

UVA LAWYER

FALL 2017



HOPE AND RESOLVE AFTER THE PROTESTS

SPECIAL
COUNSEL
**ROBERT
MUELLER '73**



UVA'S NEW
PRESIDENT
**JAMES E.
RYAN '92**





From Dean RISA GOLUBOFF

I SPENT A LONG TIME THINKING ABOUT THIS MESSAGE. By nature, UVA Lawyer celebrates the Law School, its people, activities and accomplishments. It is by design uplifting and proud. This issue is all of those things.

It is also something else, however, for this moment calls for a more somber accounting as well. Two months ago, white supremacists and neo-Nazis brought hatred to our city and our University. Even though most of us knew before August that the nation's embrace of equality and tolerance remained incomplete, we nonetheless lost some innocence that day.

The events of Aug. 11-12 require a rejoinder, and the Law School and the University are providing one. I have spent much of the fall chairing the University-wide response effort. Here at the Law School, we have held public lectures and panels, town halls and intimate dialogues. Our topics have ranged widely, from civic engagement to civil rights, from free speech to the role of the lawyer in social change. Across these discussions and these topics, we are asking what we can and should do in the future, as a community and a law school, as scholars, teachers, lawyers and leaders.

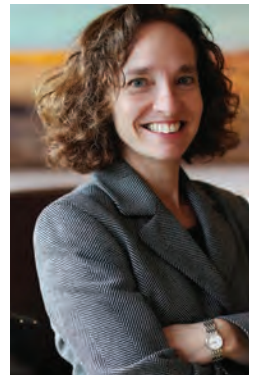
When I wrote to the Law School community in the immediate aftermath of Aug. 11-12, I resolved that we would recommit our energies toward forging a more perfect union. We would be more dedicated than ever to our shared values of a law school that creates community and intellectual exchange out of a diversity of beliefs, life experiences and professional interests, and to our mission of educating and equipping the next generation of lawyers to promote justice, equality and the rule of law.

That recommitment is precisely what you will see in this issue. None of this is new for us. As so many of the stories here make clear, the Law School has long been a place that nurtures lawyers who step into the breach and do so with clarity and integrity. Fifty years ago, as you will learn, law students began the legal aid efforts that have culminated in the thriving, award-winning Legal Aid Justice Center, and alumnus John Lowe '67 successfully brought undergraduate coeducation to UVA.

More recently, Robert Mueller '73 garnered bipartisan praise for precisely the virtues we nurture when appointed special prosecutor this past summer. These virtues are just as apt in describing the many alumni you will read about in the pages that follow—alumni founding new organizations and championing justice, leading major nonprofits, government agencies, and private law firms and companies. Indeed, we are delighted to welcome such leadership back to UVA in the form of our new president, Jim Ryan '92.

The people who educate these lawyers are themselves leading the way, as scholars, as lawyers, as servants of the profession and the public. You will meet the new additions to our faculty—who are changing the way we think about both the past and the present health of our democracy—and learn about the accomplishments—from publishing books to winning Supreme Court cases to leading initiatives of the National Academies—of those who have been the backbone of our intellectual community.

In other words, this issue of UVA Lawyer exemplifies our rejoinder. In response to a fundamental challenge to the core values of our profession, our University and our community, we have become, and pledge to continue to become, more of ourselves and more of our best selves.





**STANDING UP FOR CHARLOTTE'S
VILLE: HOW THE UVA LAW COMM
MUNITY FACED AUGUST 11-12**

STANDING UP FOR CHARLOTTESVILLE

BY MARY WOOD PHOTOS BY JULIA DAVIS

WHEN ELIZABETH SINES '19 heard on Aug. 11 that white supremacists were going to march on the Lawn, then saw a group gathering as she drove nearby, she called her roommate, Leanne Chia '19. Did she want to come? She did. The two UVA Law students quickly found and followed the group of mostly white men on Friday as they marched up the Lawn toward the Rotunda, carrying tiki torches and chanting "Jews will not replace us" and "White lives matter."

"There were not a lot of other people engaging, it was so intimidating," Sines said. The marchers "paid us no mind," she said, as she took out her phone and took on the role of a journalist. They laughed and waved at the camera.

But soon the men would circle around the Rotunda and converge on a hastily assembled group of UVA students and community members surrounding the Thomas Jefferson statue, holding a homemade sign that said, "VA Students Act Against White Supremacy." (Few students were in town before the start of the semester.)

Then the rallying marchers attacked the counterprotesters, beating them with the tiki torches.

"When violence broke out, that's when it seemed like [the police] moved in, started grabbing people who were running out of the circle, and it looked like some kind of chemical was dispersed, pepper spray or something," Sines said. "It's so challenging in those situations to see who's doing what. Somehow they quelled whatever was happening."

Sines broadcast the march and its aftermath on Facebook Live, and the video went viral, collecting almost a million views. Chia and Sines have since told their story to The New York Times, MTV and Pantsuit Nation.

Throughout the weekend, Sines, Chia and several other Law School students, alumni, faculty and staff members stepped up to defend their community, their beliefs and the rule of law from a shocking series of events that many considered unthinkable in Charlottesville. White supremacists and others under the banner of "Unite the Right" gathered from across the nation, organized in response to the proposed removal of the Robert E. Lee statue from the recently renamed Emancipation Park.

Their rally was supposed to start downtown on Saturday at noon, but Friday's impromptu march enflamed emotions ahead of the event. After more violent skirmishes Saturday morning, police deemed the main assembly in Emancipation Park unlawful, just as it officially began, and dispersed the protesters. Sines and Chia soon euphorically marched down Water Street with a massive group of counterprotesters who had, they thought, taken back Charlottesville.

"We felt so strong and unified," Sines said. "It really did feel like

we had won. There was no white activist group in sight."

In their moment of elation, a Dodge Challenger driven by James Alex Fields came barreling down on them. Local resident Heather Heyer, a counterprotester, was killed, and at least 19 others were injured. (Later in the day, two policemen died when their helicopter suffered mechanical failure and went down.)

Chia and Sines missed being hit by the car by just a few feet. Sines

When UVA DEAN OF STUDENTS ALLEN GROVES '90 learned of the march that evening, he came to the Rotunda and cut through a crowd of torch-bearing supremacists to ask students gathered around the Thomas Jefferson statue if they needed help. As violence broke out, he guided students away from the crowd and helped the injured.



later recalled Chia's arm pulling her into a doorway, possibly saving her from injury as the car backed up.

"I really thought it was an organized attack," Chia said. "I thought, 'Time to run.'"

After the shock faded, and after helping other people on the scene in need, the pair retreated to the home of law student Josh Lefebvre '19 to begin to process what had happened.

As they told their story, the pair seemed hopeful for the future. They wrote in The New York Times, "We witnessed domestic terrorism in our home. Neither of us regrets attending the rally, and we will keep showing up, every single time it's necessary."

FULL STORY: www.law.virginia.edu

AUG. 11-12, 2017: HOW WE GOT INVOLVED

AMONG THE MANY OTHERS INVOLVED IN COMMUNITY EFFORTS AUG. 11-12 WERE KIM ROLLA '13, who works at the LEGAL AID JUSTICE CENTER, served as a NATIONAL LAWYERS GUILD legal observer; and DIRECTOR OF STUDENT AFFAIRS KATE DUVAL '06, who volunteered through the NATIONAL LAWYERS GUILD to coordinate local, on-the-ground jail visits from attorneys for those who were arrested.

PROFESSOR BARBARA ARMACOST '89 served as a legal observer for the National Lawyers Guild on Aug. 12,

alongside students AMANDA LINEBERRY '19 and ADELE STICHEL '19.

BEN DOHERTY, HEAD OF LIBRARY INSTRUCTION

AND RESEARCH LIBRARIAN, marched with activists.

LAWTON TUFTS, DIRECTOR OF PUBLIC SERVICE AND ALUMNI ADVISING, aimed to serve as an envoy between activists and the police on Aug. 12, but after police declared

the protest an unlawful assembly, he followed supremacists who had dispersed through town to monitor if they stirred up violence and help vulnerable people in need.

PROFESSOR ANNE COUGHLIN and her husband,

Mark, drove street medics on Aug. 12.

ASSISTANT DEAN AND CHIEF ADMISSIONS OFFICER CORDEL FAULK '01 and former SENIOR DIRECTOR

OF LAW FIRM RECRUITING PATRICE HAYDEN J.D.-MBA '02 hosted a dinner Aug. 13 for African-American

students who were in town, including 1Ls who had just moved to the area. The group of about 15 students

talked for hours about their concerns and ideas moving forward.



"ONE OF THE MOST MOVING THINGS I SAW ON SATURDAY WAS THE FEW MOMENTS RIGHT AFTER THE WHITE SUPREMACISTS WERE MOVED OUT. The counter-protesters surged in and for just a few minutes they held the park. There were

shouts of a kind of surprised joy. There was a sense of, 'Oh my gosh, we just took over the park and drove them out.' And it was just a moment, of course, because the police cleared them out then too. But it was a wonderful moment."

"IT WAS A DAY FILLED WITH TERRORISM. But I'm also taking away just a real sense of gratitude from all the people from Charlottesville and from out of town all over the place who came down-town to defend the city."

"AS DISHEARTENING AS THE DAY WAS, IT WAS STILL POWERFUL IN SHOWING HOW MANY ALLIES THERE ARE AGAINST THAT HATE. Moving forward I hope that our community will continue to remain equally involved in trying to bring about equity in Charlottesville and in Virginia and in

the country, and not just feel like they took their stand on Aug. 12 and that their work is done. We need to harness the energy our community obviously has for fighting Nazis and use it to fight the injustices of everyday life and push towards equity for all."

"AT ONE POINT WE DROVE PAST ONE OF THE POLICE BARRIERS TO GET AS CLOSE AS WE COULD TO MARKET STREET—and this was right around the time of the homicide—and a police officer came running up and screamed at us for breaching the barrier. We apologized

and explained that we were dropping off medics and the officer immediately said, 'I'm sorry, that's fine.' And we then apologized again, we really apologized to the officer and said, 'We're so sorry,' and thanked them for their work, and the officer started tearing up."

"THE CONCERNS [OF THE STUDENTS WE HAD DINNER WITH] WERE THE CONCERNS OF LAW STUDENTS; THEY WERE VERY MATURE. I was proud of them for the thought they had put into it and I was also proud that they felt strong enough to

ask some really difficult questions and ask that those questions be elevated even beyond the Law School. ... I was happy to do the dinner because it made me personally feel less powerless in the face of what had happened."

"THERE WAS JUST SHOCK THAT THIS WAS HAPPENING IN THIS DAY AND AGE IN CHARLOTTESVILLE. It certainly hasn't been my

experience here—that's not to say that things are perfect—but it was a very disturbing scene to see people with such hate and animosity coming here."

IN A LETTER TO THE VIRGINIA LAW WEEKLY,

BLACK LAW STUDENTS ASSOCIATION VICE PRESIDENT KIMBERLY DELK '19 SAID THE EVENTS ON AUG. 11-12 VIOLATED

LEGAL STANDARDS FOR FREE SPEECH. "Some Americans interpreted these chants as hate speech or just the ignorant

opinions of a small group of deplorables," she wrote. "It is imperative to understand that Black and Brown Americans heard real, tangible, life-altering threats." "Unfortunately, the 'Unite the Right' rally

opened the door to the most herculean tool in racism's arsenal: fear. ... Even though the rallies were extreme portrayals of racism, micro-aggressions and covert racism continue to plague our society when

the cameras are off and the protesters are home. "With everything that happened that weekend, we still prepared for church on Sunday and work on Monday because fear is exactly what they wanted

from us. We contained the fear within our friendships and families while portraying strength and confidence to our co-workers and classmates. We'll continue to exude such strength because fear will

not bring about the prevention tactics, support and legislation necessary for change."

TIM HEAPHY '91 WILL LEAD CITY INVESTIGATION

FORMER U.S. ATTORNEY TIM HEAPHY '91, NOW A PARTNER AT HUNTON & WILLIAMS, HAS BEEN TAPPED TO PERFORM AN

INDEPENDENT REVIEW OF THE CITY OF CHARLOTTESVILLE'S RESPONSE TO THREE WHITE NATIONALIST RALLIES

THIS SUMMER. "The recent protests in Charlottesville presented a wide array of challenges to our community," Heaphy said in a press release. "It is crucial that we gather accurate infor-

mation and attempt to learn from those difficult events. Our review will be thorough and objective, and will begin immediately. I look forward to presenting a comprehensive summary of what

occurred in and around the protest events, and to formulating practical recommendations for improved future response."



GOLUBOFF LEADS UVA RESPONSE TO CHARLOTTESVILLE PROTESTS

DEAN RISA GOLUBOFF is chairing a University of Virginia working group of deans and other UVA community members to lead the University's response to the violent events of Aug. 11-12 in Charlottesville. "I believe the working group's recommendations will help our community recover and heal," University of Virginia President Teresa Sullivan said in her announcement of Goluboff's appointment. "I am grateful for Dean Goluboff's willingness to lead this effort, and to every member of the UVA community for standing together in unity and resolve in this critical time."

Goluboff welcomed the opportunity to lead.

"As a member of this community, and also a civil rights historian and legal scholar, I can think of no more important task at this moment," Goluboff wrote to the University community.

"We must recover from violence, from bigotry, from vulnerability. We must heal. We must also act. Our tasks ahead are short-term and long-term; they are about physical safety and emotional well-being; they are as practical as revising policies and as lofty as advancing human progress; and they will require us to examine what we need

to do within our own community and ask what we can do beyond it."

Among the University response efforts so far are reviewing state laws and University policies governing weapons on Grounds; increasing UVA Police patrols on and near Grounds; and hiring Margolis Healy & Associates, a highly respected higher education safety and security consulting firm, to conduct a comprehensive review of UVA's infrastructure, policies and tools.

FOR A FULL ACCOUNT OF THE GROUP'S EFFORTS AND GOALS: www.response.virginia.edu

WORKING GROUP REPORT RECOMMENDS CHANGES

ON SEPT. 11, the working group released a report analyzing the University's response to the events of Aug. 11 and recommending policy changes for the future.

Goluboff presented the group's recommendations to the Board of Visitors on Sept. 15, after which board members unanimously passed three resolutions.

"University officials' frame of mind was shaped by a decades-long history of nonviolent protests on Grounds that led them to approach the march with the assumption that it was constitutionally protected and should be accommodated with

minimal police intrusion," the report said. "On a number of levels—intelligence evaluation, policy backdrop and police response—this mindset led the University to make judgments that were misaligned to the context and left [the University Police Department] insufficiently equipped to respond."

The group recommended declaring the Academical Village a facility—a resolution the board passed—and

exploring similar classifications for other spaces across Grounds. Members of the public cannot possess, store or use weapons in areas of the school designated as facilities under current policy. University community members are already not allowed to possess, store or use weapons on Grounds.

The working group also said the school should strengthen and more strictly enforce the University's "Open Burn and Open Flame" policy, a step the board also approved. Open flames are not allowed on University property unless that use has been approved by the Office of Environmental Health and

Safety or the University of Virginia Medical Center Fire Protection Inspector's Office, and is conducted in accordance with the Virginia state, county and city codes and regulations. The protesters did not receive such permission, but there was no notification procedure in place to inform University police when open flames were or were not approved. The University Police Department also was not aware that it might have authority to enforce section 18.2-423.01 of the Virginia Code, which states "any person who, with the intent of intimidating any person or group of persons, burns an object

on a highway or other public place in a manner having a direct tendency to place another person in reasonable fear or apprehension of death or bodily injury is guilty of a Class 6 felony."

Though UVA traditionally has not required permits for protests or demonstrations, the group said the University should consider whether "to adopt time, place, and manner regulations to govern First Amendment activities on University common spaces consistent with the University's commitment to a pluralistic, open community." The full report, along with a police timeline also released Sept. 11, is avail-

able at response.virginia.edu.

In the final resolution the board approved, plaques memorializing students and alumni who served in the Confederacy will be moved from the Rotunda.

Goluboff's scholarly expertise lines up well with her new role. She has written two books recognized as significant contributions to civil rights and legal history, "The Lost Promise of Civil Rights" (2007) and "Vagrant Nation: Police Power, Constitutional Change and the Making of the 1960s" (2016).

—Mary Wood



HOW TO **DEFEND** THE CONSTITUTION **WHEN THE KKK COMES TO TOWN** BY LESLIE KENDRICK '06

A **S A LAW PROFESSOR**, I usually explain free speech to my students by talking about when the Nazis tried to march in Skokie, Illinois, in the late 1970s.

As many Americans are aware, a great deal of what most would call hate speech is protected by the First Amendment. The Nazis in Skokie are the classic case. In 1977, the National Socialist Party of America proposed to march in this predominantly Jewish community, home to many Holocaust survivors. The ACLU defended their right to wear Nazi uniforms and display swastikas, and courts upheld that right. The Nazis won (though they ultimately decided to march elsewhere).

Until now, I would have said there is no better illustration that the United States has the strongest speech protections in the world. But my new go-to illustration is Charlottesville, summer of 2017. Since the spring, when our city council voted to remove a prominent monument to Robert E. Lee and to rename parks containing the Lee statue and a monument to his fellow Confederate general Stonewall Jackson, Charlottesville has been the site of targeted demonstrations by neo-Nazis, white nationalists and, this past Saturday [July 8], the Ku Klux Klan.

As in Skokie, the demonstrations in Charlottesville have proved the strength of the First Amendment but also shown its steep cost. The Nazis chose Skokie precisely because its residents would find their message deeply offensive. Hate groups have targeted Charlottesville precisely because it voted to take down the monument, and because it is a community actively grappling with a thorny Confederate and Jim Crow past.

