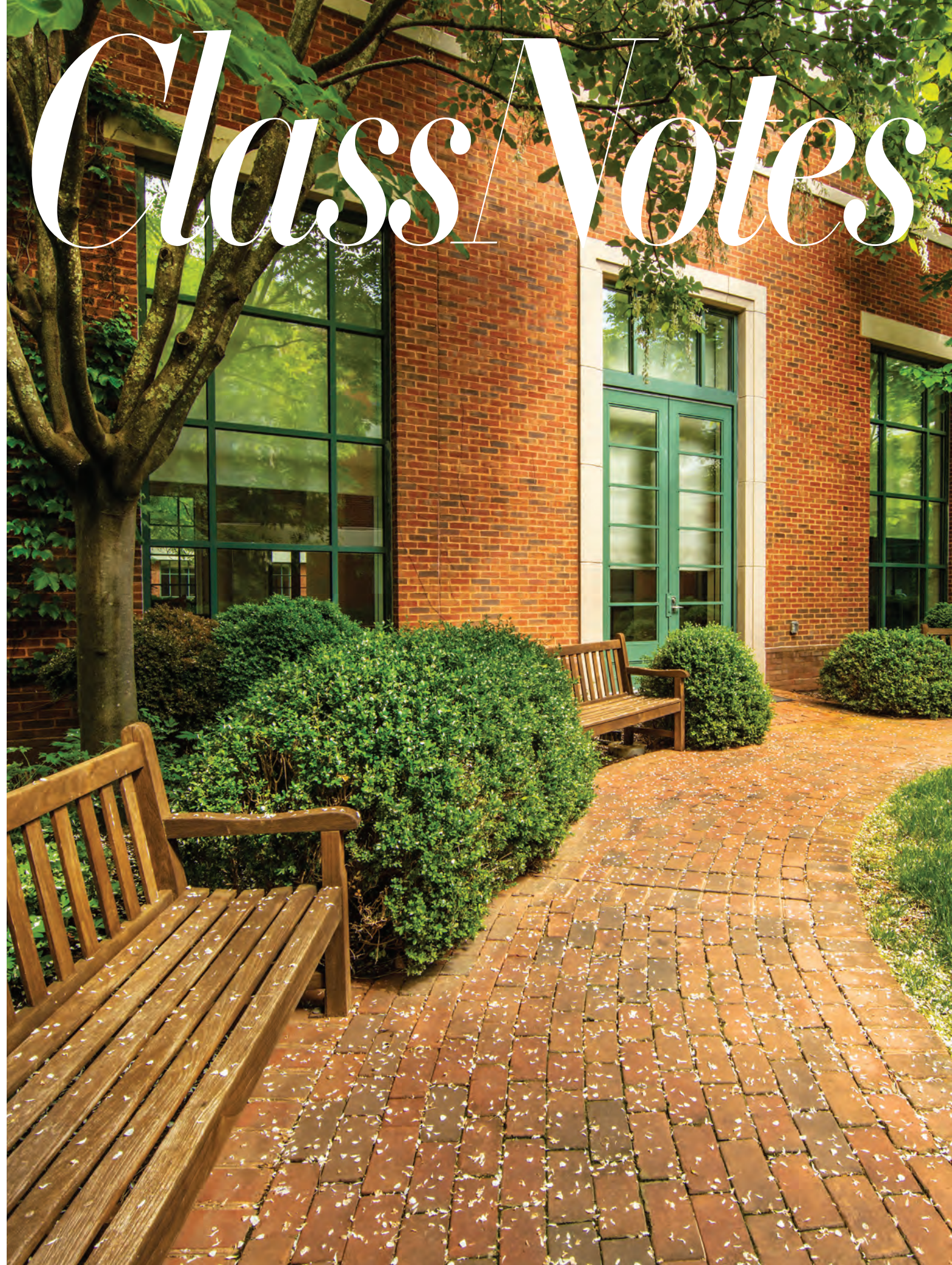
Before she became the managing attorney, Williams found fulfillment in small victories—such as saving one of her clients from eviction—and in the intense connection a lawyer may develop with a client when the lawyer is the one person to say, "I know you are worth much more than this system, this label and this situation have told you you're worth," she said.

Now in a management role, she delights in being a mentor to her staff attorneys who are doing the direct representation.

"When we find a way to fight this together, it's the best feeling in the world," Williams said.

—Melissa Castro Wyatt

# Class Notes





# Class Notes

## SUBMIT A CLASS NOTE

EMAIL  
alumni@law.virginia.edu

MAIL  
UVA LAWYER  
University of Virginia  
School of Law  
580 Massie Road  
Charlottesville, Va 22903

Please send your submissions  
by **AUG. 1, 2024** for inclusion  
in the next issue.

WANT TO BECOME  
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1955

**GEORGE RUSSELL SILVERNELL** died Dec. 31. Silvernell was born on Oct. 25, 1930, in Oneonta, N.Y., the son of George Wirt and Gertrude Genung Silvernell. He became an Eagle Scout, graduated from Hamilton College, and served in the Korean War before earning his J.D. Silvernell then opened his law practice in Oneonta, resided in Unadilla, and served his communities for the rest of his life.

Silvernell was a devoted supporter of the arts. He performed as choirmaster and organ player for St. Matthew’s Episcopal Church, was one of the founding supporters of the West Kortright Centre, Catskill Symphony Orchestra, Orpheus Theatre, Glimmerglass Opera Theatre and supported countless local artists throughout the area. He was a well-loved uncle to Charlotte Ruth Tims of Stowe, Vt., and Elizabeth May Tims Ganley of Boonton, N.J., a devoted brother to Sarah-May Silvernell Tims of Springfield Center, N.Y., and a dear friend to George Dando. He is survived by his great niece and nephew, Eleanor Delia Feinstein and William Ryan Ganley, as well as Elizabeth’s husband, Ryan Ganley.

**WILLIAMS D. WEEKS**, 97, died peacefully at home in Cohasset, Mass., on Aug. 17. Weeks, a former Massachusetts state senator and town moderator, was admired by his colleagues and friends for his sociability and common sense. Weeks also had a half-century career practicing trusts and estates, and business law in Boston. He retired from Holland and Knight in 2005.

Weeks came from a long line of New England Republican politicians. His grandfather, John Wingate

Weeks, served as a U.S. representative, U.S. senator and secretary of war in the Harding and Coolidge administrations. His father, Sinclair Weeks, was also a U.S. senator and served as secretary of commerce under President Dwight D. Eisenhower.

As a young man, his father strongly encouraged Weeks to try his hand at politics. He got his start in Cohasset town affairs and, in 1964, entered what he later described as a “rough and tumble” Republican primary for state senate. He represented the district, which included 19 communities, for two more terms, taking great pleasure in making the rounds among his diverse constituents, including fishermen and cranberry farmers. A Republican in a Democratic state, Weeks later remarked on how state legislators often worked for bipartisan compromise in those years. When he sponsored legislation that designated cranberry juice as the state beverage, a local newspaper cartoonist hailed him tongue-in-cheek as “Cranberry Willie,” a designation that became a long-running family joke.

Weeks ran for Congress from Massachusetts in 1970 and again in 1972, when he lost the general election by less than half a percent of the vote, the closest race in the nation that year. He subsequently served in several posts in Cohasset. He rarely passed up other opportunities to stay involved, whether as Norwegian Consul for Massachusetts, president of the state’s Republican Club or as an active member of the Society of the Cincinnati of New Hampshire.

Weeks was born in Newton, Mass., in 1926. He graduated from Milton Academy in 1944 and joined the U.S. Army Air Forces shortly after graduation, beginning training in Biloxi, Miss., to serve on a B-17 Flying Fortress. When the war ended, Weeks was

discharged and entered Harvard University. He majored in government, served as student council president, sang in the glee club and played intramural sports. He later spent a year as an assistant Harvard dean advising freshmen.

After graduating from the Law School, he co-founded the firm Boyd, MacCrellish and Weeks. In 1981, he joined Sherburne, Powers and Needham, a Boston firm that in 1998 merged with Holland and Knight.

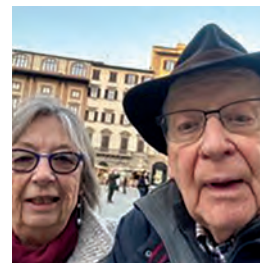
Weeks had lived in Cohasset since 1957. A dedicated Red Sox fan and avid reader of American history, he played tennis into his 80s and was a dedicated member of Cohasset’s Old Goats retired men’s lunch club.

He is survived by his wife, Frances, and their four children, Margaret D. Weeks of Waltham, Mass.; Frances P. Weeks of Baltimore, married to Scott Shane; William D. Weeks Jr., of Briarcliff Manor, N.Y., married to Yee Ling Cheah; and Charles S. Weeks of Fort Washington, Pa., married to Susan Weeks; six grandchildren; and two great-grandchildren.

1958

by **LARRY GRIM**  
(Not by ChatGPT)  
Class Secretary  
jlawrencegrimjr@gmail.com

**WILLIAM GRIESAR**, always “Mr. Dependable” for news, comes through again, and this time added pictures from Florence, Italy! He wrote:



“Life at my age, now 91, is certainly less full than it

was at 41, but it is still not dimming. Jane and I spent our summer at our cottage in Chamberlain, Maine, and then decided, rather than prepare for and host Christmas in New York (which would have encouraged children and grandchildren from all over to travel to see us), we opted to take ourselves to Florence, Italy, for the holiday. Jane, long a professor of art history at Hunter College, had never been there and this was our Christmas gift to her.

Aside from that lovely trip and the wonders of our summer, the rest of our year was unremarkable. Thus, no further remarks.”

**WALTER JERALD FORD**, also a loyal responder, wrote:

“Larry, I really want to help you, because you do a great job keeping us informed. I guess I am about the dullest classmate you have; I don’t drink, don’t smoke or gamble; my children won’t let me date after my Sallie died; I have no hobbies, and they won’t let me retire. I keep telling the lawyers that I am in my 90s, but I still get calls to conduct mediation. I average three a week. I must admit it is the most joyful thing I do. I look forward to each.

“Carol Burnett is my new hero. She was on TV a while back and said she is in her 90s, still has her own knees and her own hips, and her mind is clear. She then proved it by telling her life story in about an hour, including the proper dates and names of 50 or so friends in her career. I stood up when she finished and blew her a kiss.

“I was going to say I don’t have any hobbies, but I do and that is finding things to do. Getting paid for doing it doesn’t hurt either. I give most of it away. I mean what have I got to spend it on? I don’t need anything. I do have friends (thank the good Lord). We keep quite busy. Sometimes we

try to remember the name of someone we haven’t seen in 50 years. We always do! Try it some time. Well, Larry, this is not news, but it’s like I said, I am dull. Just tell what’s left of our class that I love to hear dull stuff. Please write.”

Thanks, your honor! That is a terrific response!

**ROBERT K. DORSEY** reported from Las Vegas:

“My days for working, playing and traveling are over. The excitements of Las Vegas have been consumed. The trips to Hollins (now University) were lovely!

“Last week, the temperature here was in the 20s and our mountains were covered in snow. Beautiful. I have two sons here who like to keep me occupied. The eldest son provides football, company, entertainment and great food—yesterday we joined a large, enthusiastic party.

“My third son has me involved in amateur radio, antennas, meetings and so forth. Both sons are interested in 3D printing.

“There’s an older lady who likes me to write notes after dinner parties. This week I turn 93. I drive, but use a walker. I have problems with falls. I do go out with people and go to church when I feel like it. Lots of doctors’ appointments. I also have an aide daily who takes care of me and the house.”

**J.J. PHIPPS (BEN’S widow)** sadly says:

“Today is Ben’s birthday. I miss him so very much.

“The year 2023 was a tough year for me—deep grief at the loss of Ben, full right hip replacement, a move out of Ben’s house (his daughter inherited), two hospitalizations due to COVID, then finally in December, thyroid surgery at Mayo in Jacksonville. Crazy stuff. Glad to have that year in my rearview mirror.

“Ben loved UVA and all his friends. I will try to recall some specific things he shared with me to send to you. Please take care, stay healthy and have a wonderful 2024.”

**JIM ATKIN** from California:

“My granddaughter, who graduated from ‘the’ Law School, is working for a D.C. law firm, where she is working on free speech issues. A subject that is active these days. I keep myself active and now teach a daily chair exercise class for the residents of this independent living facility. I am the only one in their 90s; the others are in their 70s and 80s. This keeps us out of hospitals. Take care and thank you for doing this.”

Finally, I must tell of Wednesday, Jan. 18. That day the fall issue of UVA Lawyer arrived in my mailbox featuring the article: “Dean to Step Down.” The magazine was properly full of Dean Goluboff’s accomplishments. That night she and her entourage came for the second year in a row to my club, Club Pelican Bay, to greet Naples, Fla., alumni. Boy, that dean can really deliver a cheerful, upbeat talk, and no one can meet and greet as she does! Her successor has a challenge to match her doings! Of course, I love her for her willingness to pose for pictures for Class Notes.

That night, my lady, Kathy O’Dea, and I sat with Kathy Boase from the Law School Foundation and Kathy Duel and her husband, **ART DUEL ’62**. I asked Art if he knew my roommate in the Phi Gam pigpen in the College, **TOM SOUTTER ’62**. He did and he was so enthusiastic we vowed to get together ASAP to chat.

The next day, I got a very lengthy email about Tom, and I jumped to the conclusion it was from Art. Lost on me: It



**LARRY GRIM ’58 WRITES:** “My lady, Kathy O’Dea, your secretary and the dean, **Risa Goluboff**.”

was signed “Bill,” as in **WILLIAM O’SHAUGHNESSY ’62**. The email went on in great detail about his life in the basement of the Soutter house on Shelby Drive all three years of Law School and Tom’s heroics as a class leader, his wife Ginny’s major contributions (including three kids), major financial gifts to the Law School and much more! Took a while to sort out, but Bill, too, had just received the UVA Lawyer, read Class Notes and had to write about Tom, who I had mentioned in notes.

**L. MARTIN FLANAGAN’S**, son, Michael, asked me to share the news of his father’s passing.

L. Martin Flanagan of West Palm Beach, Fla., died Feb. 3. He graduated from The Citadel in 1953. After graduation, he served in the Army during the Korean War and thereafter in the Army Reserve, retiring with the rank of captain.

Upon graduating from the Law School, Martin engaged in private practice in West Palm Beach for over 60 years. His law practice was civil trials, specializing in the defense of medical malpractice cases and product liability cases for clients such as General Motors, Ford Motor Co. and other manufacturers.

Martin served as president of the Florida Defense Lawyers Association and was a member of the National Product Liability Advisory Counsel. He also served on the editorial

board of the Trial Advocate Counsel and held diplomat status with the American Board of Trial Advocates. In addition, he received the Emeritus Award from the Legal Aid Society of Palm Beach County, and an Exceptional Performance Citation from the Defense Research Institute.

Martin was a longtime member of the West Palm Beach Kiwanis Club and served on the board. He also served on the board of Needy Students, and on the West Palm Beach Crime Prevention Committee. Additionally, he served as a municipal judge in the town of Lake Clarke Shores and later became a member of the town counsel. He was also a member of the American Legion, the National Eagle Scout Association and the Order of the Arrow.

Martin had a passion for travel and over the years visited all the contiguous states in a motor home. His travel included all the European countries, a few Middle Eastern and Far Eastern countries, as well as a few South American countries.

He was preceded in death by his wife of 66 years, Mary deSaussure Flanagan, and is survived by his two sons and two daughters, eight grandchildren and three great-grandchildren. He was very proud that his children and grandchildren are the best of friends. Martin said: “I know my life was a success because my memories make me smile.”

—**LARRY GRIM**, SECRETARY  
(215) 896-1120

1960

**MAXFIELD “MAX” BAHNER**, 89, a longtime resident of Chattanooga, Tenn., died in October.

Bahner, a Carson-Newman University and UVA Law graduate, practiced for decades at Chattanooga-based Chambliss, Bahner & Stophel.

Bahner was a president of the Chattanooga and Tennessee Bar associations and for nearly 17 years served on the American Bar Association House of Delegates, leading the Tennessee delegation for nine years. He also served on the board of governors of the American Bar Association for three years and on the executive committee of the board of governors during his last year on the board.

He was chair of the Tennessee Supreme Court’s Advisory Commission on the Rules of Civil Procedure for seven years, during which the commission wrote the Tennessee Rules of Evidence, which the Tennessee Supreme Court adopted. Bahner chaired the task force to review and recommend changes to the Tennessee Rules of Judicial Conduct, which were adopted by the Supreme Court and have become influential in revisions in other states.

Bahner was a founding fellow of the Tennessee Bar Foundation and the Chattanooga Bar Foundation, and a life fellow of the American Bar Association. He was a member of the Rotary Club, where he served as secretary, vice president and president from 2001-02.

1961

**ROBERT MONTAGUE** shared that his grandson, Andrew Jackson Montague, is a third-year student in UVA’s College of Arts & Sciences, and aspires to become a lawyer.



