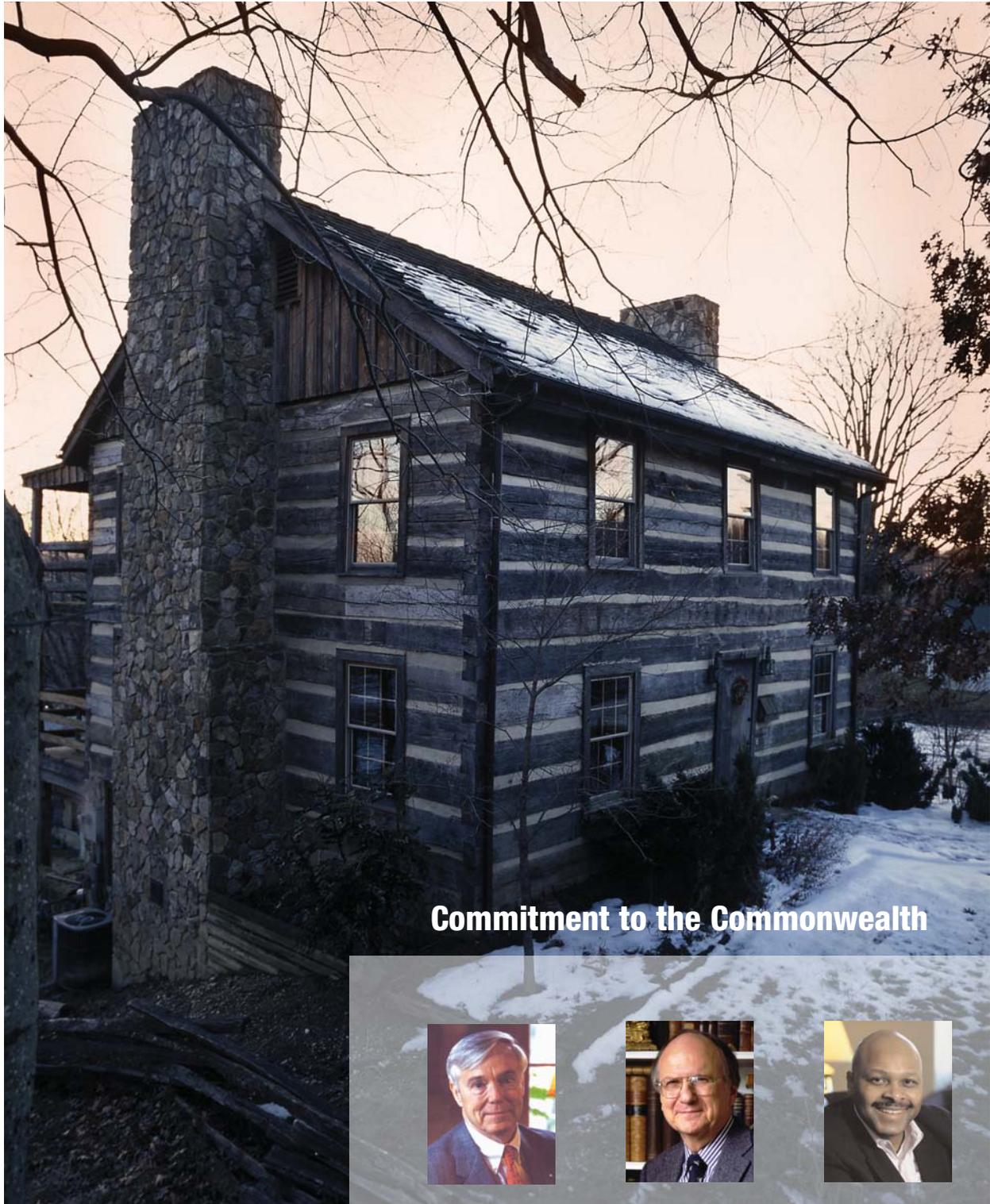


The University of Virginia School of Law

UVA *Lawyer*

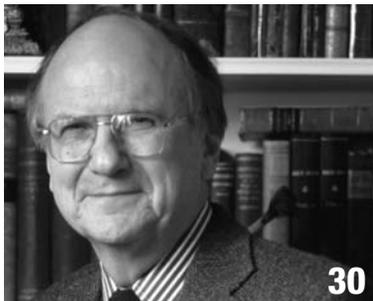
Spring 2004



Commitment to the Commonwealth







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Commitment to the Commonwealth

■ John C. Jeffries, Jr. '73

This issue of *UVA Lawyer* celebrates the Law School's continuing commitment to the Commonwealth of Virginia. In addition to being a great national law school, we are also a proud part of a leading public university. As such, we have a special obligation to the Commonwealth and to her citizens.

Institutionally, that obligation is discharged in three ways. First, Virginia residents continue to enjoy an advantage in admissions. Second, Virginia residents receive a significant discount from out-of-state tuition. The discount recognizes the years and decades of financial support from the taxpayers of Virginia before we reached Financial Self-Sufficiency. Third, Law School graduates who practice in the Commonwealth are eligible for forgiveness of their student loans. The income limits on loan forgiveness are such that graduates who go to large firms do not benefit. Those who do benefit are Virginia graduates who wish to practice in rural or underserved areas of the Commonwealth and who might be coerced to do otherwise were it not for loan forgiveness. In all these ways, the Law School as an institution honors its historic commitment to the Commonwealth of Virginia.

Of course, there are also many informal links between the Law School and the Commonwealth, including the large number of our graduates who play leading roles in this state. Some of them are profiled in these pages. And it is also true that Law School students and faculty are actively engaged in public service to governments, communities, and organizations in the Commonwealth.

In all these ways, the University of Virginia



School of Law remains inextricably linked to the Commonwealth of Virginia. This is a relationship of which we are proud and which we hope and believe will continue forever.

* * * *

Among the articles in this issue is a speech given by Leonard Sandridge to a group of Law School alumni on September 11 of last year. Leonard is the Executive Vice President and Chief Operating Office of the University. It is his responsibility, under the leadership of President Casteen, to develop and implement a strategic vision for the University as a whole.

Leonard's remarks on Financial Self-Sufficiency are well worth reading. Not only does he describe how Financial Self-Sufficiency works; he also explains how it benefits both the Law School and the rest of the University. 

Prominent Civil Rights Lawyer Elaine R. Jones '70 to Give Commencement Address



ELAINE R. JONES '70, PRESIDENT AND director-counsel of the NAACP Legal Defense and Educational Fund (LDF) and the first African-American woman to graduate from the Law School, will give the commencement address to the Law School Class of 2004.

Jones, who announced in January that she was retiring from the LDF effective May 1, has worked for the LDF for all but two years of her career, when she served as a special assistant to the Secretary of Transportation in the Ford Administration. Jones turned down an offer from a private Wall Street firm to work for the LDF, where her first assignments involved litigating death-penalty cases in the Deep South. Just two years out of law school she was counsel of record in *Furman v. Georgia*, the landmark case in which the Supreme Court

struck down death penalty statutes in 37 states, a decision that held for 12 years.

"We wanted someone who had achieved distinction in a law-related field and could serve as both an inspiration and role model to the future lawyers in our class," said Kevin Ritz '04, chair of the Student Bar Association's Graduation Committee, a group of third-year students that invites the commencement speaker each year. "We also valued a record of public service and focused on people with a particular connection to the Law School and/or the University.

"In the Committee's judgment, Elaine Jones fit these criteria better than anyone else. ... She has obviously distinguished herself as a first-rate lawyer and public servant," he added. "We think she'll offer an inspiring and challenging message to the Class."

As LDF director-counsel, Jones followed in the footsteps of founder Thurgood Marshall, who argued *Brown v. Board of Education* before the Supreme Court and later became a Justice of the Court; Jack Greenberg, who argued some 40 cases before the Supreme Court and defended sit-in demonstrators, including Dr. Martin Luther King, Jr.; and Julius L. Chambers, who helped ensure enforcement of the Voting Rights Act and defended it and the Civil Rights Act of 1966 before the Supreme Court. Jones has made her mark as well; she recently helped win a legal victory that overturned the drug convictions of 38 mostly black defendants in Tulia, Texas, a feat that was featured on *60 Minutes*. Some of the defendants were serving terms of 90 years or more, despite the fact that the case was based on the

JONES WAS ADMITTED AS ONE OF *only seven women and two African-Americans in the class of 1970*. "They took a chance on me, so I took a chance on them," she said.



uncorroborated testimony of one white undercover police officer. “It is the kind of thing that many people assume doesn’t happen in this country anymore,” Jones told the *Washington Post* in June. “The reality is that color still matters in this country. It still does. And we certainly don’t advance the ball by pretending that it doesn’t.”

After her stint in the Ford Administration, where she took the lead in opening Coast Guard service to women, Jones helped the LDF establish its Washington office. She now oversees a staff of 70, including 25 attorneys housed in offices in Washington, Los Angeles, and New York. Jones has led LDF’s continuing efforts to ensure that all Americans receive equal access to education, criminal justice, political participation, and fair economic treatment. In 1982 Jones became the first African-American to be elected to the American Bar Association’s Board of Governors.

A Norfolk native, Jones earned her B.A. in political science from Howard University, then spent two years in the Peace Corps teaching English in Turkey before applying to law school in 1967. Virginia’s policy in the 1960s was to pay qualified black applicants to study at out-of-state colleges and universities, but Jones was admitted as one of only seven women and two African-Americans in the class of 1970. “They took a chance on me, so I took a chance on them,” she said in a 1994 interview. Jones received UVA’s Distinguished Alumna Award in 1998, an award honoring a female graduate who has demonstrated excellence, leadership, and extraordinary commitment to her field, and who has used her talents as a positive force for change. In 1999 she was awarded the Thomas Jefferson Medal in Law, the highest honor bestowed by the University. 

Fall 2003 Interviewing Season Yields Success for 2Ls, 3Ls

MORE THAN 90 PERCENT OF THE SECOND-

year class obtained summer employment through the fall 2003 interview season, and third-years affected by the faltering economy last year received more interest from employers during on-Grounds interviews than in recent years.

“The market seemed to have picked up a bit,” said Steve Hopson ’69, Senior Assistant Dean for Career Services. “Employers were very interested in UVA students. They extended a lot of callbacks — more than we’ve seen in recent years.”

Second-year students averaged 19.7 interviews apiece, interviewing with 371 employers from 886 offices. Employers based in Washington, D.C. led those from all other cities seeking to hire Virginia students. Other top locations were New York, Atlanta, Los Angeles, San Francisco, Houston, Boston, Chicago, Richmond, and Northern Virginia. The Career Services Office arranged for 504 scheduled rooms during the season, which lasted from September 3 to October 24, up from last year’s 502. The 342 second-years who participated garnered a total of 6,745 interviews, while 3Ls had 713, a high number Hopson attributes to conservative hiring in recent years by firms who now need to find employees to take slots not filled by summer programs.

“Third-years definitely got more attention this fall than in the last two years,” Hopson said. He added that the number of 2Ls who were unable to get summer jobs with firms is the lowest in recent memory. Second-year students usually receive permanent offers from the firms they work for during the summer by the beginning of their third year.

“The success of our students was extremely high,” Hopson said. 



Stepping Outside the Walls of a Classroom

■ **Jeanne Siler**



FOR ALMOST TWO DECADES, THE LAW School has offered third-year students the chance to take a semester's break from the structured routine of books and exams via externships through the External Studies Program.

"Students have done some incredibly interesting projects as part of the externship program," said Law Professor Barbara Armacost, chairman of the curriculum committee that approves students' externship applications. "Externships allow students to do on-site research on topics of special interest to them." Program guidelines encourage students "to do unusual types of research" and, moreover, research that "cannot practically be done in Charlottesville." The intent is to enable an in-depth research opportunity greater than what can be typically accomplished in the classroom or during a summer internship.

"THIS IS SOMETHING SERIOUS. The research and planning that goes into the application process can seem quite onerous."

When students complete their externships and research papers, they receive 12 credits and a semester's residence credit toward their J.D. "That's quite a lot," said Armacost. "This is something serious. The research and planning that goes into the application process can seem quite onerous, but students who have done externships tell us the effort is worth it."

Since 1988, 27 students have experienced an externship, many with rewarding results, as demonstrated by the tales of five Law School students who participated in externships last fall. Here, third-year students Sharon Gilmore Garner, Saejung Lee, Cristie Leigh March, Michael Signer, and Althea Kendall Smiley share their experiences.

SHARON GILMORE GARNER DIDN'T really expect her externship with the Chesapeake Bay Foundation to get her out on the water very often as she explored how land use initiatives in Virginia and Maryland have been helping the states comply with goals set forth in the 1987 Chesapeake Bay Agreement. "I thought I would have to drive around to get a lot of data," she said, but unfortunately learned instead that "the data doesn't exist."

Garner hoped to not only aid Foundation staff with a large litigation project challenging two nutrient pollution permits, but also to create an empirical study of two statutes, the Chesapeake Bay Preservation Act enacted in Virginia and the Maryland Critical Areas Act.

"I discovered that neither state is on track to come into compliance with land use goals outlined in the agreements," she said. Not only are there many inconsistencies in the agreements, but she was disappointed to learn "no one was even trying to meet the sprawl goal. No one even has a way to measure or define what sprawl really is. It was very disheartening."

Despite discovering Virginia's "obsession with protecting property rights rather than the resource," Garner found her externship personally rewarding "since I was fully involved in a non-governmental organization (NGO) and saw firsthand the plethora of institutional challenges present in a multi-state treaty."

WORKING FROM A BASE IN MADISON, Wisconsin, Saejung Lee studied a non-traditional elder care advocacy system, part of Wisconsin's legal services implementation of the federally-funded Older Americans Act. With a background in social work in New York City, Lee's externship has helped solidify an interest



Sharon Garner

in working with immigrants, including older generations.

“A lot of the elderly live alone. They are isolated in a community. That is also true of Asian Americans and other recent immigrants. Being isolated keeps them unaware of resources available to them. Many times an older person will not know of their basic rights, much less an older immigrant resident,” Lee explained, adding that mental health laws often overlap in their coverage for the two groups. Moreover, complex application and grievance procedures or burdensome paperwork often prevent these vulnerable populations from receiving entitled private or public benefits, benefits which “can make a vital difference” to their ability to remain self-sufficient, said Lee.

Wisconsin’s delivery model uses county-based lay advocates to assist elderly with legal needs. This method enables more personal and financial commitments at a local level, but also requires a high level of cooperation between lay workers and attorneys.

A South Korean raised in Bangladesh, Lee furthered her knowledge of Asian languages during anthropology fieldwork in Taiwan as an undergraduate. She has also learned the Southeast Asian language, Hmong, and Spanish

to help her with the immigrant populations of Madison. Despite a focus on Wisconsin last semester, she also studied other states’ legal delivery models; the analysis of hundreds of survey results will complete her research project.



CRISTIE LEIGH MARCH SPENT her semester working in Washington, D.C., hardly unfamiliar territory. But her experiences as an extern with the government’s Overseas Private Investment Corporation (OPIC), helped her gain valuable insights into how the agency helps U.S. businesses develop new foreign

markets as well as assist in managing risks associated with overseas business investments, such as currency instability or political violence.

“From the first day I arrived, I was included in a number of projects that ranged from the beginnings of a project finance deal for a small business venture to a compensation determination process for a series of political risk insurance claims,” said March.



Cristie Leigh March



Michael Signer



Althea Smiley

A combination JD/MBA student, March found the externship especially rewarding because “It bridged some of the gaps between business and law.” She also appreciated the autonomy she had and the willingness of attorneys to discuss their practices. “I was invited to attend workshop lunches and presentations, which gave me the opportunity to see how different departments within OPIC collaborated to monitor projects and approve new ones.”

Her research paper looks at how terrorist concerns have affected the nature of political risk insurance claims for OPIC. She concluded the higher risk profile makes it that much more important for OPIC to use tighter corporate governance metrics so that it can withstand greater than normal losses.

MICHAEL SIGNER, AN ARLINGTON, Virginia, native, studied politics at Princeton and Berkeley before heading to law school, and has been active in Virginia politics for at least a decade. To earn credits toward his J.D. degree by externing in the Governor’s Office last fall and to be treated like a member of Warner’s staff, was “just an extraordinary educational experience for me,” he declared.

“I find it very satisfying to practice law in the way that the stakes are immediate and public,” said Signer. “The interplay between the

law and policy was fascinating, and it was exciting to see policy being developed in real time.” Signer was also able to extend his earlier work with Law School Professor A.E. Dick Howard’s two-year-old Legal Fellows program that allowed a small number of students to work half-days in Richmond.

This fall Signer also researched the relationship and tensions between a separately elected governor and attorney general. The great majority of attorney generals are elected, and Signer believes such an internal check-and-balance within the executive branch is not really necessary. Moreover, he contends this model is a set-up for constitutional tension especially when — as is the case currently in Virginia — the two come from different parties.

As attorneys general become more entrepreneurial, he said, it increasingly happens that conflicts develop between the two offices. By statute, the attorney general has to represent the state, but also has to issue advice on the office’s interpretation of, for example, what Michigan’s recent affirmative action case might mean to Virginia’s state universities.

PERTH, AUSTRALIA IS HALFWAY

around the world from Charlottesville, but Althea Kendall Smiley earned her fall credits there at Murdoch University’s School of Law

where Professor Antonio Buti supervised her studies of discriminatory legislation. A specialist in guardianship and family law, the professor has worked extensively with the rights of native Australians who were forcibly removed from their families and homelands to be raised as “whites,” frequently in institutional settings.

The plight of these ‘Stolen Generations’ received international attention through the popular 2002 film “Rabbit-Proof Fence.” “Unfortunately,” says Smiley, unlike the two young girls in the film who return to their families, “most children weren’t able to.” The government is attempting to make reparations following an inquiry that determined the removals were “racially discriminatory, breached international legal obligations, and amounted to gross violations of human rights, including genocide,” said Smiley. Initial reparations have involved allocations for family reunifications and for counseling programs.

“These people are suffering from a number of mental health issues. They are not part of the white society they were raised in, but they also don’t have the cultural knowledge of their original families,” said Smiley, a Lynchburg native and former anthropology major at Washington & Lee University. The removals also caused depression and alcohol dependencies in the now-grown children and damaged parenting skills — the result, she said, of being raised in abusive, non-loving situations.

Smiley compiled a legal history of the discrimination, and interviewed many indigenous Australians about their experiences which will be forwarded to the offices of Aboriginal Legal Services of Western Australia. Her research paper concludes further reparations are still necessary because even if the current individuals in today’s government are not responsible for the past actions of others, “the government is still that same body,” said Smiley. 

Tragic Fire at Historic Clifton Inn Kills Two Law Firm Recruiters



TWO RECRUITERS FROM THE law firm of Willkie Farr & Gallagher, Billie Levine Kelly and Trish Laglade, perished in an early morning fire at the historic Clifton Inn outside Charlottesville on November 14, 2003. Margaret Mansouri ’02 was hospitalized for several days for smoke inhalation. The women were part of a law firm team that also included UVA Law graduates William Grant ’70, Steven Seidman ’90, David Carp ’00, Jordan Alpert ’01, and Michelle Clark ’02. All resident in the New York office, they had arrived in Charlottesville the day before to have dinner with current law students holding offers from the firm.

“This was an enormous tragedy,” said Senior Assistant Dean for Career Services Steve Hopson. “Willkie is a tremendous firm, one of the most popular for recent Law School graduates. Billie and Trish were tops in their field and much admired and loved at their firm. Our hearts go out to their families and everyone at Willkie.” 

Uzbek Delegation Studies Clinical Programs



LEADERS FROM TASHKENT STATE LAW Institute (TSLI) and Namangan State University in Uzbekistan got a crash course in how the Law School runs its clinics during a legal education study tour sponsored by the American Bar Association's Central European and Eurasian Law Initiative (CEELI) November 20. The delegation met with faculty, clinic directors, Legal Aid Justice Center lawyers, and clinical students as part of a multi-university tour that included stops at New York University, American University, Columbia, Georgetown University, and Yale, among others.

"We gave them a full day presentation of all of UVA's clinical programs," said Human Rights Program and Clinic Director Deena Hurwitz, who helped organize the visit. "They wanted to get a feel for how clinical programs function at U.S. law schools."

THE DELEGATES POSED QUESTIONS *ranging from what prerequisites are required of students who want to take a clinic to what kinds of clients Virginia's clinics serve.*

TSLI established its own human rights clinic in fall 2002, in partnership with CEELI, using a three-year \$500,000 grant from the U.S. Department of State's Bureau of Democracy, Human Rights and Labor. Since the opening of the clinic, the first of its kind in Central Asia, about 17 students and 11 staff members have handled 130 cases. According to CEELI, the State Department has asked TSLI to establish a similar clinic at their satellite law school, Namangan State University, in 2004.

At TSLI, as in European law schools, the law degree is offered as an undergraduate degree. Unlike the Law School's International Human Rights Clinic, TSLI clinical students handle

individual clients and cases, and Uzbekistan's legal system allows them to bring international human rights cases to domestic courts.

In addition to offering information on clinic administration, Law School faculty presented on the school's Principles & Practice offerings, classes that are team-taught by a legal practitioner and a professor, and other courses directly related to the Law School's clinics, such as International Human Rights Law.

The visiting officials included TSLI Rector Mirzayusup Rustambaev, Yuldashali Rahimov, Dean of the Law Faculty at Namangan State University, and Malika Inakova, lecturer at the Human Rights Clinic and a law professor at TSLI. The delegates posed questions ranging from what prerequisites are required of students who want to take a clinic to what kinds of clients Virginia's clinics serve.

Students also got a glimpse of the developing legal sector in the former Soviet territory.

"The thing that I found interesting about [TSLI's] program was that it was long term, sometimes lasting two years for a particular student," said third-year law student Molly Powell, a representative for the Refugee Law Clinic who spoke with the delegation. "It seemed from their description that students who participate are very likely to find jobs in that particular practice area or even in the same organization for which they acted as a clinic clerk. To me — as a third-year still searching for a job [in public service] — that sounds very attractive."

Hurwitz said the delegation expressed interest in having some of their law students attend the Law School as LL.M.s, and also in exploring the possibilities for academic exchange or other kinds of inter-school cooperation. 

Ciolfi Plans to Use Powell Fellowship to Help Students Get Back on the Diploma Track

ALUMNA ANGELA CIOLFI '03, currently a law clerk to Judge Reginald C. Lindsay of the District of Massachusetts, was recently awarded the Law School's Powell Fellowship, an honor for a graduate or clerk entering a public service career. Created in honor of the late Supreme Court Justice Lewis F. Powell Jr., the Fellowship is designed to improve the delivery of legal services to the poor. First awarded in 2002, it provides a fellow's salary of \$35,000 for one year with the expectation that it will be renewed for a second year.



"The Powell Fellowship is a wonderful opportunity for our students who want to provide legal services to indigent clients," said Public Service Center Director Kimberly Emery '91. "It is a very generous fellowship and it has the distinct advantage of being limited to Virginia students."

Ciolfi, a Warrenton, VA, native, plans to return to Charlottesville to work for the Legal Aid Justice Center's JustChildren Program, where she worked as a clinical student and later as a volunteer while at the Law School. She coordinated with JustChildren attorneys to formulate her new job, which will focus on helping students who have been diverted from the standard diploma track into alternative education or GED programs to improve the school's overall performance ratings.

"I think part of my goal is to make parents and students aware of their educational rights." She said schools have an affirmative duty to let kids know they can receive educational services until age 20.

Ciolfi also wants to issue reports on her findings, although using specific statistics may

be difficult because of poor state reporting of such information. She said states in general underestimate dropout rates and overestimate graduation rates, and even count GED students as graduates rather than as dropouts or in a separate category. She said one study estimates that Virginia's graduation rate could be as much as 5 percent lower than the official state statistic.

During the summer of 2001, Ciolfi worked as a research assistant for Law Professor James Ryan, an expert on law and educational opportunity. "It is hard for me to imagine any student more qualified for or deserving of this fellowship," he said. "I have counseled and come to know a number of impressive students interested in public service. But none comes close to Angela in terms of her commitment and dedication."

Ciolfi is no stranger to honors. As a second-year law student, she received the Linda Fairstein Public Service Fellowship, awarded to students who have demonstrated commitment to public service and promise in that field. At graduation, she received awards honoring her general character and her trial advocacy skills. In 2003 she won the Virginia State Bar's Oliver White Hill Law Student Pro Bono Award for her service in helping meet the legal needs of low-income children and families.

"I am delighted that such a star public-service alum is coming back to Charlottesville," Emery said. "I hope to have her speak to our students and supervise pro bono volunteers when she is back with us next fall." 





Dean Stokes Retires After 27 Years

SENIOR ASSISTANT DEAN JERRY STOKES is retiring after 27 years of solving financial aid and admissions dilemmas at the Law School. Stokes has a great deal of pride about what he accomplished at Virginia, but he will clearly spend the most time recalling the students he helped along the way. “Each year at graduation I have pangs, literally, as a couple dozen students I’ve worked closely with walk across the stage.”

Stokes, along with former Dean of Admissions Al Turnbull ’62, and current Dean Susan Palmer, has seen incredible changes in the world of admissions and financial aid in the past few decades with the enactment of the Civil Rights Act and Title IX. The resulting public policies affecting university admissions changed the landscape at the nation’s colleges and universities. Stokes has enjoyed the challenges involved in bringing those policies to bear. “I have been so fortunate. This is the best kind of job a person can have,” he says. His love for the job has always been evident. “We felt

very fortunate to have Jerry come to the Law School,” said now retired Al Turnbull. “He has a sense of seasoned idealism that he carries into the admissions and financial aid processes. He believes, and he’s correct, that this is very important work.”

Stokes’s commitment to shaping the student body was bolstered by his enthusiasm and exuberance for the Law School. “He has a marvelous warmth and ability to engage with people. Jerry brought a lot of energy to the admissions efforts of the Law School,” added Turnbull.

Stokes attended the University of North Carolina-Chapel Hill for his undergraduate and legal studies. He received his J.D. in 1964. His life changed course when the Peace Corps assigned him to the faculty of Roberts College in Istanbul. He taught American literature and writing there, but his exposure to the stark culture of one of the world’s poorest cities changed his perspective profoundly. “When I headed to Istanbul I was a protected,

provincial, frat boy. After two years there that frat boy was unrecognizable.”

After finishing his work in Istanbul in 1966, Stokes worked in admissions at Yale University for eight years, with several years as director. Those were challenging times for Yale and the nation. Higher education was changing with the American culture, and Stokes was charged with recruiting from schools not traditionally thought of as Yale feeder schools and bringing women into the student body. Stokes then went on to serve as interim dean of admissions at Amherst College during its first year as a co-ed institution. After Amherst, Stokes came to Virginia. He’s been here in his current role since 1977.