Not only that, but the Ku Klux Klan, neo-Nazis and white national-

ists all reject a basic tenet of the American system: that all people are created equal. So why does our Constitution protect them?

Not because they deserve respect. In popular culture, people sometimes act as though “exercising my First Amendment rights” should earn them a pat on the back and, if not agreement, at least grudging respect. Nothing about the First Amendment requires that. We permit hate speech, but we need not respect it.

We also need not worry that we’re wrong in our lack of respect. Judge Learned Hand, quoting Oliver Cromwell, said that every courthouse and public building should have inscribed above its entrance, “Consider that ye may be wrong.” But there are certain facts that do not require hedging, and the fundamental equality of all people is one of them.

Free speech is also not, as some judges have argued, a safety valve that prevents bad actions. Racist and anti-Semitic speech is not the hallmark of an otherwise enlightened society. And anyone who

thinks speech is a harmless safety valve has not pictured the combination of armed Klansmen, hundreds of angry counter-protestors, and a police force tasked with keeping order. Whatever this is about, it isn’t safety.

The law offers two reasons to protect free speech, even in the face of social disgust or unrest. First, democracy may require it. After much wrestling, the courts concluded, in cases about socialists and communists, that a person does not have to agree with American values in order to get the protection of the First Amendment. The Constitution protects even those who would try to destroy it, up to the point of a clear and present danger. Otherwise, what we have are not legitimate democratic outcomes but manufactured consensus. On this view, democracy does not prevail if the Klan is censored. Democracy prevails if the Klan speaks and loses on the merits.

Second, the alternative is letting the government choose who can speak and who cannot. Given the government’s track record—not just the McCarthy era and the Red Scare but censorship of abolitionist pamphlets before the Civil War and Southern states’ attempts to shut down press coverage of the civil rights movement—maybe it is not outlandish to think it is better to let the Klan speak than to let the government decide who should.

But these reasons have their costs, and those costs are not borne equally. They fall disproportionately on African-American, Jewish, Muslim and other minority members of the community. They are

the ones who absorb these very public, very ugly assertions that they are worth less than other Americans.

They are the ones who get the message that these monuments were erected to be—and still are—symbols of white supremacy. When the KKK and neo-Nazis show up to defend “history” in a place with a legacy, like Charlottesville’s, for displacing its black residents, that message could not be clearer.

The fact is that free speech is not free, and we do not split the check evenly.

One thing we must all do is be conscious of these costs. Another is to recognize that, in permitting all viewpoints, the First Amendment puts the responsibility on us to choose what to espouse and what to reject. All views are not equally good. It may be vital to the legitimacy of our system that we have the freedom to choose. It is vital to its survival that we choose wisely.

COURTESY CNN This article was adapted from a July 12 op-ed.



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STEVIE WONDER joined DAVE MATTHEWS onstage Sept. 24 during A CONCERT FOR CHARLOTTESVILLE. The show's lineup included CAGE THE ELEPHANT, COLDPLAY, THE ROOTS, BRITTANY HOWARD, PHARRELL WILLIAMS, CHRIS STAPLETON, ARIANA GRANDE, JUSTIN TIMBERLAKE and THE DAVE MATTHEWS BAND.

"I am appalled at the attempts of white supremacists to instill fear and provoke violence in our community. Let me say with absolute clarity that bigotry is abhorrent, that acts of racial intimidation and violence are criminal, and that white supremacy is a doctrine of terror, meant to insult, frighten, injure and kill. There could be no mistaking those messages this weekend, from Friday night's march with torches on the Lawn to Saturday's loss of life and beyond."

—DEAN RISA GOLUBOFF, in an Aug. 14 message to the UVA Law community

"WE SHOULD REJECT THE OUTLANDISH CLAIM THAT THE MEETING 'BORDERS ON TREASON,' as former White House ethics lawyer Richard Painter

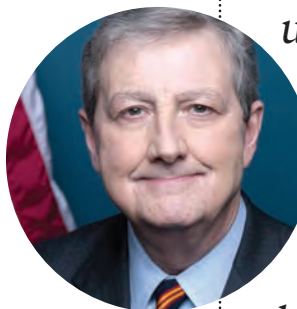
put it. Moreover, it is far from evident that the meeting even violates campaign finance laws, as a number of legal scholars have asserted."

—PROFESSOR SAIKRISHNA PRAKASH, in an op-ed on the Donald Trump Jr. meeting (Vox)



"WE'VE HAD CONVERSATIONS WITH ALLIES, and they agree that the idea of imminence can't just mean right as a weapon is lifting off the launchpad."

—ASHLEY DEEKS, discussing the legality of a possible attack on North Korea (The New York Times)



"Everybody up here wants to be president of the United States. And the scary thing is everybody up here thinks they're qualified."

—SEN. JOHN KENNEDY '77, sharing various thoughts in a recent profile piece (The New York Times)

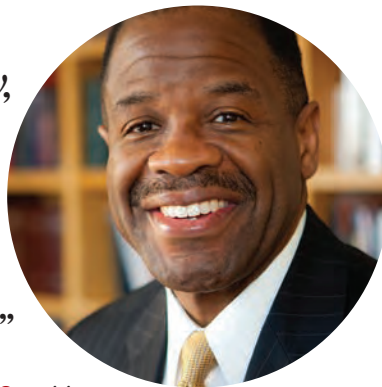
"MY THEME IS, IF I CAN DO IT, I SAY TO THE NEXT GENERATION, 'YOU CAN DO IT AND DO IT BETTER. You have to do it better because the challenges today are far more diverse and far more complex than the greatest generation had.'"

—FORMER SEN. JOHN W. WARNER '53, giving remarks on his career and the future (UVA Today)



"In my view, the profession can no longer afford to ignore its negative image."

—BLAKE MORANT '78, writing about professionalism and the unfavorable stereotypes of lawyers (The Huffington Post)



Quoted



"The question before the court, however, is a fairly straightforward one: Does a Virginia statute bar Charlottesville from taking down or moving a statue of a Confederate general erected in 1924? There are certainly some ambiguities in the law, but this central question can easily be answered in the negative."

—PROFESSOR RICHARD SCHRAGGER, in an op-ed arguing that Virginia cities can take down monuments (Richmond Times-Dispatch)

—Collected by Kimberly Reich

"IN THE 1900S IT WAS RAILROADS, in the 1960s it was highways and now it's pipelines."

—PROFESSOR MAUREEN BRADY, on the next legal frontier for eminent domain law (Staunton News Leader)



"A BAD COMPLIANCE SYSTEM IS ONE THING. But if people knew there were problems and were silenced, that's much more serious."

—PROFESSOR BRANDON GARRETT, regarding the Wells Fargo whistle-blower (The New York Times)



"As individuals, once we know we can do something about our implicit biases, despite the fact that they are unintentional and subconscious, then I believe we each, as individuals, have a responsibility to change how our biases influence us."

—PROFESSOR DAYNA MATTHEW '87, on the radio program "Jazzed About Work" (WOUB)



"If you're in your teens or 20s, this is going to be the defining issue of your adulthood. And it's certainly going to be the defining issue for your kids."

—PROFESSOR MICHAEL LIVERMORE, addressing climate change and the abandonment of the Paris Accord (Bustle)

Discovery

UNIVERSITY OF VIRGINIA
SCHOOL OF LAW
NOW

PROPONENT OF EDUCATION AND DIVERSITY, JAMES E. RYAN '92 ELECTED NINTH PRESIDENT OF UVA

JAMES E. RYAN '92, a former professor at the University of Virginia School of Law, has been chosen as the next president of the University of Virginia. His term as UVA's ninth president begins Oct. 1, 2018.

A leading authority on law and education, Ryan has been dean of the Harvard Graduate School of Education since 2013.

"I'm here because I believe deeply in the power of education, and in the power and goodness of this remarkable university," Ryan said during a Sept. 15 announcement on Grounds that celebrated his hire. He said his experiences in schools and education "literally changed my life."

The first in his family to attend college, Ryan earned his undergraduate degree summa cum laude at Yale University. He attended UVA Law as a Dillard Scholar and graduated first in his class. Following law school, he clerked for then-Chief Judge J. Clifford Wallace of the U.S. Court of Appeals for the Ninth Circuit and Chief Justice of the United States William Rehnquist before working as a public interest lawyer.

As a professor at UVA Law from 1998-2013, Ryan taught law and education, constitutional law, land use law and local government law, and received several awards for his teaching and scholarship. From 2005-09 he served as academic associate dean, a role now known as the vice dean. He was an instructor of the Supreme Court Litigation Clinic, where he argued *Abbott v. United States*, and helped establish and was director of the Law School's Program in Law and Public Service. He has served on the U.S. Department of Education's Equity and Excellence Commission since 2011.

At Harvard, Ryan focused on increasing the strength and diversity of the graduate school's faculty, and helped raise the largest gift in school history.

Ryan has written extensively about law and educational opportunity. He also turned the theme of his 2016 graduation speech at the Harvard Graduate School of Education, which received more than 8 million views on Facebook, into a book published this year, "Wait, What? And Life's Other Essential Questions" (see p. 112).

—Mary Wood

ACCOLADES, AWARDS AND RECOGNITION



1 KIRSTEN JACKSON '18 RECEIVED the University's Award for Excellence in Graduate Diversity.

2 PROFESSOR STEPHEN L. BRAGA, director of the Appellate Litigation Clinic, is taking on an additional role as director of clinical programs.



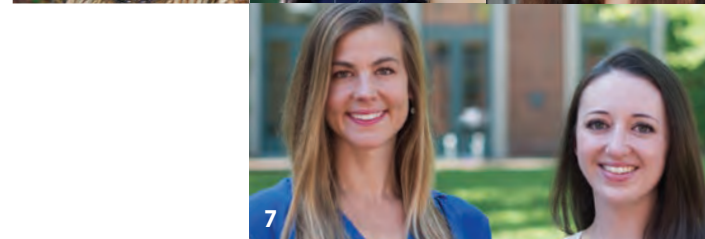
3 UVA MEN'S BLUE edged out UVA Men's Gold at the 34th annual North Grounds Softball League Invitational. UVA Co-Rec Blue advanced to the final game in the co-rec bracket.



4 GULARDI NURBINTORO LL.M. '14 is clerking at the International Court of Justice.

5 AMBER STRICKLAND '17 won the Oliver White Hill Law Student Pro Bono Award.

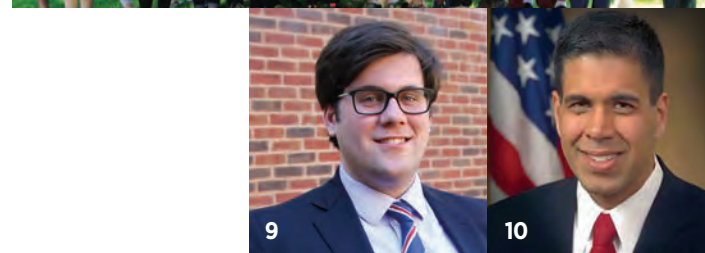
6 THE THIRD Charles W. McCurdy Fellow in Legal History is Catherine Baylin Duryea from Stanford University.



7 CASSONDRA "C.J." MURPHY and **JENNIFER "JENI" POPP** gained experience promoting legal rights as Katherine and David deWilde '67 Public Interest Summer Fellows.



8 STUDENTS IN SECTION H were awarded the inaugural Goluboff Cup, an SBA honor for good citizenship in addition to participation in NGSL regular-season play.



9 ANDREW MANNS '17 won the Rosenbloom Award, which honors a student with a strong academic record who has helped other law students by volunteering support and assistance to them.

10 JUDGE AMUL THAPAR, an adjunct professor, was appointed to U.S. Court of Appeals for the Sixth Circuit.



KATIE BARBER '15
TO CLERK FOR
U.S. SUPREME COURT JUSTICE
RUTH BADER GINSBURG

IN A FEW SHORT MOMENTS, KATIE BARBER '15 WENT FROM INTERVIEWING with U.S. Supreme Court Justice Ruth Bader Ginsburg to learning that she would soon clerk for her.

“Justice Ginsburg gave me the offer during the interview,” said Barber, who will clerk during the 2018 term. “It was very surreal to walk out of the Supreme Court knowing that I would be coming back to work there in about a year.”

Barber, a Springfield, Virginia, native, recently clerked for Judge John B. Owens of the U.S. Court of Appeals for the Ninth Circuit in San Diego. She previously clerked for Judge Leonie M. Brinkema of the U.S. District Court for the Eastern District of Virginia.

Barber joins a Virginia tradition: Three Virginia graduates—Andrew Ferguson '12, Nicole Frazer '15 and Austin Raynor '13—were clerking for the Supreme Court at the time of Barber’s hiring announcement. Virginia is fourth in contributing the most clerks to the U.S. Supreme Court from 2005-16, after Harvard, Stanford and Yale.

—Mary Wood



CLERKSHIPS
FOR
THE
2017
TERM

All are members of the CLASS of 2017 unless otherwise noted.

JONATHAN AMGOTT '15
Colleen Kollar-Kotelly
U.S. District Court
for the District of
Columbia

PAUL ATKINSON
Henry E. Hudson
U.S. District Court for
the Eastern District of
Virginia

DANIEL BLACKMAN '16
Albert Diaz
U.S. Court of Appeals for
the Fourth Circuit

ANNA CASEY
Jennifer W. Elrod
U.S. Court of Appeals for
the Fifth Circuit

LAUREN CASSADY
Senior Judges
District of Columbia
Court of Appeals

MICHAEL CORCORAN
Jerry E. Smith
U.S. Court of Appeals for
the Fifth Circuit

CONOR CRAWFORD
James E. Gritzner
U.S. District Court for
the Southern District
of Iowa

NICHOLAS CROWN '16
Stephen A. Higginson
U.S. Court of Appeals for
the Fifth Circuit

**DANIELLE
DESAULNIERS
DIANA GRIBBON
MOTZ '68**
U.S. Court of Appeals for
the Fourth Circuit

ANNE DOHERTY '14
J. Clifford Wallace
U.S. Court of Appeals for
the Ninth Circuit

ELIZABETH DOUGLAS
Karen Nelson Moore
U.S. Court of Appeals for
the Sixth Circuit

CAITLIN EBERHARDT '15
Donald E. Walter
U.S. District Court for
the Western District of
Louisiana

**OLIVER (OLLIE)
ENGEBRETSON**
Paul V. Niemeyer
U.S. Court of Appeals for
the Fourth Circuit

CHARLES R. GAMPER '16
Richard D. Bennett
U.S. District Court
for the District of
Maryland

ALEXANDER GORIN
Greg J. Costa
U.S. Court of Appeals for
the Fifth Circuit

**ALEXANDER (BUDDY)
GRAY '16**
Frank Mays Hull
U.S. Court of Appeals for
the Eleventh Circuit

**MARK
GRUETZMACHER**
Charles R. Wilson
U.S. Court of Appeals for
the Eleventh Circuit

ERIC HINTZ
Robert E. Payne
U.S. District Court for
the Eastern District of
Virginia

TEVENIA JACOBS '09
Margaret C. Rodgers
U.S. District Court for
the Northern District
Florida

**CASSANDRA (CASEY)
JONAS**
Paul J. Watford
U.S. Court of Appeals for
the Ninth Circuit

MARSHALL JONES
Max O. Cogburn Jr.
U.S. District Court for
the Western District of
North Carolina

ALEXANDER JONES '14
Kristine Gerhard Baker
U.S. District Court for
the Eastern District of
Arkansas

ANDREW JONES '16
S. James Otero
U.S. District Court for
the Central District of
California

ANDREW KAGEN
W. Michel Pierson
Baltimore City
(Maryland) Circuit
Court

**JARED KELSON '16
THOMAS B. GRIFFITH '85**
U.S. Court of Appeals
for the District of
Columbia Circuit

HARRISON KILGORE
John M. Rogers
U.S. Court of Appeals for
the Sixth Circuit

LUCAS KOWALCZYK '16
Helene N. White
U.S. Court of Appeals for
the Sixth Circuit

MEREDITH LORETTA
Rebecca Beach Smith
U.S. District Court for
the Eastern District of
Virginia

ANDREW MANNS
Thomas S. Ellis III
U.S. District Court for
the Eastern District of
Virginia

**HARRISON MARINO
J. FREDERICK MOTZ '67**
U.S. District Court
for the District of
Maryland

KRISTIN MARSHALL
Stephen R. Bough
U.S. District Court for
the Western District of
Missouri

PAULETTE MINITER '16
Catharina Haynes
U.S. Court of Appeals for
the Fifth Circuit

MARIA MONAGHAN
Amul R. Thapar
U.S. District Court for
the Eastern District of
Kentucky

R. CHET OTIS V
Richard F. Suhrheinrich
U.S. Court of Appeals for
the Sixth Circuit

CLAUDIA PARE
Eric L. Clay
U.S. Court of Appeals for
the Sixth Circuit

**MOHAMMAD
PATHAN '15**
Margaret C. Rodgers
U.S. District Court for
the Northern District
Florida

**CHRISTOPHER
PAVLACKA '14
MICHAEL F.
URBANSKI '81**
U.S. District Court for
the Western District of
Virginia

KAITLIN PIERCE
Charles R. Simpson III
U.S. District Court for
the Western District of
Kentucky

**KARTHIK
RAVISHANKAR '16
JOHN F. ANDERSON '81**
U.S. District Court for
the Eastern District of
Virginia

ZACHARY RAY '16
Roger L. Gregory
U.S. Court of Appeals for
the Fourth Circuit

EMILY REEDER
Paula Xinis
U.S. District Court
for the District of
Maryland

JACQUELYN RYBERG '15
William S. Duffey Jr.
U.S. District Court for
the Northern District
of Georgia

**KATHERINE
SAVARESE '16**
William Francis
Kuntz II
U.S. District Court for
the Eastern District of
New York

RACHEL SIMON
Pamela L. Reeves
U.S. District Court for
the Eastern District of
Tennessee

ALARIC SMITH
John Tuchi
U.S. District Court for
the District of Arizona

**ADAM SORENSEN
J. HARVIE
WILKINSON III '72**
U.S. Court of Appeals for
the Fourth Circuit

CHAD SQUITIERI '16
D. Brooks Smith
U.S. Court of Appeals for
the Third Circuit

ADAM STEMPEL
Ellen Lipton Hollander
U.S. District Court
for the District of
Maryland

REEDY SWANSON '16
David S. Tatel
U.S. Court of Appeals
for the District of
Columbia Circuit

SCOTT TERRELL '13
Karen L. Stevenson
U.S. District Court for
the Central District of
California

**ALLISON THORNTON
ROBERT A. SALERNO '90**
District of Columbia
Superior Court

**JOSHUA WADE
NORMAN K. MOON '62,
LL.M. '88**
U.S. District Court for
the Western District of
Virginia

CORY WARD '15
J. Curtis Joyner
U.S. District Court for
the Eastern District of
Pennsylvania

SAMUEL WHITT '12
Raymond T. Chen
U.S. Court of Appeals for
the Federal Circuit

BENJAMIN WOOD '14
Robert A. Katzmman
U.S. Court of Appeals for
the Second Circuit

**JOHN WOOLARD
VIRGINIA EMERSON
HOPKINS '77**
U.S. District Court for
the Northern District
of Alabama

JASON ZUMMO '15
Cam Ferenbach
U.S. District Court for
the District of Nevada

Commencement speaker **CATHERINE KEATING '87** is the president and CEO of investment firm COMMONFUND.