# 1963

**RUSSELL HILL ROBERTS** passed away Aug. 29 in Toronto. He was predeceased by his parents, Clark Blackwell Roberts and Mary Alice Roberts, and his wife of 56 years, Martha Young Roberts. He is survived by his wife, Rosalyn Stephens; his sister, Mary Roberts Judkins; two daughters, Victoria Roberts Valmain and Mary Ashton Yarmy; as well as nephews, nieces, grandchildren and great-grandchildren. His family shared that Roberts was loved for, among many things, his gregarious and generous nature. Roberts practiced in the Fredericksburg, Va., area from 1963 until 2013. He contributed his time and legal acumen to numerous organizations, including serving as president of the Fredericksburg Area Bar Association, Virginia Association of Defense Attorneys and Association of Defense Trial Attorneys. He was selected as a fellow of the American College of Trial Lawyers. Roberts' youth was spent mostly in Kentucky and Virginia, but he fondly spoke of the time he spent as a very young boy in Cuba. After graduating from Episcopal High School in Alexandria, Va., he received undergraduate and law degrees from UVA. He married Fredericksburg native Martha Young and began his law career and his family. Local institutions, such as the University of Mary Washington, the Community Foundation of the Rappahannock River Region and St. George's Episcopal Church, relied on Roberts as a leader and volunteer. Roberts was an outdoorsman and greatly enjoyed fly fishing and upland bird hunting. After retirement, Roberts spent winters in Key Largo, Fla. After Martha's passing in 2017, Roberts

married Rosalyn Stephens, a Torontonion who also escaped cold winters in Key Largo.

# 1964

**WILLIAM "BILL" KNOWLES ENGEMAN** passed away peacefully at his home in Lancaster, Ohio, with his wife Nancy at his side on Dec. 21, at age 84. Engeman was born in Alexandria, Va., on Aug. 19, 1939. Engeman grew up in the D.C. area, graduating from Washington-Lee High School, where he started his lifelong love of rowing under the legendary coach, Charlie Butt Sr. Engeman rowed for Brown University, where he was the stroke of the Cinderella Crew, winners of three straight Dad Vail Regattas starting in 1959. He was later inducted into the Brown Athletics' Hall of Fame. After Brown, Engeman graduated from the Law School. He started a legal career in Cincinnati with Taft, Stettinius & Hollister in its labor and employment department, where he practiced until his retirement in 2001. While practicing law, he continued to love and support rowing, and by 1981, he had built boat-houses, founded high school and college rowing programs, and started the Collegiate National Rowing Championships. His energy and drive helped propel further developments in rowing in the greater Cincinnati area, including two boat-houses, a training center and rowing tanks. Following his retirement, Engeman and his wife, Nancy, traveled extensively with their springer spaniels in an Airstream trailer, attending regattas, visiting old friends and making new ones. He continued to coach rowing and mentor countless young people.

In about 2007, Engeman read about a young Iraqi man who risked his life to row on the Tigris River in war-torn Iraq. This story started Engeman on another of his epic projects: to try to help Iraq heal through rowing. With assistance from the U.S. State Department, the International Olympic Committee and the International Rowing Federation, Engeman visited Iraq and helped bring six of the rowers and two coaches to the U.S. to help them train and try to qualify for the London Olympics in 2012. Engeman was honored as the 2010 U.S. Rowing Association Man of the Year for his efforts on behalf of these young Iraqis. More recently, he watched with horror the invasion of Ukraine and connected with Ukrainian rowing coaches to provide support. He also worked to start another rowing program 20 miles north of his home. Engeman is survived by his wife, Nancy Martin Engeman; his sister, Frances Goldscheider (Calvin); his sons, Michael (May) and Charles (Nga); his daughter, Erin Wells (Brian); his grandchildren, great-grandchildren, and too many other family and friends to mention.

**JOHN HARDY THOMAS**, born in El Paso, Texas, died Oct. 8, in Carlsbad, Calif. Thomas graduated from the College and Law School at UVA. He then moved to Rancho Santa Fe, Calif., and practiced law in La Jolla for 34 years. His primary interests were an abiding love for the game of golf and the way of living it influences; the study of law and history; travel, dogs and vegetable gardening. His family said the most enjoyable thing he ever did was to coach a Pop Warner football team. The University of Virginia

had a special place in his heart, his family reports. He felt extremely fortunate to have attended this unique institution, where he was governed only by fellow students studying and living by the Honor System. He was on the golf team and a member of St. Elmo Hall and Phi Beta Kappa. Thomas was a Rhodes Scholar candidate and earned a Fulbright Fellowship to the Universit   de Strasbourg, France. At the Law School, he was a member of the Order of the Coif. Upon completing his graduate studies in France, he was a regular line officer in the U.S. Navy aboard a missile cruiser during the Cold War. He was interred with military honors at Miramar National Cemetery. Thomas is survived by his wife of 50 years, Barbara; four children, Elizabeth Talermo of Weatherford, Texas, John H. Thomas of Salt Lake City, Virginia Meredith Thomas of Austin, Texas, and William Hardy Thomas of Carmel, Calif.; as well as three stepchildren, Cindy, Mike and Peter from San Diego County. Thomas had five grandchildren: Emilie Talermo of Mallorca, Spain; Walter Stroup of Austin; Sam Stroup of Ft. Collins, Colo.; and Connor Thomas and Cassidy Thomas of Carmel.

# 1965



**THOMAS ADDEN PLAYER JR.** passed away on Jan. 9 at age 83. His family reports: Born

in Orangeburg, S.C., Player attended Furman University, where he was student body president, lettered in football and even joined the cheerleading squad with his partner-in-crime, Don Sentell. He majored in Russian history, attended law school and, from there, served as a captain in Army intelligence in Korea. Player moved to Atlanta in the 1960s, where he established a successful practice with classmate **EDGAR "NED" NEELY**, although he claimed his greatest accomplishment at this time was meeting and marrying the love of his life, Sandra Williams. For 46 years, they never left each other's side. Along with Sandra, he is remembered by his surviving children, Jake Player (Jill), Brett Player (Caroline), Greg Player (Jennifer), Cannon Sayers (Gary), Bailey Meredith Thomas of Austin, Texas, and William Hardy Thomas of Carmel, Calif. He is survived by his grandchildren Josh, Grey, Beau, Emily, Kate, Frankie and Trey. None of these humans perhaps received quite the amount of attention as his dogs, the surviving being Hope and Zelda. After he finished his legal career at Morris, Manning and Martin, Player ventured upon a second career as a sculptor. His pieces remain on display at Furman University, UVA, Grace Church Cathedral and the Booth Western Museum. Energetic to the end of his life, he was also an avid traveler and fisherman and maintained a standing appointment with his Tuesday golf group at the Ansley Country Club. Nothing perhaps tested his stamina and patience more than being the ace of a ragtag group known simply as the Atlanta Breakfast Club. His family encourages his friends to check out the bronze relief

honoring four iconic UVA Law teachers, as well as Clark Hall, the old Law School. It was dedicated in 2020 and is exhibited in the Alumni Lounge.

# 1966

**JOHN BATES** is publishing a book, "Good Performance," about redeveloping downtown theaters in Richmond, Va., due out this spring.

# 1967

**JAMES W. HALEY JR.** published "Buddy Green," the story of the author's great uncle, James Lewis Green, born Sept. 28, 1898, at Cherry Hill, an Amisville, Va., farm that's been in the Green family since 1748 (see p. 88).

# 1968

**ROBERT "BOB" CARMEN LIUZZI**, 79, of Amelia Island, Fla., died at his home on Jan. 21. His family reports: Liuzzi was born on July 16, 1944, in Quincy, Mass., to the late Rocco Liuzzi and Margaret Peletsky. He grew up in Quincy and graduated from Boston College High School. He attended the College of the Holy Cross, graduating with a degree in classics. He then entered UVA Law as the first person in his family to attend graduate school. At UVA, he met his future wife, Joan, at a party. After much convincing, she eventually agreed to marry him, and they wed in 1969. The couple moved to New York City. After earning admission to the state bars of both New York and California, Liuzzi practiced law on Wall Street while simultaneously serving in the U.S. Army Reserve. The couple moved to San Diego, where

# JAMES A. ROGERS '63, PATRICIA RISSLER PROVIDE FOR GENERATIONS OF STUDENTS TO COME

When **JAMES A. ROGERS '63** died last April, his beloved wife of 43 years, Patricia Rissler, wanted to honor his longstanding love for the Law School. In the fall, she donated funds to endow the James A. Rogers '63 Public Service Scholarship, which will award a full-tuition scholarship to an entering student who will study and work in public interest law. "UVA Law School just meant the world to Jim," Rissler said as she reflected on her husband's dedication over several decades. "He credited his legal education at UVA for his successful career in government and public affairs. I am so pleased to honor him by helping generations of future UVA students." Rogers started his career in public service with the Interstate Commerce Commission in Washington, D.C. In 1968, armed with a few years of experience, he joined United Parcel Service, now more commonly known as UPS, on Capitol Hill. Admired and respected in the business and policy communities for his ability to work with people across the political spectrum, Rogers was an expert in transportation and postal policy. After six years, he was promoted to vice president and became one of UPS' principal lobbyists. As a frequent speaker before Congress on transportation and interstate commerce matters, Rogers was instrumental in expanding the company's operations nationwide and abroad. Throughout his life, Rogers was quick to praise the Law School to anyone who would listen. "The time I spent at the Law School has been the basis for whatever success I have had," he said in a 2001 interview. When asked if there was a faculty member who had the most significant influence on him, he couldn't choose just one: "One way or another, they all had a positive influence on me," he said. The Law School held him in similar high regard. "Jim led the kind of life and career we wish for all our graduates: One marked by professional success and service to others; grounded in community; filled with hard work, discovery and leadership," said Dean Risa Goluboff. "We are honored by Pat's tremendous gift in Jim's honor. The James A. Rogers '63 Public Service Scholarship will make the public service dreams of our students come true." Rogers' family noted in his obituary that his life was marked by "quiet acts of generosity too numerous to count." In fact, for more than 40 years, he and his wife were among the Law

School's most generous—and quiet—annual donors. The couple most often made unrestricted gifts, which allowed the Law School to launch new initiatives and meet its most press-



ing needs. In 2022, they took the extra step of creating an unrestricted endowment, providing income year after year. "Jim and I both spent decades working with dedicated women and men serving in the public sector," Rissler said. "Looking forward, this scholarship is a perfect way to help UVA's bright stars continue that legacy. Jim would be so happy to help them on that journey, as am I." —Denise Forster



Liuzzi worked at U.S. Financial. In 1975, he joined CF Industries, a global chemical manufacturer in Chicago.

Liuzzi served in a broad range of positions and traveled the world before ultimately rising to CEO in 1986, a role he would hold for 18 years until retirement. Among his many achievements was setting the stage for the transformation of CF into the publicly traded firm it is now. In 2003, he retired to Maryland's Eastern Shore and then to Amelia Island.

Liuzzi was an avid outdoorsman, whether sailing in New England, duck hunting in Mississippi, turkey shooting and alligator hunting in Florida, or his favorite summer pursuit, fly fishing for Atlantic salmon in the rivers of Northeast Canada. Outside his home, his family said he was never more comfortable than in a hunting or fishing lodge, sharing a cocktail, meal and stories with his colleagues, friends and family.

Liuzzi was a devout Catholic his entire life, most recently as a member of St. Michael's Catholic Church in Fernandina Beach. He firmly believed in the Church's educational mission and never stopped studying its teachings and the works of its prominent thinkers. He was an ardent supporter of academic institutions as well as a mentor to students in them, being proud of an endowed scholarship for disadvantaged students, which he established at his high school alma mater.

Liuzzi is survived by his wife of 54 years, Joan Clearman Liuzzi, of Amelia Island; his brother, James, of Corona, Calif.; and his three sons: John of Arlington, Va.; Matthew (Sarah) and their four children, Read, Elisabeth, Peter and Eloise, of Houston; and Andrew (Kristen) and their three children, Sophia, Jack and Benjamin of Winnetka, Ill.

**WILLIAM H. G. NORMAN** has an active business trial

law practice with Womble Bond Dickinson in San Francisco.

1969

**GORDON D. SCHRECK** was appointed as a distinguished visiting adjunct professor of admiralty and maritime law at the Charleston School of Law after assuming retired partner status with Womble Bond Dickinson in 2018. Schreck continues to teach and chairs the school's Maritime Law Institute.

1970

**JACK MCKAY'S** article, "*Livingston v. Jefferson* and *Jefferson v. Marshall*—Defending an Ex-President," was published in the Journal of Supreme Court History in late 2023. The editor's introduction describes the article as "an examination of a lawsuit filed in federal court against ex-president Thomas Jefferson in 1810. The case grew out of Jefferson's presidential order expelling Edward Livingston from New Orleans lands and raised substantive and jurisdictional issues. Personal enmity between the judge hearing the case, Chief Justice John Marshall, and the ex-president, Marshall's distant cousin, only complicated the matter." McKay retired as a partner with Pillsbury Winthrop Shaw Pittman in Washington, D.C.

1971

**ANDREW "ANDY" HARRY GOODMAN** of Reston, Va., died May 21, 2023, at Reston Hospital Center. His family reports: Goodman was born on June 16, 1946, in Norfolk, Va., to Thomas Robert Goodman and Ruth Legum Goodman, who raised him in nearby Portsmouth. Goodman received an A.B. in history from Franklin &

Marshall College in 1968 and a J.D. from UVA.


As an attorney, he was fiercely committed to his practice and his clients, and just last year, he proudly completed 50 years as an active member of the Virginia State Bar. He was also dedicated to community work, having served in the Reston Lions Club since 1975.

Goodman enjoyed reading, geography, running errands and trivia (out-competing "Jeopardy!" contestants on a nightly basis). He was a rabid fan of all the Washington-area professional sports teams and the sports teams from his two alma maters.

Goodman is survived by his longtime partner, Elizabeth Arons; daughter, Elizabeth "Betsy" G. Goodwin (Matthew); son, **THOMAS "TOMMY" R. GOODMAN '06** (Liudmila Batista); granddaughters Sarah A. Goodwin and Hailey R. Goodwin; and brother Jerrold W. Goodman. He is also survived by Estelle Zedd Goodman, the mother of his children. He is preceded in death by his parents, as well as his brother Edward.

**VINCENT J. SHARKEY JR.** retired from Riker Danzig Scherer Hyland & Perretti and the bar in 2023.

1972



**HOWARD E. GORDON**, a partner in the Williams Mullen finance and real estate section in Richmond, was selected by Virginia Lawyers Weekly

as one of Virginia's "Go-To Lawyers" for commercial real estate in 2023.

1973

**TIM FINCHEM**, who served as PGA Tour commissioner from 1994–2016, was awarded Golf Digest's inaugural Courage & Commitment Award in 2023.

In 1997, Finchem founded First Tee, a youth development organization that focuses on building character and making golf affordable and accessible for all kids. Over 15 million young people have participated in First Tee in the past 25 years.

A recent Golf Digest article showcasing

1974

**WARREN CANDLER HERLONG JR.** died on Jan. 10. He was 75.

His family reports: A consummate gentleman who earned the trust of his friends and colleagues, Herlong was highly regarded by all who knew him. He was gifted with a prolific mind and a kind and gentle spirit that enabled him to always see the good in people. This compassion endeared him to many and helped him throughout his life to build lasting relationships that spanned the globe. Family and friends were the cornerstones of his life.

Born in Greenville, Ala., Herlong was the son of an Air Force officer. He spent his childhood in Japan and later in Libya, where instead of a bike, he learned to ride donkeys bareback. He later found his true home(s) in Alabama, on the river in Magnolia Springs and in Mobile. He graduated from Mobile's BC Rain High School, where he

Finchem's lifetime achievements quoted African American Golf Expo founder James Beatty, who hailed Finchem for "his quiet effectiveness in making a difference among people of color in golf and motivating others in leadership positions to take courageous stands."

The article also highlights Finchem's sense of humor and suggests it contributed to his longevity as commissioner. Finchem, however, shared in the story an incident where his humor cost him: He lost in the final round of the Lile Moot Court Competition when U.S. Supreme Court Justice Thurgood Marshall didn't appreciate his joke. After that experience, Finchem said, he learned to keep his humor under wraps. According to the article, though, "the courage of his convictions grew."

1975

**BARBARA A. ATKIN**, a 46-year resident of Washington, D.C., died Oct. 13 in Chicago after a long struggle with breast cancer.

A Swarthmore College and UVA Law graduate, Atkin initially worked at the National Labor Relations Board in the Division of Advice, where she met her future husband, John Hornbeck. Atkin transferred to the Appellate Court Branch in 1980 and then joined the general counsel's office of the National Treasury Employees Union in 1990.

earned acclaim on the debate and football teams. He attended the University of Alabama, where he served as president of the Student Government Association, and the Law School, where he and his classmate **ALAN CLARK** won the Lile Moot Court Competition.