According to Stokes, there are simply too many memorable stories for him to single out one, two, or even a handful from his years in dealing with potential students. “It’s so gratifying. I still get occasional cards from people 20 years out,” said Stokes from his Law School office.

But now Dean Stokes is ready to create new stories in his life. At 60-something, this grandfather of six is moving to San Francisco, intent on starting a guest house for visitors. He plans on pursuing consulting work with a few West Coast law schools, and will return to the East Coast to spend time continuing his trustee work with the Public Welfare Foundation in Washington, D.C.

Stokes still brings to the Law School the same energy he has for 27 years. His excitement about life is contagious and his legacy will live on at the Law School and through its alumni for generations to come. And although Charlottesville will no longer be his primary home, he takes comfort in the fact that he will continue to run into Law School graduates all over the country.

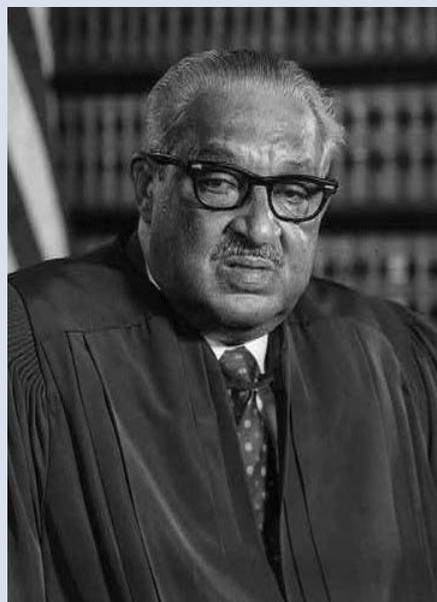
Jerry Stokes is happy to receive email from alumni at: jds4b@virginia.edu. 

Marshall Chair Established by Board of Visitors

ON FEBRUARY 6, THE BOARD OF Visitors of the University formally created the Thurgood Marshall Professorship in Law. The Marshall Chair is supported by gifts and pledges of almost 100 Law School alumni.

Dean John Jeffries noted that “the Marshall Professorship honors a great American and a great American ideal of equality before the law.”

Look for more information about the Marshall Chair and its background in our next issue. 



LIBRARY OF CONGRESS

Thurgood Marshall

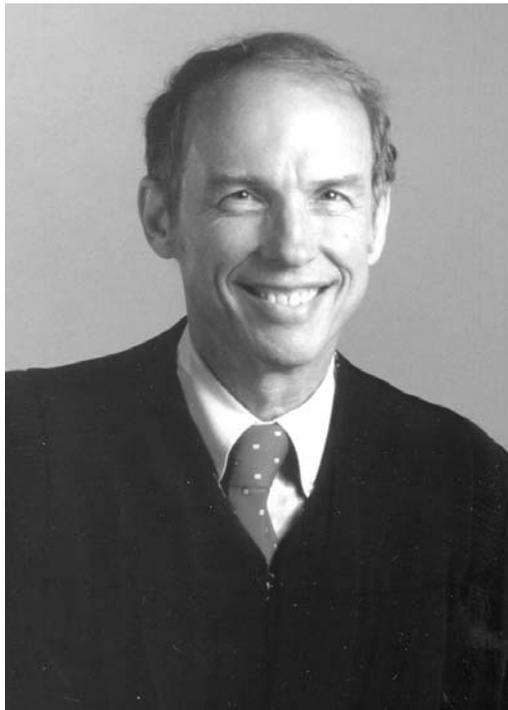
Wilkinson '72 Receives Thomas Jefferson Medal



J. HARVIE WILKINSON III, A JUDGE ON the U.S. Court of Appeals for the Fourth Circuit, and Peter Walker, principal of Peter Walker and Partners and newly selected winner of the design competition for the World Trade Center memorial, have been chosen to receive the annual Thomas Jefferson Medals in Law and Architecture, respectively.

The medals, sponsored jointly by the University of Virginia and the Thomas Jefferson Foundation, which owns and operates Monticello, are the highest outside honors given by UVA. They will be presented to Wilkinson and Walker on April 13 as part of Founder's Day activities here.

"These medals emphasize the vitality of the Jeffersonian ideals of creativity and leadership in today's world, and it is a privilege to join with the University in honoring individuals whose accomplishments have had a significant impact on our culture as well as our legacy for future generations," said Daniel P.



Jordan, president of the Thomas Jefferson Foundation.

Often discussed as a potential U.S. Supreme Court nominee, Wilkinson earned his J.D. from the Law School in 1972 and then served as clerk to U.S. Supreme Court Justice Lewis F. Powell, Jr.

Wilkinson has returned to the Law School to teach four times. He also served as editor of the *Norfolk Virginian-Pilot* from 1978 to 1981, and as deputy assistant attorney general for the Civil Rights Division of the U.S. Department of Justice in 1983–1984. He was on the University's Board of Visitors from 1970 to 1973. He is the author of "Harry Byrd and the Changing Face of Virginia Politics" (1968); "From *Brown to Bakke*, The Supreme Court and School Integration" (1979), and "One Nation Indivisible, How Ethnic Separatism Threatens America" (1997).

Wilkinson is known for conservative rulings. In a speech to the Law School last spring titled "Why Conservative Jurisprudence is Compassionate," he argued that the nation's courts have a higher duty to maintain rational and impartial standards of judgment that preserve public trust in the judiciary than in finding remedies for social problems, a task properly left to legislatures. Conservative judges are faulted as too strict about adhering to rules or caring more about hypothetical future issues than immediate injuries to claimants, he said, but emotional decisions lead to disparate outcomes that end up undermining public confidence in the justice system.

"Reason, cold calculating unimpassioned reason, must furnish all the materials of our future support and defense," Wilkinson said, borrowing Abraham Lincoln's words. 

Skadden Winner Determined to Be Heard

LAW SCHOOL ALUMNA

Janet Stocco '03 found her future calling while teaching in a Houston inner-city school under Teach for America, a program that places outstanding college graduates in low-income rural and urban communities. Leaving her doctoral work in genetics at Harvard behind for two years, she discovered she loved teaching, but to her dismay found that teachers are given little respect outside and sometimes even inside the classroom. More importantly, teachers can not make substantive policy-based decisions that affect a broad swath of students. But “people pay attention when you have ‘J.D.’ after your name,” she said — and she wanted people to pay attention to what she had to say.

A few years, an M.A., and J.D. later, policymakers’ ears better perk up. Stocco was recently awarded the Skadden Fellowship, one of just 25 given each year by law firm Skadden, Arps, Slate, Meagher & Flom to graduating law students and outgoing law clerks, which she will use to work for the Education Law Center in Philadelphia on issues affecting Pennsylvania’s foster children. The Fellowship was established to honor public service work and offers fellows \$37,500 plus benefits for one year, with the expectation that it will be renewed for a second year.

Past fellows have provided legal services to the poor, elderly, homeless, and disabled; fought for human rights and civil rights; and worked on economic development and community renewal, according to the firm.

Stocco, currently a law clerk for the Honorable Carolyn Dineen King, Chief Judge for the U.S. Court of Appeals for the Fifth Circuit, said she was amazed she received the award, and excited to begin her work at the Center in the fall. “I’m going to continue



working on education issues, but from a lawyer’s perspective,” she said.

The Education Law Center works to promote children’s access to education rights, protect rights to special education, and find solutions to education issues affecting low-income students. As a law student Stocco researched for

the Center on a pro bono basis, but as a Skadden Fellow she will directly advocate for clients, something the policy think tank doesn’t usually have the staff for. “This does require one person at a time to help each kid out,” she said. Her advocacy experience will likely inform the Center’s policy work as well. “They’ll have information on where the kinks in the system are that need to be worked out,” she said.

Stocco once considered specializing in patent law because of her background in genetics, but “I had a strong desire to become a child advocate before coming to law school ... [and] working in the Child Advocacy Clinic really cemented my goals.” She recalled one heart-rending case close to graduation that weighed on her decision to pursue a public service career — one of her clients was put into foster care, and there was a dispute over her special education needs, but the mother had moved away and couldn’t advocate for her child. After taking the clinic, “thinking of doing anything else was just depressing.”

Stocco, a former *Virginia Law Review* Executive Editor, credits Public Service Center Director Kimberly Emery '91 for supporting her goals and telling her about the Virginia Loan Forgiveness Plan, which pays off loans for those working in public service. “You can actually be a child advocate and not go bankrupt,” she said. 





Human Rights Clinic Has Busy First Semester

IN ITS FIRST SEMESTER, THE LAW School's new International Human Rights Law Clinic, under the direction of new Law School Lecturer Deena Hurwitz, had nine students working on six projects. Hurwitz selected projects that provided variety, allowed students the opportunity to work with well-known, influential non-government organizations (NGOs); and would have a practical application or role in an actual advocacy strategy:

- Critiquing fair trial standards in the draft statute for the proposed Iraqi war crimes tribunal, on behalf of Human Rights Watch International Justice Division;

- Comparing international standards on freedom of expression and the legal status of a fatwa in the case of two journalists in Afghanistan, on behalf of the International Human Rights Law Group;

- Analyzing the advisory opinion jurisprudence of the Inter-American Court on Human Rights to determine the optimal strategy to present a question concerning economic, social, cultural rights, and outlining a model question for an advisory opinion on the rights of indigenous communities to free, prior and informed consent with regard to their land, on behalf of the Center for Justice in International Law (CEJIL);

- Comparing laws in Ecuador, Peru, Colombia, Venezuela and Bolivia with respect to the rights provided indigenous people on self-governance, land ownership, and consultation, and whether these laws are consistent with international standards, on behalf of EarthRights International;

- An analysis for the Lawyers Committee for Human Rights of national security legislation and policies in Indonesia, Pakistan, Singapore, and the Philippines since September 11 to determine whether they have

been impacted by the U.S. Patriot Act and, if so, how;

- Writing two substantial legal memoranda for the Special Court for Sierra Leone, Office of the Prosecutor (OTP) on matters related to cases before the Court (as part of a consortium of law schools serving the OTP).

In addition to these main projects, the Clinic assisted Joe Margulies, lead counsel in the case of *Al Odah v. United States* — the “Guantanamo case” — on the main brief to the Supreme Court. *Al Odah* is a case of historic importance, questioning the government's right in time of war to detain people indefinitely, without charges, and without recourse to legal process. Although the timing was challenging (during exam period), a small group of students volunteered to do research, providing an exceptional opportunity for them to be involved in a cutting edge legal issue.

Hurwitz joined the faculty in 2003 as director of the human rights program and the International Human Rights Law Clinic. From 2000–2003, Hurwitz was the Robert M. Cover/Allard K. Lowenstein Fellow in International Human Rights with the Orville H. Schell, Jr. Center for International Human Rights at Yale Law School. While at Yale she supervised the law school's human rights clinic, coordinated events sponsored by the Schell Center, and taught International Human Rights at Yale College.

Hurwitz has lined up a number of speakers and events for the spring semester and will also co-sponsor public events with many of the speakers Law School Professor Rosa Brooks has invited for her human rights course. 

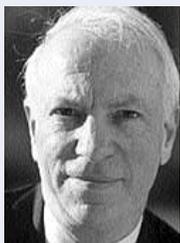
Faculty Briefs



Kenneth S. Abraham was a Visiting Professor at Harvard Law School during the Fall semester, where he taught a first-year course on Torts. While there, Abraham made a presentation to a

faculty workshop on “Reading Insurance Policies: A Guided Tour Through Uncharted Terrain.”

On November 21 Abraham made a presentation to a conference of tort law scholars on “The Future of Tort Law,” held at Pace University Law School. The title of his presentation was “Twenty-first Century Insurance and the Collateral Source Rule.”



On September 10, the National Academy of Sciences released the much-awaited report of a study on underage drinking chaired by **Richard J. Bonnie '69**.

Hearings on the report’s proposed strategy for reducing underage drinking were held in the Senate on September 30 at which Bonnie testified.

On November 13, Bonnie presented the Mark Nordenberg Lecture on Law and Psychiatry at the University of Pittsburgh. He spoke on the implications of the Supreme Court’s 2002 decision in *Atkins v. Virginia* banning execution of defendants with mental retardation. Bonnie’s position papers on implementing *Atkins* were published by the American Psychiatric Association and the American Bar Association. He also served as a reporter for the Constitution Project’s death

penalty initiative on execution of people with mental retardation or severe mental illness, and presented Grand Rounds on this topic for the University of Virginia’s Department of Psychiatric Medicine on November 11.

While at Pittsburgh on November 13, Bonnie conducted a colloquium on the ethics of alcohol control at the Center for Health Law and Ethics. He also spoke on tobacco policy at the Conference on Tobacco Prevention Research sponsored by Virginia Commonwealth University in Richmond on March 24.

Finally, Bonnie delivered the Keynote Address at the Human Rights Conference held by the Department of Mental Health, Mental Retardation and Substance Abuse Services on March 31 in Charlottesville. Bonnie helped to establish Virginia’s human rights system and chaired the State Human Rights Committee from 1979–1985.



Risa Goluboff received her Ph.D. in history from Princeton based in part on her dissertation entitled, “The Work of Civil Rights in the 1940s: The Department of Justice, the NAACP, and African-American Agricultural Labor.”



Deena Hurwitz attended in October the ACLU’s conference on *Human Rights at Home: International Law in U.S. Courts* in Atlanta. In November, she spoke at



Bevier Appointed to Board of Directors of the Legal Services Corporation



Professor BeVier and J. Harvie Wilkinson '72

IN APRIL, 2003 **LILLIAN BEVIER** was recess-appointed by President Bush to the Board of Directors of the Legal Services Corporation (LSC). Fourth Circuit Judge J. Harvie Wilkinson III '72 conducted the swearing-in ceremony for BeVier in the Federal District Courthouse in Charlottesville. The Senate confirmed her appointment in July. Since then, said BeVier, “my work as a member of the Board of the Legal Services Corporation has begun in earnest.” BeVier, who was elected Vice Chair of the Board, said the Board spent the fall searching for a new president, a search which concluded successfully in December with the appointment of Helaine Barnett, formerly the executive director of the civil division of The Legal Aid Society of New York.

BeVier said her work with the Board has been “very gratifying. Each member is eager to do the right thing by our constituency, and we listen to and respect

one another’s viewpoints” about how best to fulfill the LSC’s mission of providing civil legal services to individual indigent clients.

Also during the fall semester, BeVier was Visiting Scholar at the new National Constitution Center in Philadelphia. The Center is an independent, non-partisan, and non-profit organization dedicated to increasing public understanding of and appreciation for the

Constitution, its history, and its contemporary relevance. The Center’s interactive, interpretive facility within Independence National Historical Park officially opened on July 4, 2003.

BeVier worked with the Center to develop and present programs about the Constitution that would have appeal to and have some educational benefit for non-academics — laypeople, and practicing lawyers. She taught a four-hour, non-credit course on freedom of expression offered by the University of Pennsylvania adult education department. BeVier also gave several lectures to the staff at the Center. “It was very rewarding, and a different kind of experience for me,” said BeVier. “This was not about classic scholarship or even teaching to law students, but about public education for lifelong learners who were truly eager to learn about the Constitution. I enjoyed it immensely.” 



the concluding plenary at Northeastern University School of Law's (Boston) Conference on *Rethinking Ideology & Strategy, Progressive Lawyering, Globalization and Markets* ("Implications for the Profession and for Progressive Practice"). Hurwitz also attended the AALS Annual Meeting in Atlanta, and was elected chair-elect of the International Human Rights Law Section, to serve as vice chair in 2004 and chair of the Section in 2005. She will be working closely with the program chair to plan the section events for next year's annual meeting.



In September, **Michael Klarman** gave a talk to the Law School alumni volunteers on *Brown v. Board of Education*, presented a paper entitled "Race and Rights" to the annual Constitutional Law

Conference at the Law School, and presented the same paper to a joint history/law school workshop at Ohio State. In October, Klarman presented the same paper at faculty workshops at the Vanderbilt School of Law and the Princeton University Politics Department, delivered a lecture at Vanderbilt on *Brown*, and presented a paper on "*Brown* in Historical Context" at a conference commemorating the 50th anniversary of the landmark decision at the University of Toledo College of Law. In November, Klarman participated in a debate on affirmative action with Roger Clegg, a contributing editor for *The National Review*, which was sponsored by the Federalist Society at the William and Mary College of Law. That month Klarman also served as a commentator on a panel commemorating *Brown's* anniversary at the annual meeting of the American Society for Legal History.

In February, 2004 Klarman gave a paper entitled "*Brown* and the Civil Rights Movement" at a conference commemorating *Brown's* anniversary that was sponsored by the *Virginia Law Review*. In March, he presented a paper at a *Brown* conference being conducted by Fort Hood College in Frederick, Maryland and a paper at a panel on *Brown* at the annual meeting of the Organization of American Historians in Boston.



Clarisa Long presented in October her paper, "The Functional Structure of Intellectual Property," at the George Washington University Law School, and in September, gave the Pattee Lecture, "The Patent/Copyright Interface," at the University of Minnesota School of Law.



Paul Mahoney was appointed in January to a three-year term as Associate Editor of the *Journal of Economic Perspectives*, published by the American Economics Association. The journal aims to fill the gap between the general interest press and academic journals by synthesizing lessons from economic research, by providing economic analysis of public policy issues, by encouraging cross-fertilization of ideas among different fields, and by offering an accessible source for state-of-the-art economic thinking. "Mahoney's appointment as editor of this prestigious journal signals the high regard in which his work is held by economists as well as lawyers," according to Dean John Jeffries.



Anup Malani received his Ph.D. in economics from the University of Chicago in August 2003. Malani has an article entitled “The Political Economy of State Property Exemption

Laws,” with Eric Posner and Richard Hynes, forthcoming in the April 2004 issue of the *Journal of Law and Economics*.



Charles W. McCurdy was awarded the Order of the Coif Triennial Book Award (shared with Edward Purcell for his book on Brandeis) at the AALS meeting in Atlanta on 4

January, for his book *The Anti-Rent Era in New York Law and Politics, 1839–1865*. McCurdy is a Professor of History and Law.



On Nov. 21 at a luncheon at the Willard Hotel in Washington D.C., **Daniel J. Meador** was inducted into the Warren E. Burger Society of the National Center for State Courts.

The Society is composed of those who have made special contributions over the years to the improvement of courts and in support of the National Center for State Courts.



Carolina Academic Press has published two new books by **John Norton Moore**. *Solving the War Puzzle*, written by Moore, is about a new general theory of war and peace which builds on insights

of mainstream “idealist” and “realist” traditions in international relations while integrating the latest empirical findings about war (see Spring 2003 issue of *UVA Lawyer*). Moore was the editor for *Civil Litigation Against Terrorism*, the first book to explore the means and the challenges to add more effectively the tool of civil litigation to the United States’ legal arsenal in the war on terror.



Jeffrey O’Connell was on a program at the Brookings Institution in D.C. in January 2004 on “Public Policy Issues Confronting the Insurance Industry.” In April of 2003, he spoke on Medical

Malpractice before the Annual Meeting at the American College of Obstetrics and Gynecology in New Orleans, and also spoke on tort reform at a Symposium at the University of Tennessee Law School.

In September 2003, O’Connell was also on a program on “Tort Reform” at the UVA Law School Business Advisory Council. In October 2003, he testified before the Committee on Ethics of the Utah Bar Association on a proposal he has co-authored on reform of contingent fees in personal injury cases.



Between November and March, **Robert O’Neil** spoke at the annual meetings of the National Association of State Universities and Land-Grant Colleges (New Orleans), the American

Council on Education (Miami) and the Association of American Colleges & Universities (Washington). He was on a panel on Commercial Speech at the AALS meeting in Atlanta, the subject of an article he completed

for a symposium in the *Case-Western Reserve University Law Review*. O'Neill has written for *Currents* (the magazine of CASE), *Trusteeship* (Association of Governing Boards), and *The Chronicle of Higher Education*. He recently spoke at Rutgers, the University of Cincinnati, and Auburn (all in connection with the report of the AAUP Committee he chaired, on Academic Freedom and National Security in Time of Crisis). In February, O'Neil presented a paper at a conference on Academic Freedom at Loyola-Marymount University (Los Angeles) and in March he spoke at Cal Poly/San Luis Obispo on student speech issues.



Paul Stephan presented a paper, co-authored with **Robert Scott**, entitled "Self-Enforcing International Agreements and the Limits of Coercion" at a Virginia Legal Theory workshop

on January 23 and at a conference at Wisconsin Law School on "Freedom from Contract" on February 8. Stephan also submitted a brief *amicus curiae* on behalf of professors of international law and foreign relations law to the Supreme Court in the case of *Sosa v. Alvarez-Machain*. Finally, the third edition of his casebook, *International Business and Economics — Law and Policy*, coauthored with Julie A. Roin and Don Wallace, Jr., will be published this spring. In the last issue of the *Virginia Journal of International Law*, which published papers from the NYU-UVA Conference on Exploring the Limits of International Law, Stephan coauthored the foreword with Sam Estreicher and authored a paper, "The Intellectual Origins of the Restatement (Third) of the Foreign Relations Law of the United States."



Professor Tim Wu with fellow participants of a United Nations Development Program Project in Nepal.



Tim Wu gave workshops at the University of Michigan Law School (September) and the Telecommunications Policy Research Conference (October) on "Copyright's Communications Policy." He presented a summary of his upcoming book written with **Jack Goldsmith**, entitled "The Leviathan & the Internet" at Harvard Law School's Cyberlaw Summer Retreat (August), and spoke on "How States Have Responded to the Internet Challenge" at the Cato Institute (October). Wu and **Rosa Brooks** also ran a conference restricted to pre-tenure international law faculty called "Young International Law Scholars Roundtable."

Wu worked on a United Nations Development Program Project in Nepal both training and speaking with lawmakers and members of the judiciary on the requirements of the World Trade Organization's international intellectual property regime and relevant American experience in the area of intellectual property. He also devoted time to the question of cyberlaw, particularly jurisdictional problems that Nepal is coping with from cross-border cyber-crime.

In addition Wu published two papers: "When Code Isn't Law," and "Network Neutrality, Broadband Discrimination," and with Larry Lessig filed an *ex parte* letter at the Federal Communications Commission on the subject of Network Neutrality and Cable Broadband. Finally, Wu wrote a short piece for *Slate Magazine*, June 27, 2003, entitled "Harry Potter and the International Order of Copyright" where he argued that international take-offs of Potter were likely a good thing. 🏠



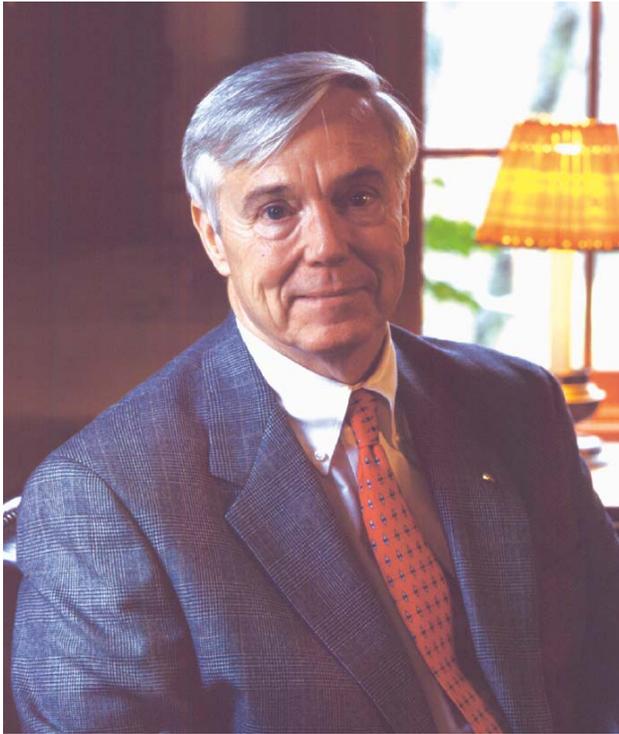
William J. Howell '67 Quietly Leads

Virginia's House of Delegates

LOG CABIN *Lawyer*

■ **Cullen Couch**

HIGH ABOVE THE BANKS of the Rappahannock River, a two-story log cabin stands in a grove of trees. The wide river meanders below, and the remains of an old church watch over a graveyard just up the street. It's a rainy day in winter, and inside the cabin a warm fire crackles in the hearth. William J. Howell '67 (R-Stafford), the Commonwealth's Speaker of the House of Delegates, has just finished repacking the last remnants of the Christmas decorations that adorned his office during the holidays. He is in his shirtsleeves, but when visitors arrive, he puts on and buttons his coat. Speaker Howell is courtly, a quiet gentleman.



IN SEEKING A NEW SPEAKER, *the second most powerful position in state government behind the Governor, the House of Delegates needed someone who could restore dignity to the office.*

And that's just what the General Assembly needed most after the former Speaker of the House Vance Wilkins resigned in the spring of 2002 in the face of mounting criticism over a sexual harassment claim. During his tenure, Wilkins had earned a reputation for being autocratic and divisive. In seeking a new Speaker, the second most powerful position in state government behind the Governor, the House of Delegates needed someone who could restore dignity to the office and also replace Wilkins' abrasiveness with civility and quiet persuasion. Much to Bill Howell's surprise, his colleagues turned to him.

Serving as "Speaker wasn't something that I was seeking or ever had any inclination of wanting to do," said Howell. "I was really quite content with my lot in life prior to being Speaker. But when it became apparent that we were going to have a new Speaker, of course I

immediately began thinking, who would be good? Then a couple of people whose opinions I value called to suggest that I consider doing it. My wife and I talked about it, prayed about it, felt led to do it, and so we did. It's worked out very well."

Howell has lived in Falmouth, Virginia, with his wife Cessie for 30 years. They have two grown sons, Bill and Jack, and five grandchildren, all of whom live in the state. Howell is a sole practitioner specializing in estate work. He is proud of his work as a lawyer, and values it most for the flexibility and financial wherewithal it gives him to pursue his love of legislative work. First elected to the House of Delegates in 1988, he calls himself a "citizen-legislator" who has been interested in politics his entire life.

"I grew up in Alexandria — this was before the Beltway, but it was inside where the Beltway was going to be — so you talked about politics as dinner table conversation," Howell recalled. "My parents were both New Deal Democrats and I grew up in that mode. In college, I wanted to decide where I was politically so I read a lot one summer, everything from Barry Goldwater to Hubert Humphrey and things in between trying to figure out what I was. I evolved from a Roosevelt Democrat to a Reagan Republican over a long period of time."

With a chuckle, Howell adds, "as Winston Churchill once said, 'to be conservative at 20 is heartless, and to be a liberal at 60 is plain idiocy.'"