DEAN RISA GOLUBOFF introduced commencement speaker Keating, provided welcoming remarks and announced student awards, which were followed by the hooding ceremony and ceremonial scroll presentation.



WHAT SHOULD BE IN THEIR BRIEFCASES

IN HER COMMENCEMENT ADDRESS, CATHERINE KEATING '87, the president and CEO of investment firm Commonfund, used the concept of a briefcase's contents to illustrate what qualities graduates should take with them into the working world.

In addition to humility and the ability “to roll up your sleeves and do whatever job needs doing,” other attributes in Keating’s ideal briefcase included energy, empathy and curiosity.

Keating joined Commonfund in 2015 as the fifth CEO in its 45-year history, and its first female CEO, after overseeing more than \$700 billion in client assets at JPMorgan (see story on p. 46).

—Eric Williamson



GRADUATION AWARDS

MARGARET G. HYDE AWARD

To the graduate whose scholarship, character, personality, activities in the affairs of the school, and promise of efficiency have entitled him or her to special recognition.
ANDREW MANNS

JAMES C. SLAUGHTER HONOR AWARD

To an outstanding member of the graduating class.
DANIELLE CHRISTINE DESAULNIERS

THOMAS MARSHALL MILLER PRIZE

To an outstanding and deserving member of the graduating class.
CASSANDRA TROMBLEY-SHAPIRO JONAS

Z SOCIETY SHANNON AWARD

To the graduate with the highest academic record after five semesters.
ANDREW MANNS

LL.M. GRADUATION AWARD

JACQUELINE JENNIFER BRONSDON

ROBERT E. GOLDSTEN AWARD FOR DISTINCTION IN THE CLASSROOM

To the graduate who has contributed the most to classroom education by his or her outstanding recitation and discussion.
ALEXANDER JOHN SWARTWOOD

ROGER AND MADELEINE TRAYNOR PRIZE

To two graduates who have produced outstanding written work.
**MICHAEL CORCORAN
ETHAN J. FOSTER**

HERBERT KRAMER/HERBERT BANGEL COMMUNITY SERVICE AWARD

To the graduate who has contributed the most to the community.
AMBER ADELAIDE STRICKLAND

MORTIMER CAPLIN PUBLIC SERVICE AWARD

To a graduate entering a career in the public service sector who demonstrates the qualities of leadership, integrity and service to others.
TERESA ROSTKOWSKI HEPLER

EDWIN S. COHEN TAX PRIZE

To the graduate who has demonstrated superior scholarship in the tax area.
**AMANDA M. LEON
DAVID ARAKEL MARANJIAN**

EARLE K. SHAWE LABOR RELATIONS AWARD

To the graduate who shows the greatest promise in the field of labor relations.
GRACE MARGARET O'DONNELL

JOHN M. OLIN PRIZE IN LAW AND ECONOMICS

To a graduate or graduates who have produced outstanding written work in the field of law and economics.
MICHAEL G. SANDERS

EPPA HUNTON IV MEMORIAL BOOK AWARD

To a graduate who demonstrates unusual aptitude in courses in the field of litigation, and who shows a keen awareness and understanding of the lawyer's ethical and professional responsibility.
MARC A. NOWAK

VIRGINIA TRIAL LAWYERS TRIAL ADVOCACY AWARD

To a graduate who shows particular promise in the field of trial advocacy.
CASSANDRA TROMBLEY-SHAPIRO JONAS

VIRGINIA STATE BAR FAMILY LAW BOOK AWARD

To the graduate who has demonstrated the most promise and potential for the practice of family law.
ELIZABETH JOY HARTERY



LESLIE KENDRICK '06 TAKES ON THE ROLE OF VICE DEAN

PROFESSOR LESLIE KENDRICK, AN EXPERT IN FREE SPEECH, torts, property and constitutional law, began her new role as the Law School's vice dean July 1. She was named to the position in the spring.

"Leslie Kendrick is a highly respected member of our academic community—at once an outstanding scholar, teacher, colleague and mentor," Dean Risa Goluboff said. "That she has agreed to take on this important administrative task is a testament to her commitment to this institution and its community. As she follows in the footsteps of the impressive group of vice deans who have served before her, I am confident that Leslie's considerable talents will serve us all well."

The vice dean oversees academic matters and helps enrich the intellectual life of the Law School, including by organizing the curriculum and assisting in recruiting new faculty. Kendrick also will help manage the Student Records Office and work with the Office of Student Affairs.

A 2006 graduate of the Law School, Kendrick said she is

thrilled to take on the responsibilities.

"I love the Law School. As both an alumna and a faculty member, I am excited to support it in every way I can," Kendrick said. "At Virginia, our students and faculty do great work in a great community. I believe you can get the finest legal education in the country while having a full and happy life. We have a tradition of making that possible, and I am looking forward to continuing it."

Kendrick joined the school as a faculty member in 2008, after clerking for U.S. Supreme Court Justice David Hackett Souter and Judge J. Harvie Wilkinson III '72 of the U.S. Court of Appeals for the Fourth Circuit.

Kendrick succeeds UVA law professor George Geis, who will return to teaching and researching full-time as the William S. Potter Professor of Law. Goluboff thanked Geis, who began serving as vice dean in September 2012.

—Mary Wood

Members of the Class of 2020 include **BEN CABRANES**, **ALEXIS WALLACE**, **JUDY BAHO**, **LAURA YANG** and **TIMOTHY SENSENIG**.



BY THE NUMBERS: THE CLASS OF 2020

THE LAW SCHOOL welcomed members of the Class of 2020 at orientation Aug. 21. "We chose each and every one of you to be here for your whole selves, who you are, and all the different ways that you exist in the world—all the different places you come from, all of your different hopes and dreams," said Dean Risa Goluboff, in a speech that emphasized diversity and acceptance.

—Julia Davis

AT A GLANCE

- ▶ **319** students enrolled from among **5,068** applicants
- ▶ **53%** men, **47%** women
- ▶ **24%** identify themselves as people of color
- ▶ **7%** identify as African-American, a six-year high-water mark
- ▶ **67%** have postgraduate experience

WHERE THEY'RE FROM

- ▶ **154** undergraduate institutions
- ▶ Students come from **38** states, the District of Columbia and Puerto Rico, with the most common being Virginia, California, Florida, New York, Texas and Maryland.

ACADEMIC CREDENTIALS

- ▶ Median LSAT: **169**
- ▶ 25%-75% LSAT: **163-170**
- ▶ Median GPA: **3.87**
- ▶ 25%-75% GPA: **3.57-3.94**
- ▶ Age Range: **20 to 41**

GRADUATE STUDIES

- ▶ **40** LL.M. candidates representing **15** countries
- ▶ **23** S.J.D. candidates from **13** countries



ALUMNI GIVING TOPS 50% FOR 12TH YEAR

THE LAW SCHOOL finished its 2016-17 annual giving campaign on June 30 with a 53 percent alumni participation rate, the 12th year in a row more than half its graduates made a gift to the Law School. UVA Law also saw its endowment top \$500 million for the first time.

"We owe these results to our loyal and wonderful alumni," Dean Risa Goluboff said. "This extraordinary record of annual giving is a testament to both the unique student experience here and the continued significance of a UVA Law education years and even decades after our students graduate. We are dedicated to our students and alumni, and it is supremely gratifying that they are dedicated to us as well."

Luis Alvarez Jr. '88, president and chief executive officer of the Law School Foundation, praised the contributions of Goluboff and the board of trustees.

"Alumni turned out in record numbers at events across the country to see and hear Dean Goluboff, who clearly inspired them," Alvarez said. "Reaching \$500 million in endowment is a milestone that follows many years of strong leadership, generous alumni support and superb stewardship by our board of trustees."

A breakdown of the annual giving campaign shows there were:

- ▶ **9,120** alumni donors
- ▶ **10,445** total donors
- ▶ **\$13,786,509** in total gifts
- ▶ **\$5,465,963** in unrestricted gifts

—Eric Williamson

The UVA Law Innocence Project Clinic met Emerson Stevens when he was released from prison May 19. From left, **DEIRDRE ENRIGHT '92**, **NICHOLAS CUMMINS**, **SABRINE TRIBIÉ '17**, **JENNIFER GIVENS**, **STEVENS**, investigator **ALFRED BROWN**, **ANGELIQUE CILIBERTI '17** and **LAURA FRANKS '17**.

Emerson Stevens hugs Innocence Clinic Director of Investigation **DEIRDRE ENRIGHT '92**.



INNOCENCE PROJECT CLIENT RELEASED AFTER 30 YEARS

CLINIC WILL NOW WORK TO EXONERATE EMERSON STEVENS

EMERSON STEVENS, a client of the UVA Law Innocence Project, walked out of the Greenville Correctional Center on May 19 a free man, though he is not yet cleared of the crime for which he was convicted.

In the sweltering prison parking lot, the newly paroled Stevens was greeted by about a dozen members of his extended family. Stevens embraced his joyful family members, starting with his wife, Sandra. To celebrate the moment, Stevens donned a T-shirt printed with the slogan, “Sorry, I can’t hear you over the sound of my freedom.”

Also present were Jennifer Givens and Deirdre Enright, directors of the clinic, as well as students who had worked on the case, which the clinic took on in 2010.

“It was surreal,” said Angelique Ciliberti, a 2017 graduate of the Law School who worked on Stevens’ case for two years. “Finally we could have normal conversations without Emerson being handcuffed, or being limited to 20 minutes.”

In 1986, Stevens was convicted of abducting and murdering Mary Keyser Harding, a Lancaster

mother of two. His sentence was set at 164 years. Stevens has always maintained his innocence.

In 2016, the clinic was alerted to the existence of a box of documents pertaining to the investigation that Stevens’ defense had not seen during the trial. According to the clinic, the documents included evidence of coercive police practices, witness statements that contradicted the prosecution’s case and lists of additional witnesses that may have undermined the case.

In December, the clinic filed a habeas corpus petition in state court, citing the new evidence to claim unlawful detention.

Stevens was granted parole in April. The clinic’s directors stressed that the parole board’s decision did not constitute an exoneration. The Lancaster Circuit Court was slated to hear his habeas petition on Sept. 8, and Givens said clinic members hope that that court will move quickly to address Stevens’ claims and vacate his conviction.

“Unfortunately, it is much more difficult to undo a wrongful conviction than it is to obtain one,” Givens said. “It often takes many years. We will continue to pursue our client’s exoneration through all available legal and executive avenues. We owe that to Mr. Stevens.”

—Alec Sieber

Class of 2017 members **AMANDA LEON**, **WILLIAM MCMANUS**, **DAVID MARANJIAN**, **JONATHON WILSON** and **ELEANOR MORAN** returned from Belgium with some new tax law bragging rights.



LAW STUDENTS TAKE HOME MULTIPLE AWARDS IN INTERNATIONAL TAX LAW MOOT

FOR THE FIRST TIME, THE LAW SCHOOL FIELDLED a team for the International and European Tax Moot Court competition in Belgium, and took home several top prizes.

The annual competition, organized by the International Bureau of Fiscal Documentation and the University of Leuven, in conjunction with the multinational professional services firm Deloitte, is the only moot competition of its kind in the world. Top professors, judges and lawyers brought their global expertise in taxation to bear on the simulated court proceedings, which were held March 26-April 1.

Class of 2017 members Amanda Leon, David Maranjian, Eleanor Moran, Jonathon Wilson and William McManus (serving as a coach) won Best Pleading Team, which is awarded for highest overall oral argument scores. Best Oral Team for the Defendant went to Leon and Wilson, and Best Individual Defendant went to Wilson. Overall, the team placed fourth.

UVA Law has one of the most prestigious tax law programs in the United States—and now, increasingly, abroad.

“Several professors from other schools expressed to me that this was an unprecedented performance for a school competing for the first time,” said Professor Ruth Mason, an international tax expert who served as the team’s adviser.

—Eric Williamson

ERIK ZORNES '19, **SHANTHI RAJAGOPALAN '18**, **RACHEL GALLAGHER '18**, **CASSONDRA “CJ” MURPHY '18** and **JAH AKANDE '19** received Public Interest Law Association grants.



\$568,500 AWARDED TO 137 STUDENTS FOR PUBLIC INTEREST WORK

UVA LAW’S GRANT PROGRAM SUPPORTED STUDENTS working in the public interest over the summer by providing 137 students \$568,500 in funding, a new high on both counts.

The grants benefited 111 first-year students and 26 second-year students. They are awarded through a partnership between the Law School’s Mortimer Caplin Public Service Center and the Public Interest Law Association student organization.

“PILA is so happy to be able to continue to provide guaranteed funding for those who want to work in the public interest,” PILA President Megan Keenan ’18 said. “We have people who are going all over the country in all kinds of public interest law, and we’re happy to support people who want to work in prosecution, defense or nonprofit work—really, across the spectrum. Through this program, we’re able to help students achieve those goals who might not otherwise be able to coordinate the funding.”

Student recipients are required to apply and qualify for the funding, in part by volunteering their time for pro bono work. This year, prior to the summer, students volunteered 7,975 hours, an average of 58 hours per student grantee.

—Kimberly Reich

RYAN MCCLAFFERTY '17, MATT SCHNEIDER '17, JOE CHARLET '18, Professor CALE JAFFE '01, MATT MCNERNEY '18, TIM HORLEY '18 and CARROLL COURTENAY '18.



ENVIRONMENTAL CLINIC HAS BUSY YEAR UNDER NEW DIRECTOR

THE ENVIRONMENTAL AND REGULATORY LAW CLINIC had an ambitious first year under new director Professor Cale Jaffe '01, former director of the Virginia office of the Southern Environmental Law Center.

In March, the clinic represented the Virginia Energy Efficiency Council in an attempt to expand efficiency programs in Dominion Virginia Power's service territory. The case allowed clinic student Matt Schneider '17 the chance to cross-examine an expert witness from Dominion at an evidentiary hearing before the Virginia State Corporation Commission.

In response to Executive Order 57 from Virginia Gov. Terry McAuliffe, which calls for the development of carbon-reduction strategies, the clinic met with Virginia Secretary of Natural Resources Molly Ward to discuss ways to leverage existing state laws to reduce global warming pollution from sources within the commonwealth. The meeting led to an opportunity for the clinic to travel to Richmond and present to the governor's working group on the order. Opeyemi Akinbamidele '17 and Ryan McClafferty '17 also drafted recommendations outlining the governor's existing legal authority on the matter.

In February, the clinic represented the Piedmont Environmental Council in a successful effort before the State Corporation Commission to support approval of a 20-megawatt solar energy farm to be built by Dominion in Fauquier County, Virginia.

—Kimberly Reich



'GO-TO RESOURCE' FOR RESEARCHING CORPORATE PROSECUTION

UVA LAW NOW OFFERS THE WORLD'S LARGEST collection of legal documents related to corporate crime.

Thanks to updates completed earlier this year, the database, called the Corporate Prosecution Registry, allows researchers to view more than 3,000 decision documents, many of them previously hard to find or once shielded from the public eye, while also allowing them to better search specific subject matter and look at overall trends.

Professor Brandon Garrett, an expert in white-collar crime who authored the book "Too Big to Jail: How Prosecutors Compromise with Corporations," built on his previous online database of corporate criminal dispositions, created in association with the book. The work was done in association with UVA Law Business and Empirical Research Librarian Jon Ashley.

"Prosecutors, defense lawyers, judges, policymakers and researchers who have long used our database can now rapidly pull detailed information about the specific types of corporate cases that they are interested in," Garrett said. "Whether it is foreign bribery cases or antitrust or securities fraud or pharma cases, domestic companies or foreign, public companies or private, the information about these cases is available."

More than 2,500 of the documents are corporate plea agreements, Garrett said, while most of the remainder are deferred or non-prosecution agreements.