Herlong practiced law in Mobile for more than 45 years at the firm that is now Helmsing, Leach, Herlong, Newman & Rouse. He specialized in the field of eminent domain, where he gained national reputerepresenting property owners whose land faced condemnation. He became a founding member of the Owner's Counsel of America, now the leading organization of distinguished eminent domain lawyers nationwide. Highly respected by his peers, Herlong received many professional recognitions and was selected for leadership roles within several prominent associations, including the American College of Real Estate Lawyers, the American and Alabama bar associations, and the University of Alabama president's cabinet. He also served as a mentor to many young lawyers in his firm over the years and assisted the community as a member and supporter of several civic and charitable organizations.

Herlong's experiences at UVA provided lifelong friendships. Some of his favorite memories included weekends spent fox hunting on horseback at Belle McEwan with host **VIRGINIUS "SHACK" SHACK-ELFORD III** and other classmates. After law school, a four-month voyage to the South Pacific with classmate and dear friend **PETE VIAL** would forever provide Herlong with added perspective on life, including the ability to invoke "Fiji Time" into stressful situations.

Perhaps Herlong's most influential experi-

ence was a fateful college summer trip to Idaho in 1967 to work as a whitewater rafting guide on the Salmon River. He returned every year for 50 years to raft the Middle Fork with his close friends from the Pacific Northwest during the summers and ski with them in Sun Valley during the winters. Herlong maintained his whitewater guide license until his death.

He was not only a kind and doting husband but also a much-loved father who instilled character and showered affection upon his five children. Driven but gentle, brilliant yet humble, honorable and kind, Herlong lived as a model of the values he hoped to instill in his children.

Herlong was preceded in death by his father, Warren C. Herlong Sr., and his mother, Gerrie Herlong. He is survived by his beloved wife, Meredith Foster Herlong; three sons, Foster, Emory and Pierce Horton; two daughters, Amber Brewer (John) and Anna "McKenz" Hatchett; and eight godchildren. He is also survived by his younger sister, Heidi McFarlin, affectionately called "Wo"; brother-in-law Mike McFarlin; mother-in-law, Kathy Foster; brother-in-law Harlan Foster; and sister-in-law, Marti Foster.

1975

**BARBARA A. ATKIN**, a 46-year resident of Washington, D.C., died Oct. 13 in Chicago after a long struggle with breast cancer.

A Swarthmore College and UVA Law graduate, Atkin initially worked at the National Labor Relations Board in the Division of Advice, where she met her future husband, John Hornbeck. Atkin transferred to the Appellate Court Branch in 1980 and then joined the general counsel's office of the National Treasury Employees Union in 1990.

# IN MEMORIAM: EVERETTE DOFFERMYRE '73, DOUBLE HOO AND DEDICATED FUNDRAISER

**EVERETTE DOFFERMYRE '73**, a UVA graduate of both the College of Arts & Sciences and the Law School who later spearheaded some of his alma mater's most successful fundraising, died Jan. 27 in Atlanta. He was 75.

At UVA, according to an obituary, Doffermyme was an ROTC cadet, a football cheerleader and a member of the ski team. After receiving his law degree, Doffermyme moved to Atlanta, where he joined the Kilpatrick law firm as a corporate litigator and met his wife, Mary. He founded his own law firm in 1987 and served for over 30 years as managing partner of Doffermyme, Shields, Canfield & Knowles.

Doffermyme served as president of the University's alumni association, chairman of the board of managers, chairman of the National Committee on University Resources, a trustee of the Jefferson Scholars Foundation and a member of the College Foundation Board of Trustees.


In 2004, Doffermyme was tapped to serve as a member of the Campaign Executive Committee and co-chairman of the University's \$3 billion capital campaign, which at the time was the largest and most ambitious university-level capital campaign in the history of the country. In 2014, in recognition of his lifetime dedication to the University, Doffermyme received the Raven Award from the Raven Society.

Doffermyme was selected for legal honors such as "100 Best Lawyers in Georgia," "Best Lawyers in America," "Georgia Superlawyer" and one of Atlanta's "Litigation Stars." In 2009, Chambers USA noted that "Mr. Doffermyme is held in extremely high regard for his determined manner and his strong advocacy work."

Doffermyme served as a trustee with the National Childhood Cancer Foundation, Episcopal Media Center, Crossroad Community Ministries and the Georgia State Golf Foundation. He was a member of Leadership Atlanta and served on the Junior Championship Committee of the United States Golf Association.

Doffermyme is survived by his wife and three children, Julia Doffermyme, William Lassiter Doffermyme and Everette Randolph Doffermyme. All attended UVA.

—Mike Mather





# IN MEMORIAM: JAMES H. HALL JR. '79, PROMINENT MILWAUKEE CIVIL RIGHTS ADVOCATE



**JAMES H. HALL JR. '79**, who used his law degree to combat the sorts of discrimination he faced in his youth, died from cancer Jan. 1. He was 69.

Born and raised in Suffolk and Smithfield, Virginia—the son of a peanut farmer—Hall attended segregated schools until Virginia’s were integrated in 1969, when he was in ninth grade. Ten years later, upon graduating from the Law School, he embarked on a career that would take on some of Milwaukee’s most significant civil rights and discrimination cases of his era.

At UVA, Hall was one of a small flock of close-knit Black students, according to his housemate and classmate, **ERIC FONTAINE '79**. Over late nights at their Berkshire Road apartment, they shared fears, hopes and stories from their childhood. Hall spoke of his father dying early in Hall’s life, being raised by a single mother he revered, and the pervasive smell of swine from the Smithfield packing plant.

“Like most of us, James came from a humble background, and we didn’t have anyone who had taught us how to think like a lawyer,” Fontaine said. “We banded together to try to prepare each other for the onslaught we were going to face in our lives and our careers.”

As second-years, they collected hundreds of rejection letters for summer associate opportunities at firms, which they turned into a point of pride by papering their walls with them.

“It was OK with us, because we knew we only needed one acceptance letter,” Fontaine said, chuckling.

Hall’s came from Charne, Clancy & Taitelman, a law firm in Milwaukee. While at the firm, he helped defend appeals of desegregation orders and devised a plan to enforce them. He ultimately made partner and stayed with the firm until it dissolved in 1991.

He and others then co-founded Hall, Burce & Olson, where he continued to practice as a name partner until his retirement in October 2022. In the 1990s, he would serve as co-lead in a landmark class-action redlining suit the Milwaukee NAACP brought

against American Family Insurance, which resulted in a \$16 million settlement, according to the Milwaukee Journal Sentinel.

His clients included a group of Black firefighters who sued the Milwaukee Fire Department for discrimination, the Milwaukee Area Technical College, City of Milwaukee Ethics Board, City of Milwaukee Pension Board and the Milwaukee County Social Development Commission.

He was also retained by the city of St. Paul, Minnesota, to ensure it complied with state and federal equal opportunity requirements, and he counseled the city of Minneapolis regarding initiatives to benefit American descendants of slaves.

Hall was a founding member of 100 Black Men of Milwaukee, which mentors disadvantaged youth to promote academic and economic achievement. And through his affiliation with Kappa Alpha Psi fraternity, he connected high school students interested in law with law school tours and insight into the admissions process and professional expectations, according to the Milwaukee Journal Sentinel.

He was the former president of both the NAACP Milwaukee branch and the Wisconsin Association of African American Lawyers, and he served on the Wisconsin ACLU board of directors and the national board of directors of Americans United for Separation of Church and State.

As a board member of the Tanzanian Economic Development Initiative, the Haggerty Museum of Art and the Milwaukee Art Museum’s Fine Arts Society, he was a dedicated fundraiser.

He taught as an adjunct professor at the University of Wisconsin-Milwaukee, including courses on race and public policy in urban America, local policy analysis, community organizing and the civil rights movement in the South.

Knowing Hall had been battling cancer for nearly 12 years, Fontaine recently drove to Charlottesville from D.C. to advocate in person for a news item about Hall’s life of consequence.

“How many attorneys make the choice to focus on civil rights work?” Fontaine asked. “He wasn’t doing it to get paid. He was doing it because he believed in the law, and he believed in those words that are inscribed outside that law school building we labored in.” (The inscription reads: “That those alone may be servants of the law who labor with learning, courage, and devotion to preserve liberty and promote justice.”)

Hall is survived by his spouse, Pauline; his brother, Warren; and numerous cousins and other relatives.

—Melissa Castro Wyatt

Her family reports that her best professional memory was sitting at the counsel table at the Supreme Court during an oral argument in *U.S. v. NTEU*, which reinforced the First Amendment rights of federal employees. Atkin retired in 2012 as deputy general counsel and immediately started volunteering at the Supreme Court as a docent.

When diagnosed with metastatic breast cancer in 2021, she and John moved permanently to their second home in Chicago to be near their son, Richard “Rick” Hornbeck, and his family. There, they plunged into grandkid activities, to their great pleasure.

Atkin is survived by John, Rick and his wife, Anjali Adukia, and children Kairav and Ashiyana, as well as by John’s daughter, Stacey Hornbeck of Oswego, N.Y., and son, Dennis Hornbeck of Sandy Creek, N.Y. She is also survived by her sister, Theresa “Terry” Atkin of Connecticut and New York, Terry’s husband, Dirk Kramer, and their daughter—Barbara’s niece and goddaughter—Annie Atkin Kramer.

**CHRISTINE “TINA” SWENT BYRD** retired from the Los Angeles Superior Court bench in 2023 and joined JAMS, where she is doing arbitration and mediation work.

## 1976

**RICHARD BERSIN** of Bellevue, Wash., died Dec. 7. His family reports: Bersin spent his entire career in civil litigation law practice. He clerked at the Environmental Protection Agency under William Ruckelshaus, and after graduation moved to the Seattle area, practicing first at Bogle and Gates and then in his own firm. He most recently associated with Inslee Best Doezie and Ryder in Bellevue, working

up until a few months before his passing. Bersin was steadfastly supported by friends and professional colleagues throughout a long illness. A memorial service was held at Westminster Chapel in Bellevue on Feb. 24, where he was an active member and a faithful leader.

Bersin enjoyed athletics, playing junior varsity basketball at Duke University under coaches Hubie Brown and Mike Krzyzewski. He was also an avid University of Washington Huskies football fan for decades.

Survivors include two adult daughters, his wife, a brother and a sister.

**JAMES M. HINGELEY JR.** was elected to a second four-year term as commonwealth’s attorney for Albemarle County.

## 1980

**JANE SOLDOVERI HINCKLEY**, 68, died Oct. 11, surrounded by her children and husband. Born in 1955 in Totowa, N.J., she was the daughter of the late John L. and Grace (née Pinder) Soldoveri and sister of Robert Soldoveri.

Her family reports: Hinckley resided in Bryn Mawr, Pa., and was the beloved wife of Richard A. Hinckley Jr. and the loving mother of Kristen, Michael, Christopher, Matthew, Megan and stepdaughter Julia Hinckley. Hinckley dedicated her life to her family, who said she was a devoted wife and a selfless mother. Hinckley was always very generous and compassionate, finding great joy in caring for others—family, friends and especially Chloe, the adorable family dog. She lived by the motto, “Do unto others as you would want them to do unto you.”

Hinckley loved outdoor activities, such as skiing, biking and tennis, with her favorites being when she was out on the water—

swimming, sailing, kayaking, paddleboarding and boogie boarding. She was always ready for the next adventure. She loved to travel and was fascinated by history.

Hinckley had a successful academic and professional career, graduating Phi Beta Kappa from Colgate University and earning her J.D. from UVA. After working for Dechert, Price & Rhoads from 1980–84, she moved to Cigna Corp., serving as senior legal counsel until she retired in 1997.

Hinckley supported and nurtured her children’s endeavors—never missing an athletic, artistic or academic event. She always volunteered to contribute to her community, first as a Girl Scout, later with the Philadelphia Art Museum, and finally as a homeroom mom for all her children at Holy Child School.

**JOHN F. BRENNER** is senior vice president at CVS Health, overseeing enterprise litigation and government investigations.

## 1981

**MATTHEW L. JACOBS** retired from Jones Day in December. Jacobs shared that his son, daughter-in-law and granddaughter are living in Amsterdam.



**DARREL TILLAR MASON** was the 2023 recipient of the Edward L. Chambers Jr. Lifetime Bar Service Award. The award, established in 2020, recognizes exemplary lawyers who have per-

formed extensive and selfless volunteer work with the Virginia State Bar.

Mason’s service with the VSB began when she joined the VSB Council in 1990 as a member-at-large, a position she held for six years. The Supreme Court of Virginia reappointed Mason to the council in the same role for a three-year term in 2009 and another in 2012.

For over three decades, Mason has held various positions, spending 10 years on the Committee on Lawyer Insurance—including two stints as committee chair—and 13 years on the Better Annual Meeting Committee. She also served on several other committees, including the legal ethics committee and the budget and finance committee.

Her volunteer history with the bar included time on the Senior Lawyers Conference Board of Governors, participation on two task forces and appointments from the state supreme court to the professionalism course faculty and medical malpractice review panels.

All told, Mason has accumulated 65 concurrent years of service. When she joined the bar in 1981, she also became a founding member of the Virginia Women Attorneys Association, where she served as president from 1987–88 and continues as a board member.

She is also a board member of the Virginia Law Foundation, which promotes access to justice, the rule of law and continuing legal education. Mason founded the Virginia Coalition for Students with Disabilities Legal Advocacy Center, a nonprofit dedicated to protecting the educational rights of children with disabilities.

**DAVID SCHAEFFER’S** third book, “Letters from Sweden,” was published in October by Mercer University Press (see p. 87). The book tells the story of a seminarian’s quest to find

a wife, survive the Battle of the Bulge and the Allied invasion of Germany, see his place in the ministry, and sustain and grow his love for his fiancée while separated for over a year.

Schaeffer is of counsel to Chilivis Grubman in Atlanta but lives and golfs at Kiawah Island, S.C. His first two books, “Five Big Mountains” and “Another Five Big Mountains and Treks,” provide a “regular guy’s” guide to mountains and treks such as Kilimanjaro, Aconcagua, Mount Vinson in Antarctica, Everest Base Camp, Mount Elbrus in Southern Russia, Pico de Orizaba, Mount Fuji, Cho Oyu (sixth-highest in the world), the Inca Trail to Machu Picchu, Whitney, Rainier and many Colorado 14,000-footers, among others.

## 1982

**JIM ANDREWS** was elected chair of the Board of Supervisors of Albemarle County.

**ALLEN BOYER’S** most recent book, “The Rise and Fall of Treason in English Law,” was published by Routledge in February (see p. 88). Boyer’s co-author is Dr. Mark Nicholls of St. John’s College, Cambridge. Boyer wrote, “This is the first book (believe it or not) to cover the full history of the English law of treason, from Alfred the Great to the Second World War. As well as high-profile prosecutions, it looks at the horizontal sweep of this ‘worst of crimes’: counterfeiting, rioting and husband-slaying. (And we did apply to medieval practice an idea or two developed by legal realist Karl Llewellyn.)”

Boyer recently reviewed “Panther Gap” by **JAMES A. MCLAUGHLIN '90** on HotToddy.com, writing, “More deftly than Faulkner or McCarthy, McLaughlin keeps his fiction under control. Whatever might be



mythic or clichéd, he cuts down to size.”

**BARBARA J. LAVERDI** retired in September 2022 as vice president, deputy general counsel and assistant secretary of Constellation Brands, a leading producer and marketer of beer, wine and spirits with operations in the U.S., Mexico, New Zealand and Italy.

**MARK W. MERRITT** received the Advocate’s Award, the highest honor of the North Carolina Bar Association’s Litigation Section. Merritt has a business-related litigation practice with Robinson Bradshaw in Charlotte. The award honors litigators who have high ethical standards, possess great skill and ability, demonstrate commitment to the highest level of service to their clients, and exhibit respect for and love for the law. Recipients are also chosen for their pro bono and community service and for maintaining the balance of a robust professional and personal life.

Merritt served as president of both the Mecklenburg County and the state bars, in addition to many other roles within both organizations throughout his career. He was appointed as a member of the North Carolina Commission on the Administration of Law and Justice, and to its legal professionalism committee in 2015. He has also been a member of the American Bar Foundation’s House of Delegates.

Within the greater community, Merritt is a regional representative for the N.C. State Board of Community Colleges, as appointed by Gov. Roy Cooper in 2021 for a six-year term. His expertise in this area comes in part from a stretch of public service as the vice chancellor and general counsel for the University of North Carolina at Chapel Hill from 2016-18, during which he led the university

through some of the most pressing legal challenges in its history. Merritt has also been involved with the Morehead-Cain Central Selection Committee, Charlotte Center for Legal Advocacy, the Family Center and Christ Episcopal Church in Charlotte.

Merritt is a fellow in the American College of Trial Lawyers, the American Bar Foundation and the International Society of Barristers. He is also regularly recognized in industry publications including Chambers USA, Best Lawyers in America, North Carolina Super Lawyers, Business North Carolina’s Legal Elite and Benchmark Litigation.