Active Opponent of Tax Increases

Howell wears his conservative credentials gently. He is not one to engage in the mean-spirited rhetoric that so often consumes political debate. But make no mistake; Bill Howell is a dedicated anti-tax conservative. His zeal for restricting growth in government is as ardent as any of his more vociferous colleagues in the Republican Party, though he freely admits that other members of his own party disagree. They question his fundamental belief in the benefits of enforcing fiscal restraint on government, but he is not swayed.

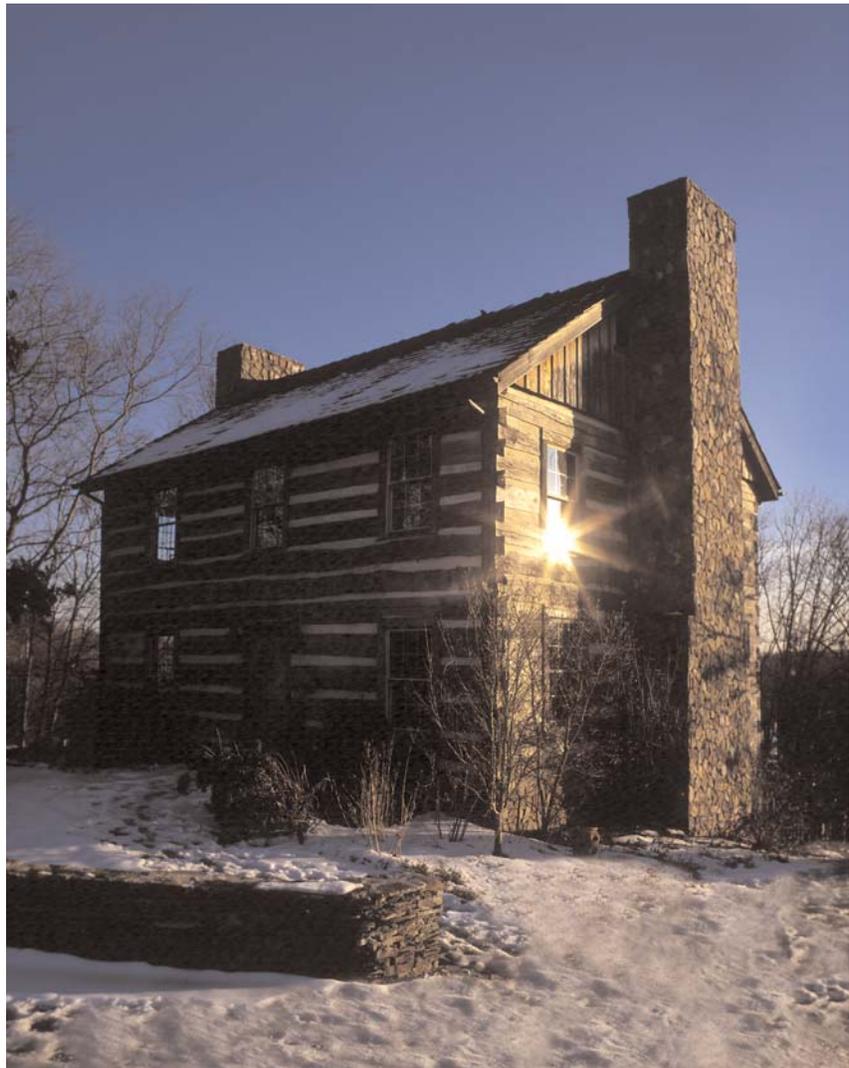
"I have members of my own caucus who say, 'Bill,

you're kidding yourself if you think we can fix these problems just with growth in the economy. We're going to have to add new taxes.' They honestly, sincerely, believe that. But my approach is that we can't allow government to keep growing at eight percent a year. We've got to get a handle on growth in government — whether it's through public-private partnerships, privatization, outsourcing, or whatever. We should not just unquestionably accept that constant growth in the size and cost of government is inevitable.”

At the time of this writing, Howell was girding for a budget battle in the General Assembly that would pit his anti-tax forces against Governor Mark Warner and supporters — some of whom are in Howell's own party — of the Governor's proposal for tax reform. According to a study commissioned by Howell, the Governor's plan would cost the Commonwealth \$10 billion and 28,000 jobs in 2006. The Governor's study, done by his Planning and Budget office, predicts the opposite: a spurred economy and job growth. Though Howell's party overwhelmingly controls the House of Delegates, the Republican moderates are the wild card. The pundits can't predict which side will win.

“This is going to be a heck of a session,” said Howell. “I hope we don't come to this, but you see this happen in other states where they can't resolve their differences by the end of the session and they don't have a budget. But we have got to have a budget, and I'm hopeful we'll be able to work through it. I respect the Governor, but there is just a basic philosophical difference. I understand where he is coming from and I hope he understands where I'm coming from.”

While Howell is a firm opponent of tax increases, he recognizes that government has a responsibility for



Home of Howell's solo estate law practice.

maintaining a strong higher education system, an efficient transportation network, and other fundamental infrastructures that the Commonwealth's citizens and businesses depend upon. But rather than raising taxes to do that, Howell believes “it's vital to keep taxes low and spur economic growth and growing state revenues to help meet pressing public needs.” He also would find savings by eliminating unnecessary or wasteful spending in government and relying on what he calls “public-private partnerships.” Howell believes that “by bringing together the creativity and innovation of the private sector to help accomplish public needs, such partnerships help deliver infrastructure and other projects in a more timely and cost-effective manner.”

“I LIKE TO LOOK AT THE *University of Virginia Law School as the law school. Clearly it’s the premier law school in the Commonwealth and one of the premier ones in the country. As such, I think the Commonwealth has an obligation to continue to support it however it can.*

Supporting Financial Self-Sufficiency and the Charter University Concept

The University of Virginia, Virginia Tech, and William & Mary are testing the political waters on a “charter university” plan to increase their autonomy from a state government that has steadily diminished its financial support for their operations. Under the plan, each university would take less money from the state in return for increased control over personnel, purchasing, and construction operations, and earn the right to set their own tuition. This charter concept borrows heavily from the Law School’s own Financial Self-Sufficiency agreement with the University. According to Leonard Sandridge, Executive Vice President and Chief Operating Officer of the University of Virginia, the Law School’s Financial Self-Sufficiency agreement “ought to apply to the entire institution.” (see Opinion, page 81)

Howell, who supports the Law School’s Financial Self-Sufficiency, sees the “charter” idea as an example of the type of public-private partnerships that can work in supporting higher education. Nevertheless, he notes that the concept will need to be fleshed out and fine-tuned more before state lawmakers agree to it.

“The University is kind of taking the lead on this pilot project,” he says. “It would basically remove a lot of the restrictions on their operations and allow them to operate more efficiently and need less money from the state. Primarily, the two things that jump out are tuition and out-of-state enrollment. That is, of course, the big sticking point with the legislature. They don’t want these universities to go private or say they’re going to take 60 percent of their kids from out of state to make more money. But it’s equally important to remove many of the

regulations on these universities that make no sense at all.”

As an alumnus, as a citizen, and as a legislator, Howell supports the Law School and believes it brings great benefit to Virginia. In turn, he feels the Law School has its own obligation to the state.

“I like to look at the University of Virginia Law School as *the* law school. Clearly it’s the premier law school in the Commonwealth and one of the premier ones in the country. As such, I think the Commonwealth has an obligation to continue to support it however it can. If not financially, certainly in other ways, and I think we do. I think the obligation that the Law School has is to continue to give preference to Virginia students to the extent that they can and continue to work with the legislature on those kinds of things.”

Looking Back

Howell remembers his Law School years fondly, naming Professors Tom Bergin, Neil Alford, and Hardy Cross Dillard as representative of the outstanding faculty of that time. He acknowledges that he wasn’t the best student while he was at the Law School. “I probably didn’t take law school as seriously as I should have but, even so, it was just such a wonderful experience. I got a really good education there; top flight professors and the students were really sharp.

“The Dean did a nice little reception for me last year down in Richmond and I told the group that here’s proof that you can still do something even if you’re in the bottom third of the class.”

Almost four decades later, Bill Howell has certainly done that. He now stands at the top of his class as the Commonwealth’s 54th Speaker of the Virginia House of Delegates. 



Maurice Jones Returns the Favor

Devotes Career to the Community That Raised Him

■ **Denise Forster**

It is not uncommon to read a personal success story in which the subject complains about how hard he had it growing up. It is an exception to find a story in which the subject is instead grateful for it. Maurice Jones '92 is that exception, and people throughout the Commonwealth, as well as the entire nation, have benefited.

In 2002, Jones was approached by Governor Mark Warner to serve as his deputy chief of staff; nine months later the Governor asked him to simultaneously serve as Commissioner of the Commonwealth of Virginia's Department of Social Services. As Commissioner, Jones oversees more than 1,500 employees who deliver social services to the state's citizens, promoting responsibility and supporting the development of healthy families and communities. The department's annual budget exceeds \$1.6 billion, covering more than 120 localities.

Jones grew up in Kenbridge, a rural southern Virginia community with a scant 1,500 residents. His world was that of a typical agriculture-based community with its endless demands and harsh realities. Raised by loving grandparents and with cousins next door, Jones and his family planted, cultivated, and harvested acres of tobacco and corn and tended to the cows and pigs. And only then could he do his homework. "I don't know if you have ever pulled tobacco, but that is *all* the incentive you will ever need to go to college," he admits, no trace of resentment in his voice.

It was as important to Jones's grandparents that he be a kind and moral man, as well as an educated one. "My grandparents had two priorities for me: I would get all of the education that I could, and I would be a nice person. I know I am fortunate because they were uncompromising on those things." His family laid the groundwork for this lifestyle by insisting on good manners, dedication to their church, hard work on the farm, and excellence in academics. When recalling his childhood on the small farm his laugh comes easily. "I have always had a job! My grandparents' farm guaranteed full employment," he says.

In ninth grade Jones served as a Page in the Commonwealth's General Assembly. Then and there he made up his mind he would go to law school. "I saw lawyers working on important issues and knew I wanted that opportunity in life. I figured I'd need a law degree." He was 14 years old.

Jones became valedictorian of his high school class, and was a star athlete in football, baseball, and basketball. But his talents reached much further than athletics alone.



"I WAS HAPPY TO BE BACK IN VIRGINIA and to be at the Law School." Even today, Jones is happy to return to the Law School to interview and help select the next group of Dillard Scholars.

He earned a full merit scholarship to Hampden-Sydney College, a small, all-male, private college in Virginia. "I was happy in that close-knit academic environment and I was close to home."

As in high school, Jones thrived, earning the title of valedictorian of his graduating class at Hampden-Sydney. He went on to even greater recognition of his intellect by being selected as a Rhodes Scholar. The small town Virginia farm boy spent three years far from home, in Oxford, England. Ever self-effacing, Jones recalls his naiveté which became painfully evident while he was readying to leave Virginia for the first time: "One of my professors was making sure I had things in order for the journey overseas. He was reading a checklist of what I would need when he got to a passport. Did I have my passport? I said, 'Well, no. What is a passport?'"

After completing his master of philosophy in international relations at Oxford, Jones applied to law schools such as Harvard and Virginia. He received a call from the Law School asking him to interview for the prestigious Hardy Cross Dillard Scholarship. The combination of Virginia's reputation and the Dillard Scholarship offer made Jones's decision easy for him, "I was happy to be back in Virginia and to be at the Law School." Even today, Jones is happy to return to the Law School to interview and help select the next group of Dillard Scholars.

After graduating in 1992, Jones practiced corporate law with Hunton & Williams in Richmond. "I always knew I would work in Virginia first — it was never a question of my leaving. It's home."

After a few years in corporate law, the opportunity to work for the public in the Treasury Department presented itself, Jones took it, and he hasn't looked back. "This was my opportunity to get into public service — I wanted to give back to society. I have had so many blessings in my life, it only seems right."

Jones became assistant to the general counsel at the U.S. Department of the Treasury and worked on an initiative called the Community Development Financial Institutions (CDFI) Fund. The CDFI Fund was created to tie together available credit, investment capital, and financial services to "distressed urban and rural communities." Modeled somewhat on the concepts of the World Bank, the Fund promoted financial development in community based organizations to benefit its community members.

"I was drawn to combining my interests in finance and business to combat poverty," said Jones. He served in several capacities at the Fund over five years, starting as general counsel and culminating as director. Since this was a political appointment, when the presidential administration changed in 2001, it was time for Jones to vacate the post.

After leaving the CDFI Fund, Jones became one of five partners at Venture Philanthropy Partners (VPP), an organization serving the metro-D.C. area on the frontlines of poverty. Less involved in financing, more

"I WANTED TO DO THIS JOB, to try to do good things for people.

Working in state government provides me the chance to give back and nourish the people of the state that continues to nourish me.

hands-on in nature as a combination grant maker and consulting agency, VPP dedicates time, money, and energy to the efforts of organizations serving mostly children at risk. Jones appreciated his work. "The piece I loved most about this time was that it gave me the opportunity to learn more about organizations serving youth who were at risk of not fulfilling their potential."

At VPP Jones came to the attention of newly elected Governor Mark Warner. Warner's office recruited Jones to serve as Deputy Chief of Staff, where he focused on performance management, urban policy, and community development. As Commissioner of the Department of Social Services, Jones's work directly touches thousands of parents and children in Virginia every day through his administering of the welfare system, foster care, child protection, and adult protective services, as well as regulation of child care and adult care facilities, child support programs, and programs aimed at targeted adults-with-needs populations.

"I wanted to do this job, to try to do good things for people. Working in state government provides me the chance to give back and nourish the people of the state that continues to nourish me. It's a blessing to be able to help the state be a better partner to people with various stresses in their lives."

Being raised in a rural environment by old-fashioned grandparents made Maurice Jones value community and family life. In June of 2001 he married Lisa Smith, an attorney with MCI, and in late 2002 they started their family with the birth of daughter Michela. The couple bring Michela to visit Jones's grandfather in Kenbridge regularly. There is no question that he will raise his daughter with the same value system that honors his upbringing.

It is clear to those who know and work with Maurice Jones that every investment made in him and his life has paid off handsomely. 

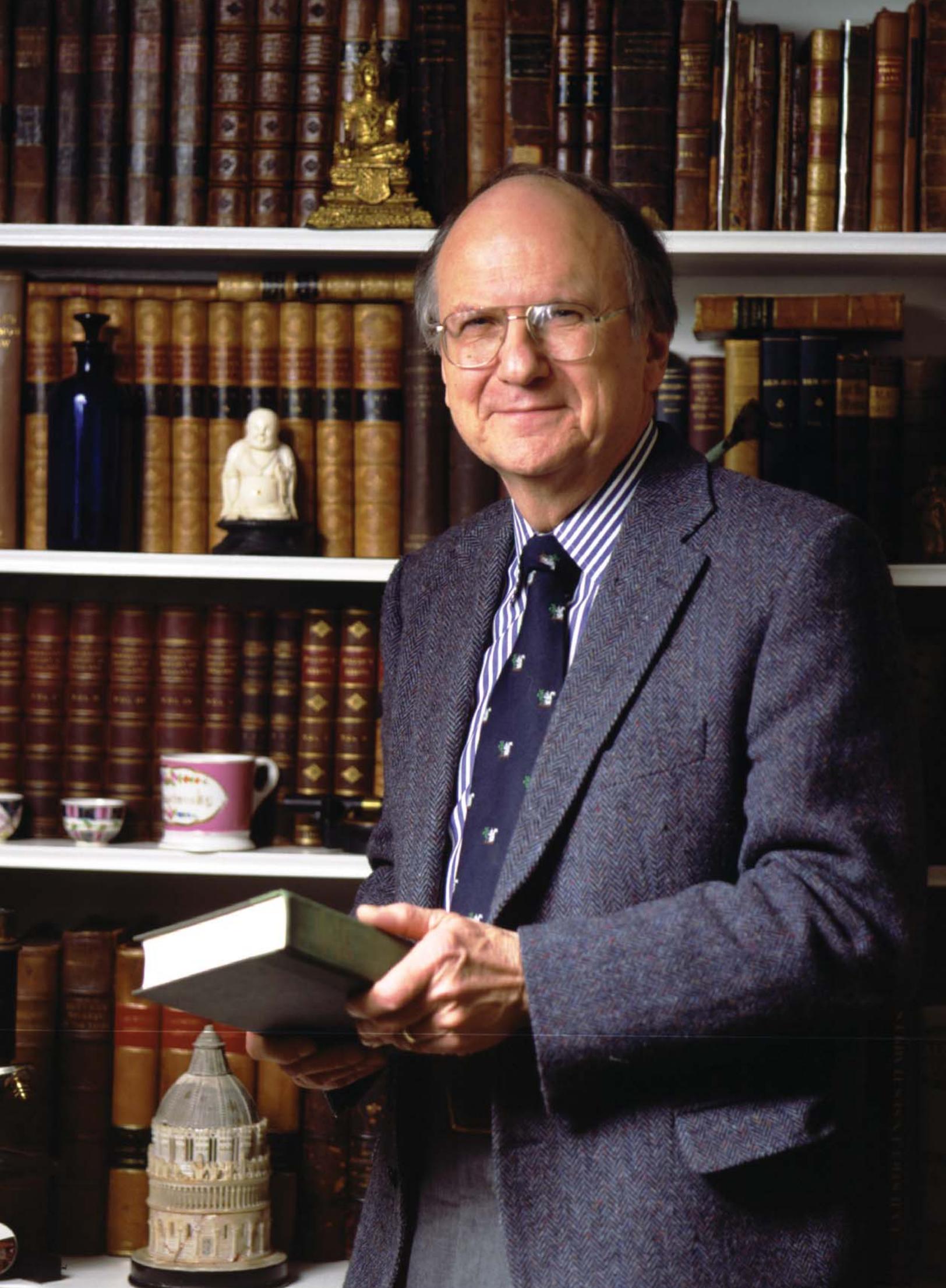
How did the American Constitution become the wellspring of a constitutional movement that enveloped the world?

Virginia's Constitutional Experience Touches the World

■ **Cullen Couch**

IRGINIA HAS LONG BEEN KNOWN as the intellectual home of the founding of the nation. The Commonwealth's political philosophers continue to be exhaustively documented and analyzed in the nation's history books. What is less discussed is how the American Constitution, the world's first written document of its kind — and one to which the collective intellects of some very remarkable Virginians made a central contribution — became the wellspring of a constitutional movement that enveloped the world in the late twentieth century.

An interesting turn of events in 1968 put A.E. Dick Howard '61, the White Burkett Miller Professor of Law and Public Affairs at the Law School, in a front row seat on many of these developments. In that year, Howard was asked to serve as Executive Director of a commission Virginia Governor Mills Godwin '38 had called to rewrite the state's constitution. As a young constitutional law professor, Howard had, of course, studied the U.S. Constitution in depth and had written scholarly analyses of it. Now, with his new appointment, he would put that expertise to practical effect and, in the process, establish himself as an expert in the tactics and strategies of creating a modern, working constitutional document. It was the beginning of a scholarly ride that would put another Virginian in a new century's transitional moment of world history.



“I WAS EXCEPTIONALLY FORTUNATE *to have the chance to work at all three major stages of making a constitution.*”

Revising a Racist Document

Virginia's 1902 constitution had been written at the height of a white supremacy movement that followed the Civil War. It was an ultra-populist, racist document that had constricted the better natures of the Commonwealth since its inception. It was also long and unnecessarily detailed, burdening the state's ability to do its job in even the most mundane matters.

Governor Godwin, the only man to have served two gubernatorial terms in the Commonwealth, asserted his leadership and called for constitutional revision. He picked a commission of forward-thinking citizens who would drive the effort: Law School Dean Hardy Cross Dillard '27, former governors Albertis Harrison and Colgate Darden, civil rights lawyer Oliver Hill (noteworthy for his work with Thurgood Marshall on the *Brown* decision), Richmond attorney Lewis F. Powell, Jr. (later to join the United States Supreme Court), and Ted Dalton, Virginia's original “Mr. Republican.” As Executive Director of the commission, Howard would work closely with these men as they grappled with the legal and cultural issues of an American society in deep flux.

“The '60s began with the last gasp of the old order, of massive resistance, and closed with the harbingers of a new age, a really wonderful moment in Virginia history,” said Howard. “One of the reasons the commission worked so well is that they sensed that Virginians had an opportunity to do something historic, to chart a course for the future of the Commonwealth notwithstanding all the social unrest going on throughout the country as fires burned in many cities. They had the perspective to see these problems as the very time to think about our future.”

Draftsmanship and Salesmanship

Howard is an unfailingly gracious man whose good humor and enthusiastic intellectualism made him well-suited for his new role. As Executive Director, he had to be at times workhorse, tactician, and diplomat as he put

into draft form the principles that the Commission had agreed upon.

“My job was to lay things on the table,” said Howard. “They were the policymakers and I was the draftsman, like the architect of a

house who knows what you want the house to look like and then works up a plan that does that. I saw it as my job to put on the table issues that they ought to think about; drafting choices, different language for various paths. They had the political sense — they knew the legislature and the legislators — to intuit the points at which you might push the legislature too far.”

After working with the Commission to draft the initial document, Howard served as Counsel to the General Assembly in its special session to approve the new constitution. Governor Linwood Holton (who had succeeded Godwin as governor) then asked Howard to run the referendum campaign to get it approved by voters statewide. The campaign was wildly successful (72 percent voted for it).

“I was exceptionally fortunate to have the chance to work at all three major stages of making a constitution: the drafting stage with the commission, the legislative approval stage with the General Assembly, and then finally the pure politics of selling the constitution at referendum,” said Howard.

Sharing the Virginia Experience Internationally

The success of the Virginia constitutional effort raised Howard's profile in other states and, eventually, in the countries of Central Europe and other countries seeking to write new constitutions. For Howard, it was a matter of a constitutional scholar being in the right place at the right time.

“A couple of tracks began to develop,” said Howard. “First, I was asked by revisors in other states to advise them on constitutional revision. Then, a little further down the pike, I began to work with other countries. The Virginia experience was quite helpful. The countries with which I worked needed advice, not only on how to do the drafting, but also on how to get it through the political process.

“The marvelous thing to me was to find out how useful the Virginia experience was in other countries. You

would expect to be able to go to other states and use that experience. But it would not have occurred to me that what I had learned in Virginia would prove so helpful to me working abroad.”

The countries in the Soviet bloc had no tradition of free choice. Their communist constitutions “looked good,” according to Howard, “but they were Potemkin villages: facades without reality. However bright and well-informed the drafters, until the collapse of communism, they simply had not been involved in the direct process of writing an authentic constitution.”

Howard would engage drafters in thinking about the basics of good constitution making: brevity, clarity, organization, and a sense of purpose, while ensuring that the document reflects the distinctive culture and traditions of the country. He encouraged the revisers to mull their own traditions, and then what other countries might do, to come up with a proper blend.

“I invited them to think about why different systems are the way they are,” he recalls. “For example, if you want to choose between a U.S. Supreme Court and a German constitutional court model, why are those two courts the way they are? What are the relative advantages and disadvantages? I wanted to push their sense of having to make choices and then the implications of those choices. The operative element was their own culture, their own people, their own aspirations.”

In working with so many different cultures and political systems, Howard believes that all constitutional drafters need to think about and incorporate into their document some version of the major principles of the U.S. Constitution — federalism, separation of powers, checks and balances, and an independent judiciary.

“Federalism is perhaps the most original American contribution to constitutionalism. Judicial review is probably the most powerful,” says Howard. “The guiding principle in *Marbury* is an idea that has spread around the world. At the same time, structural arrangements are as important in defending liberty as rights in the judicial sense. That’s what Madison thought; federalism and separation of powers were going to be the body of the

constitution, and the distribution of power would be a bulwark for liberty.”

Howard also found that federalism means one thing in countries where the political units are geographical as in the United States, Canada, and Australia. It means something entirely different in a country with important national, ethnic, religious, or linguistic minorities and the dynamics that arise from them, such as in the countries of Central Europe.

Howard cites the former Czechoslovakia as a case in point. It proved relatively straightforward for the drafters to shape a bill of rights, but working out the division of authority between the central government and the two

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republics proved to “be the fatal impediment,” said Howard. “They simply couldn’t agree on that. The Slovaks considered themselves a sovereign nation, as though they were engaged in treaty-making rather than constitution making.”

The World’s American Ancestor

Howard sees the American constitutional experience to be at once profound in breadth but unique in application.

“Working around the world has made me aware of the wonderfully rich diversity of constitutional arrangements. Although the American Constitution is but one of many, it lies at the heart of this international experience. Certainly the American example, as admired as it is in many parts of the world, is not an immediate model that others can take and copy. No one thinks that. But our Constitution was the first modern, written constitution among the nations of the world and the ultimate ancestor of all present day constitutions.” 

High Court Agrees with Argument in
Virginia v. Maryland

Raphael Wins One for the Commonwealth

■ **Jeanne Siler**

WHEN STUART A. RAPHAEL GRADUATED from the Law School in 1989 and went to work for Hunton & Williams in McLean, Virginia, he hardly suspected that one of the biggest opportunities of his legal career literally lay just around a bend in the nearby Potomac River. Last October Raphael found himself in front of the U.S. Supreme Court as Special Counsel to the Commonwealth of Virginia as part of *Virginia v. Maryland*, No. 129, Original, arguing that Virginians have as much right to use the water in the Potomac River as their neighbors on the other side, even though the boundary is on the Virginia side, rather than in the center of the river.

While the past several decades have seen plenty of cooperation between Virginia and Maryland, their wrangling over water rights dates back to 1632 when King Charles I of England granted a charter to Maryland that included the river — shoreline to shoreline.



The average flow of the Potomac River is about seven billion gallons a day as it makes its way past the nation's capital. While Virginia and Maryland colonists were most interested in unrestricted navigation and fishing rights, the Potomac's importance to its neighbors today is largely as a source of clean drinking water.

WHILE THE COMPACT OF 1785 *was mostly concerned with trade and navigation, it was the need for reliable drinking water that led the Fairfax County Water Authority to press Virginia's legal rights in the Potomac River.*

Much of Raphael's success in winning his case relied on a 1785 compact between founding fathers of the new states of Maryland and Virginia and a later arbitration called the Black-Jenkins Award of 1877.

"George Washington's pet project was to open the Potomac River to the West for trade via the Ohio River," said Raphael, noting how the Compact of 1785 was written at Washington's home at Mount Vernon overlooking the Potomac.