—Eric Williamson



JEFFERSON MEDALIST LORETTA LYNCH PURSUE TRUTH

FORMER ATTORNEY GENERAL LORETTA LYNCH, this year's recipient of the Thomas Jefferson Foundation Medal in Law, said in an April talk at the Law School that the pursuit of justice is inextricable from the pursuit of truth, and that lawyers carry a special burden because of it.

"Do we take the often difficult path to follow truth wherever it leads, or do we simply follow the ever-increasing volume surrounding the ideas we already think we know?" Lynch asked the crowded auditorium of mostly law students.

Her remarks, titled "The Role of Lawyers in a Post-Truth World," were given in association with the award, which is UVA's highest ex-

ternal honor. The medals are sponsored jointly by UVA and the Thomas Jefferson Foundation, the nonprofit organization that owns and operates Monticello, and are also issued in architecture, civil leadership and global innovation.

Lynch said the current climate of bitter partisanship is nothing new, and will only be overcome by truly listening to opposing viewpoints—something that lawyers are well trained to do. They must hear and consider all sides. They must seek to understand the strengths of their opponents' arguments and the weaknesses of their own.

In doing so, "You become less tied to your beliefs simply because they are yours," she said.

—Eric Williamson



LAW COACHES BOOST UVA MOCK TRIAL TEAM TO VICTORY

DUKE, HARVARD, MICHIGAN, RHODES COLLEGE, Yale: UVA's undergraduate mock trial team defeated them all in a head-to-head competition to win the National Championship Tournament held in Los Angeles in April.

Overall, more than 600 teams competed

in the preliminary rounds and 48 teams competed during the final round of the American Mock Trial Association's annual collegiate competition.

Professor Toby Heytens '00 has coached the team for the past 11 years, helping lead them to two national championships in that

time. Others in the coaching team included Ryan Faulconer '08 and Reedy Swanson '16; law students Megan Keenan '18, Ryan Leonard '18 and Cody Reeves '19; incoming law student Amanda Swanson '20; and other former UVA and mock trial competitors.

—Mary Wood



LAW LIBRARY OF UN HUMAN RIGHTS DOCUMENTS

FOR THE FIRST TIME, A NEW ONLINE DATABASE CURATED by the Law Library compiles the preparatory documents for nine international human rights conventions created by the United Nations.

The treaties featured in the Travaux

Préparatoires project, online at hr-travaux.law.virginia.edu, form the core of the U.N.'s stances regarding human rights. They affirm the rights of children, migrant workers and people with disabilities, among others.

The documents for each of the treaties were created

during the U.N.'s drafting process, and may include official transcripts of deliberations, records of minutes, voting records and documents submitted to the preparatory committees.

—Alec Sieber

Professor BRANDON GARRETT



UVA LAW RECEIVES GRANT FOR CRIMINAL JUSTICE REFORM PROJECT

A NEW PROJECT spearheaded by Law faculty aspires to improve the criminal justice system through the collection and analysis of criminal justice data.

The Virginia Criminal Justice Policy Reform Project will research—and encourage the adoption of—policies aimed at improving the fairness of criminal adjudication, preventing wrongful convictions, reducing recidivism, lowering costs, diverting low-risk offenders from jail or prison, and easing societal re-entry for the formerly incarcerated.

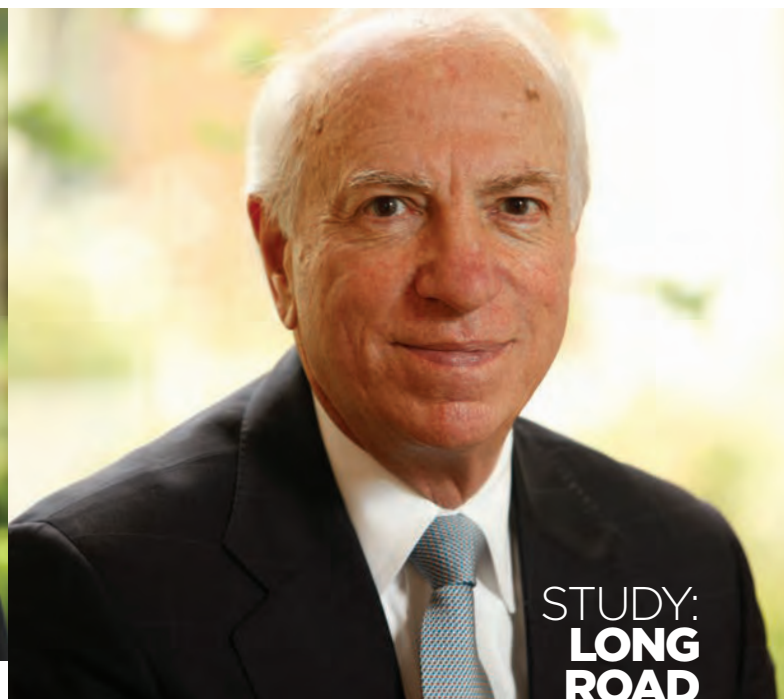
“The project will focus on rigorous analysis of data, and it will be objective and nonpartisan,” said Professor Brandon Garrett, a wrongful convictions scholar who leads the project. “It is designed to promote fairer outcomes that are evidence-based, without sacrificing crime control.”

He gave an example: 41 percent of the low-risk, nonviolent offenders in Virginia who are eligible to be diverted from jail or prison to a community-based sanction are diverted. What explains why some of these low-risk offenders are diverted and others are not? The project will focus on that question in its first year.

Garrett, whose work has sought to improve forensic science, eyewitness identification procedures and interrogation policy, is joined on the project’s leadership team by Professors Richard Bonnie ’69 and John Monahan. The project’s first year of work is supported by a \$145,000 gift from the Charles Koch Foundation.

—Eric Williamson

Professor RICHARD BONNIE ’69



STUDY: LONG ROAD TO RECOVERY FROM OPIOID EPIDEMIC

THE QUESTION of how to stem the nation’s opioid epidemic now has a major detailed response. Released on July 13, a study chaired by Professor Richard Bonnie ’69 for the National Academies of Sciences, Engineering and Medicine has provided extensive recommendations for curbing the problem.

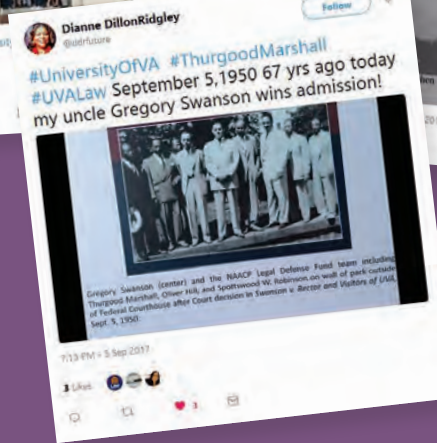
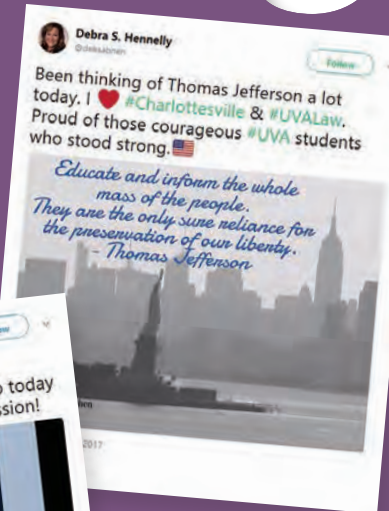
Drug overdoses are the leading cause of unintentional death in the United States, and opioids are the chief contributor. Between 2011 and 2015, overdose deaths from illicit opioids increased from 7,019 to 19,884—almost threefold.

“This is an urgent matter,” Bonnie said. “Ninety people die every day of an opioid overdose. We need to muster an ‘all hands on deck’ response to it, and the response needs to be sustained.”

An ad hoc committee of pain-management, opioid-misuse and other public health experts, including Professor Margaret Foster Riley, convened in March 2016 at the request of the Food and Drug Administration to examine two challenges that fuel the epidemic: the need for opioids to treat pain and the need to reduce harms when the drugs are not used as intended. The committee’s analysis and recommendations were presented to the FDA and at several congressional briefings July 12 and were released to the public July 13.

—Kimberly Reich

Sharing



“THAT’S A REALLY
COOL PART ABOUT
THE JOB”



“IT’S BEEN
ALMOST
EXACTLY 10
YEARS SINCE
I CAME HERE,
AND HALF
OF THAT TIME
HAS BEEN AS
VICE DEAN.

It’s amazing to me how quickly that 10 years has gone by, and it’s been great. ... Our students are so kind about thanking you when you’ve done something to help them in their career. I’ve saved a file in my drawer where I’ve got cards and mementos and notes—things people have written to me thanking me, or they’ve just written me a nice letter about liking my class. Every now and then I go back through that folder and remember different students that I’ve taught over the years. That’s a really cool part about the job.”

MORE:
humansofuvalaw.tumblr.com



STAYING GROUNDED

FOR MORE THAN SIX DECADES, THE U.S. ARMY JUDGE ADVOCATE GENERAL'S
LEGAL CENTER AND SCHOOL HAS MADE ITS HOME AT UVA BY THE LAW SCHOOL.

BY KATIE MCNALLY | PHOTOS BY DAN ADDISON, UVA COMMUNICATIONS

UVA LAW professor and judge advocate **THOMAS NACHBAR** swears civil procedure expert and faculty colleague **A. BENJAMIN SPENCER** into the JAG Corps.

Recent UVA Law graduate **CAPT. J.R. LYSTASH '17** joined the JAG Corps after law school.

UVA Law students **SHALIN NOHRIA '18**, **KATIE MULLALY '18** and **RACHEL GALLAGHER '19**.



U.S. ARMY JAG CORPS' CONNECTION WITH UVA LAW REMAINS STRONG AFTER 66 YEARS

A Shared *Calling*

MUCH LIKE THE UNIVERSITY WHERE IT MADE its home, the U.S. Army Judge Advocate General's Legal Center and School can trace its roots back to America's Founding Fathers. At the request of George Washington in 1775, the Continental Congress appointed the Army's first lawyer, known as a judge advocate general.

Judge advocates—or “JAGs,” as they are more commonly known—have been an integral part of the Army ever since, but it wasn't until World War II that the Army recognized the need to offer a specialized training course for the attorneys in the JAG Corps. A temporary school began operation in the 1940s, but by the time the Korean War began, the government was searching for a more permanent home for JAG education.

The University of Virginia proved the perfect fit for the Army's needs, and so began a 66-year relationship that has fostered decades of shared teaching and student mentoring by some of the country's most prominent legal minds. The connection has only grown over the years, as several UVA Law graduates have served in prominent leadership roles. Today the JAG Corps is led by a UVA Law graduate, Lt. Gen. Charles Pede '87, who was sworn in as the 40th judge advocate general in July (see story on p. 90).

“One of the reasons we chose the University of Virginia was that it had the biggest law library in the South,” Frank Borch, the JAG regimental historian, said. “The second reason was its proximity to Washington, D.C.”

“The Army also knew that it was a first-class university, but the clincher of the deal was that the president of UVA offered us new dorm space behind the Law School to house our bachelor officers.”

The JAG Corps moved into Kerchoff Hall—just behind the UVA School of Law's former location in Clark Hall—in 1951 and followed the Law School to North Grounds in 1975. A special agreement between the JAG Corps and UVA allows students of both schools to take classes at either institution, honing their skills in diverse legal fields.

For recent law school graduates who are joining the Army JAG Corps, it's the first stop after their Direct Commissioning Course at Fort Benning, Georgia. They receive special training in military justice through the JAG School's Officers Basic Course before they are sent to their first posts.

The largest group of students consists of JAG officers with eight to 10 years of experience who are returning to the school to earn their LL.M. Of all the military JAG schools, the Army's is the only one accredited by the American Bar Association to offer an LL.M.

In addition, a small group of longtime officers return to the JAG School to receive certification to become judges.

The school also reserves space each year for foreign JAG officers to attend the master's program. The 2016-17 class included students from Egypt, South Korea and Armenia.

The faculty is made up primarily of experienced officers and retired veterans of the JAG Corps. In addition to experience in standard legal work, each instructor brings a unique set of field experience to the classroom.

“Probably the most interesting aspect of my career has been the deployments and the operational law, the targeting of enemy combatants and that type of thing,” said Brig. Gen. Paul Wilson '89, the JAG School commander whose service ended in August; he is retiring from the

military in November. “You can be on an operations center floor with the senior leadership of your unit, and you've got a drone or an aircraft overhead with coordinates and you're figuring out whether you're going to drop munitions. We spend a lot of time working hard together to avoid civilian casualties.”

Experiences like that, where JAG officers are called to advise the commanders on the legality and potential ramifications of their actions in

Generations of law students such as Katie Mullaly '18, Rachel Gallagher '19 and Shalin Nohria '18 have benefited from the open-door policy between the JAG and Law schools. Law students regularly sign up for courses at the JAG School covering topics related to military justice and government operations.

“The classes are really great because you learn just as much from the JAG students as you do from the instructors,” Mullaly said.

Two faculty members are also serving in the U.S. Army JAG Corps as reservists.

Professor Thomas Nachbar joined the U.S. Army Reserve as a judge advocate in 2005. Over his military career, he has, among other assignments, edited an Army handbook on the devel-

opment of legal systems, trained Palestinian security forces in the West Bank, and deployed to Iraq.

Professor A. Benjamin Spencer joined the JAG Corps as an Army Reserve officer in 2015. After basic training and taking classes at the JAG School, he spent most of the summer of 2016 in Florida doing international and administrative law at U.S. Central Command and also at other commands helping soldiers and their families with their wills and other personal legal matters.

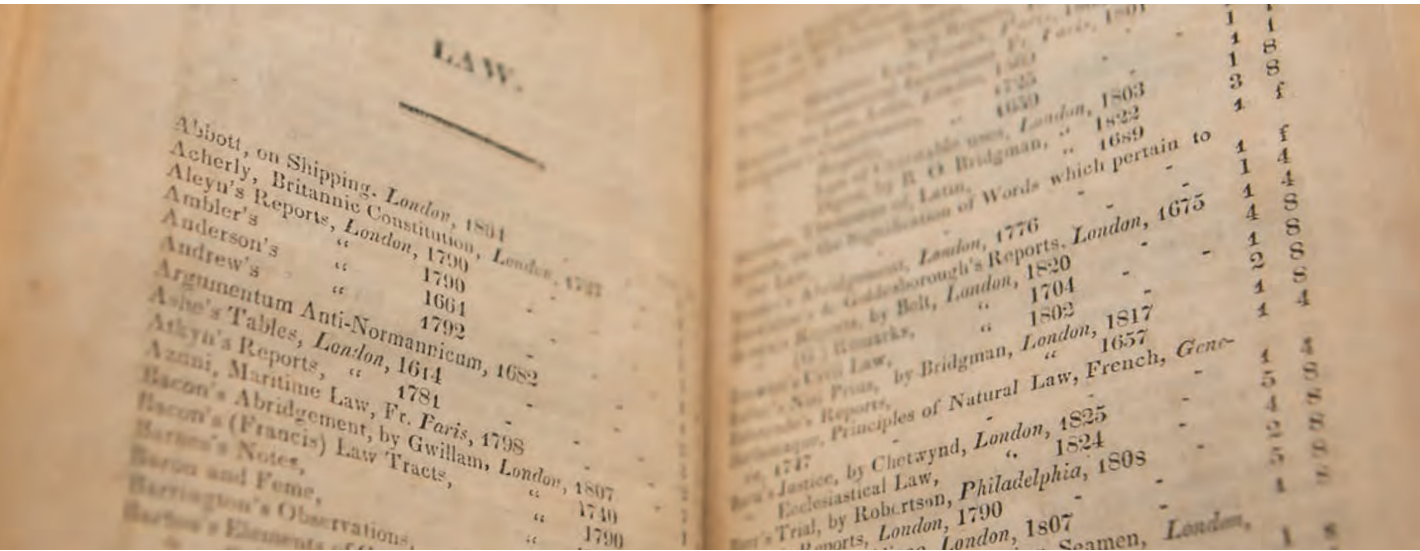


the moment, are one of many aspects of military legal work that Wilson enjoyed sharing with UVA's law students and faculty.

Wilson wound up in the Army because he played softball in the North Grounds Softball League against JAG faculty members. “They said, ‘Hey come join the Army, we'll send you to Europe,’” he recalled. “It was a three-year commitment at the time, so you could see Europe and then get out and take another job. Twenty-seven years later, I'm still here.”

In addition to their regular teaching duties, JAG School instructors often work directly with law students by coaching mock trial teams and volunteering as moot court judges.

BOOKS FROM THOMAS JEFFERSON'S 1828 CATALOGUE, shown here, are now available online at archives.law.virginia.edu/catalogue. Below, LOREN MOULDS, digital collections librarian and head of digital scholarship and preservation at the Law Library.



FROM THE ARCHIVES

Thomas Jefferson's Original Law Books *Just One Click Away*

AN ONLINE LIBRARY OF 375 BOOKS HAND-PICKED by the founder of both UVA and its School of Law is now one click away. Thomas Jefferson's 1828 collection of law books, representing his vision for a holistic legal education at the Law School, were digitized this summer and curated on a special website that is free to the public: archives.law.virginia.edu/catalogue. The first phase of the project was slated to be complete by Oct. 1.

The Jefferson Trust, which provides discretionary funding for projects in pursuit of Jeffersonian ideals, earmarked nearly \$30,000 for the Arthur J. Morris Library at UVA Law to execute the Digital 1828 Catalogue Collection Project. The project was one of 19 approved proposals among the 67 grant applications the trust received during its annual deliberations.