**RAYMOND G. TRUITT**, a Ballard Spahr partner known for his work on commercial real estate financing, restructuring, development and leasing, was elected vice president of the American College of Real Estate Lawyers, a national association of distinguished real estate lawyers.

Based in Baltimore, Truitt serves as managing partner of finance and operations and as a member of the executive team of the firm’s management committee. In addition to his work with ACREL, Truitt is a member of the Maryland State Bar Association and has served as chair of both its Section of Real Property and the section’s Code Revision Committee. He is also a member of the International Council of Shopping Centers and

its U.S. Law Conference Program Committee, for which he also served as chair.

1983

In September, **ROBERT P. LATHAM** was inducted into the U.S. Rugby Hall of Fame. Latham, a partner with Jackson Walker in Dallas, has served two terms as chairman of the board of USA Rugby, a term as a member of the U.S. Olympic and Paralympic Committee, and a term as president of the (then) North American Caribbean Rugby Association. He’s been a member of the World Rugby executive committee since 2011 and chair of the World Rugby regulations committee since 2012. Latham was the first American to serve on the World Rugby executive committee.



**MICKEY RATHBUN’S** new book, “The Real Gatsby: George Gordon Moore, A Granddaughter’s Memoir,” was published this spring by White River Press (see p. 87). It’s about her quest to uncover the life of her mysterious maternal grandfather, who was said to have been a model for F. Scott Fitzgerald’s iconic character, Jay Gatsby.

No longer practicing law, Rathbun said that she still uses her litigator’s research and writing skills as a journalist. Her work

has been published in the Boston Globe, the Chicago Tribune, the Chronicle of the Horse and many other publications. She lives in Amherst, Mass., with her husband, writer Christopher Benfey.

1984



**S. EDWARD FLANAGAN** joined Williams Mullen in Richmond, Va., as a partner, where he counsels clients on a broad array of commercial real estate matters, including the purchase and sale of developed and undeveloped real estate and the negotiation of related real estate financings, joint ventures and development-related work.

**JOHN A. RAGOSTA’S** book, “For the People, For the Country: Patrick Henry’s Final Political Battle,” was published by the University of Virginia Press in August (see p. 87). When UVA Press asked Ragosta what inspired him to write the book, he replied, “Serendipitously, I came across George Washington’s January 1799 letter begging Patrick Henry to come out of retirement to stop a likely civil war being brought on by Thomas Jefferson and James Madison, and I was hooked.

“As extensive research unfolded the story, I realized that this is an important tale about

how a democracy should work, with enormous modern implications,” Ragosta wrote. “I realized that rather than a fire-breathing idealogue (as he is often portrayed), Henry was deeply committed to the nation’s success and working within the law—seeking change in ‘a constitutional way.’ Sadly, understanding that those opposing government policy must work for reform in ‘a constitutional way’ is a lesson all too relevant today.”

Ragosta is the director of historical research with the Robert H. Smith International Center for Jefferson Studies at Monticello.

1985

On Feb. 7, the Emory Public Interest Committee awarded Hutton Andrews Kurth partner **LAWRENCE J. “LARRY” BRACKEN** the 2024 Lifetime Commitment to Public Service Award at the annual EPIC Inspiration Awards for his representation of pro bono clients in habeas corpus, prisoner rights and landlord-tenant litigation. The Inspiration Awards event celebrates community members who do extraordinary work in the public interest and provides funding for public interest summer jobs.

Bracken has more than 37 years of experience litigating insurance coverage, class action, and commercial cases in federal and state courts throughout the country. He is a fellow of the American College of Coverage Lawyers and serves as the president of the board of directors of the Atlanta Volunteer Lawyers Foundation.

**FREDERICK C. LEINER** wrote “Prisoners of the Bashaw:

The Nineteen Month Captivity of American Sailors in Tripoli, 1803-1805,” which was shortlisted for the Gilder Lehrman Military History Prize (see p. 87). The prize recognizes the best book on American military history in English “distinguished by its scholarship, contribution to the literature, and appeal to the broadest possible general reading public.”

1986

**LAURA M. BARZILAI** was elected chair of the American Federation for Aging Research board of directors, a national nonprofit to advance and support healthy aging through biomedical research. Barzilai’s contributions as a board member, committee chair and vice chair have significantly guided AFAR’s governance and growth for nearly a decade.

Barzilai recently retired as a partner at Sidley Austin, where she served on the executive committee and was the global head of the firm’s tax practice. She practiced law for over 37 years, focusing on federal income tax matters, with particular emphasis on mergers and acquisitions, and tax-free reorganizations.

**PETER A. CARO** was named a “Go-To Commercial Real Estate Lawyer” for 2023 by Massachusetts Lawyers Weekly. Caro, a partner with Casner & Edwards in Boston, focuses his practice on a wide variety of real estate matters. He has been selected for inclusion in Best Lawyers in America for real estate for the past two years and has been named a Massachusetts Super Lawyer for over a decade.

# ALUM, FORMER PROFESSOR NAMED STANFORD LAW DEAN

**GEORGE TRIANTIS LL.M. ’86**, an alumnus and former faculty member at UVA Law, has been named dean of Stanford Law School. His term starts June 17.

Triantis, who taught at UVA Law from 1993-99 and again from 2001-06, has been a faculty member at Stanford since 2011 and has served since 2020 as senior associate vice provost for research, where he has worked on issues of research integrity and policy, international engagements and risk management, according to the Stanford Report. He writes and teaches in the fields of contracts, commercial law and bankruptcy.

Triantis received his B.A. in economics from the University of Toronto in 1980 and his LL.B. from the University of Toronto in 1983. He practiced with Fraser & Beatty in Toronto before continuing his education at Virginia, where he earned his LL.M.

After completing his J.S.D. in 1989 at Stanford, Triantis served as assistant professor of law and management at the University of Toronto, where he taught courses in contracts, sales, secured transactions, bankruptcy, and debt financing and restructuring. He also held visiting professorships at New York University, Columbia and Harvard before joining the UVA Law faculty.

At UVA Law, Triantis was the Nicholas E. Chmicles Research Professor of Business Law and Regulation, the Perre Bowen Professor of Law, and the director of the John M. Olin Program in Law and Economics. He left UVA in 1999 to teach at the University of Chicago but returned from 2001-06 before accepting a position at Harvard Law School.

“George joined us from the University of Toronto, a breeding ground for rising young law and eco-

nomics scholars,” said Professor Paul G. Mahoney, a corporate law expert who served as dean of UVA Law from 2008 to 2016. “During his time at Virginia, George was a dynamic and insightful scholar and

wonderful colleague whose thoughts invariably improved others’ work. He was also a kind and devoted friend to many of us who overlapped with him. We were fortunate to have him here during a formative stage of his impressive career.”

A past editor of the Journal of Law & Economics, Triantis is a member of the American Law Institute and of the American Academy of Arts and Sciences.

Triantis follows several other UVA Law alumni who have served in higher edu-

cation leadership, including former UVA Law Vice Dean **M. ELIZABETH MAGILL ’95**, who also was dean of Stanford Law School, then served as provost at UVA and was president of the University of Pennsylvania. UVA President **JIM RYAN ’92** was a professor and vice dean at UVA Law and dean of the Harvard Graduate School of Education; former Secretary of Homeland Security **JANET NAPOLITANO ’83** led the University of California system from 2013-20; **W. TAYLOR REVELEY III ’68** served as president of the College of William & Mary; his son **W. TAYLOR REVELEY IV ’02** has served as president of Longwood University since 2013; and **JOHN C. JEFFRIES JR. ’73**, served as dean of UVA Law and as UVA’s senior vice president of advancement. **DAYNA BOWEN MATTHEW ’87** succeeded **BLAKE MORANT ’78** as dean of George Washington University Law School. Professor **LESLIE KENDRICK ’06** assumes the UVA Law deanship in July (see p. 33).

—Melissa Castro Wyatt



In September, **THOMAS J. KENNEY** retired after 37 years of service in the regional counsel’s office for Region 5 of the U.S. Environmental Protection Agency. He wrote that he looks forward to many years of travel, adventures and catching up with classmates: “Looking at you, Section J!”

Kenney can be contacted at [t.j.kenney48@gmail.com](mailto:t.j.kenney48@gmail.com).

**SUE LIEMER** received the 2024 Association of American Law Schools Legal Writing, Reasoning, and Research Section Award at the AALS. Liemer said, “Fortuitously, the award event was held in Washington, D.C., this year, where both my sons and their significant others live, so they could attend the ceremony.”

Liemer is associate dean for academic affairs and a professor of law at Elon Law School. In 1990, Liemer began teaching legal writing as the program director at the Western New England University School of Law. She followed that role with faculty positions at the University of Mississippi and Southern Illinois University School of Law, where she served for 17 years as director of the Lawyering Skills Program.

An advocate for the legal writing community, Liemer served as president of the Association of Legal Writing Directors from 1998-2000 and served a four-year term on the board of directors of the Legal Writing Institute. She also created and co-edited the Legal Writing Professors’ Blog, which was twice listed in the ABA Journal’s top law blogs. She joined Elon’s Law faculty in 2017 and was appointed associate dean for academic affairs in 2021.

**KENNETH WILLIAMS** accepted an appointment as the inaugural Fred Gray Endowed Chair for Civil Rights and Constitutional Law at Texas Tech University School of Law. Williams will join the school in August. He previously taught at South Texas College of Law in Houston.

Williams has taught a variety of courses in capital punishment, criminal procedure, international human rights, criminal law and evidence. His book, “Most Deserving of Death? An Analysis of the Supreme Court’s Death Penalty Jurisprudence,” and numerous law review articles on capital punishment and policing aim to advance legal discourse on constitutional law issues. He has also served as habeas counsel for eight Texas death row inmates, with notable success in cases involving complex constitutional issues.

## 1987



**DAVID L. DALLAS** was named to Virginia Lawyers Weekly’s 2023 “Leaders in the Law” class. Dallas is the founding partner of Williams Mullen’s Charlottesville office, which opened in 2000, and a former member of the firm’s board of directors and past chair of its diversity committee. His practice focuses on strategic

planning, business structuring and financing, mergers and acquisitions, management incentives, succession and tax planning, large commercial and real estate transactions, and dispute resolution for businesses and estate stakeholders.

Dallas is involved in the Central Virginia Partnership for Economic Development and served as chair in 2016-17. He also serves as director and treasurer of the Boys and Girls Club of Central Virginia Education Foundation and is a trustee emeritus of the Shenandoah National Park Trust. He is a former director of the Charlottesville Business Innovation Council and the Virginia Piedmont Technology Council. Dallas is also a member of the American Bar Association and the Virginia Bar Association. He has been listed in Best Lawyers in America since 2007 and as lawyer of the year four times. Dallas has been recognized by Virginia Business Legal Elite since 2009.



**CALVIN W. “WOODY” FOWLER JR.** was recognized as a top leader in law across the commonwealth in the fourth annual edition of the Virginia 500 2023 Power List by Virginia Business magazine. Fowler, based in Richmond, is head of Williams Mullen.

When the Law School posted news of the death of

U.S. Supreme Court Justice Sandra Day O’Connor and her ties to the school, **CATHY LESSER MANSFIELD** wrote in to share her own story about the justice.

“I was at a reception for Justice O’Connor that Dean [Richard] Merrill had for student leaders. I was in my third year and had already accepted a job at a law firm in Phoenix. Dean Merrill called me over to introduce me to Justice O’Connor and told her I was going to Phoenix. She said that her law clerk ([Charles] “Chuck” Blanchard) was also going to Phoenix, and she would introduce us. Then her eyes lit up and she said, ‘In fact, he’s not married. He doesn’t even have a girlfriend! I’ve kept him too busy for that. Give me your phone number!’

“I tried to get out of giving her my phone number to no avail. Chuck later told me that she gave it to him for his birthday in a card, with his horoscope for the year pasted into it, that said it was the year he would meet the love of his life.

“By the time Chuck and I met (at the bar exam in the summer of 1987), we were dating others. But we exchanged a good laugh at our Supreme Court matchmaker.”

## 1988

In October, U.S. Secretary of Homeland Security



Secretary Alejandro Mayorkas, **Philip Busch** and his wife, **Carey Hagan** (College ’91).

Alejandro Mayorkas awarded **PHILIP BUSCH** the Department of Homeland Security Distinguished Service Medal, the department’s highest honor, for “exceptionally distinguished and transformational service to strengthen homeland security.”

## 1990

**TED DAVIS** was elected to the American Bar Association’s Board of Governors after serving in its House of Delegates and as chair of its section on Intellectual Property Law. Davis is a partner in Kilpatrick Townsend & Stockton’s Atlanta office.

Farella Braun + Martel partner **SARAH A. GOOD** was selected as one of the 2023 Most Influential Women in Bay Area Business by the San Francisco Business Times. The honor recognizes outstanding women who make a difference in their companies, industries and communities.

In her 30 years of litigation experience, Good has led teams representing companies and their directors and executives in complex business, consumer and securities litigation, crafting global strategies

to manage litigation matters across multiple jurisdictions and parallel government proceedings. She often serves as independent outside counsel, leading internal corporate investigations into misconduct allegations. She co-founded Women in Securities (WiSE)—a 10-year-old Bay Area community of 100-plus female securities litigators hailing from government, plaintiff and defense practices that fosters professional development and networking. Good is recognized in Best Lawyers in America for securities litigation.

In addition to her legal practice, Good serves as Farella’s chief talent and inclusion officer. She developed the firm’s unique sponsorship program, resulting in 88% of participants being advanced to partner.

Good is one of five members appointed by the California Supreme Court to the 13-member State Bar of California’s Board of Trustees, the bar’s governing body. Good also serves on the San Francisco Court Appointed Special Advocates board of directors.

**JAMES PATRICK GUY II** of Saxe, Va., was chosen by the southern chapter of the Energy Bar Association as president-elect for the 2023-24 bar year and will serve as president in 2024-25. Guy previously served as southern chapter president in 2010-11 and was the 128th president of the Virginia Bar Association in 2016. Guy is general counsel to Mecklenburg Electric Cooperative and its affiliates, EMPOWER Broadband Inc. and EMPOWER Telecom Inc. He also was appointed to the Virginia

State Air Pollution Control Board by Gov. Glenn Youngkin in 2022 and serves as board chairman.

The Energy Bar Association is an international, nonprofit association of attorneys, energy professionals and students active in all areas of energy law. EBA has seven regional chapters across the U.S. and one in Canada. The southern chapter includes Alabama, Arkansas, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia and West Virginia.

**CATHARINA MIN** practices corporate, mergers and acquisitions, and venture capital law in Silicon Valley at Covington. She was recently named one of 30 Women Leaders in Tech Law by The Recorder. She serves on many nonprofit boards, including the Korean American Community Center of San Francisco.

## 1991

**VERNON E. INGE JR.** was named to Virginia Business magazine’s legal elite for his civil litigation practice with Whiteford, Taylor & Preston in Richmond. Inge was also recognized by Benchmark Litigation for his work in construction law.

## 1992

**SCOTT KERMAN** is executive director of Blanchet House of Hospitality, a nonprofit serving people experiencing housing and food insecurity in Portland, Ore. Blanchet House provides free daily meals and operates two long-term transitional

shelter programs, including the Blanchet Farm program in rural Oregon for men with addiction. Oregon Gov. Tina Kotek invited Kerman to join two groups as part of her efforts to address the housing/homelessness, drug and mental health crises in the state, one of which is chaired by First Lady Aimee Kotek-Wilson. Oregon’s corporate and business community has recognized Blanchet House as the state’s second-most admired nonprofit, and it served over 300,000 hot meals in its free café in 2023.

## 1993



**BRET R. SALZER** joined A.Y. Strauss as a partner in the commercial real estate group in New York. Salzer’s practice includes working across every real estate asset class, as well as analysis and strategy of corporate, fund and asset-level loan facilities.

## 1994

**SHIRLEY MARSHALL’S** first book, “A Radical Suffragist in Washington D.C.: An Inside Story of the National Woman’s Party,” was published by the History Press in February (see p. 88). After many years in the nonprofit world, Marshall changed careers. “COVID gave me the opportunity to follow my passion for history. This



**Michael Wu ’92**, chief legal officer of Bath & Body Works, recently organized and moderated a general counsel panel for the Minority Corporate Counsel Association’s Creating Pathways to Diversity conference. The panelists included Priya Aiyar, chief legal officer of American Airlines; Diane Brayton, executive vice president and general counsel of The New York Times Co.; Monica Howard Douglas, senior vice president and general counsel of the Coca-Cola Co.; Vandana Venkatesh, executive vice president and chief legal officer of Verizon; and David Zapolsky, senior vice president, global public policy and general counsel of Amazon.

book uses the intimate, engaging letters of a young suffragist to explore the life of ‘radical’ activists,” she wrote. “The letters paint an indelible portrait of the daily lives of women living and working at the National Woman’s Party headquarters. And with the letters, the book explores the complex history of many people making suffrage possible. Because ‘eyewitness’ testimony is notoriously limited.”