"The legislative history of the Compact of 1785 consisted of the published papers of George Mason, James Madison, Thomas Jefferson, and George Washington," Raphael said. He also performed original research in the British Public Record Office, unearthing instructions from five successive British monarchies, from 1685 to 1737, urging royal governors in Virginia to resist Lord Baltimore's "pretended right to the whole River of Potomack" and to "Assert Our Rights in those parts, and to take Care that the Trade of his Subjects be not disturbed by the said pretences or any other whatsoever." Researching the correspondence from monarchs James II, William and Mary, Anne, George I, and George II helped counter the argument Maryland was making 227 years after statehood that its ownership of the river was "well-known and undisputed in colonial times."

While the Compact of 1785 was mostly concerned with trade and navigation, it was the need for reliable drinking water that led the Fairfax County Water Authority to press Virginia's legal rights in the Potomac River. The Water Authority supplies drinking water to 1.2 million people in Northern Virginia. Raphael's colleague,

Randolph W. Church, Jr., '60, had served as the Water Authority's general counsel for many years. (Raphael succeeded him as the Water Authority's general counsel after Church took senior counsel status in 2000). In 1996, the Water Authority sought to replace a shoreline intake pipe with a longer pipe that would run under the riverbed

and draw water from the channel of the river instead of the shoreline where ice and sediment can be problematic. When the Maryland Department of Environment refused to issue a permit for the construction in 1997, Raphael and Church were asked to

appeal the decision through the Maryland legal system. Although a Maryland administrative law judge ruled in the Water Authority's favor, Maryland Governor Parris Glendening and the Maryland General Assembly took various steps to kill the project.

By early 2000, Virginia Attorney General Mark Earley decided to file suit against Maryland in the Supreme Court, which has "original jurisdiction" in suits between two States. The Attorney General asked Raphael and Church to handle the case as Special Counsel to Virginia.

At the outset of the Supreme Court proceedings — "at the gate-keeping stage" when Virginia was still trying to persuade the Supreme Court to take the case — Raphael turned to his alma mater for some assistance. "Dean Jeffries was extremely helpful to us," he said. The Supreme Court will not take an original action case if it believes there is an alternative forum in which the legal issue can be adequately addressed. "We had a pending case before the Maryland Department of Environment in which the same legal issues were being litigated," Raphael said. "Dean Jeffries' helped us to sharpen the argument that Virginia's interests would not be adequately vindicated in the Maryland legal system."

Raphael later succeeded in convincing a Maryland state court judge in Baltimore to order the Maryland Department of Environment to issue a permit for the project to move forward. However, even though the intake was completed and became operational in the summer of 2003, the Maryland court did not address Virginia's argument that no Maryland permit was required in the



Stuart Raphael '89, left, and Virginia Attorney General Jerry Kilgore at the Supreme Court.

WHILE RAPHAEL HAD
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 this was his first oral argument
 before the high court.*

first place. The Supreme Court needed to resolve that controversy.

Oral argument before the Supreme Court lasted an hour. It was the second argument on October 7, the first day of the Court's 2003 Term. Raphael had known the date in advance since August. "I had three moot courts to get ready for it." The practice arguments were very useful exercises, he said, helping to refine his arguments. "Thinking about the case continuously improves with such practice. As a result, I wasn't really nervous. I'd lived this case for five years." He felt he knew the specifics of the case as well as anyone else and said, "that gave me a lot of confidence."

Maryland's former solicitor general Andrew Baida spoke first, arguing that because Maryland was granted title to the entire river in 1632, the state had regulatory rights over what happened in Maryland's own territory. Raphael countered that the boundary had been contested for years and that, in the face of that dispute, the states had agreed in 1785 and again in 1877 that each state would have equal rights of access. That access wouldn't be altered by the fact that a binding arbitration in 1877 finally put the boundary on the Virginia side of the River.

In the end, the vote was 7-2 in Virginia's favor. The dissenters — Justices Kennedy and Stevens — basically "bought Maryland's argument," said Raphael. "They agreed the boundary was everything. Fortunately, the majority agreed with our historical argument."

While Raphael had seen a number of cases argued before the Court and had written briefs for cases there, this was his first oral argument before the high court. It was "a huge honor and privilege. I'm a young man still, but it may well be the highlight of my legal career," Raphael said with a smile.

He especially appreciated that a number of his Law School classmates were in the courtroom that day for support, including his wife, Abby Raphael '89, and "Janet Nolan, Marc Williams and Bo Tayloe. ... Many of us in the Class of '89 have stayed in very close touch, especially in the Washington, D.C. area. Several of our classmates live in Maryland and there's been a running joke between us about my work on this case."

Raphael lives in Arlington and his family often takes walks along the banks of the Potomac River. While he was preparing for this case, he would talk to his two young daughters about his work.

"It's challenging. You want them to understand the issues but at the same time not be hostile to Marylanders." But he says even his five-year-old Caroline could understand his argument in its simplest form: "We have to share the river." 🏠

Copies of many of the historical documents filed in the case can be viewed online via www.vaag.com under "Cases of Interest." The Court's opinion and the transcript of Case No. 129, Original can be found online at www.supremecourtus.gov



Class Notes

Send Us Your News

Tell us the important things that happen in your life! We welcome submissions for inclusion in *Class Notes*. **Online**, submit them at www.law.virginia.edu/alumni; **E-mail** them to lawalum@virginia.edu; **mail** them to *UVA Lawyer*, University of Virginia School of Law, 580 Massie Road, Charlottesville, VA 22903; or **fax** them to 434/296-4838. Please send your submissions by June 1, 2004, for inclusion in the next issue.

1940

Mortimer Caplin was recently appointed to the American Bar Foundation (ABF) Board of Directors. An ABF Fellow for 25 years, he has served as its Washington, D.C., chair since 1999. A former IRS Commissioner and tax professor at the Law School, Caplin was honored with the Law School's highest honor, the Thomas Jefferson Medal in Law, in 2001. He is the founding member of Caplin & Drysdale in Washington, D.C. **U.S. Senator John Warner '53** honored Caplin in a speech before the U.S. Congress in November.

1948

Harry Gustin II married Cherry Whitehurst Wood on August 2, 2002, in Norfolk, VA. Gustin practices as of counsel with Huff, Poole & Mahoney PC in Virginia Beach, VA.

The UVA Board of Visitors voted May 30 to name its new basketball arena after **John Paul Jones**, father of John Tudor Jones II, Arts & Sciences '76, who has committed \$35 million of the \$130 million building project. The new 15,000-seat John Paul Jones Arena will replace the aging University Hall, built in 1965, as the home of Virginia basketball. "It's payback time for his being a great father," said Jones II about his dad in a June 13 article in *InsideUVA*. Founder of the Tudor Group, a money management firm based in Greenwich, CT, Jones called the naming "a fitting tribute" to a man whose life has been dedicated

THE VIRGINIA BAR ASSOCIATION (VBA)

honored the following Law School alumni as Life Members during a July 11 banquet at the Association's 113th summer meeting. Life Members have been members of the VBA for at least 40 consecutive years and have attained the age of 70.

William Lawson '51
 W. Glover Garner, Jr. '56
 Arnold Leon '57
 Hon. Jere Willis, Jr. '57
 Wilson Rivers '59
 Miles Cary, Jr., '60
 Morton Clark '60
 Hon. Talmage Cooley '60
 Hon. W. Tayloe Murphy, Jr. '60
 Collins Denny III '61
 A.E. Dick Howard '61
 Grover Wright, Jr. '61

primarily to four things: his faith, his family, the University of Virginia, and basketball. John Paul Jones, Sr., practices law in Memphis, TN.

Harry McCoy, Jr., reports that he enjoyed a challenging and stimulating practice in civil, trial, and appellate courts in several states and a sizeable admiralty/maritime practice necessitating foreign travel. For many years he was a visiting lecturer at the Law School, teaching the admiralty seminar both in Clark Hall and on the North Grounds. He retired from active practice in 1980.

1952

Richard Taylor has served on the Republican National Committee for Maryland since 1983.

1955

William Weeks is semi-retired and still practicing part-time with the firm of Holland & Knight LLP in Boston, MA. He sends best wishes to all his classmates.

1957

M. Scott Brodie retired from Bank of America after 27 years, most recently as senior vice president. He currently works with Morgan Keegan & Co., Inc. In his spare time he puts in some “muddy boots weekends” as a major general with the North Carolina State Guard.

On September 1 **William Miner** took of counsel status after 45 years with Waller, Smith & Palmer PC in New London, CT. “I still maintain my office and my secretary and find myself there more than planned,” he writes. “However, we do have some vacations planned.” Miner and his wife Judith live in Mystic, CT.

1958

Karl Velde, Jr., reports that he “had a great time at the 45th reunion and looks forward to the big 5-0!”

1959 *Reunion Year*

Shant Harootunian and his wife Louise observed their 50th wedding anniversary on December 5.

1960

K. King Burnett just completed a two-year term as president of the National Conference of Commissioners on Uniform State Laws. Now in its 112th year, the organization comprises more than 300 lawyers, judges, and law professors, appointed by the states as well as the District of

Columbia, Puerto Rico, and the U.S. Virgin Islands, to draft proposals for uniform and model laws on subjects where uniformity would be useful, and work toward their enactment in legislatures. He practices as a partner with Webb, Burnett & Jackson of Salisbury, MD.

Miles Cary, Jr., and his wife Ann visited Tuscany, Italy, as part of a fall 2002 alumni trip and toured Australia and New Zealand in January and February 2003.

Bill Mead sends his best wishes to all.

Quinnipiac University School of Law recently awarded **Richard Silver** an Honorary Doctor of Laws degree. A senior partner at Silver, Golub & Teitell LLP in Stamford, CT, Silver is a leading lawyer in Connecticut in the areas of personal injury, medical malpractice, automobile negligence, and product liability. The Connecticut Trial Lawyer’s Association (CTLA) also recently honored Silver with its Lifetime Achievement Award. Past president of the CTLA, Silver currently chairs its medical malpractice committee and has served on its board of governors since 1977.

1961

Robert Montague III reported the births of two grandchildren in 2003. Andrew Jackson Montague, son of **R. Latane Montague IV ’97**, was born February 12. Frances Elizabeth Mason Bavin was born April 24.

1962

The New York State Bar Association awarded **William Carroll** its Distinguished Service Award in a June 21 ceremony in Cooperstown, NY. In the future the award will be called the William J. Carroll Distinguished Service Award. Carroll, who served as the Association’s executive director from 1978-2001, guided the Association through a growth spurt that more than doubled its membership and through two major expansions

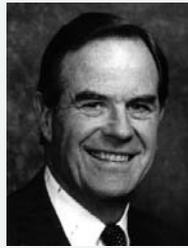
of the Association's building, the historic State Bar Center, in downtown Albany. "During more than two decades of service to the New York State Bar Association, Bill Carroll was the consummate professional," said Association President Thomas Levin. "Humility, humor, and grace were the touchstones of his success, which was unparalleled in the world of bar associations." With more than 70,000 members, the New York State Bar Association is the largest voluntary state bar association in the country. Carroll, who lives in Delmar, NY, was elected president of the National Association of Bar Executives (NABE) in 1998. In 1997 he received the Bolton Award for Professional Excellence, the NABE's highest award.

1963

The Supreme Court of Florida recently appointed Miami attorney **Michael Bander** to a three-year term as at-large director of the Florida Bar Foundation's board of directors. A charitable organization founded in 1956, the Florida Bar Foundation funds civil legal services for the poor throughout Florida, and provides grants to improve the justice system and public service fellowships for law students. Bander currently serves on the Foundation's development committee and legal assistance/law student assistance grant committees. A former member of the U.S. Department of State and a past president of the American Immigration Lawyers Association, Bander practices immigration and naturalization law with Bander & Associates PA.

1964 *Reunion Year*

Michael Crimmins is pleased to report the birth of his granddaughter, Kathryn Marie Keeley, on May 27. The proud parents, **Jennifer Crimmins Keeley '99** and **Stephen Keeley '99**, live in Naperville, IL, along with their older daughter, Charlotte Rose. "Grandparenting is fun!" Crimmins wrote. He and his wife Rosemary enjoyed the good company and excellent weather on the UVA alumni tour of Sicily in May.



The Federal Reserve System Board of Governors has appointed **Walter Metcalfe, Jr.**, chair of the Federal Reserve Bank of St. Louis board of directors. Chair of Bryan Cave LLP, Metcalfe

serves as a trustee of Washington University in St. Louis, Smith College, the Danforth Foundation, and the Pulitzer Foundation for the Arts. He also serves on the boards of directors of St. Louis Children's Hospital and the Regional Chamber and Growth Association of St. Louis.

Clifton "Chip" Woodrum III retired from the Virginia House of Delegates last fall, ending a 24-year career. The *Roanoke Democrat's* "intellect, fierce party loyalty and rapier wit made him one of the state's most visible legislators," wrote the *Roanoke Times*. "I've enjoyed the last 24 years of service, but I thought I should leave while I still have all my faculties and I still have some fire in the belly," Woodrum said in the article. "It's going to be a real loss," Virginia Governor Mark Warner was quoted as saying. "Chip's always been a real spokesman for education, for the rights of women and for a fairer tax code." "[Woodrum] sponsored legislation in 1987 creating the Virginia Birth-Related Neurological Injury Compensation Program, a fund that covers medical bills and other expenses for children who suffer disabling neurological injuries at birth. He headed the Virginia Freedom of Information Advisory Council and pushed for access to government meetings and documents. And he has recently been a lonely but outspoken critic of the state's move toward electric utility deregulation," the article reported. Virginia Democratic leaders expressed surprise and disappointment that Woodrum had decided to retire. Woodrum continues to practice law and pursue political, civic, and business interests in Roanoke.

Gilbert Wright, Jr., works for Blue Cross Blue Shield of Florida as special counsel in Jacksonville, FL, after moving from Sudbury, MA,

in 2001. He enjoys working with fellow alumni in his company.

1965

The Motion Picture Association of America recently made **Tony Medley** an accredited film critic. His critiques appear in several newspapers and may be seen at www.hanthonymedley.com or through the Movie Review Query Engine, www.mrqe.com.

Tom Murray, Jr., and his wife Ann have established the Future of Russia Foundation. Its goal is to create a model for Western-style health care across Russia, particularly in the areas of prenatal care and delivery, starting with one modern maternity hospital. The health care system in Russia is woefully antiquated, according to a December article about the Murrays in the *Sunday Magazine* of the *Cleveland Plain Dealer*. The average life expectancy of men in Russia has dipped to 58 years. Meanwhile, there were only 1.2 million births in Russia in 2002, down from 2.5 million in 1987. The Russian population is expected to drop from 144.3 million to 100 million by 2050. Murray believes the U.S. needs a strengthened Russia as an ally during this time of turmoil. He also believes U.S. citizens have a responsibility to reach out to the world. "It's part of our spirit. It's the heart and soul of America," he was quoted as saying. "We are withdrawing at a time when we desperately need to be understood. We cannot become one large gated community." So far the Murrays have funded the Foundation mostly themselves, but they are seeking contributions from foundations and individuals. To contribute, see www.futureofrussia.org.

1966

The American Bar Association recently elected **Philip Bagley III** chair of its real property, probate and trust law section. A partner at Troutman Sanders LLP in Richmond, VA, Bagley chairs the firm's commercial development and

real estate investments practice group. A past president of the American College of Real Estate Lawyers, Bagley currently serves as president of the Richmond Real Estate Group, an organization of 75 commercial real estate professionals elected to membership.

1967

William Cumming serves as president of Vacation Lane Group, an incorporated nonprofit group specializing in emergency management and homeland security in a democratic context.

Jim Haley, Jr., recently served as chief judge of the 15th Judicial Circuit in Virginia. He and his wife Ann (M.A. '66) have three children and two grandchildren. Their children include **Charles Haley '95**, **Laura** (B.A. '89 and M.A. '92), and **Shelley** (B.A. '99).

1968

Virginia Business magazine named **Allen Goolsby III** the top lawyer in Virginia in business law in its December feature, "Legal Elite." Goolsby, a partner with Hunton & Williams in Richmond, and took a lead in developing Virginia's corporation law. "He was so involved in crafting the law that he knows it better than most," the magazine notes. A recent Goolsby case involved the acquisition of Tennessee-based Clayton Homes by investor Warren Buffett's company Berkshire Hathaway. Shareholders challenged the acquisition — a challenge ultimately rejected by the Tennessee Supreme Court.

Stuart Johnson serves as president of the Aaron Burr Association, a non-profit family genealogical organization. He is currently planning the group's 2004 annual meeting July 7–11 in Weehawken, NJ. The meeting will commemorate the 200th anniversary of the fatal duel in Weehawken between Aaron Burr and Alexander Hamilton.

William Norman serves as trial partner at Cooper, White & Cooper LLP in San Francisco, CA. He practices general commercial litigation with a focus on real property, wrongful termination, trade secret, professional liability, and partnership disputes. He has tried over 60 successful lawsuits, most of them jury trials, and has been elected to the American Board of Trial Advocates.

W. Robert Pearson was sworn in October 7 in Washington, D.C., as director general of the U.S. Foreign Service and director of Human Resources. President George Bush has also appointed him Chairman of the Board of Foreign Service. Pearson has been a career member of the Foreign Service for 27 years and was most recently U.S. Ambassador to Turkey. From September 2000 to July 2003 he managed U.S. interests in Turkey through two severe domestic economic crises, a general election, the war in Afghanistan, and the invasion of Iraq. As deputy chief of mission in the U.S. Embassy to France from 1997 to 2000, Pearson closely followed the evolution of the European Union, as well as defense and security issues within the Atlantic Alliance and the EU. He actively promoted business ties between France and the U.S., and helped open five new American offices in France's regions. Pearson, who speaks French, Chinese, and Turkish, also served twice at NATO, from 1993 to 1997 as deputy permanent representative to the U.S. Mission during the Balkan crisis and NATO's enlargement, and from 1987 to 1990 on the international staff as chair of NATO's political committee. From 1991 to 1993 he was the executive secretary of the U.S. Department of State. His wife Margaret is a career diplomat in public diplomacy. The couple have one son, Matthew.

1969 *Reunion Year*

After retiring from PriceWaterhouseCoopers in Chicago, **Garland Allen** and his spouse Farrokh moved from Evanston, IL, to Santa Monica, CA. They write they are enjoying the flora, fauna, and

weather, while being close to family. In 2002 the couple spent three months traveling in France and Italy. After a break from work, Allen started a solo state tax consulting practice that focuses on representing corporations with Illinois tax disputes.

In July **Frederick Hodnett, Jr.**, celebrated 30 years on staff at the Supreme Court of Virginia. He writes, "I have enjoyed my career and find it very hard to believe that three decades have come and gone." He reports that many of the judges and attorneys he deals with every day are fellow graduates of the Law School.

Jim Kobak, Jr., reports he used the time he had dedicated for years to teaching a weekend seminar at the Law School on antitrust and intellectual property to write *The Wimp's Guide to Cross Country Skiing* (see the *In Print* section) — "less rewarding intellectually, but hopefully funnier."



John H. Reid III has been elected to the board of overseers for the Bushnell Center for the Performing Arts in Hartford, CT. Reid serves as partner-in-charge of the Hartford office of

Edwards & Angell LLP. A tax lawyer specializing in employee benefit plans, estate planning, and the problems of small businesses, Reid has authored several articles, including *The Unwitting Fiduciary and Military Leave Benefits for Employers*. A resident of Glastonbury, CT, Reid heads the Glastonbury Youth Football Association and serves on the Small Business Council of America advisory board.

1970

Samuel Shepard Jones, Jr., is continuing his "second" career as a financial consultant with Smith Barney, Inc., in Washington, D.C. His daughter Basia is a first-year student in the College of Arts and Sciences.

1971

Thomas Bottini of St. Louis, MO, has been named Honorary Consul of Nicaragua.

Ron Coleman currently serves as chairman and chief executive officer of Med-Tel International Corp., a global telemedicine company located in McLean, VA, and London, England. Previously he founded and served as chairman and CEO of PTAT System, which built and owned the first privately owned transatlantic fiber-optic cable system. He also practiced law in Washington, D.C., and served as Republican counsel to the U.S. House of Representatives Commerce Committee.

David Johnson retired from Gibson, Dunn, & Crutcher LLP in Washington, D.C. on December 31 and moved to Hilton Head, SC, where he and his wife Marion are building a new home.

Virginia Business magazine has named **Joseph “Rick” Richmond, Jr.**, the top lawyer in Virginia in real estate and construction law. He was featured in the December article, “Legal Elite.” Richmond is a senior partner at his family’s firm, Richmond & Fishburne LLP and lives outside of Charlottesville. He enjoys the personal nature of his job — “helping a young couple buy their first house or start a business and introducing them to the legal profession,” Richmond is quoted as saying. “If I can make the process friendlier ... and instill confidence and respect for our profession, I have accomplished one of my goals.”

George Walker has become the third recipient of the prestigious North Carolina Bar Association’s John J. Dortch International Service Award. The award honors the Wake Forest University School of Law professor for his exemplary service and leadership in the advancement of international law and practice within North Carolina. Walker chaired the Association’s international law and practice section from 1995 to 1997.



1972

Douglas Rucker, Jr., was recently appointed vice chairman of the board of directors for the James River Development Corporation. This nonprofit corporation helps provide long-term, fixed asset financing to small businesses in six counties in Virginia and the City of Richmond. Rucker is a shareholder with Sands, Anderson, Marks & Miller PC and a member of the firm’s three-lawyer management team. He focuses his practice on business, real estate, and professional litigation, and represents financial institutions in their real estate investments.

Bob Sugarman married Marilyn Seskin January 18 in Miami Beach, FL. The newlyweds traveled to Argentina, Chile, and Easter Island for their honeymoon. Seskin is an anesthesiologist and graduate of Einstein Medical School in New York City. Sugarman practices as senior partner with Sugarman & Susskind PA, a labor and employee benefits law firm in Miami.

1973

Nicholas Chimicles tried a six-week jury trial in the Los Angeles federal district court that concluded in November 2002 on behalf of a certified class of 18,000 investors in eight public real estate limited partnerships. After six days of deliberations, the 11-member jury returned a unanimous \$185 million verdict against the corporate general partner and four of its officers and directors on claims of Section 14 proxy solicitation violations and breach of fiduciary duty. Chimicles & Tikellis LLP was the court-appointed co-lead counsel and Chimicles was principal trial counsel in the case which resulted in the largest jury verdict in an action brought under the Private Securities Litigation Reform Act of 1995. Following defendants’ post-trial motions, an \$83 million settlement-in-principle was reached in late May. Chimicles wrote that the moral support of two week-long visits to

Los Angeles by his wife, Kathleen, and their then 18-month old son, Nicholas, were crucial to the success of the case. The firm's financial specialist, Kathleen Chimicles coordinated the work of the plaintiffs' four experts. Also essential, Chimicles wrote, was the invaluable assistance of **David Farrar**, who provided office space in downtown Los Angeles for the plaintiffs' ten-member trial team.

Mark Feldmann became president of his firm, Glenn, Feldmann, Darby, & Goodlatte, in Roanoke, VA, on February 1, 2003. He and his wife Whitney greatly enjoyed their 30th reunion weekend in May. "We fondly recall our days in Charlottesville and our friends from the Law School," Feldmann wrote.

Bob Trout was inducted as a Fellow in the American College of Trial Lawyers at the College's annual meeting in Montreal, Canada, in November. He is a founding member of the litigation firm Trout & Richards PLLC in Washington, D.C.

1974 *Reunion Year*

James Henderson IV currently teaches real estate transactions and law office practice as an adjunct assistant professor of law at Appalachian School of Law in Grundy, VA. Henderson practices real estate and property law, civil rights, criminal law, litigation, government and employment law, and family law as a partner with Henderson & McCoury in Tazewell, VA. He also teaches on the adjunct faculty of the Legal Assistance Program at Bluefield State College. Among his numerous civic activities he has served as an officer of the Virginia Council of Trout Unlimited and the Tazewell Soil and Water Conservation District.



T. Arthur "Buddy" Scott, Jr., was elected chairman of the board of Wellmont Holston Valley Medical Center in Kingsport, TN, beginning July 1. Holston Valley is the largest of the Wellmont

Health System hospitals. Scott continues to serve as a director of Wellmont Health System, where he chairs the audit committee. A partner with Hunter, Smith & Davis LLP in Kingsport, Scott focuses his practice on corporate, banking, and commercial transaction law, plus estate planning and taxation, utilities, and real estate.

John Wymer III was recently inducted as a fellow in the College of Labor and Employment Lawyers.

1975

For the third year *Virginia Business* magazine has named **C. Michael DeCamps** one of Virginia's "Legal Elite." Chair of the employment practice group at Sands, Anderson, Marks & Miller PC in Richmond, DeCamps was recognized for his expertise in labor and employment law.

Andrew Hook recently co-authored an article, "Representing the Elderly or Disabled Client" with Thomas D. Begley, Jr., published by RIA and the Elder Law Column in *Estate Planning Magazine*. Hook has also been re-elected to the board of directors of the National Academy of Elder Law Attorneys.

Clyde Jacob III joined Jones, Walker, Waechter, Poitevent, Carrère & Denègre LLP in New Orleans as a partner in the labor and employment section in 2003. Jacob recently had a union boycott case in Norway that was reported by the *Wall Street Journal*. The case involved the AFL-CIO, the U.S. Chamber of Commerce, the United Council for International Business, the State Department, the Norwegian Foreign Ministry, and a Congressional sub-committee hearing.

Alvin Lorman has joined Mayer, Brown, Rowe & Maw LLP in Washington, D.C. as a partner. He continues to practice food and drug law and healthcare law.

Don Martin was recently elected president of the Phoenix Art Museum's board of trustees. He continues to serve as an active member of Greater Phoenix Leadership, an organization of corporate leaders who collaborate with the public sector and non-profit organizations to "sustain a safe, healthy and prosperous community." He serves as the litigation section national chair for Quarles & Brady LLP.

The Texas Wesleyan School of Law has named **Mark Zimmermann** Distinguished Adjunct Professor of Law. A principal with Turner, Dealey, Zimmermann, Clark and Collie in Dallas, TX, Zimmermann specializes in intellectual property and complex litigation. He has taught trial advocacy at Texas Wesleyan in Fort Worth, TX, since 1992.



1976

Thomas Bell, Jr., recently was elected president of the Virginia Association of Defense Attorneys (VADA). VADA is a statewide voluntary bar association comprised of over 800 attorneys whose practice is primarily focused on the defense of civil litigation. Bell served on the VADA board of directors from 1993 to 1996. He currently practices with Timberlake, Smith, Thomas & Moses in Staunton.



In July **Peter Broadbent, Jr.**, was elected chairman of the Library Board of Virginia and took office as president of the Virginia Genealogical Society. The Library of Virginia, a state agency, preserves Virginia's records and promotes education in history. Broadbent practices intellectual property, communication, and business law as a partner with Christian & Barton LLP in Richmond.