"The competition was very strong this year," said Wayne D. Cozart, executive director of the trust, in a letter congratulating Library Director Taylor Fitchett on the award.

Fitchett, who began her role at UVA Law in 2000, said the library has been collecting what it calls the 1828 Catalogue since the 1980s. The goal has been to fill in the gaps where Jefferson's originally owned books are unavailable, by purchasing corresponding titles and editions.

"It has been challenging to reassemble Jefferson's 1828 Catalogue of law books, because some of the books were published as early as the 16th century and the library purchases only the editions of the titles that were

actually selected by Mr. Jefferson," Fitchett said.

Under the supervision of Digital Collections Librarian Loren Moulds and Postdoctoral Fellow for Digital Humanities James Ambuske, student workers carefully scanned and digitized the books using the library's Hasselblad overhead camera system and ATIZ dual-camera book scanning system.

The library used most of its grant funds to pay the workers, including summer intern Melissa Gismondi, a UVA graduate student who worked through the UVA Institute for Public History.

—Eric Williamson



COMMUNITY LAW FELLOWS had dinner with Dean RISA GOLUBOFF at her home on Aug. 15.



NEW PROGRAM BUILDS FELLOWSHIP AMONG FIRST-YEAR CLASS

Cultivating Engagement, Strengthening Community

involved. The fellows' class is very diverse, and everyone I have met embodies the collegiality that you always hear about at UVA Law."

THERE'S ONE THING UVA STUDENTS HAVE IN common when they start law school: They're all pretty different.

The Office of Student Affairs recently launched a new community-building program for first-year students that emphasizes working together across differences. The Community Fellows Program is designed to cultivate engagement, a sense of belonging, and conflict-resolution and interpersonal skills in 30 members of the Class of 2020 chosen through an application process.

"Strengthening our community and developing a sense of belonging for all our students starts on day one," said Assistant Dean for Student Affairs Sarah Davies '91. "The program fosters these values in fellows, who can then serve as ambassadors to their peers throughout their time at the Law School, and later in the professional world."

The program began with three days of meetings on topics ranging from active listening to personal strength assessment to the psychology behind group decision-making. The orientation also included a variety of team-building activities, including dinners at the homes of Dean Risa Goluboff and Professor Toby Heytens '00, and a group trip to the Downtown Mall.

"I have always been excited about law school, and I wanted to be active in my role here," said fellow Rachel Barnes, a University of Georgia graduate. "The Community Fellows Program provided a chance for me to get involved as soon as possible and be someone who helps get other people

power the Community Fellows to actively observe and address needs and promote unity within the Law School community.

During the three-day program, University of Virginia Dean of Students Allen Groves '90 led a seminar on "Talking Across Difference," where he underscored the importance of the peaceful exchange of ideas. Adjunct Professor Ben Sachs '09 taught negotiation techniques to help fellows navigate difficult conversations in work and life.

Community Fellow Justin Aimonetti, a Columbia University graduate, said that Sachs' negotiation seminar shaped how he would interact with his peers.

"After learning about negotiation at length, I think I am going to be more engaged in what my classmates are interested in, what they want to learn in law school and what they are seeking long-term. Their interests will help my interests," Aimonetti said. "It's about teamwork."

During the school year, the fellows will work together on a project of their own choosing that will enable them to share the lessons they have learned with their classmates.

Aimonetti said the program was timely for what the UVA Law community needs now.

"We addressed the recent events in Charlottesville through our discussions on freedom of expression, and we have talked strategically about how we can come together as a community moving forward," he said. "This program can help address safety and emotional concerns, and I think we can also provide a mechanism to start the healing process."

—Madison Fisher



AUTHOR OF 'JUST MEDICINE,' DAYNA MATTHEW '87 SAYS SHE'S GLAD TO BECOMING 'HOME'

HEALTH LAW EXPERT DAYNA MATTHEW, A 1987 graduate of UVA Law and former assistant professor here, returned to UVA Law as a full professor for the fall.

"Every day I pinch myself, I'm so glad to be coming back home," said Matthew, who is the William L. Matheson and Robert M. Morgenthau Distinguished Professor of Law.

A seasoned academic, Matthew joins the faculty from the University of Colorado School of Law, where she began in 2003 as an associate professor. She earned full professorship in 2005. She served there in several leadership roles, including as associate dean of academic affairs in 2004 and, from 2010-11, as vice dean.

She started her teaching career as an assistant professor at UVA Law, from 1991-94. She has also taught law at the University of Kentucky.

In addition to her J.D., she holds a bachelor's degree in economics from Harvard-Radcliffe College.

At UVA, Matthew will teach several fall and spring courses in health law, as well as first-year constitutional law.

"I will be teaching a lot, in order to better know my students, my colleagues and my home institution," she said.

Matthew has been a leader in public health. She is co-founder of the

Colorado Health Equity Project and the author of the well-received book "Just Medicine: A Cure for Racial Inequality in American Health Care," which looks at how implicit bias affects health outcomes.

Since the book's publication in 2015, she said, she has had numerous speaking engagement requests from physicians' groups, insurers and "social determinant" groups—those in a position to influence public health.

"That has been a really pleasant surprise," she said. "I thought I was talking to law professors and lawyers. The book has outpaced me."

The Colorado Health Equity Project, which Matthew began with help from a Colorado law firm partner in 2013, is a medical-legal partnership whose mission is to remove barriers to good health for low-income clients. The project pairs law, medical and public health students with established attorneys to provide direct legal representation to the community.

At Colorado, Matthew was a member of the Center for Bioethics and Humanities on the Anschutz Medical Campus and held a joint appointment at the Colorado School of Public Health. She has a similar arrangement with the School of Medicine at UVA.

—Eric Williamson



CRYSTAL SHIN '10 LEADS LAW AND PUBLIC SERVICE PROGRAM

CRYSTAL SHIN '10, A GRADUATE WITH EXPERIENCE in child advocacy and special education law, became the new director of the Program in Law and Public Service on July 1.

Shin is the program's first full-time director, taking over for professors Josh Bowers and Anne Coughlin, who had been splitting the duties.

Shin joins UVA from William & Mary Law School, where she served as an assistant professor and director of the Special Education Advocacy Clinic.

"I am excited to mentor and teach law students who are passionate about pursuing public interest careers," she said. "I am also excited about the opportunity to work alongside and be mentored by my former professors."

Dean Risa Goluboff said Shin will make a valuable addition as leader of the program. "An experienced teacher and committed public interest lawyer, Crystal will bring new energy and ambition to the program as it matures into its second decade," Goluboff said. "Crystal is ideally situated to launch the Law School's next generation of public interest lawyers."

In welcoming Shin to the position, the dean also applauded Coughlin and Bowers for making the program an exceptional one to inherit.

"In just eight years, the Program in Law and Public Service has gained

a national reputation as unique and transformative," she said.

Created in 2009 by then-Professor Jim Ryan '92, the program, which admits up to 25 applicants each year, prepares students for highly competitive jobs in prosecution, public defense, government, legal aid, international human rights and at nonprofit organizations. The program offers students access to special courses, summer funding for jobs and a faculty mentor. Loan forgiveness is available for graduates in qualifying jobs. The program is complemented by the Law School's Mortimer Caplin Public Service Center and the student-run Public Interest Law Association.

In addition to directing the program, Shin will teach a juvenile justice seminar this fall. As a clinic director at William & Mary, Shin oversaw student representation of juvenile clients with disabilities and their families. A 2017 co-recipient of the Virginia State Bar's Young Lawyer of the Year Award, Shin is also co-chair of the bar's Children and the Law Commission.

From 2010-14, Shin served as an adjunct lecturer at UVA Law through the Child Advocacy Clinic. As UVA Law's 2010 Powell Fellow, Shin represented indigent children and families on special education, school discipline, juvenile justice and immigration cases while working as an attorney with the JustChildren Program of the Legal Aid Justice Center.

—Kimberly Reich



LEGAL HISTORIAN FARAH PETERSON TO JOIN FACULTY IN JANUARY

FARAH PETERSON, A LEGAL HISTORIAN WHOSE FOCUS has been statutory interpretation, will join the University of Virginia School of Law faculty in January as an associate professor.

Peterson holds a Ph.D. in American history from Princeton University. She earned her J.D. from Yale Law School and received her bachelor's in history from Yale as well.

After law school, Peterson clerked for Associate Justice Stephen Breyer at the U.S. Supreme Court and Judge Guido Calabresi at the U.S. Court of Appeals for the Second Circuit.

Having begun her path as a historian, "I really thought of going to law school as finishing my graduate education," Peterson said. "But I fell in love with the intricacies of law and its practice."

In the spring, Peterson will teach the seminar Legal History of the Founding Era, which will aim to offer students "a rich understanding of the legal and intellectual culture of the founding moments," from the American Revolution to the ratification of the Constitution.

Professor G. Edward White, UVA Law's senior legal historian, said Peterson's early scholarship is thought-provoking and forecasts her as a substantial contributor to the Law School and academia.

"We are delighted to have Farah Peterson joining the Law School faculty

and the legal history community at Virginia," White said. "Her work on statutory interpretation in the 19th century is revising the conventional wisdom about that topic in fruitful and stimulating ways. She has great promise as a scholar and will be an excellent addition to our faculty."

Peterson is currently working on a book based on her doctoral dissertation, "Statutory Interpretation and Judicial Authority, 1776-1860." She is also an associate at the law firm Jones Day.

She said she had intended to practice law for a few more years before seeking a job in academia, but the Law School's hiring committee found her first.

"It was a delightful surprise," Peterson said. "I knew some wonderful people who went to UVA Law and had always heard it was a welcoming community"

The interview process proved to be a match for both sides. "I loved the people I met, and I was lucky enough to be offered a job," she said. "I can't wait to get started."

—Eric Williamson



FORMER WHITE HOUSE OFFICIAL BRINGS STUDENTS POLICY PERSPECTIVE

MELODY BARNES, A FORMER WHITE HOUSE Domestic Policy Council director, has joined the Law School as a distinguished fellow.

She also serves as a senior fellow and Comp-ton Visiting Professor in World Politics at the University's Miller Center.

Barnes worked for President Barack Obama from 2009-12. During that time, she provided strategic advice to the president and worked with members of his Cabinet to coordinate his domestic policy agenda. Barnes addressed national challenges in the areas of education, health care and the federal government's relationship with local governments and communities, and was involved in aspects of policymaking associated with first lady Michelle Obama's Let's Move! campaign and the Child Nutrition Reauthorization Bill.

Barnes will teach a two-credit policy simulation course at the Law School each semester. Students will learn about the office of the presidency and how it and the executive branch have evolved. Students will also work through the policymaking process from the perspective of the executive branch and the president's office.

She said she looks forward to engaging with students who are "curious about policymaking and the decision-making process—whether or not they're interested in a career in government."

Barnes' class will add to the experiential learning opportunities in the Law School's curriculum, Dean Risa Goluboff said, among them clinics, externships, pro bono projects and skills-based and simulation courses.

"Melody's wealth of experience as a lawyer, a policymaker and an executive adviser will greatly enrich our offerings," Goluboff said. "Many of our students hope to make policy themselves one day. Melody's background and insight, as well as her energy and unique pedagogical approach, will both inspire and prepare them for such a future."

The director's job wasn't the first time Barnes worked for Obama. She also served as senior domestic policy adviser to the Obama for America campaign and the Obama-Biden Transition Project from July 2008 to January 2009.

She described the transition as "the biggest M&A takeover in the world. You've got a new party coming into office—significant personnel, litigation, regulatory and policy decisions to be made—and it's critical that you get that right because there are so many moving pieces."

Barnes' previous experience includes serving as chief counsel and general counsel to Sen. Edward Kennedy '59 on the Senate Judiciary Committee, as assistant counsel to the House Judiciary Subcommittee on Civil and Constitutional Rights, and as director of Legislative Affairs for the Equal Employment Opportunity Commission.

—Kimberly Reich

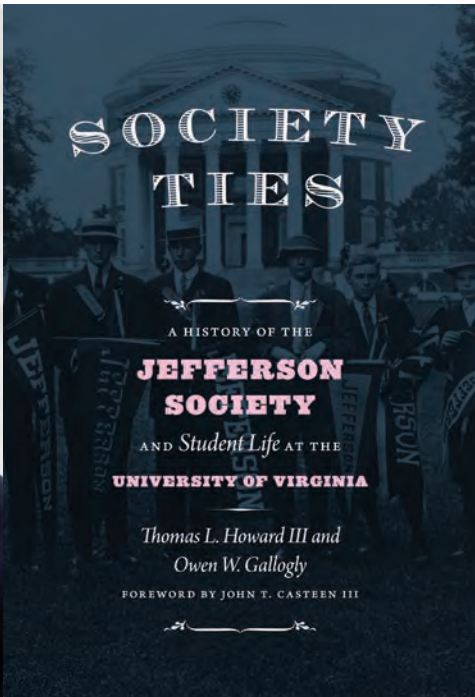
THOMAS L. HOWARD III '19

The book is published by the UNIVERSITY OF VIRGINIA PRESS.

OWEN W. GALLOGLY '19

JEFFERSON SOCIETY MEMBERS on the Lawn, circa 1910.

DR. WESLEY HARRIS was the first African-American member of the Jefferson Society and a 1964 graduate of UVA. He is currently a professor at the Massachusetts Institute of Technology.



EDGAR ALLAN POE AND WOODROW WILSON WERE MEMBERS OF THE JEFFERSON LITERARY AND DEBATING SOCIETY, A SOCIAL HUB AT THE UNIVERSITY.

Uncovering the Story *Behind UVA's Oldest Student Society*

A NEW BOOK PENNED BY TWO LAW SCHOOL students details the history of the University's Jefferson Literary and Debating Society, the oldest student organization on Grounds, of which Edgar Allan Poe and Woodrow Wilson were members. "Society Ties: A History of the Jefferson Society and Student Life at the University of Virginia," by Thomas L. Howard III '19 and Owen W. Gallogly '19, chronicles the lively, invitation-only group, whose goals have changed over the society's almost 200 years of existence, but whose primary mission has been to help members test and refine their ideas through debate and discussion. The book is published by the University of Virginia Press. "From its inception the Jefferson Society provided a forum for the free and often heated exchange of ideas," said Maurie D. McInnis, executive vice president and provost at the University of Texas at Austin, who co-founded Jefferson's University—Early Life Project while at UVA. "Students debated controversial topics, from slavery and foreign policy to the role of public education, from sectional tensions to integration and coeducation—an important window into the shifting dynamics of American life." Literary societies were once the social hub of American universities. For those aspiring to government service or other public roles, the societies filled a void by offering practice in writing, oratory and debate—as

well as the chance to win the esteem of one's peers. The societies also offered formal ceremonies that universities did not for many years, such as graduation exercises. Authors Gallogly and Howard, friends since childhood, began research for the book in 2010, while they were UVA undergraduates and fellow members of the society. The group's archives of about 30,000 documents had not yet been made available for research purposes. A formal project to enshrine the archives, funded by the Jefferson Trust, began in 2015 and is ongoing. "We pushed to be able to use the archives ourselves," said Howard, who earned his bachelor's in history and his master's in higher education at UVA. "It was a subsequent generation of students who went through the Jefferson Trust and got a grant to restore the documents and do a lot of the digitization and cataloging. When we did the bulk of our work, it was in disarray." The documents date back more than 100 years. Most of the society's older records did not survive, because of the Rotunda fire of 1895. Gallogly, who earned his bachelor's in political science and history from UVA, said sorting through the filing cabinets on the second floor of Alderman Library, where the archives had been stored since the 1930s, presented a challenge: how to figure out where the most important information was. "The society's archives contained nearly 60 linear feet of largely

unexplored materials," Gallogly said. "There was no catalog or guide of any kind. We essentially had to start with the first drawer and work our way through, document by document." But despite the difficulty involved, the authors said the opportunity was one they couldn't pass up. "It was a chance to do substantive work in history," Howard said. "We thought it would take about a year at the time; here we are seven years later." Working from meeting notes, letters, publications and other materials, the pair filled in new details about the society, whose meetings gained a reputation over the years for being a boisterous battle of wits among UVA's brightest thinkers. The meetings have occurred in Jefferson Hall (Hotel C on the West Range) since 1837. For many years, a beer keg at the corner of the room was the social lubricant that loosened tongues. Perhaps not surprisingly, Gallogly and Howard found the society's records ran the gamut of sobriety. On the more rigid side were the Wilson-era documents. The future president of the United States, who studied law at UVA from 1879-80 and was also president of the society, had a penchant for institutional organization, as evidenced by his contributions to the group's constitution, still in place today, and in the governance structure he established for University of Virginia Magazine, which the society ran. On the flip side, minutes from the 1970s leaned toward the jokey and unenlightening, they said.

Among the unexpected artifacts they found were informal minutes from the society's consideration in 1964 of Wesley Harris, who would become the group's first African-American member. Harris would also become the first student, black or white, to complete UVA's engineering honors program. He is currently a professor at the Massachusetts Institute of Technology, where he has served as an associate provost. "Scrawled in the margin of a draft budget from the semester Harris was elected to the society is a set of sparse notes titled 'Membership,' which likely only survive because they were written on a financial document," the authors write. "They lay out a strikingly candid assessment of points in favor and against both integration and Harris himself." The merits of the bright engineer from Richmond, who was skilled in debate from his high school days and who could converse on classical music, existentialism and other topics of intellectual heft, won them over. Today, the society, which maintains a body of about 200 active members, is demographically and ideologically diverse, has women and men serving in top leadership roles, and has no barriers to membership based on identity. Candidates still have to interview to be considered, however. "The society that I joined as a first-year in undergrad is very different than the society that exists now, and that will happen again and again and again," Howard said. "That's one of the reasons it's almost 200 years old. Everyone can make of it what they want."