## 1995



**AMY NEUHARDT**, who served as deputy general counsel of Boies Schiller Flexner for the past 18 months, is now co-general counsel. Based in Washington, D.C., Neuhardt handles a wide range of matters related to firm governance and other legal issues. She also maintains her practice as a litigator handling complex commercial disputes, securities claims, investigations and media-related cases, among other work.

## 1996



**PETER TODARO** was promoted to partner at Latham & Watkins in Washington, D.C. A member of the antitrust and competition practice and the litigation and trial department, he advises clients on antitrust clearance for high-value mergers and acquisitions, joint ventures and other transactions, particularly merger clearances under the Hart-Scott-Rodino Act.

## 1997



**WILLIAM “BILLY” JONES** joined Lathrop GPM’s



# ALUMNI NOMINATED, CONFIRMED FOR FEDERAL EXECUTIVE, JUDICIAL ROLES

In recent months, President Joe Biden chose several alumni to fill high-profile positions in the executive branch and in the courts, in roles that require Senate confirmations.



platform used by lawyers nationwide to volunteer with leading nonprofit organizations. Baker also has served as associate counsel and special assistant to President Barack Obama in the Office of White House Counsel.

**SARAH BAKER '04** was nominated for general counsel of the U.S. Department of Transportation, where she currently serves as principal deputy general counsel. She previously served as the department's deputy general counsel and senior counsel to the general counsel. Before joining the department, Baker served as founding president and executive director of We The Action, a digital



Judiciary Committee Chairman Chuck Grassley.

**ANDREW FERGUSON '12 (COL '09)** was confirmed to the Federal Trade Commission. He most recently served as solicitor general of Virginia and previously served as chief counsel to U.S. Sen. Mitch McConnell from 2019-21. Ferguson also served as chief counsel for nominations and the Constitution to Judiciary Committee Chairman Lindsey Graham and as senior special counsel to



the House Permanent Select Committee on Intelligence and as Democratic Congressional Campaign Committee chair.

**SEAN PATRICK MALONEY '92 (COL '88)** was confirmed as ambassador to the Organization for Economic Cooperation and Development. He represented New York in the U.S. House of Representatives from 2013-23, chairing the Coast Guard and Maritime Transportation Subcommittee and the Commodity Markets, Digital Assets, and Rural Development Subcommittee. He also served on



Flom in D.C. from 2009-15 (see his class note on p. 84).

**RAY MCKENZIE '08 (COL '98)** was nominated for a judgeship on the District of Columbia Superior Court. He is currently a principal at Miles & Stockbridge, and previously served as an assistant U.S. attorney in the U.S. Attorney's Office for the District of Maryland from 2015-19 and worked as an associate at Skadden, Arps, Slate, Meagher &



vestment Act of 2009, the American Taxpayer Relief Act of 2012, the Tax Cuts and Jobs Act of 2017, and the Inflation Reduction Act of 2022.

**KASHI WAY '99** was nominated for a judgeship on the U.S. Tax Court. He is a senior legislation counsel with the staff of the Joint Committee on Taxation and has been with the committee since 2005. Way's work, including markup documents, committee report language and technical explanations, contributed to the Energy Policy Act of 2005, the American Recovery and Rein-



to the U.S. attorney from 2011 to 2022, and criminal appellate chief from 2010 to 2018.

**KEVIN RITZ '04 (COL '97)** was nominated for a judgeship on the U.S. Court of Appeals for the Sixth Circuit. He has served as U.S. attorney for the Western District of Tennessee since 2022. From 2005 to 2022, Ritz worked as an assistant U.S. attorney in the U.S. Attorney's Office for the Western District of Tennessee, where he served as appellate chief from 2018 to 2022, special counsel



an assistant U.S. attorney in the U.S. Attorney's Office for the Eastern District of Virginia from 2010-16. Yoon is the first Asian American Article III judge to serve in Virginia.

**JASMINE YOON '06 (COL '03)** was confirmed for a judgeship on the U.S. District Court for the Western District of Virginia. She had been vice president of corporate integrity, ethics and investigations at Capital One Financial Corp. since 2022. Previously, Yoon worked as interim university counsel and associate university counsel at UVA. Prior to that, she served as

—Compiled by Mike Fox

Denver office as a partner with the firm's franchise distribution practice group. An experienced litigator and former vice chair of Moye White's trial section and co-chair of their franchise and distribution group, Jones focuses on complex civil litigation and commercial conflict resolution. Apart from trial-court-level representation, Jones' practice extends to several appellate cases.

Throughout his career, he has successfully tried cases in more than 15 states.

## 1998

**PETER C. BOWDEN** is the global head of industrial, energy and infrastructure investment banking at Jefferies, where he focuses on energy and sits on the firm's operating committee. Bowden was named The Deal magazine's 2020 Energy and Industrial Dealmaker of the Year.



**LUCAS HOBBS** was elected as secretary of the Association of District Court Judges of Virginia at the association's annual meeting in August. Hobbs serves as a general district court judge in the 28th Judicial District.

## 1999

**JOHN S. "JAY" DARDEN** was named by Law360 as a 2023 MVP in white-collar

law. The publication noted Darden's work "successfully defending international clients, including a Swiss tech firm and a Brazilian electricity company, from complex, high-stakes investigations throughout the year." Darden is a partner with Paul Hastings in Washington, D.C.

## 2000



**CHRISTOPHER L. "KIT" CRUMBLEY** joined Bracewell's intellectual property team as a partner in the Austin, Texas, office. Crumbley most recently was a lead administrative judge at the U.S. Patent & Trademark Office's patent trial and appeal board.

Crumbley has over 20 years of patent law experience. He joined the trial and appeal board in 2012, serving as an administrative patent judge before his promotion in 2017. Crumbley participated in some of the original post-grant trials conducted under the America Invents Act, and authored hundreds of decisions on AIA petitions and *ex parte* appeals. Crumbley previously served for nearly a decade as a trial attorney with the Intellectual Property Section of the Department of Justice's Civil Division, defending the government in patent litigation suits before

# JONES '03 NAMED DEAN AT DRAKE UNIVERSITY



**ROSCOE JONES JR. '03** was named the next dean of Drake University Law School, effective July 1. He will become the first Black dean of any college or school at the university.

Jones joins Drake from Gibson, Dunn & Crutcher's Washington, D.C., office, where he is a partner and co-chairs the firm's public policy group.

"The global impact of Dean Jones' advocacy and policy work on civil and human rights is extraordinary, and we are incredibly fortunate to have him join us as the next leader of Drake Law School," Drake University Provost Sue Mattison said in a statement Jan. 22. "In addition to his expertise, wisdom, and enthusiasm, he has the heart to change lives and communities by building authentic relationships through and beyond any perceived or real differences."

Jones previously served for nearly a decade in senior-level roles on Capitol Hill, including as chief of staff to U.S. Rep. Abigail Spanberger (Col '01), legislative director to Sen. Dianne Feinstein, senior counsel to Sen. Cory Booker and senior counsel on the Senate Judiciary Committee for Chairman Patrick Leahy. He also served in several roles in the Department of Justice. Jones was an assistant U.S. attorney for the Western District of Washington, an appellate attorney in the Civil Rights Division and special counsel to Tom Perez, assistant attorney general for civil rights.

Jones co-chairs the national board of the American Constitution Society and serves as secretary of the board for the Lawyers' Committee for Civil Rights Under Law. He is an elected member of the American Law Institute, Council on Foreign Relations and American Bar Foundation.

"I am humbled to lead a community committed to an unwavering collegiality and a singular mission to prepare students to promote justice, service, and ethics," Jones said in a statement. "I look forward to serving our talented students as dean and working alongside our dedicated faculty, staff, alumni, and supporters to train the next generation of leaders, grow our impact, and improve justice through scholarship, teaching, and service."

—Mike Fox



the U.S. Court of Federal Claims and appeals before the Federal Circuit.



**LEE ANNE DUVAL** was promoted to partner with Shipman & Goodwin in Hartford, Conn. Duval serves as Shipman’s associate general counsel. In that capacity, she focuses on legal ethics, corporate governance, professional responsibility and risk management. Before this role, Duval focused her practice in the areas of complex business and intellectual property litigation, representing clients nationally in both state and federal courts in all phases of litigation at the trial and appellate levels.

2001

The Maryland State Bar Association’s litigation section named **STEVEN M. KLEPPER** as Litigator of the Year for 2024. Klepper, principal with Kramon & Graham in Baltimore, was honored at the MSBA’s awards dinner in March. The award recognizes Klepper’s work as an appellate litigator, including in the landmark *In re Antavis Chavis* decision from the Maryland Supreme Court; numerous 2023 appellate court wins on a wide range of issues, including *Masta v. Gambhir* (in which he mentored a firm associate and a Women’s Law Center attorney through

their first appellate arguments in a child-custody dispute); and his work on activities to improve the bar, including co-authoring “Appellate Practice for the Maryland Lawyer: State and Federal” in 2023.

**SHANNON PIERCE** was appointed as vice president of strategy and chief administrative officer with Virginia Natural Gas. Pierce previously served as vice president for growth and the chief external affairs officer at SouthStar Energy Services, a subsidiary of VNG’s parent, Southern Company Gas.

Pierce’s career began with McGuireWoods in Richmond. She joined Southern Company Gas in 2004, where she was regulatory counsel before ascending through leadership roles in legal, external affairs and utility operations. Beyond her professional commitments, she has held leadership roles in multiple corporate initiatives, including workforce development and inclusion efforts, and EverGreen, an employee group that promotes sustainability and environmental stewardship.

Pierce’s community engagement extends to various memberships, including the Virginia State Bar, the Energy Bar Association and the American Association of Blacks in Energy. She is especially passionate about the YWCA and has served on the board of directors and executive committee for the YWCA of Greater Atlanta. She has continued her service to the organization as a member of the board of directors of the YWCA Metropolitan Chicago.

Pierce’s awards include a 2023 Atlanta Business

Chronicle Leader in Corporate Citizenship, the Quad County (Illinois) Urban League’s 2020 Women of Power, and recognition as one of Atlanta Business League’s 100 Women of Influence in 2017 and 2023, among others.

2002



**RICHARD P. “CHIP” CUNNINGHAM JR.** joined Williams Mullen in Richmond, Va., as a partner, focusing his practice on securities matters related to real estate private equity and fund formation, REITs and other tax-advantaged investments.

2004



**LEILA CARNEY** was promoted to member with Caplin & Drysdale in Washington, D.C. Carney has practiced in the tax disputes and tax litigation group since joining the firm after graduation.

**CRAIG M. WARNER** joined Duane Morris as a partner in the firm’s trial practice

group in Dallas. Warner was previously a partner at Bell Nunnally & Martin.

2005



**VALARIE NEY** joined Hunton Andrews Kurth as a partner in Washington, D.C. Ney represents clients from various industries, including the government contracting, pharmaceutical, health care, energy, technology and manufacturing sectors.

Ney advises on public company mergers and spin-offs, private company acquisitions and dispositions, auctions, joint ventures, licensing transactions, public-private transitions, special committee representations and tender offers. Her practice includes consulting on disclosure, compliance and governance matters arising from U.S. Securities and Exchange Commission regulations, stock exchange rules and corporate laws.

Ney spent more than a decade as a mergers and acquisitions attorney at Skadden, Arps, Slate, Meagher & Flom and later was a partner with Holland & Knight.



**DAVENÉ D. WALKER** was appointed a U.S.

Department of Justice immigration judge on the Hyattsville immigration court in Maryland in November. Before joining the bench, Walker served as a trial attorney and a senior attorney with the DOJ’s Environment and Natural Resources Division from 2015-23. Earlier, she served as an assistant city attorney for the city of Atlanta. From 2005-12, Walker practiced with two firms in Atlanta. In 2008, she also served as a temporary judicial law clerk for Judge Clarence Cooper of the U.S. District Court for the Northern District of Georgia.

2007



**AUSTIN CURRY** of Dallas firm Caldwell Cassady & Curry was selected for Lawdragon’s 2024 “Leading Litigators in America” list based on his work in intellectual property trials.



**JOSHUA B. SIMMONS** is a partner in Wiley Rein’s global disputes practice in Washington, D.C. He previously served in the U.S. State Department and now represents clients in

ENDING FENCES: 3 ALUMNAE CONVINCE OHIO TO LOOSEN BAR RECIPROCITY RULES



Elizabeth Anne Laningham Bellamy '09



Allison Nicholson '09



Karin Lips '09

Although she had been practicing law for nearly a decade, when **ELIZABETH ANNE LANINGHAM BELLAMY '09** moved from Texas to a city on the border of Virginia and Tennessee, she found herself “qualified but barred” from practice in Tennessee, as one headline put it. Technically, “not barred” would be a more accurate phrase, as the Tennessee Supreme Court required her to sit for her third bar exam in 10 years.

In online communities, Bellamy found that she was one of countless female lawyers in the United States who had bumped up against her state’s reciprocity rules requiring candidates to have been working full-time as a lawyer for several of the immediately preceding years—a requirement that disproportionately affects women who cut back on their hours to take care of children.

Her situation was made worse by the fact that she had just sat for the Virginia bar exam because she didn’t meet that state’s minimum practice requirements either. But Bellamy was frustrated that Tennessee had no previous practice or full-time practice requirement for waiving in brand-new attorneys who had just passed another state’s uniform bar exam. Why would an experienced lawyer be held to a higher standard?

“It’s illogical and I’ve got better uses of my time for myself and my clients than to spend my nights studying for a third bar exam,” Bellamy said. “I don’t have much time at home with my children or my husband as it is.”

Through a series of calls with her UVA Law roommate, **ALLISON NICHOLSON '09**, Bellamy decided to do something about it. At first, Nicholson advised Bellamy to skip the February bar and seek an exemption from Tennessee. Her application was denied with little sympathy or explanation.

“Elizabeth Anne called me in a panic about this and I said, ‘Listen, you’re going to take this exam; you’re going to pass it because you’re smart and capable; but once you’re done, let’s talk to Karin to make this not as terrible for people going forward,’” Nicholson recalled saying. “Because I’m sure that if it’s affecting you, it’s affecting other people, too, particularly military spouses. So when you’re done, take a breath and then advocate for yourself—and advocate for women like you.”

“Karin” would be **KARIN LIPS '09** (née Agness), who runs the Network of Enlightened Women, a nonprofit she founded during her undergraduate days on Grounds. Lips and NeW—for which

Nicholson is an advisory board member—promote the idea of “opportunity feminism,” which she says seeks to maximize freedom for women so they can build the lives they want to live.

“In our economy, it seems like politicians are focused on traditional 9-to-5 jobs, but we know from surveys that’s actually not what a lot of women, especially moms with young kids, have or want,” Lips said. “I would like to see more on-ramping and off-ramping and part-time options in our economy.”

Together, Bellamy and Lips conducted a 50-state survey to identify states with full-time practice requirements for waiving into their bars. They identified four states other than Tennessee—Ohio, Maine, Maryland and Missouri—and immediately set to work petitioning them for change.

In the meantime, Bellamy passed the Tennessee bar exam but still went forward with Lips on petitioning the state Supreme Court to remove the full-time practice requirement for experienced lawyers waiving in, particularly given its inconsistency with the requirements for new lawyers seeking admission without examination.

In April 2023, Lips submitted a letter to the chief justice of the Ohio Supreme Court, laying out the case against the full-time work requirement. She also solicited comments in support of the change. On April 1, Ohio lifted its requirement, thanks to three UVA Law women who decided to advocate for other women.

Other petitions are still pending, including the Tennessee petition, which was filed in April 2022 and has received support from all corners, including the Tennessee Board of Law Examiners.

The court still hasn’t ruled, Bellamy said.

“Life’s gone on, but it’s time for them to rule,” Bellamy said. “And I hope they do so soon.”

For Lips, the outcome seems like the perfect illustration of one of the lessons she tries to impart to college women involved with NeW.

“We try to teach young women that they can be leaders in their communities and on their campuses now—they don’t need to wait to work on a national issue,” Lips said. “They can find a local issue, become a leader on it and make change. This is an issue that’s been out there for a long time, but no one took the lead on filing the petition to change it.”

—Melissa Castro Wyatt



high-stakes international disputes. In 2023, he was accepted as a fellow of the Chartered Institute of Arbitrators.

2008

**WILLIAM BARKSDALE** joined Jenner & Block’s energy practice in Washington, D.C. Barksdale represents clients confronting Federal Energy Regulation Commission investigations and enforcement actions. He also represents clients in Department of Justice and Securities and Exchange Commission inquiries, various types of investigations and all stages of business litigation. Barksdale maintains an active pro bono practice representing clients in U.S. asylum cases and other related immigration matters.