Daniel Hoffheimer has been elected a Life Fellow of the American Bar Foundation. Membership is an honor awarded to lawyers who have proven their commitment to "the study, improvement, and facilitation of the administration of justice and the rule of law," and is limited to one-third of one percent of all American lawyers. A former president both of the Cincinnati Bar Association and the Federal Bar Association, Cincinnati Chapter, Hoffheimer is a partner with Taft, Stettinius & Hollister LLP in Cincinnati, OH, where his practice focuses on wealth management, succession and estate planning, trust and probate law, nonprofit and charitable organizations, and family businesses.

Derek Smith opened an independent law practice with **Thomas Nolan '82** and one other Richmond lawyer on January 1. The firm, Virginia Estate Plans PC, specializes in estate planning and estate and trust administration.

John Vering III recently finished a term as chairman of the labor and employment law commission of the Kansas City Metro Bar Association. He continues to serve as co-editor of Missouri Employment Law Letter and the Missouri and Federal Employment Law Manual. Chambers USA 2003-04 selected him as one of Missouri's top ten leading business lawyers in employment.

1977

President George Bush has nominated **Virginia Hopkins** to fill an appeals court vacancy in Alabama's Northern District.

Gary Feulner lives in Dubai, United Arab Emirates, where he has served as chairman of the Dubai Natural History Group since 1995. A natural scientist by academic background, he has spent the last 15 years exploring the mountains, deserts, and mangrove swamps of UAE. He has published articles on various aspects of the flora, fauna, and geology of the Emirates, and has reported a number of plants and animals new to the UAE, among them wild olive trees, bats, freshwater snails, and fish. "Although a relatively small country, the environment of the United Arab Emirates is extremely diverse," said Feulner at a recent world natural history meeting in the U.S. He explained how impenetrable mountains and steep valleys (*wadis*), wide-ranging deserts, an extensive coastline, and fertile surrounding seas provide habitats for a rich assemblage of wildlife. The UAE is currently working to restore the natural balance in its country and ensure resources are used sustainably, Feulner said.

Robert Lesnick has been sworn in as chief judge of the Federal Mine Safety and Health Review Commission in Washington, D.C. Lesnick previously served as a U.S. administrative law judge for the U.S. Department of Labor and for the Social Security Administration, where he was chief judge of the Pittsburgh Hearing Office. Lesnick began his private practice in tax law with Smith, Gill, Fisher and Butts in Kansas City, MO. He began his Federal service in 1979 with the Department of Labor, Office of the Solicitor, where he represented the department on various issues, including mine safety and health matters. From 1990 to 1994 he was counsel with the U.S. Department of the Treasury, serving on the special trial team in the Office of Thrift Supervision. Lesnick lives in Northern Virginia with his wife of 27 years, Kathy. They have two sons, Bobby, a 2001 Engineering School graduate, and Alexander, a first-year Jefferson Scholar.



A partner with Fox Rothschild LLP in Pittsburgh, PA, **John Meck** recently was appointed to the firm's finance committee. He specializes in trust and estate planning and administration, probate, trust and tax litigation, and beneficiary representation. An American College of Trust and Estate Counsel fellow, Meck serves on the Pennsylvania Joint State Government Commission's advisory committee on decedent's estates law, and is named in *The Best Lawyers in America*.

W. Caffey Norman III married Olena Leuchenko in fall 2002. They welcomed a 9-lb. baby girl, Natalie Alexandra, to their lives on June 10. The family lives in Washington, D.C., but Norman enjoys frequent trips to the Persian Gulf, where his firm, Patton Boggs LLP, represents several governments.

Charles Rappold II recently was promoted to chief operating officer for the Bank of New York Securities Group. He writes, "This new job will give me a new forum in which to sing the praises of UVA Law."

Douglas Spaulding was inducted as an American College of Trial Lawyers fellow at the College's annual meeting in Montreal, Canada, in November. He is a partner with Reed Smith LLP in Washington, D.C.

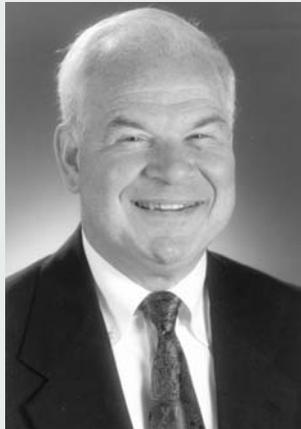
1978



Christopher Scott D'Angelo organized and moderated the seminar, *If You Think the Patriot Act Doesn't Apply to You, You're Wrong! Find Out Why*, presented at the International Association of Defense Counsel's 2003 annual meeting. The program discussed the scope and provisions of the U.S. Patriot Act, issues of privacy and individual rights raised by

UVA Lawyers Win *National Law Journal* Recognition: Case Featured on *48 Hours*

By Joseph W. Ryan, Jr. '78 and Patricia A. Screen '85



WE KNEW IT WOULD BE A HIGH PROFILE case. We were asked to defend the out-patient psychotherapist of a 21-year-old Ohio man who murdered a 15 year-old “family friend” with whom he had become obsessed. We did not, however, expect quite so many camera crews in the courtroom (about five at any given time). And we certainly did not expect some of them to be from *48 Hours* and *Court TV*. Although all of the events took place in Ohio, there were a surprising number of Virginia connections between the participants in this trial and the University that we detail below.

All the publicity proved a mixed blessing, but in the end we were gratified that the TV cameras were there to record the unanimous verdict in favor of our client, Raina Krell, M.S. The surprises were not over, however. A final one came when we learned that our case had been selected as the most impressive civil defense verdict for 2002 by the *National Law Journal*. After this unexpected recognition, the case was a featured segment on CBS's *48 Hours* in April 2003 in a piece called “To Catch a Stalker.”

We had the privilege of defending Ms. Krell, a therapist who was working toward her Ph.D. in

psychology and counseling out-patient clients under the supervision of a Ph.D. clinical psychologist, in a trial in Cleveland, Ohio in October 2002. The case presented complex and often very emotional issues. Penny Chang was only 15 when her assailant, a 21-year-old man named Scott Strothers, stalked and killed her. Strothers watched for Penny at her school bus stop, then shot her repeatedly in the back, in broad daylight in front of the Shaker Heights, Ohio, police station.

In the months leading up to the murder, Strothers had been arrested for vandalizing Penny's house, and then admitted for five-and-a-half weeks as a voluntary in-patient in the Psychiatry Ward of the Cleveland Clinic. Upon his release, he was treated on an out-patient basis by Krell. Krell saw Strothers over a three-and-a-half month period, and last counseled him four days before the murder. Penny's father filed a \$20 million wrongful death suit alleging that the Clinic and Krell had been negligent in their treatment of Strothers, and had failed to warn the Changs of his homicidal tendencies.

The claims against Krell and the Clinic were based on the seminal case addressing therapist negligence and the duty to warn — *Tarasoff v. Regents University of Cal.*, 917 Cal. 3d 425, 551 P. 2d 334 (Cal. 1976). The Tarasoff Court held that, once a therapist determines, or reasonably should determine, that a patient poses a serious threat of violence to others, the therapist owes a duty to exercise reasonable care to protect the foreseeable victim. The “*Tarasoff*” doctrine, with certain modifications, has been adopted by courts in Ohio.

In our case, the threats had come in the form of horrifyingly violent e-mails from Strothers to the Chang family weeks before the murder, e-mails which the family received but claimed they had not read. Krell knew nothing about those threatening communications. Indeed, Strothers never revealed any intent to harm the Changs to Krell during their 16 therapy sessions. Although depressed, Strothers even seemed to be improving.

Part of our trial strategy included suggesting that the Changs bore some responsibility for their daughter's tragic death because the family failed to report the threatening e-mails to the police. The jury needed to hear this, but presenting the information delicately was a challenge. In the end we trusted that the jury would understand why we had to do this and would not allow their (understandable) sympathy for the Changs to prevent them from reaching a just verdict.

Another concern we had was that the Cleveland Clinic, which provided therapy during a five-and-a-half week stay before releasing Strothers to Krell's care, would try to shift the focus to Krell, who had counseled him a mere four days before the murder. (Although Strothers had made earlier death threats against the family, the Clinic had determined Strothers was not a threat to the Changs at discharge.) We were delighted that the Clinic, a nationally recognized medical facility, did not try to blame Krell.

The Changs' attorney tried to use Krell's youth and relative lack of experience against her, referring to her as a "student therapist" and portraying her as being "in over her head." But her testimony demonstrated her professional care and her capable treatment of Strothers.

Before the verdict was read, we were reasonably confident that the jury would find in Krell's favor. When the jury returned a unanimous verdict in favor of Krell and the Clinic, a tearful Krell was captured by a *Plain Dealer* photographer whose 5x7 photograph with Patty by her side appeared on the front page of the Cleveland newspaper. Needless to say, we were ecstatic with the verdict.

There were a surprising number of University of Virginia connections to this trial. We selected the Law School's Dr. John Monahan as our forensic psychology expert. Dr. Monahan testified about the difficulty of predicting long-range violent behavior, and was the most persuasive expert who took the stand at trial. Patty had taken Dr. Monahan's course, Social Science and the Law, with her husband, Don (GSAS '81, '83; Law '87) while at the Law School. In fact, Don originally recommended Dr. Monahan as an expert witness.

And Dr. Ellen Casper, who owned the counseling center where Krell worked at the time and who testified at the trial, obtained her Ph.D. in Clinical Psychology from the University in 1981. Assisting Joe and Patty during the trial was Carmen Morris Twyman (CLAS '95), an Associate with the Firm.

Our greatest reassurance came each day as we climbed the marble steps to the ancient Common Pleas Courtroom. Just at the top of the steps rose a statue of Mr. Jefferson, as if he were watching to see that justice prevailed. We knew that our trial was in good hands. 🏛️

As of the writing of this article, Patty and Joe won the appeal filed by the Changs, again unanimously.

Joe and Patty are litigation partners with Porter Wright Morris & Arthur LLP. Patty works in the firm's Cleveland, Ohio, office, and Joe is in its Columbus office. In addition to handling professional negligence matters, both Joe and Patty work on complex commercial and class action litigation, product liability, and coverage matters. Joe resides in Columbus, Ohio, with his wife, Mary Pat, a 1976 graduate of the College. Their daughter Caitlin is a 1999 graduate of the College (and lived on the Lawn during her fourth year), and his son Joby is scheduled to graduate from the Law School in 2005. Patty resides in Westlake, Ohio, with her husband Don (GSAS '81, '83; Law '87) and their three children, Cameron, Christopher, and Jamie, all aspiring UVA graduates.

the Act, and insights for counseling business clients regarding obligations under the Act. D'Angelo presented a paper for the seminar, "The USA PATRIOT Act: Fact or Fiction – An Overview of Concerns." He chairs the litigation department's products liability and toxic torts section for Montgomery, McCracken, Walker & Rhoads LLP in Philadelphia, PA.

In November *Texas Monthly* magazine named **Michael Haggerty** a 2003 "Texas Super Lawyer." Only five percent of Texas lawyers earned this distinction, out of more than 20,000 peer-selected nominees. Ryan practices as a partner with Jackson Walker LLP in Dallas.



In December **Bruce Mertens** and **Daniel Siegel** were both named members of Virginia's "Legal Elite" for the third year in a row by *Virginia Business* magazine. Principals with Sands, Anderson, Marks & Miller PC in Richmond, Mertens chairs the local government practice and Siegel chairs the estate and tax planning practice, though the magazine actually recognized Siegel for his expertise in business law.



1979 *Reunion Year*

In November, civil rights lawyer **J. Richard Cohen** became the new president and chief executive officer of the Southern Poverty Law Center. The nonprofit organization combats hate, intolerance, and discrimination through litigation and education. Cohen came to the center in 1986 as its legal director. With his guidance the center won a series of landmark lawsuits against some of the nation's major hate groups. He also successfully litigated a variety of important civil rights actions including defending the rights of prisoners to be treated humanely, working for equal educational opportunities for all children,

and bringing down the Confederate battle flag from the top of the Alabama State Capitol. In 1997 *The American Lawyer* selected Cohen as one of 45 public sector lawyers whose vision and commitment are changing lives. In 1999 he was a finalist for the national Trial Lawyer of the Year Award for his work on *Macedonia Baptist Church vs. Christian Knights of the Ku Klux Klan*, a lawsuit that ended with a record \$37.8 million judgment against a Klan group for its role in the burning of a South Carolina church.

Lewis Hassett serves as secretary for the board of trustees of Orchestra Atlanta, which offers concerts in classical chamber music, jazz, and world music at the Roswell Cultural Arts Center in Atlanta, GA. A partner in the litigation group of Morris, Manning, & Martin LLP in Atlanta, Hassett chairs the firm's insurance/reinsurance dispute resolution group. His practice focuses on complex civil litigation, including insurance and reinsurance matters, business torts, and insurer insolvencies.

Hugh Hill III has returned to the faculty of Johns Hopkins University after a three-year stint in federal service with the Center for Medicare and Medicaid Management, where he led both the new technology coverage group and Medicare's fraud fighters. Hill, a medical doctor, teaches emergency medicine at the Bayview Medical Center.

Dave Markell joined the Florida State University College of Law faculty in fall 2002 as Steven M. Goldstein Professor of Law. He recently co-authored *Reinventing Environmental Enforcement and the State/Federal Relationship* (2003) and co-edited *Greening NAFTA: The North American Commission for Environmental Cooperation* (Stanford University Press 2003) and *Environmental Protection Law and Policy*.

1981

Neil Caesar has been elected to the editorial advisory board for Commerce Clearing House's healthcare compliance publications. He also serves on advisory boards for Eli Research, Brownstone Publishing, *Managed Care Magazine*, and *Homecare Magazine*. His law firm, the Health Law Center in Greenville, SC, continues to provide services for healthcare clients nationally.

Ken Kempson and Catharine Mackay-Smith

Kempson report their daughter Emily is attending UVA as an Echols Scholar. Her twin brother Dan is studying at Johns Hopkins University and the Peabody Conservatory in a joint degree program. The couple lives in Wilton, CT, with their other two children, but has built a retirement home in White Post, VA.

1982

Joe Dischinger practices environmental law in Denver, CO, where he currently serves as president of the Denver Bar Association. His volunteer activities have earned him several awards in the last few years, including the "Champions For Children" Award from the Rocky Mountain Children's Law Center and the "Volunteer Lawyer of the Year" Award from the Denver Bar Association in 1998. He conceived and led a successful campaign to create the Denver Warm Welcome Court Child Care Center, a place where children of jurors or defendants can play and be safe while their parents are in court. When the center opened in 1999, the Mayor of Denver declared March 29 "Joe Dischinger Day." As special counsel at Grimshaw & Haring, Dischinger is "the happiest I've ever been," he said in the July/August issue of *The Docket*, the Denver Bar's newsletter. "All of a sudden, I'm doing the kind of work I want to do. I like my clients and I am constantly learning new things. I'm also more focused than I've ever been. And my firm has been very supportive of my bar association and other volunteer work."

C. Allen Gibson, Jr., of Charleston, SC, has co-authored a book for the American Bar Association, *Construction Damages and Remedies*, a reference book for attorneys specializing in the construction industry. A principal in Buist, Moore, Smythe & McGee PA, Gibson heads the firm's construction practice group. Gibson is a past chair of the American Bar Association forum on the construction industry and a fellow in the American College of Construction Lawyers.

Keith Hemmerling reports that *Fairies, Witches, and Figurines*, a film he directed and stars in, is now being represented domestically and internationally by International Pictures. The film will be taken to such major markets as Cannes in France and throughout the world. His book, *Manic Impression*, has been optioned for a feature film or cable movie by Peabody Award Winner and Emmy Nominee Lee Levinson.

Steve Huntoon recently became president-elect of the Energy Bar Association, a 2,000 member association of attorneys involved with the energy industry.

In March 2002 William Knowlton and his wife Deb happily adopted Hope Qianyi Knowlton from China. Hope joins older brother, Peter, 5. Everyone is doing very well and enjoying life in Boston. Knowlton practices law in the health care industry and was recently appointed to serve on Ropes and Gray's policy committee.

George Manson, Jr., has been elected vice president, general counsel and secretary of Albemarle Corporation, a specialty chemicals manufacturer with operations in the U.S., Europe, and Asia. Manson has offices in Richmond, VA, and Baton Rouge, LA.

In July Jennifer Jordan McCall joined the Silicon Valley and New York offices of Pillsbury Winthrop LLP as a partner and co-leader of the firm's individual client services practice. Jordan McCall previously practiced as a partner in the New York office of Cadwalader, Wickersham &

Taft. She counsels high net worth individuals on tax and estate planning, including business interests and tax saving opportunities relating to collections of fine art and charitable giving.

Jim McIntosh serves as vice president of development law at Darden Restaurants. His team of real estate and licensing professionals supports the national expansion of Red Lobster, Olive Garden, Bahama Breeze, Smokey Bones, and Seasons 52 restaurants. He and his wife Nancy have three daughters and live in Orlando, FL.

Thomas Nolan opened an independent law practice in Charlottesville on January 1. The firm, Virginia Estate Plans PLC, specializes in estate planning and estate and trust administration. Nolan, **Derek Smith '76**, and one other Richmond attorney are partners in the new firm. Nolan will be based in Charlottesville, the other two in Richmond. Nolan also serves as wills, trusts, and estates section chair for the Virginia Bar Association.

In November *Texas Monthly* magazine named **James Ryan III** a 2003 Texas Super Lawyer. Only five percent of Texas lawyers earned this distinction, out of more than 20,000 peer-selected nominees. Ryan practices as a partner with Jackson Walker LLP in Dallas.

Sheldon Whitehouse recently concluded 17 years in public service, culminating in a “squeaker” loss for the office of Governor of Rhode Island. Whitehouse has joined Edwards & Angell LLP as a partner in the Providence office. Whitehouse previously served as Rhode Island Attorney General and as U.S. Attorney in the Clinton administration. He writes that the legal high point of his public service career was arguing for Rhode Island in the United States Supreme Court.

1983

Beryl Anderson has begun her second term as Ohio deputy secretary of state. She is responsible for leading and designing a marketing initiative for the office, as well as spearheading the training efforts in keeping up with election reform and the National Help America Vote Act. She and her husband Marv West live in Gahanna, OH.

During his varied career **Mark Bradley** has served as a CIA intelligence officer in Pakistan, defended indigents accused of crimes in the District of Columbia, and served as the late U.S. Senator Daniel Patrick Moynihan’s legislative director and legislative assistant for judicial matters, foreign affairs, and intelligence. Bradley now serves as deputy counsel for intelligence policy in the U.S. Department of Justice’s Office of Intelligence Policy & Review (OIPR). OIPR advises the U.S. Attorney General on all matters affecting national security and prepares applications for surveillances and physical searches that are presented to the U.S. Foreign Intelligence Surveillance Court. His classmate, **Lionel Kennedy**, is OIPR’s assistant counsel in charge of training and compliance.

Paul Cella has been appointed a substitute district court judge for the Eleventh Judicial Circuit of the Virginia State courts. He continues to maintain his solo law practice in Powhatan, VA.

Jeff Horner has been named the 2003 winner of the Marion A. McGhehey Award by the Education Law Association, a 1,500 member organization that advances the study of education law. The award recognizes an ELA member who gains prominence in the field of education law through sustained scholarship, service, leadership, and professional excellence. A partner in the law firm of Bracewell & Patterson LLP in Houston, TX, Horner received his award at the 2003 ELA convention in Savannah, GA. Horner was also named a “Texas Super Lawyer” in education law in the November issue of *Texas Monthly* Magazine.



New York-area members of the Class of 1983 enjoyed an October cocktail reception at the Yale/UVA Club, from left, Tom Wornom, Al Pavlis, Dot Heyl, Owen Pell, Bart Breinin, Barbara Nims, and Kathy Dougherty Ewing.

coordinated legislative relations for the ruling, which affects thousands of artworks, valued at billions of dollars, unlawfully removed throughout Europe. “It was two-and-a-half years in the making and involved people in the U.S. and Europe working very hard to move what is often a contentious issue through the legislative process in Europe,” said Pell. “It’s a big honor to get something through the European Parliament, especially when there were many people here who didn’t think it would even get off the ground.” For more information, see the Fall 2002 *UVA Lawyer*, page 78.

The Kansas Supreme Court has appointed **Greg Musil** to the Kansas Continuing Legal Education Commission. The Commission oversees the annual CLE requirements for members of the Kansas bar. Musil recently completed six years on the Supreme Court’s Client Protection Fund Commission, serving as chair from 2001 to 2002.

John Osborn recently was elected to membership in the American Law Institute. He is executive vice president and general counsel with Cephalon, Inc., a leading biopharmaceutical company based outside Philadelphia, PA. He also holds a visiting professor appointment in politics at Princeton University.

The efforts of **Owen Pell** to create a Holocaust-looted art claims resolution procedure for Europe have been successful. The European Parliament in Strasbourg, France, passed Parliamentary Resolution A5-408/2003 by a vote of 487-to-10 on December 17, 2003. The Resolution helps owners of artwork looted by the Nazis during World War II recover their property. Pell, a partner in White & Case in New York, first took on this issue in 1997 by representing a family who had located a looted work at a U.S. museum. He then took an unpaid sabbatical in 2001 to pursue a more systematic approach to solving the problem. Pell drafted the concepts and

Terence Ross reports that his wife Brooke gave birth to twins on July 31. Caroline Thrift and Edward Lewis are both doing well, although at the time of this classnote, still not sleeping through the night.

On December 30 **Greg St. Ours** was elected to a three-year term on the executive committee of Wharton, Aldhizer & Weaver in Harrisonburg, VA. The same month *Virginia Business* magazine named him one of the state’s “Legal Elite” in environmental law.

1984 *Reunion Year*

Ross Eichberg chairs the real estate department of Patton Boggs LLP in Washington, D.C. He joined Patton Boggs in 1986, and was admitted as a partner in 1991. Ross and his wife Carolyn recently celebrated their 20th wedding anniversary and have two sons, Daniel and Benjamin. They live in Potomac, MD. Regarding the 20th class reunion this spring, Eichberg writes, “I knew if I stuck around long enough something like this would happen.”

Early in 2003, the U.S. Supreme Court granted a petition for *writ of certiorari* that **Chip English** prepared with fellow alumna, **Wendy Yoviene '97**.

Both alumni sat at counsel table during oral argument and recently learned that the Supreme Court voted eight-to-one in their favor. The case involved issues relating to the Commerce Clause.

Mike Regan and **Carol Ann Bischoff '87** live in Arlington, VA, with their two daughters, Emma Mae, born June 25, 2000, and Erin Margaret, born August 13, 2002. Bischoff serves as executive vice president and general counsel for CompTel (the Competitive Telecommunications Association); Regan is senior vice president of government relations for News Corporation.

Jonathan Spaeth specializes in commercial litigation as a partner with Akin, Gump, Strauss, Hauer & Feld LLP in Washington, D.C. He lives in Potomac, MD, with his wife Lisa, son Michael, and daughter Erica.



1985

Louise Sams has been named president of Turner Broadcasting System International. The long-time TBS, Inc., executive and company general counsel

now oversees TBS International, including Cartoon Network, TCM, Boomerang and a total of more than 50 local and regional services, as well as distribution and commercial operations for CNN's international services. Sams is based at TBS, Inc., world headquarters in Atlanta, GA, and reports to Turner Broadcasting System, Inc., Chairman and CEO Philip I. Kent. "Louise has been directly involved in our international business for more than seven years, contributing to strategy, policy, and operating decisions in scope far beyond her capacity as our company's chief legal adviser," Kent said.

1986

David Baldacci reports a busy 2003. After finishing his book, *The Christmas Train*, he spent much of the year writing and researching his next

thriller, *Split Second*, which was published in September (*see In Print*.) He is now working on its sequel. In April the Virginia Press Association honored Baldacci as the 2003 Virginian of the Year and the Literacy Volunteers of America awarded him the first Founder's Award. His family foundation, The Wish You Well Foundation, funds literacy programs, creates programs to foster literacy, and brings literacy organizations together. Also in April Baldacci gave the keynote address at the Southern Kentucky Festival of Books in Bowling Green. He has accepted a request to give the 2005 keynote speech at the Mark Twain Conference in Elmira, NY, an event that occurs on the Twain family farm once every four years.

Kathryn Bernert still practices employment law at Luce, Forward, Hamilton & Scripps in San Diego, CA. Last summer she took a sabbatical and spent three months in Europe with her husband Lee and daughter Alexandra, 8. They visited England and Ireland, spent two weeks in Paris, and lived in an old farmhouse in Tuscany for six weeks. "It was a wonderful experience!" she wrote.

John Brown and his wife Irene announce the birth of their daughter, Marjorie Irene, born March 10, 2003. She joins older brother, John, Jr. Brown recently joined the Chicago office of Wildman, Harrold, Allen & Dixon LLP as a partner in its intellectual property group. He represents clients in the area of trademark rights in product configurations, including both litigating and obtaining patent registrations.

Robin Carnahan is running for Missouri Secretary of State in the 2004 elections. In an Associated Press story Carnahan, a Democrat, said the example set by her father, former Missouri Gov. Mel Carnahan, encouraged her to run for public office. "My dad had a favorite quote from Saint Paul, 'While you have time, do good,'" said Carnahan in the article. Her brother, Russ Carnahan, has announced his candidacy for

the Third District congressional seat currently held by Dick Gephardt.

Bill Eigner co-authored an article with Robert Wernli, Jr., "Lobbying Guidelines and Rules for Ex Parte Contract" for the spring 2003 issue of *California Real Property Journal*. Eigner practices as a partner on the business/technology team of Procopio, Cory, Hargreaves & Savitch LLP in San Diego, CA.

Mary Koelbel Engle and her husband Tom welcomed their second child, Rebecca, born on June 14, 2002. "Rebecca is a joy to us and her big sister, Hannah, now 6," Engle wrote. Professionally, Engle continues to enjoy her position heading up the advertising practices division at the Federal Trade Commission's Bureau of Consumer Protection.

The U.S. Department of Justice appointed **Patrick Hofer** deputy assistant attorney general of its tax division on June 30. He previously practiced civil litigation as a partner with Hogan & Hartson LLP.

Sue Liemer directs the lawyering skills program as a faculty member at Southern Illinois University School of Law.

William Lummus, Jr., was appointed group counsel for global trademarks, marketing, and licensing at the Coca-Cola Company in September.

1987

Carol Ann Bischoff and **Mike Regan '84** live in Arlington, VA, with their two daughters, Emma Mae, born June 25, 2000, and Erin Margaret, born August 13, 2002. Bischoff serves as executive vice president and general counsel for CompTel (the Competitive Telecommunications Association); Regan is senior vice president of government relations for News Corporation.

Kim Boyle completed her one-year term as the first African-American president of the New Orleans Bar Association on November 20. During her term the Association added more than 300 new members.