—Eric Williamson

TALES FROM THE U.S. ATTORNEY'S OFFICE



PHILADELPHIA BUSINESS JOURNAL/JEFF FUSCO

ORIENTATION SPEAKER ZANE MEMEGER '91 TRANSITIONS TO PARTNERSHIP AT MORGAN LEWIS

SOMETHING WAS IN THE WATER AT THE HOUSE ON Cleveland Avenue in Charlottesville—or so former U.S. Attorney General Eric Holder would joke. For one year in 1989-90, it was the home of Zane Memeger '91, Tim Heaphy '91 and Neil H. McBride '92. All three eventually became U.S. attorneys. (Todd Graves '91, though not a housemate, also served as a U.S. attorney.)

Memeger recalled his law school days and reflected on his career path for an interview in advance of his orientation address to the Class of 2020 on Aug. 21.

"When Neil approached [Tim and me] as a 1L looking for a place to live, I surely could not have predicted at that time how the road we each would eventually travel would unwind and remain connected at the same time," Memeger said. "Since law school, our careers have followed similar paths, moving back and forth between the private sector and DOJ."

Memeger, now back in the private sector as a partner at Morgan Lewis, has been called a "pit bull" for his high-profile prosecutions as U.S. attorney for the Eastern District of Pennsylvania.

Memeger stepped down from the role in December after nearly seven years leading the office and 11 years serving as an assistant U.S. attorney. At his busiest, he oversaw the work of 130 federal prosecutors. Their record includes guilty verdicts against then-U.S. Rep. Chaka Fattah Sr. and associates for public corruption offenses; Colleen Larose, aka "Jihad Jane," Mohamed Hassan Khalid, and Jamie Paulin Ramirez for conspiring to provide material support to terrorist groups in South Asia and Europe; and convictions and prison sentences for more than 25 police and law enforcement officers who abused their authority.

"I took on the job of U.S. attorney knowing that the goal is to do

the right thing at the end of the day," Memeger said. "When you have continued success pursuing a particular priority with the help of a tremendous team of assistant U.S. attorneys and support staff, I think people take notice, because you are working very hard trying to keep the political system and government fair and honest for the people."

One of Memeger's priorities was tackling public corruption in Philadelphia.

"These cases caused me to lose sleep at times as I wrestled with making hard decisions, including whether to move forward with cases involving judges, public officials and members of Congress," he said. "I left the office knowing that I had made the right call in every single case we either pursued or declined."

Memeger, who was involved in the Post-Conviction Assistance Project as a student at UVA Law, also strongly supported a program that reduced recidivism of violent federal offenders in the Eastern District from more than 60 percent to 11-18 percent in any given year. The Supervision to Aid Reentry Program worked with released prisoners on getting jobs, education, housing, driver's licenses, mental health treatment, substance abuse treatment and other help.

"That was a huge win from my perspective, one that allowed me to allocate my resources to other enforcement priorities."

Memeger is now in the government investigations and white-collar practice group at Morgan Lewis, focusing on corporate compliance issues and representing companies across various industries facing government scrutiny.

"I truly find it rewarding to help well-intentioned people and organizations navigate a regulatory and legal landscape that is not often so clear," he said.

—Mary Wood

INSIDER



DOING GOOD: ALUMNI IN NONPROFITS

RICHARD GARNER PARTICIPATES IN HARLEM LACROSSE, a nonprofit program created by SIMON CATALDO '14 to help at-risk students reach their full potential.

ALLISON ZAUCHA



Richard Boskey '82

Boston

» Senior vice president, general counsel and chief governance officer of Dana-Farber Cancer Institute, a not-for-profit hospital and research organization affiliated with Harvard Medical School.

» Oversees a team of eight attorneys who handle a broad array of issues, including health care, intellectual property, biomedical research, patient care,

faculty and medical staff, employment and labor, business transactions, real estate, nonprofit corporation, and litigation and compliance.

» Former deputy general counsel at Partners HealthCare and Massachusetts General Hospital, and an associate at Hill & Barlow.

coalition that seeks stronger and more consistent support for the rights of LGBT people globally.

» Focuses on building deeper bipartisan support for global LGBT programs.

» Bromley worked closely with Obama administration officials to chart an LGBT-inclusive human rights policy. He also worked closely with U.S. embassies and with Secretary of State Hillary Clinton's staff to affirm that LGBT rights are, in fact, human rights.

» Co-teaches the International Human Rights Clinic at UVA Law.



Mark Bromley '95

Washington, D.C.

» Helped launch the Council for Global Equality, a human rights



Claire Blumenson '11

Washington, D.C.

» Executive director and co-founder of School Justice Project, a nonprofit organization that provides special-education legal services to older court-involved students with disabilities. The project intervenes at the "deep end" of the school-to-prison pipeline, working with students ages 18-22.

» School Justice Project has been recognized through the following:

2013 Echoing Green/Open Society Foundation's Black Male Achievement Fellowship, 2014 Teach For America Social Innovation Award, 2015 Leadership for Educational Equity Venture Fund & Fellowship, The Aspen Institute's D.C. Urban Innovation Lab and the 2016-2017 Catalogue For Philanthropy.

» Prior to launching School Justice Project, Blumenson spent two years at the Washington, D.C. Public Defender Service as a 2011 Equal Justice Works Fellow, working as a special education attorney inside the district's secure juvenile facility.



David W. Carr Jr. '83

Charlottesville
» General counsel at the Southern Environmental Law Center, a nonprofit that uses the power of the law to champion the environment of the Southeast.

» Clean-energy advocate helps lead the effort to shape renewable energy policy by documenting and sharing the adverse climate and forest impacts of burning wood from southern U.S. forests to generate electricity in Europe.

» Leads advocacy

campaigns for the development of utility-scale offshore wind power off of Virginia and the South Atlantic coast.

» Carr is the former longtime leader of SELC's National Forests and Parks Program.

» A lecturer at UVA Law, Carr has taught Federal Lands, Energy and Natural Resources for more than 20 years.



Simon Cataldo '14

Washington, D.C.

» Co-founder and president of the board

of directors at Harlem Lacrosse, an academic intervention program for at-risk youth that provides academic support, mentoring, leadership training, college readiness, career exploration, admissions counseling and lacrosse instruction.

» Cataldo, who turned the program into a nonprofit organization months before he became a student at UVA Law, now has 25 full-time employees and operates in middle and high schools in Los Angeles, New York, Boston, Baltimore and Philadelphia.

» Harlem Lacrosse students have earned more than \$23 million in academic scholarships since 2011.



Richard Cohen '79

Montgomery, Alabama

» President of the Southern Poverty Law Center, an organization that fights hate and bigotry, and seeks justice for the most vulnerable members of society through litigation, education and other forms of advocacy.

» By day, Cataldo is a federal prosecutor at the U.S. Department of Justice's Public Integrity Section.

» Successfully litigated a wide variety of important civil rights actions, including defending the rights of prisoners to be treated humanely, working for equal educational opportunities for children, and bringing down the Confederate battle flag from the Alabama State Capitol.

» In 1999, he was a finalist for the national Trial Lawyer of the Year Award for his work on *Macedonia Baptist Church v. 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 burning a South Carolina church.

» Previously served as SPLC's legal director and vice president for programs.



Larry Foust J.D. '78, LL.M. '80

Dallas

» Executive vice president, general counsel and chief legal officer of Children's Health System of Texas, a not-for-profit health maintenance organization and an academic medical center affiliated with the University of Texas Southwestern Medical School.

» Former general counsel for Children's Hospital of Los Angeles, senior

counsel for Kaiser Foundation Health Plan and associate general counsel for the Sisters of Charity of the Incarnate Word.

» Former chairman of the claims committee and member of the executive committee, Beta Healthcare Group, a California joint powers authority and largest underwriter of nonprofit and governmental hospital liability coverage in California.

» Former partner for 10 years at Jenkins & Gilchrist, representing the health care industry.

DOING GOOD: THESE ALUMNI ARE MAKING A DIFFERENCE IN THE NONPROFIT WORLD

—by Julia Davis



Jane E. Genster '76

Washington, D.C.

» Retired president and CEO, and continuing board member of Cristo Rey Network, a national network of 32 Catholic inner-city high schools that integrate rigorous academic preparation with four years of real-world work experience to prepare students from economically disadvantaged families for college.

» Former vice president and general counsel at Georgetown University, with extensive

experience in the fields of education and nonprofit governance.

» Genster practiced law with Williams & Connolly, held in-house legal positions with NBC and The Washington Post, and taught as adjunct professor at UVA Law and Georgetown Law Center



Howard H. Hoege III '02

Newport News, Virginia

» President and CEO of The Mariners' Museum

and Park, home to the world's largest archaeological maritime metals conservation project and the remains of the USS Monitor.

» Congress designated the institution "America's National Maritime Museum."

» Campus includes more than 92,000 square feet of galleries, a 575-acre park and the 167-acre Lake Maury.



Kim Michele Keenan '87

Washington, D.C.

» President and CEO of the Multicultural Media, Telecom & Internet Council, a national nonprofit organization dedicated to promoting and preserving equal opportunity and civil rights in the mass media, telecommunications and broadband industries.

» Recognized as the nation's leading advocate for minority advancement in communications, the council holds the annual Capital Pitch Competition for startups and the College Tech Prep Summit to introduce students to careers in the digital economy.

» Serves on the Federal Communications Commission's Broadband Deployment Advisory Committee.

» Recipient of the

National Bar Association's 2017 Gertrude Rush Award for pioneering achievement in the law.

» Former general counsel and secretary of the NAACP.



Jeffrey S. Kerr '87

Washington, D.C.

» General counsel and senior vice president of corporate affairs, PETA Foundation, where he has worked for fundamental legal protection for animal rights in the world for

more than two decades.

» Recently received the prestigious Legal Department of the Year 2017 award from Corporate Counsel magazine, the second nonprofit and the first animal protection organization to be honored in the history of the award.

» Brought the first case seeking constitutional rights for animals arguing that SeaWorld enslaves orcas in violation of the 13th Amendment.

» Kerr also served on the board of directors of the ACLU of Virginia for 10 years, the last two as president of the affiliate.



Katie Redford '95

Washington, D.C.

» Co-founder and director of EarthRights International, a nonprofit organization that defends human rights and the environment.

» Developed and led precedent-setting litigation to hold corporations accountable for complicity in human rights abuses such as torture, forced labor, rape and crimes against humanity.

» Redford has published on human rights and

corporate accountability, and been profiled in the media, including in books such as "Be Bold" and "Your America: Democracy's Local Heroes," and the award-winning documentary film "Total Denial." In 2006 she was selected as an Ashoka Global Fellow.

» Redford has taught as a lecturer at UVA Law and the Washington College of Law at American University, and serves on the board of directors of various nonprofit organizations and foundations.



Tim Phillips '97

Marietta, Georgia

» General counsel and assistant secretary of the American Cancer Society Inc., and its advocacy affiliate, the American Cancer Society, Cancer Action Network (see "The Last Word" on p. 116).

» Leads a team to develop, implement and maintain legal and risk management strategies that protect the society's interests and advance its life-saving mission globally.

» Lectures on topics related to nonprofit governance, taxation, risk management and joint ventures, and engages with the community on a variety of volunteer service levels.

» Phillips has received numerous honors for his service and recipient of the H. Sol Clark Award, the State Bar of Georgia's highest honor for pro bono service. He serves the boards of several veteran service organizations in an advisory capacity and is counsel to the Navy SEAL Foundation.

» Served as a commissioned officer in the Naval Special Warfare Command.



India Pinkney '98

Washington, D.C.

» General counsel of the National Endowment for the Arts, an independent federal agency that funds, promotes and strengthens the creative capacity of communities by providing all Americans with diverse opportunities for arts participation through grants funding to eligible 501(c)(3) organizations throughout the United States.

» Heads the legal department and is responsible for the legal affairs and

ethics compliance of the organization. Provides legal counsel to the chairman of the NEA, the National Council on the Arts, and senior management.

» Recently named to the Board of the Directors of the Washington Area Lawyers for the Arts. » Formerly an international attorney at the Federal Aviation Administration, advising countries worldwide on implementation of international aviation standards and laws and serving as lead counsel for the Safe Skies for Africa Program. She was the first U.S. attorney to serve in the Legal Bureau of the U.N. International Civil Aviation Organization in. Prior to that, she was an attorney at Baker & Hostetler.

COMMONFUND CEO

CATHERINE M. KEATING '87

CATHERINE M. KEATING '87 HELPS NONPROFITS MAKE MONEY.

"We want to manage our clients' money the way they would manage it," said Keating, who became the president and CEO of Commonfund in 2015. "That means every basis point matters, because that's a basis point that they can spend on their missions."

Commonfund is an independent nonprofit asset management firm. Founded in 1971 with a grant from the Ford Foundation, the firm was one of the early developers of the endowment model. Rather than spending their donations entirely on their expenses, nonprofits that use the model invest a strategic amount from their endowment assets to generate income for the long term. Colleges and universities, for example, often withdraw 4-5 percent from their endowments to help cover their annual operating budget.

"We were founded because, as recently as the 1960s, most nonprofits actually didn't have investment practices and investment portfolios that were going to sustain them over time," Keating said. "Most nonprofits invested just in bonds, which were safe in the short term, but not sufficient to generate the level of returns required to sustain institutions over the long term."

As of March 31, Commonfund managed \$23.7 billion for hundreds of institutions. In addition to higher education, Commonfund has clients that serve retirement, health care, cultural and humanitarian missions.

Keating said she judges her personal success by the investment performance the firm provides individual clients, the cost of providing the service to clients, and the financial success of the firm overall.

"We've done well on all three of these measures over the last two years," Keating said.

Keating was tapped for Commonfund after 19 years with JPMorgan. In her final position, as head of Investment Management Americas, she oversaw more than \$700 billion in investment assets.

She previously was an attorney at the global law firm Morgan, Lewis & Bockius, where she rose to partner. As a member of the Tax and Personal Law Department, she worked with wealthy families that had built successful businesses, some of which were in the asset management industry.

But Keating said her interest in financial sustainability really began when she was 8.

"I saw my mother widowed at age 32," Keating said. "I watched her go back to work. Therefore, from a very young age, I was always interested in financial fitness."

Outside of work, Keating is also a nonprofit and community supporter. She serves on the boards of Santander Holdings USA Inc., the Girl Scouts of Greater New York, the Inner-City Scholarship Fund and the New York Women's Forum. She previously served on the board of Villanova University for 11 years, including two as chairperson.

—Eric Williamson

HELPS MANAGE THEIR MONEY.
SO THEY CAN DO MORE GOOD



LEADING THE WAY FOR OTHERS

• **COMMONFUND** is a participant in Girls Who Invest, a nonprofit that provides young college women internships at asset management firms. Catherine Keating said that's no coincidence.

Keating grew up in the Washington, D.C., area, where she saw many inspiring career role models, but they tended to be in fields like law,

medicine, media and public service.

"Those are fabulous professions, and women in those professions are fabulous role models, but it was only after I went to law school and began to work with finance companies that I began to see that as a career opportunity," she said.

Keating said she is working hard to increase the "pipeline" of not just women, but people of

color in the industry, too.

Being the first female CEO at Commonfund—or anywhere—comes with an additional layer of responsibility, she said.

"People say to me sometimes, 'Oh, you are the first woman CEO.' And I say, 'It's never about being the first. It's about not being the last.'"

5 | 10 | 15 | 25

WHAT ALUMNI ARE DOING 5, 10, 15 AND 25 YEARS OUT OF LAW SCHOOL



BLAIRE HAWKINS '12
ASSISTANT COMMONWEALTH'S ATTORNEY
RICHMOND, VIRGINIA

DESCRIBE YOUR WORK: I am an assistant commonwealth's attorney for the city of Richmond, Virginia. Working closely with law enforcement and victim advocates, I prosecute all types of felony cases, including white-collar crime and cases involving property, sexual assault, drugs and violence. I appear in circuit court daily, and have had the opportunity to try numerous cases before juries. I do my best to achieve outcomes in my cases that not only ensure justice for victims of crime but also provide defendants, where appropriate, the opportunities and treatment they need to avoid future criminal behavior.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? I have always been an avid runner, and Richmond is a wonderful place to live for all kinds of outdoor sports. Richmond is a vibrant community, and I love visiting the numerous craft breweries, restaurants and festivals the city has to offer. I am also an active volunteer with the Junior League of Richmond, as well as the Peter Paul Development Center in the city's East End. My newest hobby is working on the house I closed on only a few months ago: a 1950s Cape Cod that I share with my boyfriend, Eric.

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? I cannot say that everything has gone exactly according to plan since I left Charlottesville five years ago. I have worked in both the private and public sectors, and I have lived in two states on opposite sides of the country. I am very happy to say, however, that I find myself living in a city I love and working in my dream job, serving the people of the city of Richmond and the commonwealth. I just took an unconventional route to get here.

WHAT DO YOU LIKE ABOUT YOUR LIFE 5 YEARS AFTER LAW SCHOOL? Professionally, I am proud of the work that I do, promoting public safety and justice in the city. I am grateful for the opportunities I have had to hone my skills as a trial attorney, skills on which I will continue to work for many years to come. It is also wonderful to be back closer to home; that makes trips to Charlottesville much easier and more frequent!



JAMES MCDONALD '07
DIRECTOR OF ENFORCEMENT, COMMODITY FUTURES TRADING COMMISSION
WASHINGTON, D.C.