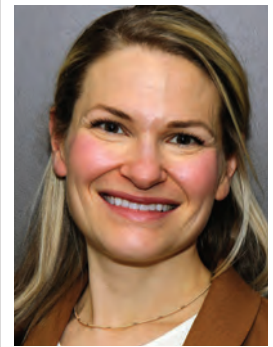


**RAY D. MCKENZIE** joined Miles & Stockbridge in Washington, D.C., as a principal in the white-collar, fraud and government investigations practice group. McKenzie previously co-founded a D.C.-based boutique white-collar litigation firm where he represented companies and individuals in high-profile internal investigations, government enforcement proceedings, civil litigation, and related compliance and corporate-governance matters. He also practiced with Skadden, Arps, Slate, Meagher & Flom in D.C., after

spending four years as an assistant U.S. attorney for Maryland.

2010

**CHRISTINE ABELY’S** book “The Russia Sanctions: The Economic Response to Russia’s Invasion of Ukraine” was published by Cambridge University Press (see p. 87). Abely is an assistant professor at New England Law in Boston.



**AMANDA MCGEE** was promoted to general counsel of the East Boston Neighborhood Health Center, one of the nation’s largest federally qualified health centers and Massachusetts’s largest community-based primary care health system. McGee’s practice spans all aspects of legal and corporate compliance for the center, including regulatory compliance, litigation and general corporate matters such as contract management, mergers and acquisitions, employment and labor issues, immigration, real estate and tax matters. Previously, McGee served as vice president and deputy general counsel with EBNHC.

Three alumni in the class received National Law Journal’s D.C. “Rising Stars” award in October. **SUTTON ANSLEY** of Weil, Gotshal & Manges; **SCOTT M. KELLY** of Banner Witcoff; and **NATHAN WACKER** of

Skadden, Arps, Slate, Meagher & Flom were highlighted as innovators who develop unique practice niches, secure wins for clients, cultivate robust books of business and demonstrate strong leadership qualities.

**BRADLEY JUSTUS** and **JOELLE PERRY JUSTUS** welcomed their daughter, Virginia, on Dec. 2. The family lives in Washington, D.C. Bradley is an antitrust partner at Axinn, Veltrop & Harkrider. Joelle is an attorney adviser in the Office of the General Counsel at the U.S. International Trade Commission, specializing in Section 337 litigation.

2011

**ELIZABETH HASKINS** was promoted to partner with Nelson Mullins Riley & Scarborough in Myrtle Beach, S.C. Haskins practices energy and environmental law. She helps large industrial power users meet their green energy goals and helps renewable developers, trade groups and private equity firms trying to create more green-energy options. She also helps companies manage their environmental risk and provides regulatory and litigation services for various energy and environmental issues.



**BRADLEY D. JONES** joined Stinson in Washington, D.C., as a partner in its bankruptcy and creditors’ rights practice division. Jones litigates fraudulent

transfer and preference actions and other recovery disputes. Jones regularly appears before U.S. bankruptcy courts and defends appeals to federal district and appellate courts. He also represents parties in commercial disputes outside of bankruptcy. Additionally, Jones maintains an active pro bono practice and serves on the amicus committee of the National Association of Bankruptcy Trustees.



**KEVIN MCNISH** represents clients in disputes before the Patent Trial and Appeal Board, and appeals to the U.S. Court of Appeals for the Federal Circuit. IAM, a leading intellectual property publication, recently named McNish to the “IAM Strategy 300: The World’s Leading IP Strategists 2023” and the “Strategy 300 Global Leaders 2024” lists. He runs McNish PLLC in Portland, Maine, where he wrote that he “practices with the toughest mock argument panel on the planet: his basset hounds, Norman and Flora.”



**LAURA A. SCHUYLER** was promoted to partner with Shipman &

Goodwin in Hartford, Conn. Schuyler counsels individuals on the full range of estate planning techniques for tax-effective intergenerational and charitable transfers and assists clients with the estate settlement process. She also advises fiduciaries and beneficiaries on fiduciary compliance and other probate court proceedings.

**MIKE SULLIVAN** was promoted to director of policy and compliance with the Professional Disc Golf Association, the global governing body for disc golf. His work involves revising and improving the rules and regulations of sanctioned competition, overseeing the disciplinary process for player infractions, ensuring data privacy compliance, drafting contracts and agreements, and designing internal workflows and policies for the organization.

2012

**THORNE MAGINNIS** was promoted to partner with ArentFox Schiff in Washington, D.C. Maginnis practices in intellectual property, advertising and e-commerce. He helps companies navigate legal challenges throughout the brand life cycle in a variety of industries, including fashion and retail, media and entertainment, food and beverage, hospitality and consumer products.

**ROB MANOSO** was promoted to partner with Morrison Foerster. Manoso is a member of the litigation department and the antitrust law group, based in

Washington, D.C. His practice focuses on advising clients on all aspects of antitrust investigations, litigation and compliance.



Williams Mullen partner **CAITLIN M. POE** was recognized in Business North Carolina magazine’s 2024 Legal Elite. Poe has a criminal law practice in Raleigh.

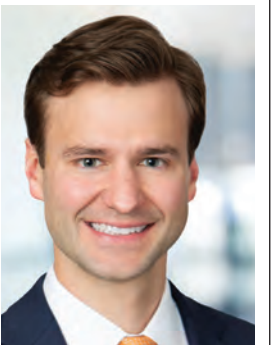


**ZACHARY ROWEN** was promoted to partner at Latham & Watkins in New York. A member of the firm’s securities litigation and professional liability practice and its litigation and trial department, Rowen represents clients in mergers and acquisitions-related litigation, securities litigation, corporate governance and other complex commercial litigation matters.

2013

**MICHAEL S. DAWKINS** was named to the 2024 Best Lawyers “Ones to Watch” list

for real estate law. Dawkins practices with Winderweedle Haines Ward & Woodman in Winter Park, Fla.



**GARRICK SMITH** was named to the 2024 Best Lawyers “Ones to Watch” list in the litigation-bankruptcy category. Smith is a senior attorney at Munsch Hardt in Dallas and focuses on complex corporate restructuring and bankruptcy matters, as well as complex commercial litigation.

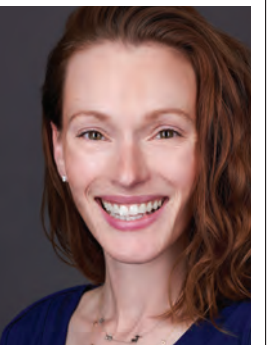
2014

**AARON CARROLL** was promoted to counsel at Hunton Andrews Kurth in Richmond, Va. Carroll focuses on commercial real estate transactions, including acquisitions and dispositions, construction and real estate finance, real estate development and leasing, and traditional and renewable energy projects. He is also active in the firm’s pro bono program, representing fellow veterans through the National Veterans Legal Services Program and the Chickahominy Indian Tribe in Richmond.

**RONIKA J. CARTER** is the senior director of legal affairs for the Minnesota Vikings.



**CYNTHIA CASTILLO** was elected to partner with Farella Braun + Martel in San Francisco. Castillo handles high-stakes, complex civil cases with a focus on contractual disputes and consumer class actions, particularly Telephone Consumer Protection Act class actions. Castillo serves on the board of directors for the San Francisco La Raza Lawyers Association and is co-chair of the Latina committee, which she co-founded to serve as a network for Latina lawyers practicing in the Bay Area. She was recognized in Best Lawyers “Ones to Watch” for commercial litigation.



**JULIANNE JAQUITH** was promoted to partner at Quinn Emanuel Urquhart & Sullivan in Houston and Washington, D.C. Highly proficient in Spanish, Jaquith’s practice focuses on high-stakes international disputes, including international arbitration and cross-border litigation. While her practice focuses on disputes involving Latin America, she has also handled disputes in various countries world-

wide. Jaquith has experience across several industries, including energy, oil and gas, mining, telecommunications, and post-merger and acquisition disputes.

**ANDREW G.I. KILBERG** was promoted to partner with Gibson, Dunn & Crutcher in Washington, D.C. Kilberg focuses on administrative law, appellate, and litigation matters concerning labor and employment issues, and has significant experience challenging federal regulations, advising on regulatory proposals, and defending agency enforcement actions and investigations.

2015



**KATHRYN M. BARBER** was elected to partner with McGuireWoods in Richmond, Va. Barber’s practice focuses on high-stakes litigation, dispositive motions and appellate advocacy. She previously served as a law clerk to U.S. Supreme Court Justice Ruth Bader Ginsburg.



**ANDREW F. GANN JR.** was elected partner with

McGuireWoods in Richmond, Va. Gann represents clients across industries in class actions, mass tort lawsuits, high-stakes litigation and litigation arising from catastrophic incidents.

**LYNDSAY MEDLIN** was promoted to counsel with Bradley Arant Boult Cummings in Charlotte, N.C. Medlin assists clients across various industries with a range of litigation, investigation and compliance needs, including drafting and developing policies and best practices to ensure compliance and prevent litigation. She also provides strategic counsel on privacy and cybersecurity issues, particularly regarding the nuances of privacy notices, protection of customer and client personal information, and Bank Secrecy Act/Anti-Money Laundering compliance. Medlin is recognized in Chambers USA in North Carolina in “Litigation: White-Collar Crime & Government Investigations.”



**BRETT W. RECTOR** was elected to partner at Bracewell in Dallas. Rector litigates cases involving managed care, billing and reimbursement, restrictive covenants and other complex commercial disputes. He also represents health care providers in regulatory matters, including government investigations and matters relating to alleged violations of federal and state anti-



kickback provisions and the Stark law, which bars physicians from referring patients to health services payable by Medicare or Medicaid that are connected financially to the doctor’s immediate family member.

**KAREN RITTER** was promoted to counsel at Latham & Watkins in New York. A member of the real estate practice and corporate department, Ritter advises clients on various real estate transactions, including commercial dispositions and acquisitions, leasing, mergers and acquisitions, and private equity transactions and development projects.



**HEIDI E. SIEGMUND** was elected partner with McGuireWoods in Richmond, Va. Siegmund defends employers and educational institutions facing litigation. She advises on compliance with federal and state laws and regulations such as Title VII, Title IX and the Fair Labor Standards Act.

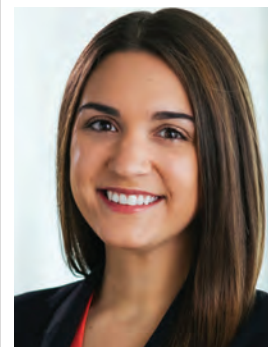


**JEREMY SPERLAZZA** is the chief legal officer and chief

compliance officer of Vest Financial, an investment firm with over \$16 billion under management. Sperlazza previously served as in-house counsel for Homestead Advisers, responsible for a range of compliance, regulatory, corporate, transactional and other financial services matters. Before that, he was a senior associate at Dechert, where he advised clients on the regulation and administration of open-end and closed-end mutual funds, exchange-traded funds and variable insurance trusts.

2016

**ZACH COHEN** was promoted to partner with Jenner & Block in Washington, D.C. Cohen represents utilities and other energy companies in high-stakes regulatory matters, trials and appeals. He has extensive experience practicing before the Federal Energy Regulatory Commission and state commissions on matters ranging from cutting-edge market design issues and ratemaking disputes to electric incident investigations.



**MOLLY R. MERRITTS-RICCI** was promoted to counsel with Venable in Washington, D.C. Merritts-Ricci counsels companies on corporate law matters, with a focus on mergers and acquisitions, debt and equity financing transactions, and general corporate governance.

**THOMAS “TREY” OLIVER** was promoted to partner with Bradley Arant Boult Cummings in Birmingham, Ala. Oliver has a diverse general litigation practice handling matters in complex commercial, product liability, construction, real estate and toxic tort litigation. He has been recognized by Best Lawyers in “Ones to Watch” in litigation for real estate since 2021 and in land use and zoning law since 2023.

**WILLIAM TEW** was elected partner at Willcox Savage in Norfolk, Va. Tew’s practice focuses on middle-market mergers and acquisitions, corporate law and governance matters, and complex commercial transactions. He represents clients in a range of industries, including software and technology, manufacturing, media and health care.

2019

After clerkships with Judge Ronald Lee Gilman on the U.S. Court of Appeals for the Sixth Circuit and Judge Karen Green Scholer on the U.S. District Court for the Northern District of Texas, **THOMAS L. HOWARD III** joined Pillsbury Winthrop Shaw Pittman as a litigation associate in Washington, D.C.

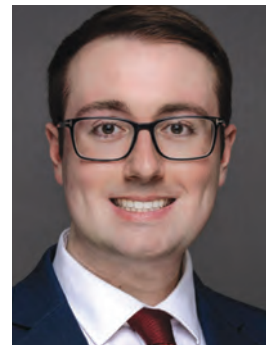


**MARC WARREN S.J.D.** joined Adams and Reese as one of the co-leaders of their new aviation and aerospace team. Warren practices in the Washington, D.C., and Jacksonville, Fla., offices. A former Federal Aviation Administration acting chief

counsel, deputy chief counsel and a senior legal officer for the Army, Warren has technical aviation and senior leader advisory experience. Before his FAA appointment, Warren served in the U.S. Army Judge Advocate General’s Corps, from which he retired in 2007 after promotion to brigadier general.

2021

**ARJUN OGALE** joined Gibson, Dunn & Crutcher’s litigation department in Dallas. Before joining the firm, Ogale clerked for Judge Gregg J. Costa of the U.S. Court of Appeals for the Fifth Circuit. He also worked as a fellow at the Office of the Attorney General for the District of Columbia, where he focused on appellate litigation and argued a case before the District of Columbia Court of Appeals.



**CHARLES F. “CHAD” WALL IV** joined Babst Calland as an associate in the corporate and commercial group in Pittsburgh. Wall’s practice focuses primarily on corporate and transactional matters, including mergers and acquisitions, venture capital and private equity investments, corporate governance and commercial contracts.

2022

**ARIEL HAYES** joined Caplin & Drysdale’s bankruptcy and complex litigation practice in Washington, D.C.

**GRAY MOELLER** joined the products liability and mass tort litigation group at Hunton Andrews Kurth in Richmond, Va. Prior to joining the firm, Moeller clerked for Judge John Cagle of the Alaska Superior Court.

**MICHAEL P. PEÑA** joined Bradley Arant Boult Cummings as a litigation associate in Dallas. Prior to joining the firm, Peña clerked for Judge Matthew J. Kacsmatyk of the U.S. District Court for the Northern District of Texas.

**JACK TUCKER** joined Bradley Arant Boult Cummings as a litigation associate in Birmingham, Ala. Prior to joining the firm, Tucker clerked for Judge Andrew L. Brasher on the U.S. Court of Appeals for the Eleventh Circuit.

2023

**ANNA HAMEL** joined the litigation and construction practice groups with Bradley Arant Boult Cummings in Charlotte, N.C.



**KENNEDY MCGUIRE** is an associate with Faegre Drinker in Washington, D.C., and practices with the health care group.

**PAUL I. PATTON** joined the real estate practice group with Bradley Arant Boult Cummings in Dallas.

Alumni Books

NONFICTION



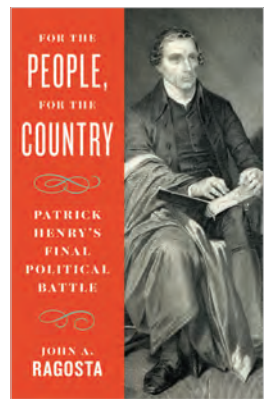
**THE REVOLUTION WILL NOT BE LITIGATED: PEOPLE POWER AND LEGAL POWER IN THE 21ST CENTURY**  
EDITED BY **KATIE REDFORD '95** and **MARK GEVISSER**  
OR BOOKS

In a collection of narratives, 25 of the world’s most accomplished movement lawyers and activists become storytellers, reflecting on their experiences at the frontlines of change. Contributors include Jennifer Robinson, who recounts frantically orchestrating a protest outside London’s Ecuadorean embassy to prevent the authorities from arresting her client, Julian Assange; Justin Hansford at the barricades during the protests over the murder of Black teenager Mike Brown in Ferguson, Missouri; Pavel Chikov defending Pussy Riot and other abused prisoners in Russia; and Ayisha Siddiq, a Pakistani immigrant, discovering community in her new home while leading the 2019 youth climate strike in Manhattan. The stories aim to capture the complex and often-awkward dance between legal reform and social change.



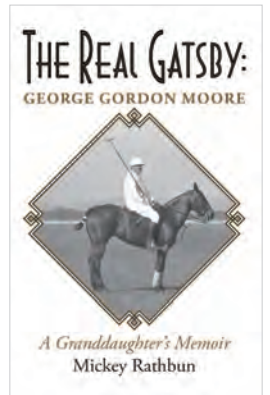
**THE RUSSIA SANCTIONS**  
**CHRISTINE ABELY '10**  
CAMBRIDGE UNIVERSITY PRESS

“The Russia Sanctions” examines the international trade measures and sanctions deployed against Russia in response to its 2022 invasion of Ukraine. Christine Abely situates contemporary sanctions within their more extensive historical and economic backgrounds, and provides a uniquely accessible analysis of the historic export controls and import restrictions enacted since 2022. She argues that these sanctions have affected, and will continue to affect, global trading patterns, financial integration and foreign policy in novel ways. In particular, she examines the effects of sanctions on energy, food, fertilizer, the financial system and the global use of the U.S. dollar, including “de-dollarization” trends. Coverage includes sanctions against oligarchs, the freezing and seizure of assets, and steps taken to make sanctions more effective by promoting financial transparency worldwide.