Fannie Mae, the nation's largest source of financing for home mortgages, has named **John Gibson** senior counselor for strategy and policy communications. He serves as a senior speechwriter and helps lead the strategic development and implementation of written communications. Gibson previously worked as senior director for foreign policy speechwriting at the National Security Council where he supervised the writing, editing, and coordination of foreign policy speeches and other remarks for President George Bush and National Security Advisor Condoleezza Rice. Gibson served in a similar capacity in the Clinton administration.



Virginia Business magazine named **Elaine Richardson Jordan** a member of the state's "Legal Elite" in its December issue. Jordan chairs the construction practice at Sands, Anderson, Marks & Miller PC in Richmond. The magazine recognized her expertise in real estate and construction law for the third year in a row.

Kim Keenan won her election as president-elect of the National Bar Association at its annual meeting in New Orleans. The NBA, the nation's oldest and largest association of predominately African-American lawyers and judges, has more than 22,000 members. She begins her one-year term as president in August 2004. She is the first woman from Washington, D.C., to be elected to the office and the eighth woman president in the 80 years of the association. She also believes she will be the first UVA Law grad to serve as president. Keenan is a former Law School Alumni Council member and a Washington, D.C., activities committee member.

Yvonne Facchina Mizusawa went back to work with the Federal Reserve Board in September after a nine-month maternity leave. She and her husband Bert welcomed their third son, Eric Andrew, on November 19, 2002. He joins brothers Michael Edward, born February 24, 1999, and Mark Alexander, born January 9, 1997.

Fish & Richardson PC has named **Wes Musselman** a principal in the firm's intellectual property prosecution group in Dallas, TX. He formerly practiced with Jenkens & Gilchrist, also in Dallas. A former U.S. patent examiner, Musselman now focuses his practice on domestic and international patent and trademark prosecution.

Max Stearns continues to teach at George Mason Law School. His wife Vered does clinical research in breast cancer at Johns Hopkins University Hospital. They have three children — Shira, 9, Keren, 4, and Eric, 17 months.

1988

Cecily Schulz Banks joined the faculty of Roger Williams University Ralph R. Papitto School of Law in September as a professor of legal methods. She previously practiced as a litigation attorney with Richards, McGettigan, Reilly & West PC in Alexandria, VA, and, more recently, with Hinckley, Allen & Snyder in Providence, RI. Banks represented clients in dispute resolution and civil litigation in state and federal courts, with an emphasis in commercial and business law matters. She previously taught legal writing, research, and analysis.

William Berlin has joined Ober|Kaler as a principal in Washington, D.C. He focuses his practice on antitrust counseling and representing clients in investigations by the Antitrust Division of the U.S. Department of Justice, Federal Trade Commission, and state attorneys general. Berlin worked at the Department of Justice from 1995 to 2003 as a trial attorney with the health care task force and later with the Litigation section of the Antitrust Division. He most recently

managed the joint Department of Justice/Federal Trade Commission hearings on health care and competition law and policy. In 2002 he served as lead counsel in *U.S. v. Dentsply International, Inc.*, directing the Antitrust Division's five-year litigation challenging the use of exclusionary practices by a dominant medical supplies manufacturer.

Debra Sabatini Hennelly serves as vice president and general counsel for Integrity Interactive Corp., in Dedham, MA. An article about her in the April 21 issue of the *National Law Journal* reported, "Shady business ethics and dubious accounting practices doomed Enron, but corporate malfeasance has meant big business for Integrity Interactive Corp, a provider of online ethics and compliance training to companies nationwide." The company doubled its revenues in 2002. The article continued, "Hennelly is a one-woman law office, handling most of Integrity's contract negotiations with customers and vendors, corporate affairs counseling and other legal affairs." Hennelly telecommutes from her home in Mendham, NJ, where she lives with her husband Bob and their three school-age daughters. She usually visits the Massachusetts office twice a month for two days, and frequently travels to meet with current or prospective customers.

John Mitnick has a new position in the Bush Administration after receiving a Presidential Appointment as Associate General Counsel for Science and Technology at the Department of Homeland Security. Mitnick and his staff of attorneys are responsible for all legal counsel to the Department's Science and Technology Directorate. Prior to this appointment, Mitnick served as a detailee from the Department of Justice to the Transition Planning Office for the Department of Homeland Security. He also serves as the Department's representative to the 9-11 Commission.

Maria Leonard Olsen ran the New York City Marathon on November 2. **Cynthia Hostetler**

came out to cheer her on at miles 18 and 24. They had a grand post-marathon celebration.

Eric Taylor of the Los Angeles Superior Court, Southwest District, began a one-year term as president of the California Judges Association November 2. He began a three-year term on the CJA's executive board in 2001. A former chair of the public information and education committee, he currently serves as liaison to CJA's compensation and benefits oversight committee and discipline committee.

1989 *Reunion Year*

Bob Blue has joined Royston Mueller, McLean & Reid LLP as a partner in Baltimore, MD. He continues to practice in the areas of trusts and estates, estate administration, and civil litigation.

Randy Broberg and his wife Justine recently celebrated their 15th wedding anniversary. They have three children — Alex, 10, Spencer, 8, and Mallory, 6. Broberg practices intellectual property and commercial transactions law with Broberg & Associates in San Diego, CA.

Lori Johnson currently teaches as an assistant professor in the political science department at Wellesley College in Wellesley, MA. She specializes in legal institutions, constitutional law, and judicial politics. After graduation from Law School she practiced labor and employment law in South Carolina and then clerked for Judge Karen Williams on the U.S. Court of Appeals for the 4th Circuit. She then returned to graduate school and earned a Ph.D. in political science at the University of California, Berkeley. Her dissertation, entitled "Who Governs the Guardians? The Politics of Policymaking for the Federal Courts," analyzed the interaction and competition between the judicial branch and Congress in making policy for the federal courts. She has also published work on comparative regulatory policy and the politics of procedural rulemaking.

Dallas Kingsbury now works as labor and employment counsel for SimplexGrinnell and Tyco International in Houston, TX.

Laurie Crick Sahatjian and her husband Rick welcomed their second child, Abigail Lynn, on February 17, 2003. Abby and her big brother Will are doing great, Sahatjian reported.

DeMaurice Smith was recently elected to a three-year term on the board of governors for the District of Columbia Bar Association. A litigation partner with Latham & Watkins LLP, he practices in the areas of torts, white collar crime, and corporate compliance. A veteran trial lawyer in both private practice and the U.S. Attorney's Office, and former counsel to the U.S. Deputy Attorney General, he was named by *Washingtonian* magazine as one of 40 rising-star lawyers under 40 years old.



Blackwell Sanders Peper Martin LLP has named **Bob Tomaso** managing partner of its St. Louis office. Tomaso joined the firm in December 1992, became a partner in 1997, and was elected to the firm's advisory board in 2000. He represents many of the region's largest companies, including Chubb Group of Insurance Companies, Maytag Corporation, and the Saint Louis Art Museum, in labor and employment matters.



ESL Federal Credit Union in Rochester, NY, has promoted **Peter Woods** to associate general counsel. Woods is primarily responsible for Lending Center legal matters. Founded by George Eastman in 1920, the ESL Federal Credit Union is one of the nation's largest and most successful credit unions with 248,000 members. Prior to joining ESL, Woods practiced real estate law for Nixon Peabody LLP. He joined ESL in 1995 as general

NYC Alumni Luncheon

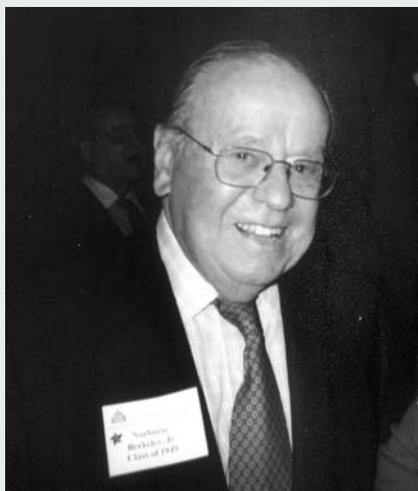
DEAN JOHN JEFFRIES HOSTED the annual New York City alumni luncheon at The Yale Club, February 18. More than 100 alumni attended.



Priscilla Lundin '76 and Renee Ring '76.



Edward Handler '64 and Thatcher Stone '82



"Bunny" Berkeley '49



Alumni Council member Mikki Graves Walser '88, Board of Trustees Member Al Carney '74, and Lisa Stenson '89.



Mina Gerwin '76 and Louis Bernstein '75

counsel and title examiner for the mortgage closing department.

1990

Lee Goodman recently joined the board of the American Council of Trustees and Alumni. An attorney with Wiley, Rein and Fielding LLP in Washington, D.C., Goodman previously served as Virginia Governor James Gilmore's chief education policy advisor for K-12 and higher education and as counsel to the Attorney General of Virginia. He also worked as associate general counsel for UVA, where he litigated tenure and employment matters involving medical research, and legal matters involving student rights, board governance, and the commercialization of academic inventions.

William Hood III recently joined Isaacson, Rosenbaun, Woods & Levy PC as of counsel in the litigation department. He focuses his practice on criminal and civil matters. As former chief deputy district attorney in the 18th Judicial District, Hood supervised the appeals unit and handled matters before the U.S. Supreme Court, the Tenth Circuit, Colorado Supreme Court, and Colorado Court of Appeals. Prior to running appeals, he supervised a felony trial division. He has tried more than 100 cases, including eight first-degree murder cases. Hood also has commercial litigation experience in employment law, commercial and government contracts, trusts, toxic torts, construction, and tax. He currently teaches trial practice as an adjunct professor at the University of Denver College of Law.

Michael McCue and his wife Camille announce the birth of their second son, Carson, on September 10. McCue has moved to the Las Vegas office of Lewis and Roca LLP, where he practices as a partner in the intellectual property and technology group.

1991

Anthony Black and his wife Andrea have a new son, Christopher John, born June 11. Big sister, Emily, 2, welcomed him home.

D. E. Boehling and her husband, Robert J. Pallace, Jr., became the proud parents of a second daughter, Tai Fu Fen, now D.E.B. "Trey" Pallace on August 26. Trey was born September 4, 2002, in Taizhou, China.

Jeremiah DeBerry recently joined the New York office of Thelen, Reid & Preist LLP as an equity partner in the business and finance department. His practice areas include general corporate, mergers and acquisitions, private equity, sports, and entertainment.

Andrew Glickman and his wife, Julie Cohen, welcomed their first child, Eli Zachary, on June 14. The family resides in Washington, D.C., and is searching for a home larger than their current one-bedroom apartment. Glickman works at the Securities and Exchange Commission as a senior special counsel, and also practices photography. His work is currently on display at the Andrew Smith Gallery in Santa Fe, NM, and was published in the August issue of *Communication Arts Magazine*. Cohen teaches intellectual property law as a law professor at the Georgetown University Law Center.

Andre Hollis writes that he just finished a very rewarding term as the counter drug chief of the U.S. Defense Department. He has returned to the private sector government relations business. On August 21 his son, Maxwell Clark, was born, joining older brother, Alex, 3.

Alexander Macaulay recently formed Macaulay & Burtch PC with fellow principal Jack Burtch, Jr. The two Richmond, VA, lawyers decided to create a business model in which lawyers and lobbyists run their own practices and bill according to a flat fee schedule. Macaulay & Burtch consists of five lawyers and three lobbyists who focus on employment, health care, insurance defense,

contracts, commercial litigation, and government affairs. Practitioners rely on the latest technology to keep overhead low and pass on the savings to clients. “We are a small firm,” says Macauley, “but we have some of the best Richmond lawyers and lobbyists in their respective fields. We’re all refugees from big law firms who want to do it differently — with less bureaucracy, more cost-effectiveness for the client, and greater satisfaction for the practitioner.”

John “Jack” Martin took the post of senior litigation counsel for the Bureau of Competition at the Federal Trade Commission in November. Formerly a partner on the litigation, antitrust, and intellectual property team at Hunton & Williams LLP in Washington, D.C., he now litigates antitrust matters for the FTC.

Ken Paxton, Jr., has just completed his first legislative session since being elected to the Texas House of Representatives in November 2002. He serves on the ways and means committee, the financial institutions committee and as vice chair of general investigations, and has recently been appointed by the House Speaker to serve on the cost adjustments subcommittee of the House select committee on public school finance. In addition to his legislative responsibilities, Paxton practices law in the areas of estate planning, corporate law, and real estate. He also is acting as a fee agent for Bridgespan Title Company in Frisco, TX. He lives in McKinney, TX, with his wife Angela and their four children — Tucker, 11, Abby, 9, Madison, 7, and Katie, 5.

Timothy Webster has been made a partner in the Washington, D.C., office of Sidley, Austin, Brown & Wood LLP. His practice includes both civil and criminal environmental matters, as well as regulatory advocacy and related compliance counseling. Webster also advises clients on food and drug-related matters where environmental issues are implicated. Before joining the firm in 1999, Webster litigated complex civil enforcement cases as a trial attorney in the environmental

enforcement section of the U.S. Department of Justice.

President George Bush has appointed **Victor Wolski** to be a judge on the U.S. Court of Federal Claims. The U.S. Senate confirmed the appointment on July 9, and Wolski took up his duties later that month. Formerly he practiced with Cooper & Kirk in Washington, D.C. He also has served as general counsel to the Joint Economic Committee of the U.S. Congress and as tax counsel to Senator Connie Mack (R-FL). Wolski and his wife Lisa live in Arlington, VA. She works in the U.S. Senate as tax counsel to Senator Jon Kyl (R-AZ).

1992

Bill Carbaugh has taken a new job as senior vice president of leasing with Guardian Realty Management, Inc. Guardian Realty is a \$250 million commercial real estate company, which owns and manages 24 properties in the Washington, D.C. area. The company currently is raising an additional \$100 million to acquire more properties, Carbaugh wrote.

John Lynch and Cynthia Cordle Lynch ’95 welcomed their first child, Taylor Grace, on August 22. John serves as an assistant Commonwealth Attorney for Arlington County, VA, and Cynthia is an associate solicitor with the U.S. Patent & Trademark Office.

Theodore Mathas has been elected executive vice president of New York Life Insurance Company’s board of directors. Senior vice president since 1998, Mathas also was named co-head of the life and annuity business unit, the company’s largest operation, accounting for more than \$11 billion in operating revenue in 2002. The business unit includes all domestic life insurance and annuity products, as well as agency management and services, marketing, client service, and financial management.



Vytas Petrulis now serves as senior counsel in the business transactions section of Jackson Walker LLP in Dallas, TX, practicing primarily in the real estate, energy, and corporate areas.

Prior to his arrival at Jackson Walker, Petrulis served as general counsel of an energy infrastructure development company that was active in developing and operating project-financed petrochemical facilities.

Adam Pritchard has been promoted to Professor of Law at the University of Michigan Law School, where he teaches corporate and securities law. His current research focuses on the effects of fraud on securities markets and the role of class action litigation in controlling fraud. In September he presented “Behavioral Economics and the SEC” at the American and Law Economics Association annual meeting at Northwestern University School of Law. His articles have appeared in the *Business Lawyer*, *Virginia Law Review*, *Southern California Law Review*, and the *Stanford Law Review*. Previously Pritchard served as senior counsel in the Office of the General Counsel of the Securities Exchange Commission, where he wrote appellate briefs and studied the effect of recent reforms in the areas of securities fraud litigation. He received the SEC’s Law and Policy Award for his work in *United States v. O’Hagan*, in which the Supreme Court upheld the misappropriation theory of insider trading.

Michael Wu and his wife, Tara O’Brien Wu, announce the birth of their first child, Erika Michele, born September 6. Wu continues to work as a vice president and acting general counsel in the Reston, VA, office of Teleglobe America, Inc., an international telecommunications provider.

1993

Vincent Grieco accepted a new job as the senior counsel at the United States Filter Company beginning January 1, 2003.

Lt. Col. **Richard Gross** and his wife Vickie moved to Heidelberg, Germany, in July. Formerly with the U.S. Army Special Operations Command in Fort Bragg, NC, Gross is now the deputy staff judge advocate for V Corps, U.S. Army Europe.



William Pusey, Jr., has joined Michael Joyce & Associates PC as vice president in the firm’s Richmond office. He leads the family office advisory practice, helping high net worth families

structure their estates, plan their investments, and prepare the next generations for inheritance. He also directs the firm’s strategic initiatives. Pusey formerly provided strategic business advisory services through his company, EpiGnosis LLC, and served as senior vice president for financial and risk management services at Envera LLC, a Richmond-based eBusiness network serving the global petrochemical industry.

The U.S. Senate confirmed **C. Stewart Verdery, Jr.**, June 19 as the first assistant secretary for homeland security for border and transportation security policy and planning. He advises Border and Transportation Security Under Secretary Asa Hutchinson on policy development in immigration and customs inspection and investigations, cargo and trade policy, transportation security, counternarcotics, and federal law enforcement training. Verdery frequently represents the Department of Homeland Security before Congress and private sector bodies. He formerly served as general counsel to Senator Don Nickles (R-OK).

1994 *Reunion Year*

Dan Donahue has been promoted to chief operating officer at the Broder-Webb-Chervin-Silbermann Agency (BWCS). In this newly created position he oversees the business affairs department and manages daily operations. A key member of the agency for many years, Donahue will continue crafting high-level deals for BWCS's film and television clients.

Rudolf Haas was elected to the partnership of Latham & Watkins LLP in Frankfurt, Germany, effective January 1. He practices corporate and securities law.

David Haddock recently joined Baker Botts LLP as an associate in the Washington, D.C., corporate department. His practice focuses on mergers and acquisitions, as well as securities matters, especially in the broadcast and cable media, telecommunications and advertising industries. Haddock has been responsible, both as outside counsel and as a member of a corporate legal department, for the acquisition or divestiture of dozens of companies in more than ten countries.

Lawlor Quinlan III was recently named as one of the top ten "up and coming" attorneys in Western New York by a panel of Buffalo and Rochester legal professionals. The award was based in part upon Quinlan's successful defense of a town supervisor in a highly publicized suit brought against her by the town board. The following month, Quinlan and his partner Terry Connors successfully represented a man who had been rendered quadriplegic while performing as a professional diver. The \$58.6 million verdict rendered after six weeks of trial was the highest ever awarded in that part of the state and was ranked as one of the top ten verdicts nationally in 2003 by *Lawyers Weekly USA*. Quinlan is a partner with Connors & Vilaro LLP, a boutique litigation firm engaged in both civil and criminal trial and appellate practice. He and his wife Elizabeth live in Buffalo with their three children.

Jeffrey Stern and his wife, Amy Wong, a pediatric nurse practitioner, welcomed their first child, Josh, on September 22. Stern and **Mitchell Bompey** both work in the technology law group in Morgan Stanley's law division. Both were promoted from vice presidents to executive directors last fall.

Kim Willoughby has spent the last ten years developing a practice emphasizing gay and lesbian family law and alternative reproduction. She manages Willoughby Law Firm LLC, a three-attorney firm located in Denver, CO. In 2003 she published a book entitled, *Ordinary Issues, Extraordinary Solutions: A Legal Guide to the Colorado GLBT Community* (Bradford Publishing Co., July 2003) Also in 2003, she gave birth to a baby boy, Van Willoughby Guelzow, who joins her and her partner in their home in the foothills of Golden, CO.

Brigen Winters and his wife Jennifer welcomed their second son, Andrew James, on September 17. Drew joined older brother Jake, in the family home in Arlington, VA.

1995

In September **Chris Baradel** completed his first Ironman Triathlon (2.4-mile swim, 112-mile bike ride, 26.2-mile run). While his finishing time of 13 hours and 35 minutes placed him 806th, it was good enough to put him in the top half of more than 1,800 entrants in Ironman Wisconsin. "Given the unseasonably warm 89-degree temperature, I was happy not to be one of the record 273 participants not to finish the race!" he wrote. Baradel works for Zyman Group, a leading management consulting firm based in Atlanta and Chicago that specializes in marketing, branding, and growth strategies.

Jan Berlage was appointed chair of the bankruptcy law committee of the Young Lawyer's Division of the American Bar Association in August. The committee monitors bankruptcy-related legislation and case law, provides

information to local practitioners, and sponsors outreach programs and clinics for consumers and businesses. Berlage practices commercial litigation as an associate in the litigation department of Ballard, Spahr, Andrews & Ingersoll LLP in Baltimore, MD. A member of the bankruptcy, reorganization, and capital recovery group, he also practices intellectual property litigation.

Diana Strauss Casey was elected to partnership with Latham & Watkins LLP in San Diego, CA, effective January 1. She practices litigation in the environment, land, and resources department with a focus on complex insurance disputes and contaminated site work.

Andrea Cummings became a partner with Sidley, Austin, Brown & Wood LLP in Chicago, IL, effective July 1. She practices real estate finance.

Maura Perry Goldstein recently became a partner with Baker Botts LLP in global projects in Washington, D.C. Goldstein represents lenders and borrowers in complex financing transactions and has substantial experience acting for multilateral and bilateral financing institutions and energy sector borrowers. She has advised parties in project financings in Latin America, Russia and Eastern Europe, China, and the U.S.

In January **Paul Hourihan** was elected a partner of Williams & Connolly LLP in Washington, D.C. Hourihan has appeared in courts across the country on behalf of clients in a wide range of civil and criminal matters, including representation of both plaintiffs and defendants in fraud, civil rights, professional malpractice, commercial contracts, and RICO cases.

J. Travis Laster was at the Law School last Fall to teach a short-course on takeover litigation. He specializes in corporate law and litigation as a partner with Richards, Layton & Finger PA in Wilmington, DE.

Cynthia Cordle Lynch and John Lynch '92 welcomed their first child, Taylor Grace, on August 22. Cynthia is an associate solicitor with the U. S. Patent & Trademark Office, and John serves as an assistant Commonwealth Attorney for Arlington County, VA.

Bob Ritter and his wife Kristin announce the birth of their second daughter, Emily, on August 29. She joins older sister Helen, 2, in the family home in Harpers Ferry, WV. Ritter specializes in mergers and acquisitions, transactions, corporate law, and telecommunications as of counsel with Lukas, Nace, Gutierrez & Sachs, Chartered, in Leesburg, VA.

Wendy Barrett Warren recently joined Baker Botts LLP as special counsel with global projects in Washington, D.C. Warren represents clients before the Federal Energy Regulatory Commission and the New York Public Service Commission in rate and merger proceedings and other regulatory matters.

Jonathan Wolcott was elected to the partnership of Holland & Knight LLP in January. A member of the business law section in Washington, D.C., he concentrates his practice on corporate and securities law and merger and acquisition transactions. He was formerly senior counsel.

1996

Stephen Adams and **Tracy Welch** live in Boston, MA. Welch was recently promoted to vice president at Credit Suisse First Boston, while Adams was named partner in the corporate department at Goodwin Proctor.

In September **Josh Black** co-founded Bello Black LLP, a new management-side labor and employment litigation boutique in Boston's Back Bay. Black and his wife Sally have two children, Ginny, 7, and Will, 4. They live in Wellesley, MA.

In October **Elizabeth "Lily" Engle** opened her own law firm, Chamowitz, Chamowitz & Engle

PLC, in Old Town Alexandria, VA. The newly formed firm is only four blocks from Young, Goldman & VanBeek, where she was previously an associate. "Neither firm is quite near enough to the river to have been wiped out by (Hurricane) Isabel, thank goodness," she writes. "I am very excited about this endeavor, as are my new partner and his wife, who is of counsel to the firm. We are having a great time so far." She continues her practice of both transactional and litigation work with concentrations in commercial law, real estate matters, contracts, equity sharing agreements, preventing and conducting foreclosures, and partition suits.

Robert Howard, Jr., and his wife Susan celebrated the birth of their second child, Kathryn Ann, on July 17. Howard practices securities litigation and investment regulation law as a partner with LeClair Ryan PC.

In September, **Rob Masri** was named a National TRIO Achiever by the U.S. Department of Education Office of Postsecondary Education. Recipients of the TRIO Achiever Award are honored for their accomplishments and dedicated commitment to excellence in education. A student in the Virginia Tech Upward Bound Program, Rob is the first participant from a Virginia TRIO program to receive this honor. Masri lives in Charlottesville, and serves as Principal Gifts Officer for the Law School Foundation. Prior to joining the Law School Foundation, Masri was executive vice president of corporate development and general counsel for Multicity, Inc., where he was responsible for developing and managing the company's strategic business partnerships and handling its legal affairs. Prior to joining Multicity, he was an attorney with Cooley Godward LLP and Hunton & Williams. In addition, Masri co-taught a course at the Law School on high technology start-ups and venture capital financing.

Michael Reese was recently elected a partner with Milberg, Weiss, Bershad, Hynes & Lerach LLP in New York City. His practice involves antitrust,

securities, and consumer fraud class action litigation. Reese and his wife Sue also celebrated the birth of their first son, Tayson, in March 2003.

In December **Regan Safier** was made a partner in the Philadelphia office of Weber, Gallagher, Simpson, Stapleton, Fires & Newby LLP. She is the youngest partner in firm history. Her practice is devoted almost exclusively to the defense of physicians and hospitals in medical malpractice actions. She and her husband Duane Smith reside in Merion, PA, with their two daughters Jolie, 2, and Devin, 1.

1997

Benkai Bouey moved to Los Angeles last summer with his wife, Theresa Mann (Wellesley '96 and Harvard '02), and their daughter, Kaiya Elizabeth, 1. Bouey started a new job as vice president and general counsel for Career Resources Group LLC.

Elisa Stinchcum Carlson practices as an associate with Mary G. Commander, Attorney & Mediator. Her Norfolk, VA, practice emphasizes family law, adoption, and workers' compensation.

Anissa Crumley and Davis Paddock were married in Austin, TX, on June 21. The Paddocks live in Houston.

Anne Davis is living in the Netherlands, working as a prosecutor/legal officer at the United Nations' international war crimes tribunal for the former Yugoslavia. In August, she was in trial on a case involving four Bosnian Serb military officers alleged to have been responsible for the July 1995 massacre of over 7,000 Muslim men and boys at Srebrenica, Eastern Bosnia. Davis is on leave from her practice at Arnold & Porter in Washington, D.C., where she practices as an associate in the general litigation practice group. She plans to return to her firm this year.

Catherine Henderson Day and **Jonathan Day '99** were married in Houston, TX, on March 15, 2003.

In October **Greg Feder** gave presentations at two special conferences of the *World Online Gambling Law Report*, the newsletter of the e-gambling industry. He spoke in Long Beach, CA, and Washington, D.C., on “How Money Circulates in Online Gambling.” Feder serves as senior associate in the financial regulatory and e-commerce practices at Mayer, Brown, Rowe & Maw LLP in Washington, D.C.