DESCRIBE YOUR WORK: I serve as the director of enforcement at the Commodity Futures Trading Commission, or the CFTC. The CFTC regulates the derivatives markets, which largely consist of futures, swaps and commodities. With just under 200 lawyers, economists and investigators on staff, the Division of Enforcement investigates and prosecutes unlawful activity in these markets, focusing primarily on various types of market manipulation, fraud, and disruptive or abusive trade practices (like the kind sometimes carried out by algorithmic or high-frequency trading strategies). This jurisdiction is broad—it ranges from manipulation of financial instruments by Wall Street firms to Ponzi schemes involving precious metals by retail fraudsters, and it covers just about everything in between. I came to this job with a background in law enforcement, having served as an assistant U.S. attorney in the Southern District of New York. But in this job I've really enjoyed focusing on the types of cases that fall within the CFTC's jurisdiction, as well as thinking about bigger-picture issues like how we can give market participants the right incentives to comply with the laws and how to deter potential wrongdoers from engaging in misconduct in the first place.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? As I write this, I have a 5-day-old son, Joseph, so I think it's safe to say just about the only thing I'm going to be doing outside of work for the foreseeable future is hanging out with him and my wife. It's been a ton of fun so far, and I'm really looking forward to more of it.

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? No way. I thought I'd likely be practicing law back in Oklahoma, where I'm from. But I've been lucky to have had generous mentors—starting at UVA—who helped open doors for me I never would have expected. I feel incredibly fortunate to have had their help to lead me along this path.

WHAT DO YOU LIKE ABOUT YOUR LIFE 10 YEARS AFTER LAW SCHOOL? I like my job, but the thing I enjoy most in life is spending time with my family and friends. A big part of that happiness comes from the fact that I stay in close contact with my friends from UVA, and that I get to see them quite a bit.



ASHANTÉ SMITH '02

PARTNER, TROUTMAN SANDERS
RICHMOND, VIRGINIA

DESCRIBE YOUR WORK: My work is a hybrid of finance and commercial real estate practices, specializing in nationwide lender representation under government agency programs in the multifamily housing industry.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? I enjoy delicious meals with friends and family, dancing, hiking, meditating, mentoring college students, reading an array of books of the non-legal variety and all things sarcastic. I also have a very healthy obsession with “Game of Thrones.”

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? On the whole, I’ve met many of my expectations but have also given myself room to adjust my plans as I’ve evolved. Professionally, my 2L self was completely convinced that Troutman Sanders was the home for me. When envisioning my future career at TS it always felt more like fact than fantasy, which made me determined to fulfill the vision I had for my future. Now I’m a partner at TS and my plan clearly came to fruition, but I attribute that 2L confidence to women’s intuition combined with divine intervention and a sprinkling of naiveté. I also freely admit that I never imagined myself thriving as a multifamily housing attorney—frankly, because I didn’t know that niche existed at the time. I’m grateful that I allowed myself some leeway on the specifics of how I would reach my goals, because I otherwise may have missed out on a tremendous practice and some of the best colleagues I could have ever imagined. On a personal level, my visions of the future were much more vague 15 years ago. However, I fully expected to be a background dancer for Beyoncé by this time. Hopefully, she’ll discover my untapped talent before her next tour.

WHAT DO YOU LIKE ABOUT YOUR LIFE 15 YEARS AFTER LAW SCHOOL? I love my life. I am happy, healthy, grateful and optimistic. I feel like I’m living and not merely existing. I declare that proudly, because I wouldn’t have necessarily said that just a few months ago due to some poorly managed health issues. On the other side of that rough patch, I feel vibrant and excited about the future. The tough times taught me that nothing should be taken for granted and further convinced me that I have a phenomenal support system. These much sweeter times remind me that anything is possible and that life is meant to be lived with zest.

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MARCO V. MASOTTI LL.M. '92


PARTNER, PAUL, WEISS, RIFKIND, WHARTON & GARRISON
NEW YORK, NEW YORK

DESCRIBE YOUR WORK: I have helped to build and lead the funds practice at Paul, Weiss. I describe my role as serving as a corporate adviser to private equity, credit and hedge fund managers. I assist them with fundraising globally, acquisitions, partnership arrangements, regulatory and compliance, and other corporate needs. In recent years, I have probably assisted them in raising and investing more than \$200 billion.

WHAT ACTIVITIES DO YOU ENJOY OUTSIDE OF WORK? Last year, I got deeply involved in the Hillary Clinton campaign. It was an adventure. I fundraised, vetted candidates and assisted with election observing. I am also president of the Friends of the Legal Resources Centre, a South African public interest law firm that was renowned for challenging many apartheid laws; and I helped set up the Make a Difference Leadership Foundation, which mentors and provides scholarships to South Africa’s future leaders. I also have a passion for the sport of rugby and make occasional trips in support of my beloved teams. These activities make me stay connected to my birthplace, South Africa.

ARE YOU WHERE YOU EXPECTED TO BE AT THIS STAGE OF YOUR CAREER AND LIFE? I fully expected to be at the bar in South Africa practicing constitutional and human rights law, perhaps first in private practice and later in the new government. But in 1991 I got a Fulbright award and pursued an LL.M. degree at UVA Law. I met my wife, Tracy Stein '92, on the Law Library steps, and followed her to New York, where I landed at Paul, Weiss. My mentor at the firm, Ted Sorensen, was working with Nelson Mandela to set up a fund that supported voter education in South Africa. Over time, I migrated from Ted’s international practice to my current practice. But that’s what’s so wonderful about a law career—if you’re open to new things, you can flourish in a wide variety of pursuits.

WHAT DO YOU LIKE ABOUT YOUR LIFE 25 YEARS AFTER LAW SCHOOL? I like that I’ve grown up professionally alongside some of my private fund clients, who, along with my partners, have become my close friends and family. My work puts me in touch with the most creative people in the world; there’s a new challenge every day. I’m so blessed to have built my career at this wonderful law firm, and to have a supportive wife and three incredible children.



'THE PERFECT CHOICE' ROBERT MUELLER '73

BY ERIC WILLIAMSON

THE UNDERSTATED, SQUARE-JAWED FORMER MARINE

has built a professional reputation that is beyond reproach—first as a prosecutor, then later as the FBI director who

reinvented the bureau after Sept. 11, 2001.

He is devoutly nonpartisan. That neutrality allows him to be a better public servant, he has said.

His colleagues describe him as calm, thorough and focused.

In May, the deputy attorney general of the U.S. Department of Justice named Robert Mueller '73 special counsel in the inquiry whose central question has hounded the current administration: To what extent, if any, did President Donald J. Trump and his advisers collude with Russia to try to tip the balance of the election in their favor?

The answer could take months to explore, if not years. It may result in criminal charges, perhaps even impeachment of the president.

Or it could result in no action taken at all.

No matter what he might find, the 73-year-old Mueller is expected to conduct the probe as he has always gone about his work—conscientiously. "I accept this responsibility and will discharge it to the best of my ability," he announced upon resigning from his law firm, WilmerHale.

Professor and former UVA Law Dean John C. Jeffries '73, a member of Mueller's law class, said no better person could have been selected for the job.

"Robert Mueller is the perfect choice," Jeffries said. "Most important is his integrity. For Bob, integrity is not merely a policy or a practice; it's character. He is incapable of dishonesty or dissembling. Additionally, he has the skill and experience to be effective. His appointment has been universally applauded, as it should be."

'NEVER TOOK HIS EYES OFF HIS MISSION'

Despite having every reason to be a widely recognized public figure on par with J. Edgar Hoover, the only director to have led the bureau longer, Mueller had managed to keep a relatively low profile. Perhaps this was best exemplified by the "Who is Robert Mueller?" articles that surfaced after he was announced to lead the investigation.

Who is Mueller? He is one of the key players who

» **SOON AFTER HE BECAME DIRECTOR OF THE FBI**, Mueller was interviewed for a UVA Lawyer article.

» **JAMES COMEY** and Mueller were in lockstep on protecting citizens' privacy rights when Attorney General John Ashcroft was in the hospital.

» Mueller with **AARON ZEBLEY '96**

made the nation safer after Sept. 11.

Mueller converted the FBI from a mostly after-the-fact, crime-solving organization to one focused on threat prevention. With his counterterrorism mandate, Mueller oversaw a reorganization of the bureau that involved the retraining of existing agents, and the massive hiring of new ones—all the while improving coordination with outside law enforcement agencies and the intelligence community.

He was appointed to lead the bureau a week before the attacks happened. Due to his effectiveness at the job, and President Barack Obama's need for continuity, Congress authorized him to serve two years beyond the job's modern 10-year term limit.

One of Mueller's financial advisers told him he was hurting himself by staying on, rather than pursuing more lucrative opportunities, according to Princeton University classmate Robert Nahas.

Mueller's response, Nahas said, was, "When the president asks..."

"Like the Marine that he's always been, Bob never took his eyes off his mission," Obama said in 2013 during a ceremony thanking Mueller and welcoming his successor, incoming Director James Comey.

THE FIRING MEMO AND 'RELATED MATTERS'

Comey, of course, is the man Trump appeared to have fired for looking into, according to the president's words, "the Russia thing."

A May 8 memo that came from Deputy Attorney General Rod Rosenstein, however, took a different tack as justification for firing Comey. Instead of addressing Trump and Russia, it blamed Comey's handling of an investigation into former presidential candidate Hillary Clinton's use of a personal email server while secretary of state.

Then, in a dramatic turn—and with the attorney general having recused himself from all matters related to the Russia investigation—Rosenstein appointed Mueller as special counsel on May 17.

Per federal law, the power to appoint special counsel occurs when conflicts of interest "or other extraordinary circumstances" prevent the U.S. Attorney's Office or litigating division of the Department of Justice from prosecuting a case and "under the circumstances, it would be in the public interest" to appoint counsel.

Democrats and Republicans alike were supportive of



Mueller's selection for the job. Then—House Oversight and Government Reform Chairman Jason Chaffetz, a Republican from Utah, tweeted, "Mueller is a great selection. Impeccable credentials. Should be widely accepted."

U.S. Sen. Sheldon Whitehouse '82, a Democrat from Rhode Island and a member of the Senate Judiciary Committee, has been a leader in the Senate's probe of election tampering.

"Russian interference in our election and the troubling actions of this White House demand the fullest accounting of the truth," the senator said in a statement. "Mr. Mueller has been granted authority to pursue whatever he deems 'related matters.'"

Until the investigation is complete, an overarching question will remain: What level of collusion would rise to impeachability?

"Impeachment is partly a perception question," Professor Saikrishna Prakash told Newsweek. "Imagine Trump [has] had several conversations with Vladimir Putin about how to harm Hillary Clinton's prospects. There will be plenty of people who think it's an impeachable offense, and others who would say it's terrible, bad judgement, but doesn't rise to their level of what an impeachable offense is."

A DEFINING MOMENT: THE ASHCROFT INCIDENT

With a straight-laced persona recognized by both sides of the aisle, Mueller seems to have been chosen as much for his character as to do the work.

Mueller was a President George W. Bush appointee to the FBI who earned the Republican's respect, even though he would stand up to his administration over concerns it was violating constitutional rights.

The story of the principled standoff against White House Counsel Alberto R. Gonzales and Bush's chief of staff, Andrew H. Card Jr., has become the stuff of legend.

On March 10, 2004, Gonzales and Card asked Attorney



AARON ZEBLEY '96 ROBERT MUELLER'S TRUSTED DEPUTY

NOT LONG AFTER GRADUATING from the Law School, Aaron Zebley '96 became an FBI field agent in the Counterterrorism Division. The work of the team he was on, which started with a lead Zebley followed on another suspect, resulted in the capture of Khalfan Khamis Mohamed.

Mohamed was later sentenced to life in prison without parole as a conspirator in the 1998 U.S. Embassy bombings in Kenya and Tanzania.

Zebley went on to become an assistant U.S. attorney in the National Security and Terrorism

Unit in the Eastern District of Virginia. He returned to the FBI to serve as special counsel for national security, and when Congress authorized Mueller in 2011 to serve two more years, Mueller chose Zebley as his chief of staff.

That trusted professional relationship has continued through subsequent jobs, including now as part of the special counsel legal team.

Zebley most recently worked with Mueller as a partner at WilmerHale. There, he assisted Mueller in investigating the NFL's handling of player Ray Rice's domestic violence episode and the settlement of Volkswagen's emissions scandal, among other cases.

General John Ashcroft, who was suffering from a pancreatic ailment and in the intensive-care unit at George Washington University Hospital, to sign papers that would reauthorize the administration's "Stellar Wind" domestic surveillance program. The men had not resolved legal conflicts over privacy that concerned both the FBI and the Attorney General's Office.

Comey was Ashcroft's deputy at the time and believed himself to be acting in Ashcroft's stead due to the incapacitating illness. After Comey caught word of the scheme to circumvent his authority, he alerted Mueller, and both men rushed to the hospital. Mueller instructed his agents by phone to make sure Comey, who would get there first, wasn't removed from the room by the Secret Service.

The tense showdown was ultimately diffused by Ashcroft himself. He summoned enough lucidity to reject the reauthorization—and even state his reasons why—before losing his bearings again.

Despite the incident, the Bush team pressed forward to reauthorize. Mueller—along with Ashcroft, Comey and their aides—tendered their resignations over the matter in a stunning no-confidence vote.

Mueller and the others never publicly stepped down, however, because the president "blinked," according to journalist Garrett Graff, who wrote about the incident in his book "The Threat Matrix: The FBI at War in the Age of Global Terror" (The exact details of their policy compromise have not been revealed; Bush has since stated he was merely looking for his best legal footing for the surveillance program.)

For Graff, who has interviewed Mueller more than any other journalist, Mueller wasn't just a great choice for the job; he may have been the only choice.

"Because of the deep respect and reputation Bob Mueller has in Washington, the good news for President Trump is if there is no 'there' there, if this is all a strange case of odd

coincidences and misunderstandings, Bob might be the only person in America who could come out, declare Donald Trump and his associates innocent, and be believed by both parties," Graff said in a recent C-SPAN interview.

A PROSECUTOR AT HEART

At the core of his being, Mueller wants to pursue justice wherever it leads.

"In his heart of hearts, he's a prosecutor," the late Lee Rawls, Mueller's former chief of staff and a classmate at Princeton, was once quoted as saying.

Before the FBI, Mueller rose to become assistant to the attorney general in 1989, then head of the Justice Department's criminal division in 1990. He oversaw investigations into the terrorist attack on Pan Am Flight 103, and the criminal activities of Panamanian dictator Manuel Noriega and crime boss John Gotti.

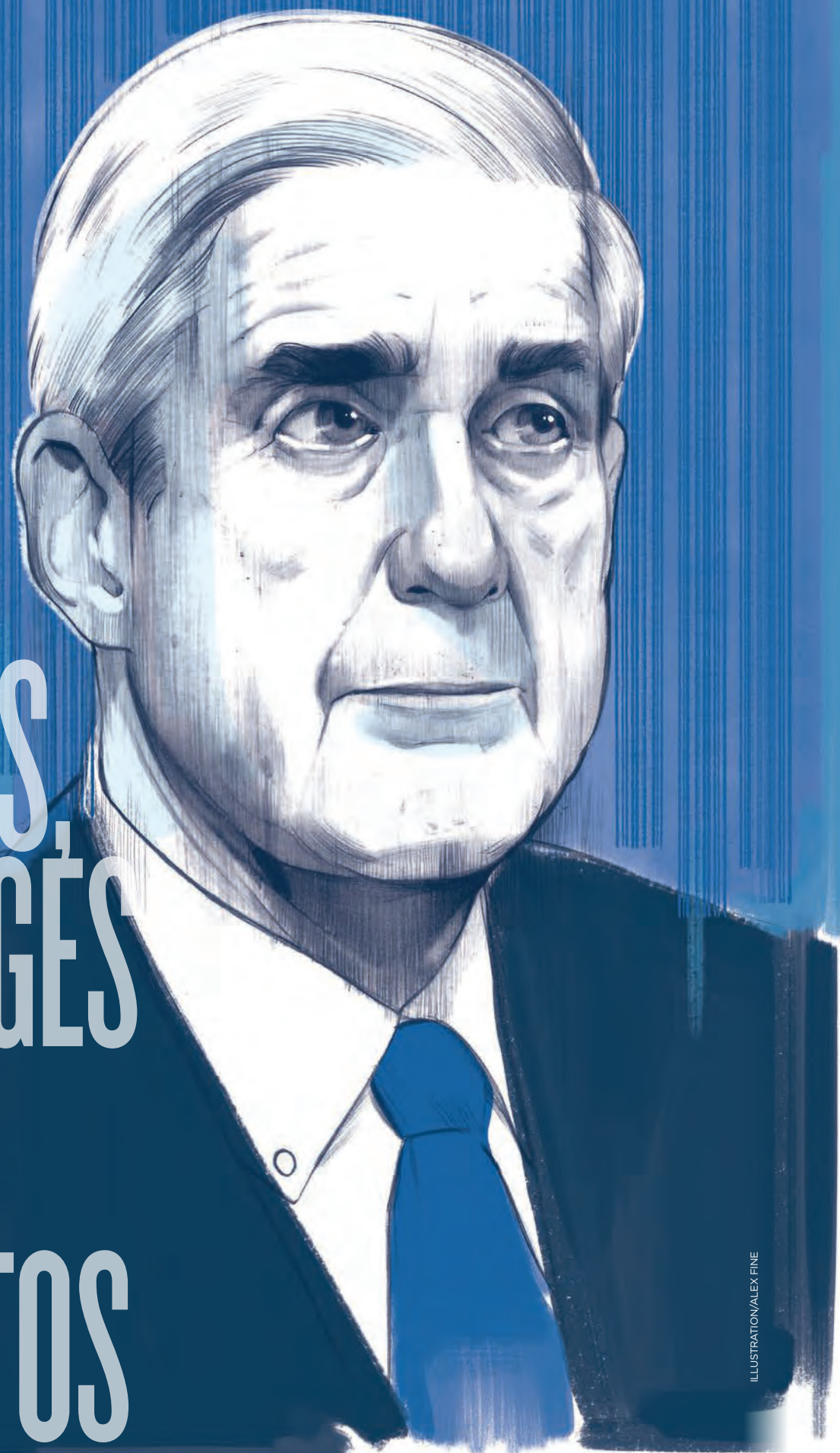
After he left Justice, following a brief stint as a law firm partner, he took what many would consider a step backward in his career. In 1995 he went to work for the U.S. Attorney's Office in D.C. as a litigator in the homicide section.