**FOR THE PEOPLE, FOR THE COUNTRY**  
*Patrick Henry’s Final Political Battle*  
**JOHN A. RAGOSTA '84**  
UNIVERSITY OF VIRGINIA PRESS

In 1799, at the behest of George Washington, Patrick Henry came out of retirement to thwart Thomas Jefferson, James Madison and the states’ rights agenda of the Kentucky and Virginia Resolutions. The resolutions—protests against the federal Alien and Sedition Acts—argued that the acts were an unconstitutional bar on free speech that could be nullified by states. Washington and Henry believed their opponents were putting the party over the country and threatening the still-fragile union. Henry insisted that in a democracy, change must occur “in a constitutional way,” or monarchy threatens. “For the People, For the Country” tells the story of how the most eloquent public speaker of the American Revolutionary era and the leading antifederalist during debates over ratification of the Constitution reemerged from retirement to defend the document he had opposed, and once again changed history.



**THE REAL GATSBY: GEORGE GORDON MOORE**  
*A Granddaughter’s Memoir*  
**MICKEY RATHBUN '83**  
WHITE RIVER PRESS

When Mickey Rathbun began investigating a rumor that her grandfather had been a model for F. Scott Fitzgerald’s iconic character Jay Gatsby, she discovered closer connections than she had ever imagined. In her memoir, Rathbun examines the striking parallels between the real person and his fictional doppelgänger. Beyond their hardscrabble Western origins, formative sojourns in England, extravagant lifestyles fueled by suspected criminal activities and pursuit of unattainable women, Moore and Gatsby shared a heightened appreciation for the exquisite possibilities of life—what Fitzgerald called “romantic readiness.” These similarities were hardly coincidental; Moore played polo and partied with the social set that inspired “The Great Gatsby.” Tommy Hitchcock, the legendary polo player on whom Fitzgerald based Gatsby’s Tom Buchanan, was Moore’s close friend, business partner and housemate. Rathbun’s book engages themes as relevant today as in Fitzgerald’s time: our sin-

gle-minded obsession with wealth and social cachet, and the mirage of the American dream.



**POST-GRANT PROCEEDINGS BEFORE THE PATENT TRIAL AND APPEAL BOARD (SECOND EDITION)**  
**MEGAN RAYMOND '05**  
PRACTISING LAW INSTITUTE

The America Invents Act of 2011 created the Patent Trial and Appeal Board, replacing the Board of Patent Appeals and Interferences, to preside over various proceedings where parties can litigate patent validity. “Post-Grant Proceedings Before the Patent Trial and Appeal Board” is a comprehensive guide through the process of initiating a post-grant proceeding, taking discovery, seeking sanctions, proposing and opposing claim amendments, effectively advocating at the oral hearing, appealing to the Federal Circuit, and handling a wide array of issues involving co-pending District Court litigation.



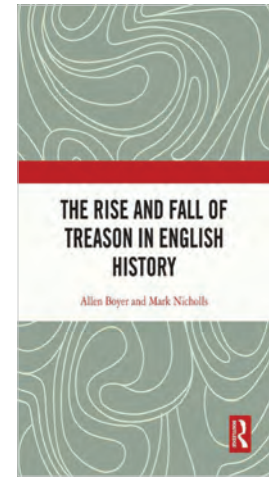
**LETTERS FROM SWEDEN**  
**DAVID SCHAEFFER '81**  
MERCER UNIVERSITY PRESS

Bill, a 28-year-old seminarian and war veteran



with three battle stars and a Purple Heart, was still single and unsure of his future in the ministry. Mary was a 22-year-old, highly educated, independent and pragmatic young woman starting a public health program from scratch in Greenville, South Carolina. How could she fall in love with an older man with no job and vague prospects who was about to leave the country to enroll in a post-grad study program in Sweden for over a year? They hardly knew each other. But after a short seven-week courtship, she said yes to his marriage proposal. Then he was gone.

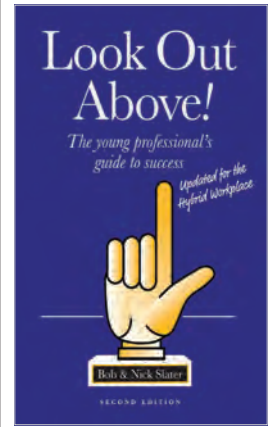
This nonfiction historical romance, based on hundreds of authentic letters written over 75 years ago, explores how a couple’s commitment, faith, trust and constant communication through intimate handwritten letters can sustain and grow long-distance love.



**THE RISE AND FALL OF TREASON IN ENGLISH HISTORY**  
**ALLEN BOYER '82** and **MARK NICHOLLS**  
ROUTLEDGE

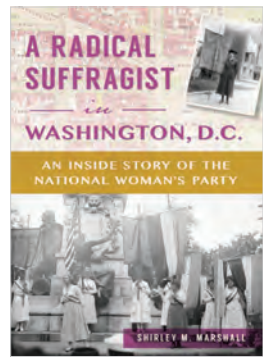
This book explores the development and application of the law of treason in England across more than 1,000 years. Describing many high-profile prosecutions and trials, the book focuses on the statutes, ordinances and customs that have at various times gov-

erned, limited and shaped this worst of crimes. It explores why treason coalesced around specific offenses agreed upon by both the monarch and the broader political nation, why it became an essential instrument of enforcement in high politics and why, over the past 300 years, it has gradually fallen into disuse while remaining on the statute book. This book also considers why treason as both a word and a concept remains so potent in wider modern culture, investigating prevalent current misconceptions about what is and what is not treason. It concludes by suggesting that the abolition or “death” of treason in the near future, while a logical next step, is not a foregone conclusion.



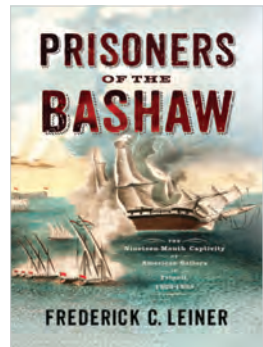
**LOOK OUT ABOVE (SECOND EDITION)**  
*The Young Professional's Guide to Success*  
**BOB SLATER '80** and **NICK SLATER**  
ADVANTAGE MEDIA GROUP

“Look Out Above” offers young professionals a path to workplace success with guidance on how to contribute to and connect with teammates, communicate concisely, pitch ideas, lead and advocate, and navigate the modern hybrid workplace. Written by a young professional and a seasoned executive, this book aims to help readers blaze new personal discovery and transformation trails to serve them throughout their careers.



**A RADICAL SUFFRAGIST IN WASHINGTON, D.C.**  
*An Inside Story of the National Woman's Party*  
**SHIRLEY MARSHALL '94**  
ARCADIA PUBLISHING

In September 1918, Elizabeth Kalb boarded a train to Washington, D.C., to fight for voting rights for women. For over two years, Kalb lived and worked at the National Woman’s Party headquarters a block from the White House. Letters she wrote during that time describe detention at the Capitol and an arrest at the White House, raising money, serving in the organization’s Tea Room and struggling through the 1918 flu epidemic. Kalb’s story draws an eyewitness portrait of a suffragist’s life within the National Woman’s Party—a world of intense partisanship, battles with police and diverse personalities united in a common cause. Suffragists ensured that politicians could not ignore women’s rights, Marshall argues.



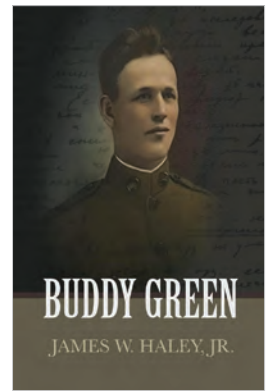
**PRISONERS OF THE BASHAW**  
*The Nineteen-Month Captivity of American Sailors in Tripoli, 1803-1805*  
**FREDERICK C. LEINER '85**  
WESTHOLME

On Oct. 31, 1803, the frigate USS Philadelphia ran

aground on a reef a few miles outside the harbor of Tripoli. Since April 1801, the United States had been at war with Tripoli, one of the Barbary “pirate” regimes, over the payment of annual tribute—bribes so that American merchant ships would not be seized and their crews held hostage. After hours under fire, the Philadelphia, aground and defenseless, surrendered, and 307 American sailors and Marines were captured. Manhandled and stripped of their clothes and personal belongings, the men were paraded before the bashaw (leader) of Tripoli, Yusuf Karamanali.

The bashaw imprisoned the officers and forced the sailors into enslaved labor. President Thomas Jefferson, Congress, U.S. diplomats and Commodore Edward Preble, commander of the naval squadron off Tripoli, grappled with how to free the American captives safely as the sailors became the key to negotiations to end the war. The book was shortlisted for the Gilder Lehrman Military History Prize.

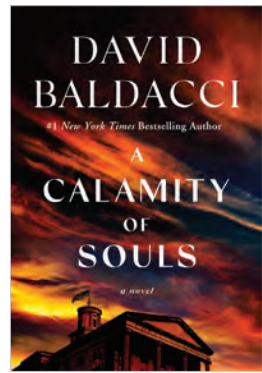
## FICTION



**BUDDY GREEN**  
**JAMES W. HALEY JR. '67**  
SELF-PUBLISHED

“Buddy Green” traces the journey of a young man from his rural farm in Culpeper County, Va., at the turn of the 20th century to the battlefields of the American military offen-

sive in France at the end of World War I. The novel explores his education by his family and by a beloved Scottish professor who introduces Buddy to geology and philosophy. Buddy experiences the intensity of first love and an evolution in his thoughts on the validity of religious certainties.



**A CALAMITY OF SOULS**  
**DAVID BALDACCİ '86**  
GRAND CENTRAL PUBLISHING

Jack Lee is a white lawyer from Freeman County, Virginia, who has never done anything to push back against racism until he decides to represent Jerome Washington, a Black man charged with brutally killing an elderly and wealthy white couple. Fearing that his legal skills may not be enough to prevail in a case where the odds are already stacked against him and his client, Lee partners with Desiree DuBose, a Black lawyer from Chicago who has devoted her life to furthering the causes of justice and equality for everyone. The lawyers quickly realize that what’s at stake is far greater than the outcome of a murder trial, and that powerful outside forces are at work to blunt the victories achieved in the Civil Rights era.

Lee and DuBose could not be more dissimilar. Neither one can stop the prosecution’s deliberate march towards a guilty verdict and the electric chair. But together, the pair fight for what once seemed impossible: a chance for a fair trial and true justice.

# THE PLINKO BOUNCE

## Former Virginia Judge Publishes Sixth Thriller

### MARTIN CLARK '84

RARE BIRD BOOKS

For retired Virginia Circuit Court Judge Martin Clark ’84, the law was a fallback career, a parent-pleasing choice he made after he found nobody wanted to hire him to teach creative writing.

Clark now has six published thrillers—including his latest bestseller, “The Plinko Bounce”—but his journey from law school to published author involved nearly 20 years of writing, help from heaven and several other well-placed mentors, and dozens of brushes with cases that got his imagination flowing. He even committed his own petty crime in the process.

Though law wasn’t his first choice, it served as the foundation and fodder for his highly successful writing career.

“My dad was a lawyer and he was anxious for me to become a lawyer,” Clark said. “I thought a J.D. was a universal degree, but when I realized that you needed a Ph.D. or a published novel to teach creative writing, I came back to Patrick County and set up [a criminal defense] shop with my dad, doing everything from speeding tickets to capital murder.”

As an undergraduate at Davidson College, he entered and won a writing competition judged by literary journalist Tom Wolfe, who was already famous for his book “The Electric Kool-Aid Acid Test.” Wolfe also reviewed a manuscript Clark had been working on and encouraged him to continue with the story about a hard-drinking, pot-smoking judge who ultimately goes corrupt for no reason other than sheer boredom.

Clark’s Constitutional Law professor, A. E. Dick Howard ’61, let him continue working on the manuscript for academic credit and gave him feedback. And a Law School classmate helped him track down a local world-famous novelist, Rita Mae Brown, in hopes that she might guide him through the process of landing a book deal.

After significant detective work, they located her farm and hatched a fully baked plan to stuff his half-baked manuscript and a bottle of liquor in her mailbox.

“We went to Barracks Road Shopping Center and bought ski masks, and we obscured the license plate on my pal’s Jeep because we were worried about mailbox tampering,” Clark recalled. “It’s a federal crime, you know? We were worried the mailbox police would leap out from behind the hedge row and slap us in irons.”

Brown was kind enough to read the manuscript and return it—postage paid—with a note about structure and a final comment: “As to mixing law and literature, it occurs to me you’ll either be a half-ass writer or a half-ass lawyer.”

Fortunately for Clark, he ended up doing neither halfway.

He focused primarily on his law practice until, at age 32, he was appointed to an open judgeship in the local juvenile and domestic relations court. Three years later, he was promoted to the circuit court bench.

He kept at the manuscript through those years, writing for about an hour each morning.

The characters and cases that came through his courts stoked his imagination, from the elderly judge who hadn’t picked up a book in two decades, to a garden-implement thief who beat his charges because of a blown *Miranda* warning. And Wolfe—now the Tom Wolfe behind “The Bonfire of the Vanities” and numerous other bestsellers—continued to encourage him and cart his manuscript around New York literary offices.

He also made a desperate “deal with the heavens above,” as he put it. “I made this vow, like a small child, that if I could just get published, I would give all the money to the Presbyterian church.”

“The Many Aspects of Mobile Home Living,” was published by Alfred A. Knopf in 2000.

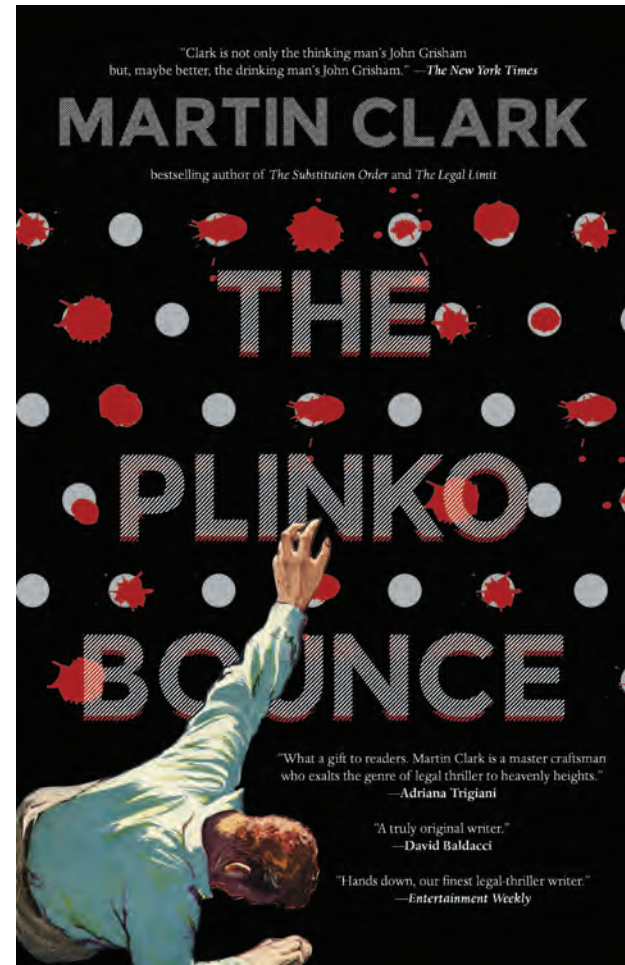
Clark figured he would be on the hook to the church for about \$5,000 because that’s what debut fiction novels usually net,

he said. But once a New York Times book critic read it and dubbed him “the thinking man’s John Grisham” in 2004, the pennies from heaven rained down.

Judge Clark reviewed his mental contract with the deity to determine whether his obligation included royalties from audiobooks, movie rights and e-books. (He found no ambiguities.)

Clark went on to write four more books before retiring from the bench in 2019: “Plain Heathen Mischief,” “The Legal Limit,” “The Jezebel Remedy” and “The Substitution Order.”

“The Plinko Bounce,” released in September and named a New York Times Best



Thriller of 2023 and a New York Times Editors’ Pick for 2023, is a tale about a public defender faced with a murder client who admits his guilt but has technicalities stacked in his favor. It’s based loosely on the garden-implement thief he encountered in court.