In December **William “Billy” Jones** and his family moved from Richmond, VA, to Denver, CO, where Jones practices litigation with Moye Giles LLP.

Eric Kadel, Jr., and his wife Heather welcomed their first child, Eric John Kadel III, to the world on August 21, 2002.

Stephen Malone joined the National Broadcasting Company in New York as employment counsel in September. Previously, he practiced labor and employment law as an associate at New York’s Proskauer Rose LLP. He lives in Manhattan.

Paula Collins McGlarry recently left Morgan, Lewis & Bockius LLP to work for the Mercer Consulting subsidiary of Marsh & McLennan Companies, Inc., as corporate counsel. Her husband, **Robert McGlarry ’98**, recently left Willkie, Farr & Gallagher LLP to work for the Office of the Commissioner of Baseball as counsel.

Andrew Jackson Montague, son of **Latane Montague IV**, was born February 12, 2003.

Deborah Owen Pell and her husband Nick had a baby girl, Cecelia Elizabeth, on January 5, 2003. Big brother Nicholas turned three this summer, and starts pre-school this fall. Pell continues her position as an in-house attorney for Bechtel Power Corporation in Frederick, MD. Her husband now works as a senior systems analyst at Booz, Allen, Hamilton in Baltimore, MD.

Neil Richards and his wife Wendy celebrated the birth of their first child, Fiona, in April. Several weeks later, they moved to St. Louis, where Richards has taken a job as an associate professor at Washington University School of Law. He teaches privacy law, property, and First Amendment.

Andrew Rosenberg wrote about running for U.S. Congress in Virginia’s 8th district, challenging incumbent Congressman Jim Moran for the Democratic nomination. “Two months into the most challenging experience of my life, my campaign to unseat the rightfully embattled incumbent, Jim Moran, we are off to a great start,” he wrote. “I have an amazing campaign manager, fundraiser, and staff, and have been relying heavily on the support of a great group of friends from, among other places, my UVA days. One of the most enjoyable parts of the experience thus far has been receiving words of encouragement from old Law School friends. In our first six weeks my campaign raised nearly \$160,000, which brings us within shooting distance of the incumbent. Unfortunately, it will take much more for us to run a truly competitive race. I really hope fellow classmates and others will check out the latest from the campaign trail at www.andyrosenbergforcongress.com, where, incidentally, they can easily contribute to my campaign!”

Glenn Saks has left private practice with White & Case LLP to join the Miami-Dade County Attorney’s Office.

Salmon Shomade began his management doctoral degree studies at the Eller College of Business and Public Administration at the University of Arizona in September. He is majoring in public administration and policy with a possible minor in political economy or finance. He was inspired and encouraged to return to school by his “lovely wife of six years,” Beretta Smith-Shomade (Ph.D. ’97, UCLA), an assistant professor in media arts at the University of Arizona.

Jason Sneed and his wife Charity are proud to announce the birth of their third child, Andrew Nicholas, born May 18. Big sister, Tara, 4, and big brother, Henry Jason, 2, love their baby brother. Sneed continues to practice copyright, trademark, and other business litigation at Alston & Bird LLP in Charlotte, NC.

Cory Way is completing a doctorate in law at Merton College, Oxford. Way is examining television news coverage of crimes in the United States and England.

Wendy Yoviene married Joe Lissenden at Selma Plantation in Leesburg, VA, on October 26, 2002. The couple lives in Reston, VA. Early in 2003, the U.S. Supreme Court granted a petition for *writ of certiorari* that Yoviene prepared with fellow Law alum, **Chip English '84**. Both Law alumni sat at counsel table during oral arguments and recently learned that the Supreme Court voted eight to one in their favor. The case involved issues relating to the Commerce Clause.

1998

William Baroni, Jr., received the Professional Achievement Award from the New Jersey State Bar Association's Young Lawyers Division at its 2003 annual meeting in Atlantic City. He previously practiced election and campaign finance law and government relations with Blank Rome LLP in Trenton, NJ. Throughout his practice he has represented numerous candidates for public office and served as counsel to the New Jersey Republican Congressional delegation during the 2001 Congressional redistricting process where the first-ever compromise redistricting map was drawn. Baroni has authored "The Emerging Trend of Unionization of Doctors in Health Maintenance Organizations" in FOCUS (December 1998) and "*Torricelli v. Samson* and the Creation of the Administrative Feasibility Standard in New Jersey Election Law" in The Seton Hall Legislative Law Journal.

Peter Bowden has returned to Andrews Kurth LLP in Houston, TX, where he practiced from 1998 to 2000. He spent three years with Simpson, Thacher & Bartlett LLP in Palo Alto, CA.

M. Beth Frackleton Colling recently left the law firm of Gentry, Locke, Rakes & Moore LLP in Roanoke, VA, to practice closer to home. She joined the Lynchburg firm of Petty, Livingston, Dawson & Richards PC in Lynchburg. Colling lives in Forest, VA, with her husband Kent, daughter Mackenzie Frackleton, 7, and son, Jack Colling, 1.

Prentiss Hallenbeck, Jr., joined Ulmer & Berne LLP in Cincinnati, OH, in October. He practices in the firm's liability defense and pharmaceutical, medical device and mass tort litigation groups and concentrates on product liability, personal injury, litigation, trademark, and insurance.

Jonathan Hamilton practices in the Washington, D.C., office of White & Case LLP. He previously worked in the firm's Mexico City and New York City offices. He resides in Alexandria, VA, with his wife Andrea (Arts & Sciences '98), son Joaquin, and two dogs.

R. Lucas Hobbs recently moved to Bristol, VA, and joined the office of the U.S. Attorney for the Western District of Virginia in its Abingdon branch office. He is primarily prosecuting narcotics and firearms offenses in Southwest Virginia.

Tracey Howard Livesay and her husband James are pleased to announce the birth of their first child and son, James "Trey" David Livesay III, on June 30. The family resides in Woodbridge, VA, and would love to hear from other classmates at tlivesay@msn.com.

Stanford McCoy started a new job in June as assistant general counsel in the Office of the U.S. Trade Representative.

Young Alumni Event

More than 70 young alumni gathered at the UVA/Yale Club in New York in late October and met Alumni Association President Renee E. Ring '76 and Vice-President William B. Fryer '74.



Scott Horlacher '00, Joanna Bernard '99, and Emily DiStefano '99.



Cristina Ryan '02, Jamila Smoot '02, and Ramona Prioleau '94.



Brooke Pietrzak '97 (NY Regional Manager), Mike Leahy '98, and Craig Warnke '99.



Renee Ring '76 (President LSAA) and Carin and Tad Carithers '99.



Young Woo '02, Scot Fishman '03, Amanda England '03, and Kate Brennan '03.



Joe Ventura '03, Carlos Kuri '03, and Michael Schwartz '01.

Photos by Laura Pietro.

Robert McGlarry recently left Willkie, Farr & Gallagher to work for the Office of the Commissioner of Baseball as Counsel. His wife, **Paula Collins McGlarry '97**, recently left Morgan, Lewis & Bockius LLP to work for the Mercer Consulting subsidiary of Marsh & McLennan Companies, Inc., as corporate counsel.

Curtis and Jennifer Murphy Romig welcomed their daughter, Laura Fair, into the world on April 11, 2003. Curtis continues to practice law with Powell, Goldstein, Frazer, and Murphy LLP in Atlanta, GA. Jennifer is teaching legal research and writing for the third year at Emory University School of Law.

Eric Scott and Kathryn Swint '99 became parents of twin boys, Vaughn Robert Scott and Graham Daniel Scott, on March 26, 2003. The growing family recently moved to San Antonio, TX, where Scott practices law with Fulbright & Jaworski and Swint currently is staying home with the boys.

Millicent Roberts Stilwell and her husband, McDavid, have recently moved to Cambridge where McDavid is attending Harvard Business School. Stilwell wrote, "I am not practicing law presently, but rather practicing being a full-time mother" to her daughter Louise, 2.

1999 *Reunion Year*

San Antonio Business Journal chose **Stephanie Chandler** as one of its "40 Under Forty," individuals whom the paper describes as people who have made significant accomplishments in their career, business, community, or a combination of those areas in the San Antonio area. Chandler practices in the business transactions section and the Internet law group of Jackson Walker LLP.

Jonathan Day and Catherine Henderson Day '97 were married in Houston, TX, on March 15, 2003.

Clarissa Chun Kang has become the proud mother of a healthy, fun, little boy, Aaron Jayson, born March 14, 2003. "He's the light of my life!" she writes. She also changed firms and now specializes in employee benefits and ERISA litigation with Trucker Huss APC, still in San Francisco, CA.

Jennifer Crimmins Keeley and Stephen J. Keeley welcomed a new child, Kathryn Marie, on May 27. The couple resides in Naperville, IL, along with their older daughter, Charlotte Rose.

Galina Kolomietz and her husband, Matthew Frank, welcomed their first child, Hannah Robin Frank, on February 5, 2003.

In November **D. David Parr, Jr.**, joined the asset securitization group of the global capital markets and mergers and acquisition teams of Hunton & Williams LLP in Richmond, VA.



George Peterson has joined Sands, Anderson, Marks & Miller PC as an associate in the McLean office. Peterson focuses his practice on professional liability defense and commercial litigation as a member of the business and professional liability practice group and the healthcare practice group.

Mark Rankin has joined the Federal Public Defenders Office for the Middle District of Florida as an assistant federal public defender in the trial division of the Tampa office.

Michelle Sheridan married Andrew Adams in Washington, D.C., on June 7. The couple resides in Boston, MA. Sheridan recently left Nutter McClennen & Fish LLP to join the Office of the Attorney General in the appellate division of the criminal bureau.

Scott Spence and his partner of over five years married in Leiden, the Netherlands, in April

2003. In September Spence graduated from Leiden University with an LL.M. in public international law. He has joined the Harvard Sussex Program on Chemical and Biological Weapons Armament and Arms Limitation as the programs researcher in The Hague. He is on secondment to the Organization for the Prohibition of Chemical Weapons and works primarily for the Office of the Legal Adviser. Scott and his partner reside in their new home in The Hague.

Kathryn Swint and **Eric Scott '98** became parents of twin boys, Vaughn Robert and Graham Daniel Scott, on March 26, 2003. The growing family recently moved to San Antonio, TX where Scott practices law with Fulbright & Jaworski and Swint currently is staying home with the boys.

Kashi Way recently married Diane Ferguson (Arts & Sciences '88).

2000

Amy Ashton was recently selected as a Rising Star by the Greater Cincinnati YWCA Academy of Career Women of Achievement. Every year the Academy honors women who exemplify personal career success, dynamic leadership qualities, and the unique ability to serve as role models. Ashton practices as an associate in the business and finance department of Taft, Stettinius & Hollister LLP and is a member of the firm's professional women's resource group. She serves on the Better Housing League of Greater Cincinnati board of trustees, on the Habitat for Humanity TriState advisory board, and as a recruitment advisor for the Miami University chapter of Alpha Gamma Delta sorority.

Michael Elkon practices employment defense as an associate for Seyfarth Shaw LLP in Atlanta, GA. He married Andrea Levy in Baltimore, MD, on September 1, 2002. **John Franchini, Jeff Fox, J.T. Haines, Jan De Beer, Wallis Haynes, Greg Hunter, Tonya Sulia, Anna Riggle Palmer, Bill**

Palmer '99, and Bob Trammell '99 attended the ceremony.

Kevin Kauer has joined the litigation group of Kilpatrick Stockton LLP as an associate in Charlotte, NC.

Edward Miller has been appointed to the position of deputy secretary for the Maryland Department of Business and Economic Development (DBED). He serves as the department's chief operating officer, responsible for the work of 300 employees and the agency's nearly \$120 million budget. Miller was formerly DBED acting deputy secretary and chief of staff. He previously practiced corporate law with Piper Rudnick LLP in Baltimore, specializing in mergers and acquisitions transactions. Prior to that, Miller practiced with Simpson, Thacher & Bartlett LLP in New York City, representing institutional clients, private equity firms, and nonprofit corporations in mergers and acquisitions, securities, and banking transactions. Miller was a recipient of the Lawyers Alliance for New York's Cornerstone Award for his pro bono work on behalf of a Harlem firehouse that lost several of its firefighters in the 9/11 terrorist attacks.

In July **Phil Neiswender** joined Getty Images, Inc., in Seattle, WA, as corporate counsel.

Kristi Bess Panikowski has joined Fish & Richardson PC in San Diego, CA, as an associate. Her practice emphasizes employment, business, and trade secret litigation. She previously practiced as an associate with Luce, Forward, Hamilton & Scripps LLP.

Echoing Green, a non-profit group, has named **Daniel Ravicher** one of the world's "Best Emerging Social Entrepreneurs" for his campaign against patents that harm the public health, impinge civil liberties, and impair free markets. Ravicher, a registered patent attorney, founded the Public Patent Foundation (PPF) on the principles that the current patent system is used unfairly for financial gain by wealthy

corporations, undercuts the civil liberties of the disadvantaged, and hinders free market mechanics. Ravicher estimates that, as a result of a system that favors the privileged, roughly half of all patents issued are illegitimate, preventing millions from gaining access to life-saving medications and depriving small businesses of real opportunities to compete in the marketplace. Utilizing legal, advocacy, and public education strategies, PPF works to expose invalid patents by initiating reexamination procedures before the U.S. Patent and Trademark Office. Ravicher previously practiced patent law with several New York firms, including Skadden, Arps, Slate, Meagher & Flom LLP. Throughout his career, Ravicher has performed hundreds of hours of *pro bono* legal services for individuals, non-profit organizations, and small businesses. Echoing Green is dedicated to sparking social change by identifying and supporting exceptional emerging leaders and their organizations through a two-year fellowship program.

Brian Wise will marry Nastaran Basiri, a UVA graduate, on July 13. He works as in-house counsel with Coventry HealthCare, Inc.

2001

Katherine Bernard Buchanan proudly announces the birth of Holden Barksdale Buchanan, born August 5, 2002.

Elizabeth Kinsaul and **Jason Dugas** were married on May 24 on Hilton Head Island, SC. **Amy Collins**, **Erica Bachmann '00**, and **Nestor Gounaris** were members of the wedding party. Also in attendance were **Melissa Keppel**, **Jonathan Allen '97**, and **Julie Jackson Allen '97**.

Beply Landrum has joined the Orlando office of Baker & Hostetler LLP. She practices with the business law group.

Jason Naunas completed his clerkship with Judge Stephen St. John and moved to Charlotte, NC,

where he is now practicing with Kilpatrick Stockton LLP.

Byron Pickard and his wife Cassie (Engineering '97) welcomed their first child, Sophie Marie, into the world on May 1. Pickard currently practices in Alexandria, VA, with Vorys, Sater, Seymour and Pease LLP as a litigation associate.

Igor Purlantov is still practicing with Linklaters and has moved to New York after two years in London.

Julia Yachmenev Smolyanskiy married Igor Smolyanskiy on October 12 in Brooklyn, NY, where the couple resides. She specializes in bankruptcy and restructuring as an associate with Fried, Frank, Harris, Shriver & Jacobson LLP in Manhattan.

Monica Welt and **Babak Djourabchi** are happy to announce their engagement in early November. "Although we've yet to set a date, we are enjoying our new status," Welt writes. Both continue to practice law in Washington, D.C.

2002

Neely Fedde and her husband Matt announce the birth of their daughter, Natalie Olivia, on April 3, 2002. Natalie joined big brother Sam, now 3. The family lives in Shawnee, KS. Fedde practices as an associate with Blackwell, Sanders, Peper & Martin LLP in Kansas City, MO.

Elizabeth Bloodworth Mitchell and her husband Jay recently took a trip to Alaska to visit Jay's brother who was stationed in Anchorage with the U.S. Army, but has since been deployed to Afghanistan. The Mitchells have a new puppy, Ransom.

Shannon Rogers Simpson and **Aaron Simpson** were married on December 20. They were happy to have many of their friends and fellow Law School graduates in attendance at the New York City ceremony and reception. They live in

Prospect Park, Brooklyn, and work in Manhattan. Shannon practices litigation as an associate with Davis, Polk & Wardwell, while Aaron specializes in antitrust law as an associate with Skadden, Arps, Slate, Meagher & Flom LLP.

Chad Romey recently said goodbye to private practice in Atlanta, GA, and moved back to Fort Wayne, IN, to be closer to his roots, give legal advice to and coach basketball for the Greater Fort Wayne Homeschooling Association, and write op-ed pieces for the *Fort Wayne Journal-Gazette*. He encourages any “LawHoos” passing through the areas to contact him at (260) 485-3044.

Jennifer Bowen Wieland and her husband Jeff announce the birth of their first child, Benjamin Bowen, on July 12, 2003. The family lives in Orange, CA. Wieland is an associate at Latham & Watkins LLP in Costa Mesa, CA.

2003

In October **Lise Adams** was awarded the Frederick B. Abramson Public Service Award at the Thurgood Marshall Center in Washington, D.C. The award was presented to five public service lawyers providing direct legal services to District of Columbia residents.



Jeffrey Antonson has joined Jackson Walker LLP in Dallas, TX, as an associate in the litigation section.



Krista Hoekstra has joined Varnum, Riddering, Schmidt & Howlett LLP in the Grand Rapids, MI, trial practice group.

Law Alumni Weekend
April 30–May 2, 2004

Classes of 1949, 1954, 1959, 1964, 1969, 1974, 1979, 1984, 1989, 1994, 1999, and the Life Law Society

Area-alumni and reunion attendees are invited to take advantage of complimentary CLE offerings:

Ethics, by Professor George Cohen

Trusts & Estates, by Schiff Hardin & Waite Partner Charles “Skip” Fox ’80

and

Oral Advocacy, by Hunton and Williams Partner and Professor Robert Saylor

All are offered April 30, from 3–5 p.m. at the Law School

RSVP: lawalum@virginia.edu, 434-924-3588

Deadline to register: April 28

Crystal Lovett-Tibbs married Aaron Tibbs on September 20 in Fredericksburg, VA. **Larissa Cooper, Jessica Zeller, Mike Speaker, Nathan Campbell, Grace Im, and Emily Fan** attended the ceremony. The new bride is currently serving in a clerkship for Judge Henry Coke Morgan, Jr., in the Eastern District of Virginia. The couple lives in Virginia Beach with their three cats.

Kelley Riddle recently joined Fulbright Jaworksi LLP as an associate in Houston, TX. She focuses on litigation.

Jason Smith and his wife Charlotte welcomed their first child, Charlotte Lynn, on September 4.

Bret T. Winterle recently joined Kilpatrick Stockton LLP in Winston-Salem, NC. A registered patent agent, Winterle focuses his practice on patent prosecution and patent litigation in the areas of mechanical, electrical, and computer technologies.

LL.M.

1976

Fa Jyhpin passed away June 18 in Taepei, Taiwan, following a heart attack. Taiwanese President Chen Shuibian had nominated Fa, 53, as Grand Justice of the country's Constitutional Court in May. Fa taught constitutional law, administrative law, and communications law at his alma mater, National Cheng-Chi University, for 23 years. He returned to the Law School in 1989–90 as a visiting scholar. Author of four books and numerous law review articles, he served as a delegate to the National Assembly responsible for amending the Taiwanese Constitution.

1986

Pete Beer currently has senior status at the U.S. District Court, Eastern District of Louisiana. He is “doing a bit of pinch hitting” in the U.S. District Court, Middle District of Florida, and the U.S. District Court, Southern District of Mississippi.

Pasco Bowman took senior status on August 1. He had been serving as chief judge in the U.S. Court of Appeals, Eighth Circuit, in Kansas City, MO. “My plan is to continue to do a substantial amount of judicial work, but to scale back a little on the quantity of the assignments I undertake,” he wrote. “I am looking forward to spending more time than heretofore in the Shenandoah Valley!”

Stephen McEwen, Jr., president judge emeritus of the Superior Court of Pennsylvania, has been elected president of the National Council of Chief Judges of State Courts of Appeal for 2004.

1992

Craig Enoch has retired from the bench after 22 years as a judge, with the last 11 on the Texas Supreme Court. He has embarked on a new career and now practices with Winstead, Sechrest & Minick PC as a shareholder. Winstead has offices in Texas, Washington D.C., and Mexico City.

Lynn Hughes, a U.S. district judge in Houston, recently finished 30 years as an adjunct professor at the South Texas College of Law. He also has completed five years on the judicial advisory board of the Law and Economics Center at George Mason University in Arlington, VA. He reported two recent publications — “Realism Intrudes: Law, Politics, and War” in the *Houston Journal of International Law* and “Metaphysics of Courses in Legal Writing” in the *Journal for the Legal Writing Institute*. He was a recent guest speaker at the University of Texas Corporate Counsel Institute and spoke on “Structure, Integrity, Responsibility.”

1995

Cathy Silak reports that her daughter, Martha Miller, is a second year at UVA. In 2003 she and her husband, Nick Miller, visited Aix-en-Provence, France, to see their older daughter Hartley, a student there. Silak practices as a partner at Hawley, Troxell, Ennis & Hawley LLP in Boise, ID.

1996

Sheron Korpus became a partner with White & Case LLP in New York City on January 1, 2003. He practices commercial litigation with an emphasis on contractual disputes, bankruptcy litigation, domestic and international arbitration, intellectual property litigation, securities actions, and employment disputes.

2003

Soonhyung Kwon has returned to the Taegu District Court in South Korea and worked as a judge since July 1.

Jose D. Rivarola has rejoined Bullard, Falla, Ezcurra & Rivarola, Attorneys at Law, as a partner in Lima, Peru. He is in charge of national and international litigation and arbitration. 



In Memoriam

Herbert M. Sonneborn, Jr. '35
Wheeling, WV
August 3, 2003

Harvey T. Hall, Jr. '37
Lakeland, FL
August 21, 2003

James L. McLemore, Jr. '38
Suffolk, VA
June 9, 2003

**The Honorable William
Archer Royall '40**
Alexandria, VA
September 10, 2003

Robert C. Duke '41
Harrisonburg, VA
October 14, 2003

Ross P. Staples '41
South Easton, MA
April 19, 2003

Murray P. McCluskey '42
Sylacauga, AL
June 18, 2003

Leslie M. Mullins '42
Los Angeles, CA
January 15, 2004

Fred G. Pollard '42
Richmond, VA
July 7, 2003

A. Simpson Williams, Jr. '44
Richmond, VA
November 17, 2003

Eugene G. Eason '47
Charleston, SC
December 19, 2003

B. Purnell Eggleston '47
Roanoke, VA
July 20, 2003

Samuel M. Thomasson, Jr. '47
Springfield, VA
September 19, 2003

C. Randall Jones, Jr. '48
Pass Christian, MS
July 27, 2003

John H. Locke '48
Roanoke, VA
July 3, 2003

Blanton L. Price '48
Ventura, CA
November 20, 2003

William L. Ward '48
Norfolk, VA
October 29, 2003

**The Honorable
Ernest W. Ballou '49**
Roanoke, VA
January 6, 2004

David A. Dashiell, Jr. '49
Norfolk, VA
November 18, 2003

Charles Morris Moon, Jr. '49
Atlanta, GA
November 19, 2003

Earl V. Brown '51
Boxford, MA
January 22, 2004

J. Mason Grove '51
Fredericksburg, VA
October 30, 2003

Henry W. Nichols, Jr. '51
Arcadia, OK
September 12, 2002

Waldron W. Proctor '51
New Canaan, CT
December 8, 2003

William C. Schock '51
Saint Louis, MO
April 4, 2003

Travis A. Gresham, Jr. '52
Fort Myers, FL
February 10, 2003

Klaus W. Hueper '53
Washington, DC
October 15, 2002

Lawrence Lavalley Jones III '53
Louisville, KY
August 24, 2003

J. Robert Fleenor '54
Birmingham, AL
August 23, 2003

J. Carr Dorman '57
Delray Beach, FL
November 21, 2003

Edmund B. Brownell '58
Flint, MI
January 9, 2004

Stockton Lehmann '58
The Villages, FL
December 27, 2003

William R. Bunge '59
Slidell, LA
July 9, 2003

**The Honorable
H. David Hermansdorfer '59**
Ashland, KY
November 17, 2003

Cornell S. Franklin '60
New York, NY
August 14, 2003

Thomas Basile Cantieri '61
Lynchburg, VA
November 23, 2003

Robert E. Daley '62
Wilmington, DE
August 14, 2003

William G. Reynolds, Jr. '65
Richmond, VA
July 2, 2003

Justin W. Williams '67
Alexandria, VA
August 31, 2003

David C. Anderson '68
Bloomfield, CT
November 26, 2003

John J. Mikals '72
Jacksonville, FL
July 6, 2003

Donald Davis Wear, Jr. '72
Arlington, VA
November 1, 2003

C. Steven LeBaron '74
Springfield, VA
November 20, 2002

Peter N. Kyros, Jr. '75
McLean, VA
December 25, 2003

Jyh-Pin Fa LL.M. '76, S.J.D. '79
Taepei, Taiwan
June 19, 2003

Robert J. Macbeth, Jr. '76
Toano, VA
July 31, 2003

**Major Robert L. Littleton, Jr.
'79**
Fairfax, VA
October 4, 2003

**W. Gary Vause LL.M. '80,
S.J.D. '85**
Saint Petersburg, FL
May 9, 2003

Albert H. Coons, Jr. '89
Chestnut Hill, MA
November 2, 2003

Peter C. Graff '96
Charlottesville, VA
March 27, 2003

Douglas L. Mutert '97
Valdosta, GA
September 25, 2003

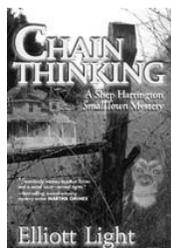
Christine N. Ellertson '99
Denver, CO
January 3, 2004



In Print

LAW SCHOOL ALUMNI WRITE AND PUBLISH books on a wide variety of topics. If you have written a new book and want to tell us about it, please send all pertinent information to: *UVA Lawyer*, 580 Massie Road, Charlottesville, VA 22903; or lawalum@virginia.edu.

Fiction



Chain Thinking
Elliott Light '73
Bancroft Press

Chain Thinking continues the story of lawyer-cum-detective Shep Harrington, in a murder mystery wrapped around a sensitive social issue. Kikora, a chimpanzee left in Shep's initially reluctant care, has been liberated from living as the property of DMI — a mega medical conglomerate that uses animals like her for biomedical testing. According to Bancroft Press, *Chain Thinking* poses hard-to-answer ethical quandaries directed at the way non-human animals are treated in our society. "Chain thinking" is a mode of assigning value to living things based on their place in the Great Chain of Being. According to chain thinking, all living things exist at the pleasure of humans because they are soulless and of less value. Legally, living things below man have no legal status other than property. Shep's quest to find the killer of a scientist at DMI leads him to discover how cruel chain thinking can be. See www.smalltownmysteries.com. Elliott Light is writing the third in the series now, and practices law with Roberts, Abokhair, and Mardula in Reston, VA.