—Melissa Castro Wyatt





IN *memoriam*

John B. Huffaker '48
RESTON, VA. Oct. 2, 2023
Donald C. Wells '48
ALEXANDRIA, VA. Nov. 30, 2023
Malcolm M. Christian '52
RICHMOND, VA. Sept. 6, 2023
Carroll C. Johnson Jr. '52
CULPEPER, VA. Aug. 18, 2023
Robert G. Doumar Sr. '53 LL.M. '88
NORFOLK, VA. Nov. 4, 2023
Alvin A. Gordon '53
MEMPHIS, TENN. Sept. 11, 2023
Charles Roland Haugh '53
CHARLOTTESVILLE Oct. 29, 2023
James P. Ricker '53
WHITEHALL, MAINE Dec. 31, 2023
George R. Silvernell '55
UNADILLA, N.Y. Dec. 31, 2023
William D. Weeks '55
COHASSET, MASS. Aug. 17, 2023
Thomas A. Sully Jr. '56
NAPLES, FLA. Sept. 7, 2023
E. Lewis Hansen '57
ATLANTA Oct. 21, 2023
E. Charles Majer '57
FREDERICKSBURG, VA. Oct. 14, 2023
Charles G. Peters Jr. '57
WASHINGTON, D.C. Nov. 23, 2023
Roger M. Thomas '57
WESTWOOD, MASS. Dec. 12, 2023
John C. Craig '59
WILLIAMSTOWN, MASS. Aug. 17, 2023
T. Maxfield Bahner '60
SIGNAL MOUNTAIN, TENN. Oct. 13, 2023
Peter B. Bass '60
OCEAN TOWNSHIP, N.J. Dec. 5, 2023
John Crosskey '60
ENGLEWOOD, FLA. Oct. 16, 2023

Stephen Ivor Traub '60
MILFORD, CONN. Sept. 20, 2023
H. Hunter Clarke '61
VIRGINIA BEACH, VA. Aug. 18, 2023
Michael J. Mehr '61
UNION, N.J. Nov. 14, 2023
Ronald O. Dederick '62
VIRGINIA BEACH, VA. Oct. 23, 2023
Peter C. Lewis '62
HONOLULU Nov. 27, 2023
James R. Bailes '63
HUNTINGTON, W.VA. Jan. 27, 2024
Russell H. Roberts '63
FREDERICKSBURG, VA. Aug. 29, 2023
Briscoe R. Smith '63
BRONXVILLE, N.Y. Nov. 6, 2023
Richard A. Young '63
GREENWICH, CONN. Nov. 27, 2023
Winfrey P. Blackburn Jr. '64
LOUISVILLE, KY. Sept. 16, 2023
William K. Engeman '64
LANCASTER, OHIO Dec. 21, 2023
Jesse E. Graham Sr. '64
ORLANDO, FLA. Sept. 17, 2023
John H. Thomas '64
CARLSBAD, CALIF. Oct. 8, 2023
Jackson S. White Jr. '64
ABINGDON, VA. Sept. 10, 2023
Paul D. O'Connor Jr. '65
RESTON, VA. Jan. 14, 2024
Robert J. Perry '65
MACON, GA. Dec. 2, 2023
Thomas A. Player Jr. '65
ATLANTA Jan. 9, 2024
Thomas Edwards Abernathy IV '66
ATLANTA July 27, 2023
Roger L. Chaffe '66
MIDLOTHIAN, VA. Dec. 17, 2023

William M. Slaughter '66
BIRMINGHAM, ALA. Jan. 14, 2024
Hal W. Taylor '66
DURHAM, PA. Aug. 6, 2023
Paul W. Davis '67
ATLANTA Sept. 22, 2023
John Frederick Motz '67
BALTIMORE Oct. 23, 2023
George S. Thomas '67
NAPLES, FLA. Jan. 18, 2024
W. Sidney Druen '68
COLUMBUS, OHIO Dec. 16, 2023
Robert B. Herbert Jr. '68
RALEIGH, N.C. Dec. 7, 2023
Robert C. Liuzzi '68
FERNANDINA BEACH, FLA. Jan. 21, 2024
Thomas Bernard Carr '69
WILLIAMSBURG, VA. Sept. 4, 2023
Walter A. Marston Jr. '69
MIDLOTHIAN, VA. Jan. 12, 2024
William X. Parsons '69
ROANOKE, VA. Oct. 23, 2023
Jay H. Calvert Jr. '70
BRYN MAWR, PA. Sept. 2, 2023
Earl William Chapman '70
MARTINSBURG, W.VA. Nov. 30, 2023
David A. Melesco '70
MONETA, VA. Sept. 26, 2023
John O. Wynne '70
VIRGINIA BEACH, VA. Oct. 26, 2023
Edward B. Lowry '71
CHARLOTTESVILLE Dec. 6, 2023
Terrance M. Miller '72
COLUMBUS, OHIO Nov. 12, 2023
David B. Brown '73
WILMINGTON, DEL. Jan. 22, 2024
Everette L. Doffermyre Jr. '73
ATLANTA Jan. 27, 2024

Gregory B. English '73
ALEXANDRIA, VA. July 12, 2023
William A. Schmidt '73
STANARDSVILLE, VA. Nov. 27, 2023
Gordon B. Flint Jr. '74
NEWPORT, N.H. July 28, 2023
Warren C. Herlong Jr. '74
MOBILE, ALA. Jan. 10, 2024
Alan B. Rice '74
FREDERICK, MD. Sept. 14, 2023
Calvin H. Thigpen '74
PETERSBURG, VA. Jan. 7, 2017
Barbara A. Atkin '75
CHICAGO Oct. 13, 2023
D. Michael Fitzhugh '75
LAKEVILLE, MINN. July 16, 2023
Richard A. Bersin '76
ISSAQUAH, WASH. Dec. 7, 2023
William W. Earthman III '77
NASHVILLE, TENN. Jan. 7, 2024
James H. Hall Jr. '79
MILWAUKEE Jan. 1, 2024
Jane Soldoveri Hinckley '80
BRYN MAWR, PA. Oct. 11, 2023
Charles L. Strauss '82
HOUSTON Nov. 14, 2023
Robert L. Edwards '83
CHARLOTTESVILLE Dec. 7, 2023
Brian D. Metcalf '86
SOUTH JORDAN, UTAH Nov. 16, 2023
Michael John Rauworth '86
NAHANT, MASS. Dec. 6, 2023
V. Randall Tinsley '87
SUMMERFIELD, N.C. Oct. 25, 2023
Aida Deloris Fitzgerald '13
WASHINGTON, D.C. Oct. 28, 2023
Tessa Wiseman '24
ST. PETERSBURG, FLA. Aug. 13, 2023



# Melissa Hutson '01

EXECUTIVE COMMITTEE MEMBER AND PARTNER, **KIRKLAND & ELLIS**

**DOUBLE HOO** **MELISSA HUTSON '01, (COLLEGE '98) HAS REACHED THE UPPER ECHELONS** of law practice in private equity financing.

Among the deals she has worked on are Bain Capital and Hellman & Freidman's \$17 billion acquisition of athenahealth, Blackstone's \$1.6 billion acquisition of Interior Logic Group, and AbbVie's \$63 billion acquisition of Allergan. She joined Kirkland in 2015, after first rising through the ranks and becoming partner at Simpson Thacher & Bartlett.

**TELL US A LITTLE ABOUT WHAT A TYPICAL DAY** might be like for you.

One of the things I like most about my job is that every day is different. My work varies wildly from representing large-cap sponsors on multibillion-dollar transactions to representing companies on small financings. I'm also a member of Kirkland's executive committee and help lead the U.S. debt finance group, so I have a fair amount of management duties that keep me busy as well. Truly, no day is the same, and I wouldn't have it any other way.

**WHAT MAKES A GOOD** private equity lawyer?

Fundamentally, we are in the client service business. We need to be responsive to our clients' demands, while proactively advising them on risks and considerations they have not yet contemplated. Ultimately, our clients want to get the deal done, so being commercial, constructive and creative in our approach is critical to achieving a successful outcome for our clients.

**WHAT WERE THE SECRETS** to your success?

I've found success, first and foremost, by working hard. The best way to improve as a transactional lawyer is to get lots of reps, and I've been fortunate to have done thousands of transactions throughout my 23-year career alongside the brightest, most sophisticated, most knowledgeable colleagues and clients. In addition to being committed to the job, it's important to me to always be kind and respectful to everyone with whom I work—my clients, my peers and attorneys who work for me. When you do your part to make a fairly difficult job as enjoyable as possible, everyone benefits.

**YOUR FATHER, JOHN HUTSON, WAS THE JUDGE ADVOCATE GENERAL OF THE NAVY. How did being in a military family shape you?**

As a young lawyer, my father was my No. 1 professional inspiration. He was passionate about his career and incredibly

dedicated, while also being a wonderful father and husband. He was very driven but never compromised his morals and ethics, and prioritized doing good. I've always strived to live up to his example.

Being in the military, we moved around every couple of years, which forced me to deal with change and the unknown. I was constantly put into new situations with people I didn't know, and it taught me to hone my interpersonal skills. This has served me well in my law career.

**WHAT LESSONS LEARNED AT UVA AND/OR UVA LAW** have served you well?

UVA taught me to be a truly well-rounded lawyer. I not only received an amazing education, but also got involved in numerous activities at the Law School outside the classroom.

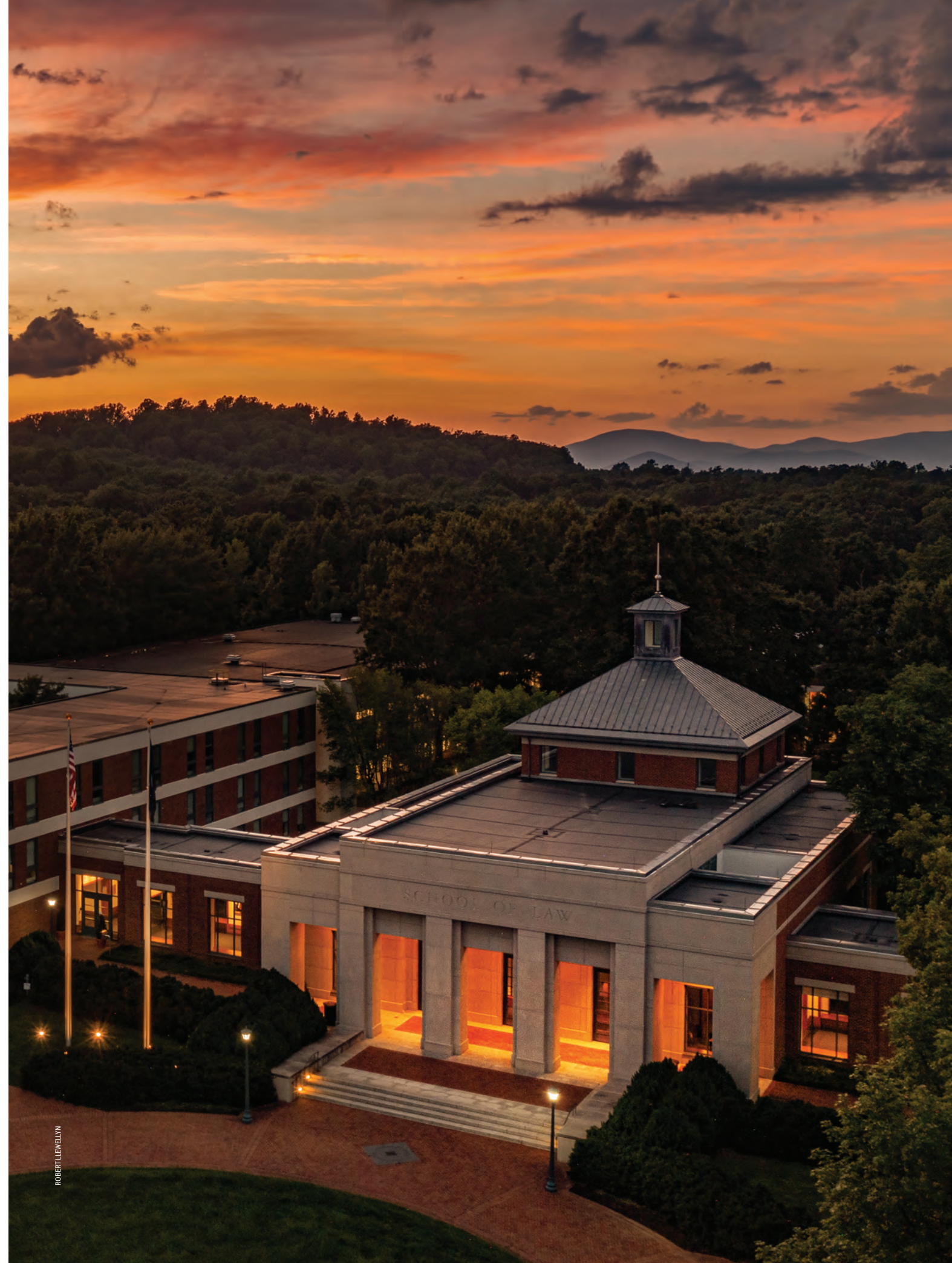
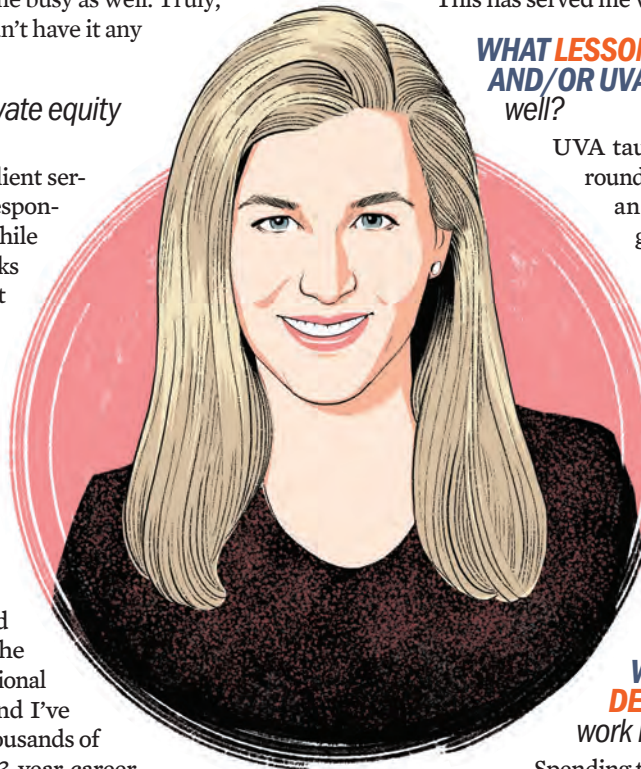
This allowed me to see the bigger picture and understand how I could effect change in different ways. At Kirkland, we love to hire UVA Law students because they are the full package—bright, knowledgeable and have strong interpersonal skills.

**WHAT DO YOU DO TO DECOMPRESS** from your work life?

Spending time with my husband, Matt, and our three daughters, Eloise, Adelaide and Georgia, brings me immeasurable joy. Witnessing my daughters grow, learn and explore the world together fills my heart with a sense of pride and fulfillment. My family is a constant gentle reminder of what truly matters.

**YOU HAVE THE LAST WORD.** What do you want to say?

After decades of practicing law, I know this to be true: The most successful lawyers are those who are genuinely interested in what they do. Don't be afraid to take every opportunity you get and discover what fulfills you.



ALEX FINE

ROBERT LLEWELLYN





Connect with alumni at an event near you: [law.virginia.edu/alumni](http://law.virginia.edu/alumni)

**MAY 29 WASHINGTON, D.C.**

*Willard Hotel*  
With Dean Risa Goluboff  
**11:45 A.M.-1:30 P.M.**  
**LUNCHEON**

**MAY 30 NORTHERN VIRGINIA**

*Ritz-Carlton, Tysons Corner*  
With Dean Risa Goluboff  
**6:30-8:30 P.M.**  
**RECEPTION**

**JUNE 1 VIRGINIA BEACH**

*Hilton Oceanfront*  
**8 A.M.**  
**BREAKFAST DURING VIRGINIA**  
**STATE BAR MEETING**

**JUNE 25 CROMWELL, CONN.**

*TPC River Highlands*  
**6:30-8 P.M.**  
**RECEPTION**

**SEPT. 17 ATLANTA**

*Wimbish House*  
With Dean Leslie Kendrick '06  
**11:45 A.M.-1:30 P.M.**  
**LUNCHEON**

**SEPT. 18 BIRMINGHAM, ALA.**

*City Club*  
With Dean Leslie Kendrick '06  
**11:45 A.M.-1:30 P.M.**  
**LUNCHEON**

**SEPT. 24 CHARLOTTESVILLE**

*Oakencroft Winery*  
With Dean Leslie Kendrick '06  
**6:30-8 P.M.**  
**RECEPTION**

**DEC. 12 WASHINGTON, D.C.**

*Metropolitan Club*  
**6-8:30 P.M.**  
**HOLIDAY RECEPTION**

**DEC. 16 RICHMOND, VA.**

*Jefferson Hotel*  
With Dean Leslie Kendrick '06  
**6-8 P.M.**  
**HOLIDAY RECEPTION**



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