The Kills
Linda Fairstein '72
Scribner

According to Scribner, Fairstein's latest in a series featuring her alter ego, Alex Cooper, can be summed up as follows: "It's going to be a tough trial." Manhattan sex-crimes prosecutor Alexandra Cooper's case, involving an attack on investment banker Paige Vallis, would be difficult to prove even without the latest development — it seems that Paige has something to hide. Most of her story is clear. She'd had dinner with New York consultant Andrew Tripping three times before the March evening when she accepted his invitation to accompany him to his apartment. But what occurred that night? Why didn't she leave the apartment when he started to act strangely? What about Tripping's little boy, Dulles? What happened to the child that fateful evening? And who is the strange man whose appearance in the courtroom seems to terrify Paige? While Alex's police detective friend Mercer Wallace helps her learn more of the sad details behind the increasingly puzzling rape case, colleague Mike Chapman is uptown in a decaying Harlem brownstone where 82-year-old McQueen Ransome has been murdered, her apartment

ransacked. What could this impoverished, elderly woman have possessed that could have inspired such violence? Photographs on the wall suggest that “Queenie” was once a beautiful and voluptuous young woman who traveled to faraway places. Could there be a clue to her murder in her exotic background? Her murder will be only the first. Others follow, as the tragic strands of the Paige Vallis and McQueen Ransome cases begin to converge in a poignant alliance of two women from very different worlds. Faced with formidable personal and professional choices, Alex must learn the old lesson that appearances can deceive, even as she heads for a showdown in which her wits and her courage will be tested as never before.



Split Second
David Baldacci '86
Warner Books

It was only a split second — but that’s all it took for Secret Service agent Sean King’s attention to wander

and his protectee, third-party presidential candidate Clyde Ritter, to die. King retired from the Service in disgrace, and now, eight years later, balances careers as a lawyer and a part-time deputy sheriff in a small Virginia town. Then he hears the news: Once again, a third-party candidate has been taken out of the presidential race — abducted right under the nose of Secret Service agent Michelle Maxwell. King and Maxwell form an uneasy alliance, and their search for answers becomes a bid for redemption as they delve into the government’s Witness Protection Program and the mysterious past of Clyde Ritter’s dead assassin. But the truth is never quite what it seems, and

these two agents have learned that even one moment looking in the wrong direction can be deadly. Full of shocking twists and turns, and introducing a villain to rival Jackson in Baldacci’s *The Winner*, *Split Second* is pure, mind-numbing adrenaline to the last page.

Non-Fiction

Echoes of the Last World War
William Sanders '42, LL.M. '46
Sandrine Publishing

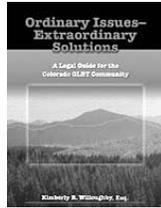
Echoes of the Last World War are the memoirs of William Sanders, whose war experiences include his service as a U.S. Marine Reconnaissance Officer for which he received the Navy Cross, Bronze Star, and Purple Heart Awards. These experiences have led him to conclude that another World War must be precluded by worldwide police action. Saunders is currently practicing in Princeton, WV, and more than 25 lawyers have begun their practice in his offices.



Greening NAFTA: The North American Commission for Environmental Cooperation
David Markell '79
Stanford University Press

A portrait of the Commission for Environmental Cooperation notes its establishment as the first international organization created to address "trade and the environment" issues, discussing such topics as the unprecedented resources and opportunities available within North America and what the

agency can teach mainstream society about environmental protection and economic integration.



**Ordinary Issues —
Extraordinary Solutions: A
Legal Guide for the Colorado
GLBT Community**
Kim Willoughby '94
Bradford Publishing

Ordinary Issues — Extraordinary Solutions: A Legal Guide for the Colorado GLBT Community addresses the extent to which legal protection is afforded to gay, lesbian, bi, and transgender (GLBT) individuals with regard to the following: relationships and families; financial and estate planning; workplace concerns; and issues uniquely concerning GLBT members. Laws involving the GLBT community are changing nearly every day, according to the publisher. The outcome of any given case is anything but certain. *Ordinary Issues — Extraordinary Solutions* also includes a discussion of the potential impact of the 2003 U.S. Supreme Court case *Lawrence v. Texas*. This recent court case challenged the Texas Homosexual Conduct law on equal-protection grounds, as the law criminalized sexual intimacy by same-sex couples, but not identical behavior by heterosexual couples. The ruling could have repercussions for GLBT individuals throughout the country. See www.bradfordpublishing.com.



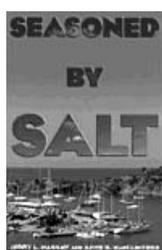
**Poetry Daily: 366 Poems
from the World's Most
Popular Website**
Edited by Don Selby '77,
Diane Boller, and Chrissy Yost
Sourcebooks, Incorporated

Poetry Daily presents the best of more than 2,000 poems previously featured on the Poetry Daily website from its founding editors. Three hundred and sixty-six days of poetry (including Leap Day) from 366 different contemporary poets such as Robert Pinsky, Billy Collins, Seamus Heaney, J.D. McCatchy, Kay Ryan, Anne Waldman and others, are arranged appropriately for the specific day of the year or season. The Poetry Daily website has been used by more than 2.6 million people, and it receives more than eighty-three million hits per year, making it the most popular poetry website on the Internet. The editors of *Poetry Daily*, who bring poetry to the masses every day, have done the hard work for us — carefully selecting the poetic gems from a vast array of literary journals, poetry magazines, collections and other anthologies. Now readers can enjoy a poem-a-day anytime, anywhere with this “thoughtful, lively collection,” according to Sourcebooks. Find the book and poems galore at www.poems.com.

Representing the Elderly or Disabled Client
Andrew H. Hook '75 and Thomas D. Begley, Jr.
RIA

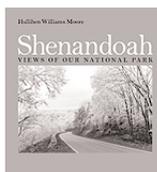
Elder law is, in large measure, a planning practice focused on Medicaid planning, estate planning, and planning for persons with disabilities. Added to this are the demands of estate administration and guardianship. The result is a practice that is heavily burdened with forms. *Representing the Elderly or Disabled Client* delivers all the necessary forms along with the baseline systems that will streamline the process, allowing the practitioner to use his

or her time more efficiently. *Representing the Elderly or Disabled Client* goes beyond the essentials to ensure that you have all that is required to serve compassionately and responsibly the special needs of the elderly or disabled client, according to the RIA's website for essential resources for tax and accounting professionals. See www.riahome.com for ordering information.



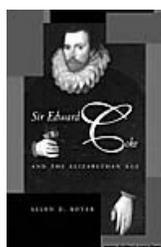
Seasoned by Salt
Jerry L. Mashaw and Anne U. MacClintock '76
Sheridan House

Husband-and-wife sailing team Mashaw and MacClintock recount the adventures of their year-long cruise from Connecticut to Grenada and back. The account details how they handle every aspect of the trip, from sailing and navigation to engine maintenance and piloting issues, by reading guides and histories covering the territories they crossed on their course. Yet their tale still contains some uncertainty; even in the best-planned trip problems naturally arise. MacClintock's illustrations highlight the narrative, and the chapters alternate throughout between Mashaw and MacClintock's two complementary voices; they share the storytelling just as they shared the journey itself, according to Sheridan House. The book is billed as a romance, a comedy, and a search for personal meaning. Find more on the book at www.sheridanhouse.com.



Shenandoah: Views of Our National Park
Hullihen Williams Moore '68
University of Virginia Press

The only collection of photographs devoted to one of America's natural treasures, *Shenandoah: Views of Our National Park* documents one man's decades-long fascination with this uniquely beautiful region in Virginia's Blue Ridge Mountains. Hullihen Williams Moore has been visiting Shenandoah National Park since the mid-1960s, but it was after studying with Ansel Adams in 1979 that he began seriously photographing it. Through 51 black and white duotone photographic prints, Moore reveals the quiet beauty of Shenandoah National Park. From grand vistas and waterfalls to the delicate unfurling of new ferns, these photographs capture the singular appeal that attracts 1.7 million visitors to the park each year. In two essays, Moore addresses the natural and human history of the park as well as his own personal experience of it, including the stories behind the individual images. The author has also included an appendix of technical details regarding the photographs. See www.upress.virginia.edu for more on the book.



Sir Edward Coke and the Elizabethan Age
Allen D. Boyer '82
Stanford University Press

Sir Edward Coke (1552–1634), Attorney General to Queen Elizabeth I, Lord Chief Justice under James I, author of the *Reports* and the *Institutes*, remains one of the common law's most commanding figures, according to Stanford University Press. This groundbreaking biography, *Sir Edward Coke and the Elizabethan Age*, covers the Elizabethan years in which Coke set his course and earned a reputation for broad learning and obstinate

independence. The essays collected in this volume provide a broad context for understanding and appreciating Coke's theory of law, his work as a lawyer and judge, his role in pioneering judicial review, his leadership of the Commons, and his place in the broader culture of Elizabethan and Jacobean England. Sir Edward Coke claimed for judges the power to strike down statutes, created the modern common law by reshaping medieval precedents, and, in the House of Commons, led the gathering forces that would ultimately establish a constitutional regime of ordered liberty and responsible, representative government. His *Reports* and *Institutes* are fundamental sources of legal doctrine and authority. Author Allen D. Boyer is a lawyer for the New York Stock Exchange and a frequent contributor to the *New York Times Book Review*. He has achieved some local fame for having written the biography almost exclusively during his daily commute on the Staten Island Ferry.



The Wimp's Guide to Cross-Country Skiing

James B. Kobak, Jr. '69
1stBooks Library

Written by someone whose credentials include falling into a Norwegian crevasse and having to be helicoptered out of the White Mountains through sheer clumsiness, this short but punchy book will be a delight to beginner and expert alike, to say nothing of armchair athletes, according to 1stBooks. James B. Kobak, Jr., has published humor and satire in national and regional publications including the *New York Times*, *Washington Post*, *Christian Science Monitor*, *Travel & Leisure*, and the *New York Law Journal*, among others. He has combined his trenchant wit with years of failure as a cross-country skier to provide a uniquely droll and readable perspective on this increasingly popular form of sport and exercise or, as Mr. Kobak prefers to think of it, torture. See www.1stbooks.com. On a more serious note, Kobak served as editor of a book on the patent misuse doctrine titled, *Patent Misuse: Licensing and Litigation*, which was published by the American Bar Association in 2000. 

The University's View of Financial Self-Sufficiency

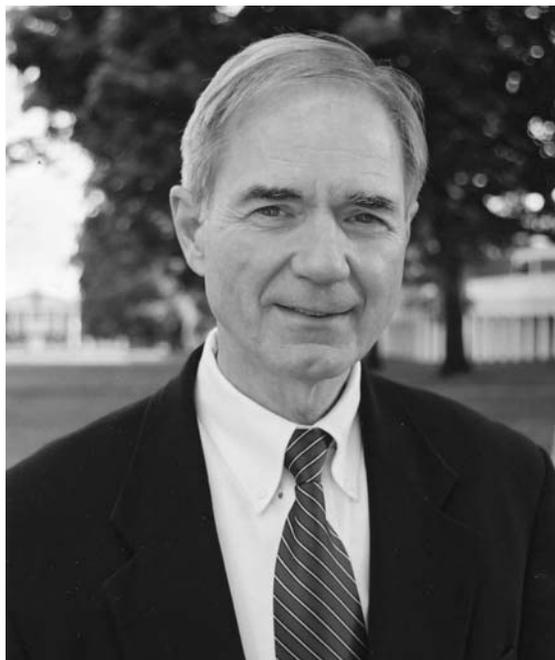
■ Leonard S. Sandridge

Editors Note: Executive Vice President and Chief Operating Officer of the University of Virginia Leonard Sandridge delivered these remarks to the Law School's Business Advisory Council at a reception and dinner in the Dome Room of the Rotunda on September 11, 2003.

THE DEAN HAS BEEN KIND ENOUGH to ask me to share with you something that I think he and I both agree is good for the University of Virginia in the broadest sense, as well as good for the Law School. It has to do with the concept we have come to know as Financial Self-Sufficiency.

I think we started on this trek as long as 20 years ago. I remember being asked to go to the Law School in the mid- to late-'70s, when we just had an accreditation visit. At the conclusion of that accreditation visit we had an exit interview. Those who had examined the Law School and its performance made the comment that there were some things that were lacking for this Law School in the way of financial investment. The second part of the statement, though, is the thing that really gave us some direction about Virginia. Their comment was, "Shame on you — you're giving your product away. If you charged an appropriate tuition, you would have the resources necessary to support this institution."

Beginning then we started to gradually restructure the pricing policy of the Law



School, and that has accelerated in the past five to seven years to the point where we've achieved a situation that I describe as Financial Self-Sufficiency.

Let me be sure that I say at the beginning that none of us can imagine the University of Virginia without this Law School — and I hope you would agree that none of us could imagine the Law School without the University of Virginia. We are not talking about going private or doing anything of that nature at all.

But in 1995 our Board of Visitors agreed to work toward a concept that would allow us to

build on our strengths at this University, specifically the Law School and the Darden School, where we have the capacity both from a private fund-raising perspective as well as an ability to charge market rates for tuition, to try to develop a model that will be good for the schools and good for the University of Virginia.

Perhaps a better place to start is to get to the midpoint and explain Financial Self-

LET ME BE SURE THAT I SAY ... *that none of us can imagine the University of Virginia without this Law School.*

Sufficiency as we know it today (and I should report to you that the Law School has achieved Financial Self-Sufficiency in the fiscal year that we are in right now). What it means is that the Law School and Darden School benefit from 100 percent of the tuition they raise, they benefit from all the gifts they receive (as you'd expect, that's true of all the schools), they benefit from their application fees, from their library fines, and from their endowment income. In return for getting all that revenue, they then are expected to pay their operating costs to a degree that other schools do not. They not only pay their direct costs for instruction and teaching, they also pay for the maintenance and operations of their facilities, and for capital costs associated with their buildings. In addition to that, and this became a key, I should be honest and say it was also a point of great discussion (do not ever think your Dean and his predecessors cannot negotiate well), we established a "tax" as the Dean calls it — an indirect cost as I would describe it — of ten percent of the tuition revenues, which the Law School contributes to the University for the services it receives from the central administration. That is an indirect cost rate that is well below what we accountants could demonstrate ought to be charged, but is well above anything we ask our other schools to pay. And so that ten percent of tuition revenues

then goes back to the institution and gets plowed back into those schools, particularly Arts & Sciences, which frankly are not capable of charging market rates in the same way the Law School has done.

The Law School sets its tuition by benchmarking against a peer group of the top law schools in the nation. We have agreed that we ought to set our out-of-state tuition at close to what the private law schools charge. We have worked with our Board over the last several years to reach an agreement on something that was a little bit more difficult than one might originally have expected, and that is that we have set a \$5,000 differential between in-state and out-of-state tuition — a differential that is substantially smaller than what we started with, but with a price that is lower than the Darden School. [*Editor's Note:* Tuition will be set at the \$5,000 differential for first-year in-state students in fall 2004, and to the remaining classes over the next three years. This differential is subject to approval by the Board of Visitors.] Because we are a state institution we believe it is appropriate for the sons and daughters and citizens of Virginia who pay taxes to get a lower tuition than out-of-state students. We are essentially imposing that on the Law School, and the University, through central resources, pays half of that \$5,000 differential. What that comes down to in simple words, is that for every in-state student the Law School admits, the institution pays an "application" rate of \$2,500 [from the state's General Fund appropriation.].

What does the Law School get out of that? Well, the Law School has the ability to predict in its planning what its resources will be in the long term. It can influence dramatically how much revenue it will generate by the way it structures its pricing plans. It is able to recommend its tuition and salary increases. By law, setting tuition is reserved by the Board of Visitors, but I can tell you that when the Law School makes a recommendation I would be

greatly disappointed in our own ability to deliver if we didn't grant what was proposed. With one exception in 20 years, and that was a very unique circumstance, the Board has always granted to the Law School what it recommended.

What does the University get out of this? Well, we have been able to succeed in building on the strengths of our professional schools — Law and Darden. Additionally, we have freed up institutional resources to invest in the College, Nursing, Education, and Architecture, which by any standard do not have the resources or the ability to generate them that the Law School and Darden School can and do. But we also have been able to invest \$2 million each year into Arts and Sciences as a result of this agreement with Law and Darden. That is important for a reason.

When we started to do this there were expectations that two bad things would happen: the first is that the Law School would not be considerate in its tuition-setting policies and tuition would go sky high. A few people also had a fear that the entire faculty would be paid at extreme rates. But what those people failed to recognize is that when you put the responsibility for the revenue side as well as the expenditure side on a good manager, the incentives are built in for them to run the Law School just like you run your businesses — and that is that you have to do what makes good business sense. And so we didn't have any of those bad things happen.

Another fear was that the schools that are sometimes referred to as the “have-nots,” and I don't like to hear that term but you will hear it when you're on Grounds, would be upset that the Law School could have higher salaries and resources and could buy and build buildings. That hasn't happened. Why? Because they know for a fact that because of the success of the Law School there is \$2 million a year that's going back to their budget that simply wouldn't exist without this program. So in the long and short of it — all we have done is to simply align our incentives so the Law School and

Darden School want the same things the University wants.

It is working well. We had planned to draw this transition out over four or five years before really reaching Financial Self-Sufficiency. The state saw fit to accelerate that by taking away state dollars to the point that we found ourselves having already achieved Financial Self-Sufficiency — through no fault of our own. So we chose to declare a victory this year and to sign the agreements with Law and Darden and since that time they have become financially self-sufficient.

Let me also say a little bit about your University because we are all part of the same organization. In spite of the fact that you hear a lot about state funds being cut dramatically — and they have been cut dramatically — your institution is doing very, very well. To put that in perspective, two years ago our state appropriation was \$173 million in tax monies from the Commonwealth. This year it's \$114 million. In 1980 to 1989, just 12 or 13 years ago, 28 percent of our operating budget came from the state. This year, 8.1 percent comes from the state and that's on a budget of \$1.6 billion in operations. For the first time this year, the budget for the institution as a whole includes a larger amount from endowment income and private gifts than it does from state tax dollars.

In our view, that suggests that there are several things this institution needs to focus on. The first is that we have to acknowledge to ourselves that much like the Law School and the Darden School, we're going to have to, as an institution, become much more dependent on tuition, and to recognize that as long as we can provide the appropriate financial aid to our students, we have to charge a reasonable tuition. We also have to admit to ourselves that for the future we will have to be second-to-none in our abilities to raise private monies. That is hard work but it is a task that this institution under the president's leadership has demonstrated it can do quite well. We have to acknowledge to ourselves that when you have a

situation where the amount of support from the Commonwealth is at the level it is today, then it is time to forge a new relationship with the Commonwealth of Virginia. Again, not to separate from the Commonwealth, not to become a private institution, but to suggest to the state that there are efficiencies that they can realize as well by allowing us to assume more responsibility for the governance of the operation of this institution.

WHAT DOES THE LAW SCHOOL *get out of [Financial Self-Sufficiency]*? Well, the Law School has the ability to predict in its *planning what its resources will be in the long term.*

I can report to you that the state has been very receptive to that. And in part they have been influenced by what they perceive as the success of the Darden School and the Law School and the work that we are describing to you here this evening. One of the big things that the state has always been concerned about is if we give you permission to raise tuition, what happens to those with financial need? And I often cite what the Law School has done in this regard by having a Loan Forgiveness Program for students who are expected to pay market rates for tuition. If they choose to go into careers of public service, loans are forgiven to those students so they have the opportunity to engage in public service if they choose to do so. That kind of responsible action on the part of the management of the Law School has served to help us as we have gone back to the state and talked about our relationship. I can tell you that this week we met with several of our key legislators and quite frankly we have been quite pleased with their reactions to our proposals and what we are saying to the state — that a form of self-sufficiency ought to apply to the entire institution.

Let me take this opportunity to thank you for the kind of commitment that you and so

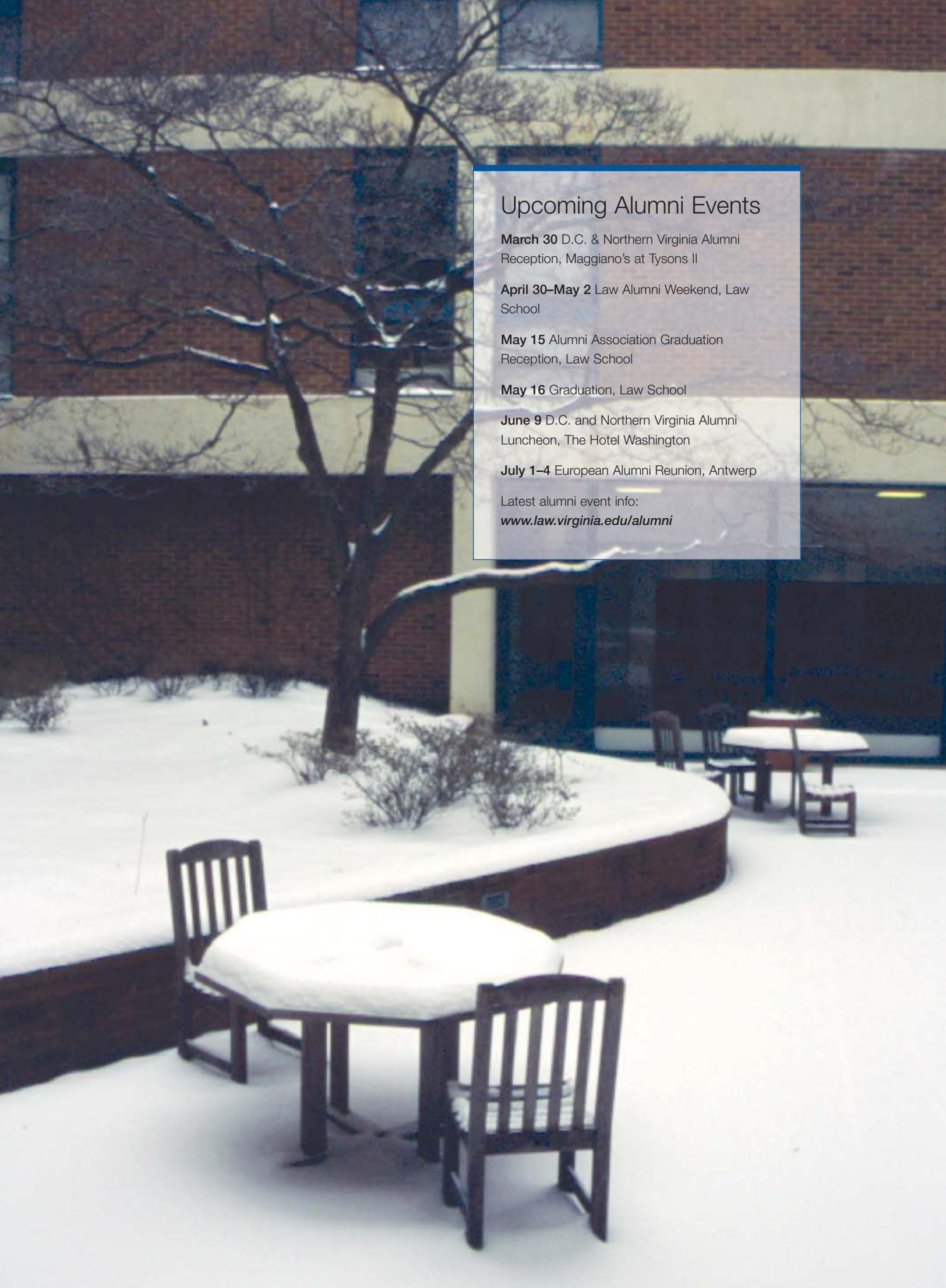
many of your colleagues around the country do make, not only to the Law School, but to the University of Virginia, as successful as it is. Your institution is doing well. We have an extraordinary Board of Visitors today. Gordon Rainey '68, one of your own, is the Rector, [and I think he spends much more of his life in Charlottesville than he does in Richmond]. His leadership has been tremendous. We have excellent students — not only at the Law

School, as you well know, but the undergraduate students who enter today are extremely impressive. And in the midst of the budget reductions, and I recognize what I am about to say is important only to an old financial officer, Standard & Poor's came to us and upgraded our bond rating to a AAA and made us

the second of any public university in the United States to have a AAA bond rating with S&P and Moody's. Ironically, one of the reasons cited for the upgrade was that we are now in a place where we are less subject to the whims of the Commonwealth of Virginia.

I will tell you that what we have been able to work out for the Law School and the University as far as Financial Self-Sufficiency is good for all of us. I hope that three to five years from now we can come back and look at the success of it. I am honored to have been invited to have been with you and to visit with some of my old friends, and forever grateful for you and your support of the Law School. 🏡

Executive Vice President and Chief Operating Officer of the University of Virginia, Sandridge assumed this title in November 1999. He has served since 1990 in that role, with similar titles, as a member of President John T. Casteen III's senior cabinet. He oversees operations of all non-academic support areas at the University, including athletics, student affairs, information technology and communication, management and budget, finance, UVIMCO, police, and compliance. In 1999, he assumed responsibility for the financial and managerial oversight of the Health System.



Upcoming Alumni Events

March 30 D.C. & Northern Virginia Alumni Reception, Maggiano's at Tysons II

April 30–May 2 Law Alumni Weekend, Law School

May 15 Alumni Association Graduation Reception, Law School

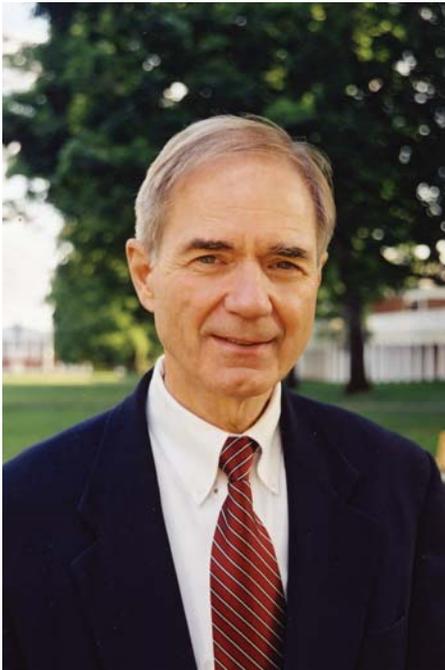
May 16 Graduation, Law School

June 9 D.C. and Northern Virginia Alumni Luncheon, The Hotel Washington

July 1–4 European Alumni Reunion, Antwerp

Latest alumni event info:

www.law.virginia.edu/alumni



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