To Mueller, though, the choice was about filling a public service need. The district had a rampant crime problem. Something had to be done.

"Doing homicides, the victim's family was always present in your mind," he told UVA Lawyer in a 2002 interview. "You're trying to find and bring justice to them."

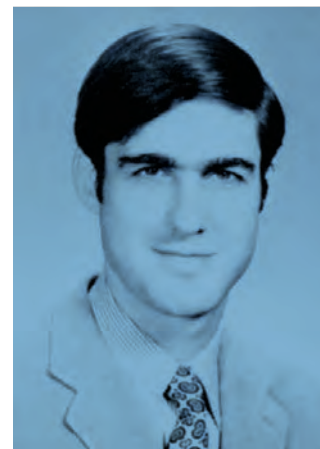
He added, "Working as an assistant U.S. attorney, I've seen how people think that they can get away with things and skirt the law. Bringing them to justice is tremendous satisfaction."

A MAN OF OATHS, PLEDGES AND MOTTOS



ILLUSTRATION/ALEX FINE

UVA LAW EXPERIENCE FORMATIVE FOR MUELLER



ROBERT SWAN MUELLER III is a man of oaths, pledges and mottos for whom personal integrity is paramount. His reputation is the currency on which he trades, and it means everything to him.

"We're only as good as our word," Mueller told the Law School community when he accepted the 2013 Thomas Jefferson Foundation Medal in Law, shortly before exiting the FBI. "We can be smart, aggressive, articulate, perhaps persuasive. But if we're not honest, our reputations will suffer. And once lost, a good reputation can never, ever be regained."

Born in New York City and raised outside of Philadelphia, Mueller was the only boy among five siblings. His father was a DuPont career man and former Navy captain who led a sub-chaser during World War II. Mueller attended Princeton University, where his father had gone. He earned a bachelor's in political science there in 1966, and a master's in international relations from New York University in 1967.

How Mueller became the professional he is today is a broad story, but one tied in large part to his training at UVA Law, which he has called "one of the best, if not the best, law schools in the country."

"Then as now, UVA was different from other law schools in rather than simply teaching the basic tenets of the law, it sought to provide the foundation for future leadership," Mueller said in his Jefferson Medal remarks.

Mueller chose to attend UVA because the school was welcoming to veterans, whose leadership skills the school prized. Mueller decided to take the Marine Corps oath after he learned a friend had died in Vietnam. He served as second lieutenant leading a rifle platoon of the 3rd Division, in the Quang Tri Province, and became a general's aide. He earned several combat decorations. During a mission to rescue American soldiers hemmed in by a firefight in 1969, he was wounded by an AK-47 round to the thigh, earning him a Purple Heart.

"He had a distinguished time in the Marines, was combat-decorated and a real leader, but he spoke little about that period," said Law School classmate Marschall Smith '73. "He saw UVA as a chance to build a career supporting the rule of law and building solid institutions."

Mueller attended law classes with a number of fellow ex-Marines and other former service members. (Today, the Law School continues to welcome veterans. Representatives from all five branches of the military are members of this year's incoming class.)

Mueller also was drawn to UVA for its Honor Code. Students pledge not to lie, cheat or steal, under the penalty of expulsion.

"Nothing sets Virginia apart from other universities more than the concept of honor," Mueller said in his 2013 speech. "The Honor System, in place since 1842, and the community

“FOR ATTORNEYS AND NOT-ATTORNEYS ALIKE, there will come a time when you will be tested in both ways small and large. ... But this institution, Virginia, has prepared its students for such tests, for integrity is a way of life here at this institution.”

of trust it enables, rests on one precept—and that is integrity. Our careers in the law, our professional and our personal success—and indeed, our reputations—rest on that same precept."

Mueller worked hard at UVA, and was involved in activities outside of his classes. In his first year, he was a section representative to the Law School Council. In his second year, he tested on to the Virginia Law Review, acing a writing and editing exercise that only eight others passed. He also served as a research assistant to then-UVA Law professor Mason Willrich, who had been assistant general counsel for the U.S. Arms Control and Disarmament Agency during the Kennedy administration.

"Bob Mueller was my favorite law student, who has been a good friend ever since," Willrich said. "You could tell that he was really mature and that he was really anchored in good

MUELLER WAITS for the 2003 graduation ceremony to begin with then-Dean **JOHN C. JEFFRIES, JR. '73**, a classmate.

MUELLER, THE LAW SCHOOL'S COMMENCEMENT SPEAKER IN 2003, shakes the hands of graduating students.



principles. He was also just a dynamic type of a person and with leadership skills that are rare. We socialized a lot, and it was a pleasure to be with him. Clearly he was very public-minded even then.”

Mueller’s classmates were also impressed with him.

“I recall Bob as a very serious law student,” Smith said. “My sense was he never came to class unprepared. He avoided politics and emotionalism in analyzing cases, doing thorough research, applying precedent in a thoughtful and disciplined way. The superb faculty at the Law School were men and women he greatly respected.”

Cameron Smith ’73, unrelated to Marschall, said in addition to his Law School commitments, Mueller played squash two or three times a week with him and others, including Willrich and Professor Ted White. They played hardball singles at what used to be the Albemarle Racquet Club.

Mueller seldom lost a match.

“I don’t think he ever slacked off at anything,” Smith said.

As a student, Mueller drew inspiration from an inscription over an archway on Grounds, attributed to former UVA President Edwin Alderman: “Enter by this gateway and seek the way of honor; the light of truth, and the will to work for men.”

Mueller started his career at the law firm Pillsbury, Madison and Sutro in San Francisco, but he wasn’t there long before taking the Justice Department oath and starting his career as a prosecutor.

He would later be appointed to lead the FBI, in 2001.

“Our motto at the bureau is ‘fidelity, bravery and integrity,’ and uncompromising integrity, both personal and institutional, is the core value,” Mueller told law students in his 2013 medal talk.

“For attorneys and not-attorneys alike, there will come a time when you will be tested in both ways small and large,” he said. “You may find yourself standing alone against those who you thought were your trusted colleagues. You may stand to lose what you have worked for, and the decision will not necessarily be an easy call. But this institution, Virginia, has prepared its students for such tests, for integrity is a way of life here at this institution.”

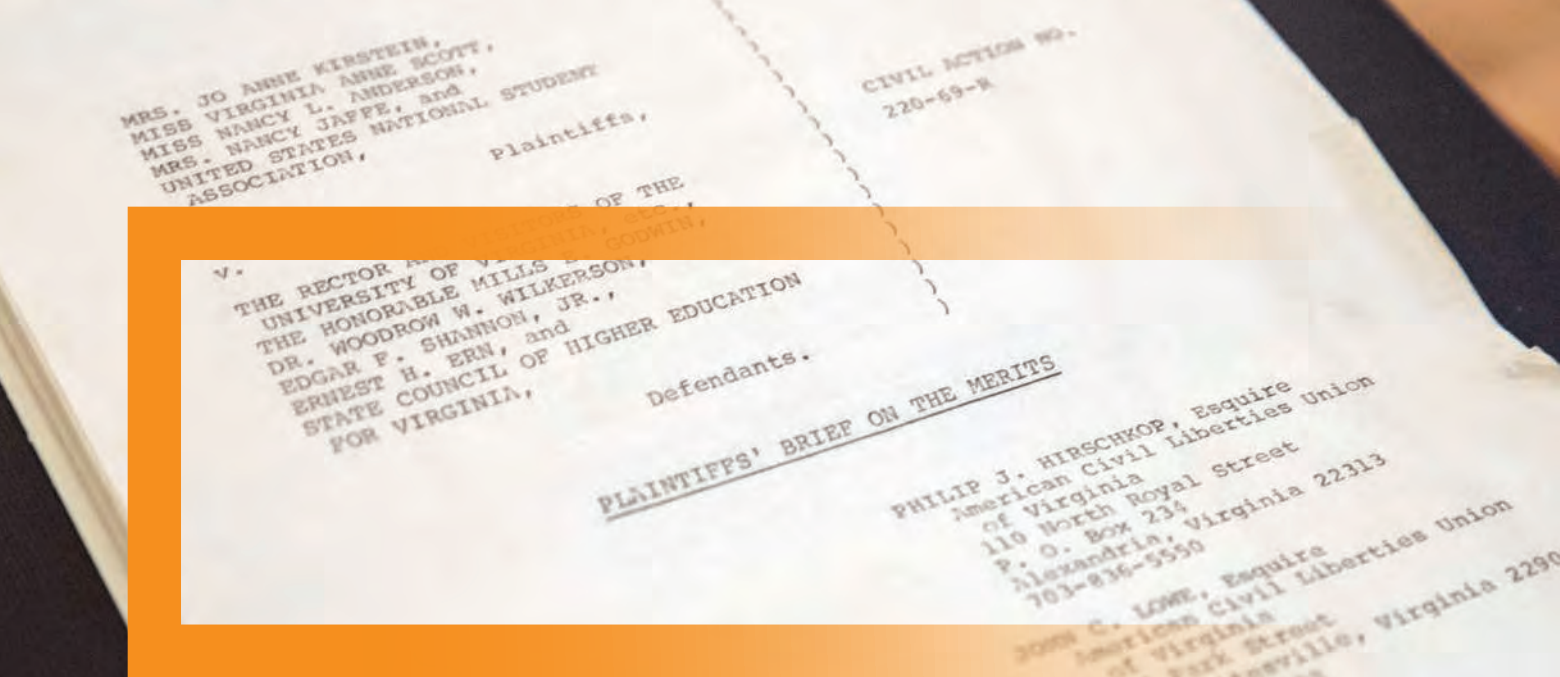
MUELLER: A LIFE IN LAW AND PUBLIC SERVICE

- MARINE CORPS, VIETNAM, 1968-69
- UNIVERSITY OF VIRGINIA SCHOOL OF LAW, 1970-73
- PILLSBURY, MADISON AND SUTRO, SAN FRANCISCO, 1973-76
- ASSISTANT U.S. ATTORNEY, NORTHERN DISTRICT OF CALIFORNIA, 1976-82
- CHIEF OF CRIMINAL DIVISION, DEPUTY U.S. ATTORNEY AND U.S. ATTORNEY, DISTRICT OF MASSACHUSETTS, 1982-88
- HILL AND BARLOW, BOSTON, 1988-89
- ASSISTANT ATTORNEY GENERAL FOR THE CRIMINAL DIVISION, DEPARTMENT OF JUSTICE, 1990-93
- HALE AND DORR, DISTRICT OF COLUMBIA, 1993-95
- SENIOR LITIGATION COUNSEL, CHIEF OF HOMICIDE SECTION, U.S. ATTORNEY’S OFFICE FOR THE DISTRICT OF COLUMBIA, 1995-98
- ACTING AND THEN PERMANENT U.S. ATTORNEY FOR THE NORTHERN DISTRICT OF CALIFORNIA, 1998-2001
- ACTING DEPUTY ATTORNEY GENERAL, DEPARTMENT OF JUSTICE, JANUARY-MAY 2001
- FBI DIRECTOR, 2001-13
- PARTNER, WILMERHALE, D.C., 2014-17
- APPOINTED AS SPECIAL COUNSEL, MAY 17, 2017

‘We’ll Just Have to Take Care of That’

JOHN LOWE ’67: A HERO OF COEDUCATION AT UVA

BY JANE KELLY | PHOTOS BY DAN ADDISON, UVA COMMUNICATIONS



UVA'S CORKS AND CURLS YEARBOOK covered coeducation at the University.



IN THE SPRING OF 1969, VIRGINIA SCOTT was 18 and preparing to graduate from Albemarle High School. She was also working as part-time clerical help for attorney John Lowe ’67. Stories in the local newspaper about his work on civil rights cases had inspired her to apply for a job in his Charlottesville office.

That collaboration would lead to a monumental event—full coeducation at the University of Virginia.

Their work together started, Lowe recalled, after Scott told him she was about to graduate with exceptional grades. “Oh, I guess you will be going to Virginia then,” Lowe said. “No,” Scott said. “Women aren’t allowed at Virginia.”

Lowe was surprised. He had attended law school with female students, who had been permitted to attend graduate programs on a limited basis since the 1890s, and the specialized programs of nursing and education since the 1920s and ’30s. But UVA still denied admittance to women wishing to pursue a broad undergraduate education.

“It shocked me. I said, ‘Well, then, we’ll just have to take care of that.’”

He tried to get an appointment to speak to the Board of Visitors to convince them their stance was inappropriate and unconstitutional. Lowe figured they would immediately see the error of their ways and change, “because this was Virginia, my beloved University.”

He was wrong. They would not give him an audience, so Lowe felt he had no other choice.

“I said, ‘OK, we’re going to file suit.’”

A PLAN FOR FEMALE EDUCATION

Thomas Jefferson founded the University to teach Southern gentlemen.

“A plan of female education has never been a subject of

systematic contemplation with me,” he wrote in a letter to friend Thomas Burwell in 1818, the year after he, James Monroe and James Madison gathered for the ceremonial placing of UVA’s first cornerstone.

Over the years, women gradually became a small part of the student body, albeit in a piecemeal fashion. A 2003 UVA Library exhibit on women and the University said, “Over the course of the preceding century, women lived, studied, and worked at the University as professors’ family members, summer students, graduate students, and members of the University faculty, staff, and Board of Visitors.”

Elizabeth Tompkins became the first female School of Law graduate in 1923.

But there was no systematic way for women to apply to be undergraduate students.

In 1969, the year Scott graduated from high school and UVA celebrated its sesquicentennial, the Board of Visitors finally voted to grant women access to all parts of the University. It assigned the task of creating a transition map to then-Provost Frank Hereford and a coeducation committee. The plan: to gradually admit women to UVA over the span of 10 years and cap female enrollment at 35 percent in 1980.

Nonetheless, Lowe continued to prepare his lawsuit with his friend, lawyer Philip Hirschkop, who had gained fame as co-counsel for Mildred and Richard Loving in *Loving v. Virginia*, the landmark Supreme Court case that decriminalized interracial marriage. Both were private practitioners who were cooperating attorneys with the American Civil Liberties Union. In addition to Scott, the pair represented three other young women in the UVA case: Nancy Jaffe, Nancy Anderson and Jo Anne Kirstein.

In their complaint, filed in Richmond federal court in 1969, the plaintiffs said the University “severely discriminates against women in their admissions policies.” They appealed for a change in those policies to allow women to enter the College of Arts & Sciences.

DAVID AND GOLIATH

After graduating from UVA Law, Lowe went to work for the accomplished James Harry Michael Jr. ’42 (who would become a state senator in 1968 and a federal judge in 1980). Michael was so impressed with Lowe’s work that he asked him to become a partner in his Charlottesville practice. But the young lawyer wanted to “hang his own shingle,” so he left that law firm and set up his solo practice in town. The two would meet again under very unusual circumstances.

UVA hired Michael as special counsel in the coeducation lawsuit. “It’s like a class-C movie plot,” Lowe said. “The University hired Harry Michael, so it’s David and Goliath; it’s the mentor and the protégé.”

The two well-acquainted attorneys squared off in Richmond’s federal court before Judge Robert Merhige LL.M. ’82, who offered pivotal rulings in other landmark cases, including the integration of Virginia’s public schools.

One of Lowe’s expert witnesses was Kate Millett, then dean of Barnard College, which had recently instituted coeducational dorms.

“At one of the hearings, the question was posed by Senator Michael: ‘Isn’t it true, you have all these men’s bathrooms on the Grounds of the University? You don’t have any women’s bathrooms. How do you work that out?’”

Millett’s response brought down the house. “Kate said, ‘Oh, shucks, Senator, all you do is plant geraniums in the urinals and you’ve got a women’s bathroom,’” Lowe recalled with a chuckle.

Witnesses for the University included an expert who said coeducation would not work because women needed more diminutive furniture.

MINORITY REPORT, MAJOR BREAK

In the course of the lawsuit, Lowe asked for a preliminary injunction so Scott could enroll at UVA in 1969 and not lose

a year of school while the case was pending.

The day before the preliminary injunction hearing, Michael sent Lowe an exhibit he was planning to enter into evidence. It was identified to Lowe as the report from Hereford’s Coeducation Committee.

“It said that coeducation ‘might’ work,” Lowe said. “‘Might’ was the word. It might be feasible to add up to 35 percent of women to the entering class over a period of 10 years—and that was only ‘might.’”

Then a twist turned the case on its head.

About 10 p.m. on the spring evening before the scheduled hearing, Lowe, a bachelor living in an apartment on Jefferson Park Avenue, got a phone call. It was the president-elect of Student Council, Kevin Mannix ’74. Then a rising third-year undergraduate student, he was also the student representative on Hereford’s Coeducation Committee. He wanted to know if his minority report had been attached to the University’s majority report on coeducation.

“No,” Lowe said.

“I didn’t think it would be,” Mannix told him. “I’ll bring it over.”

“I wrote the minority report because I could not subscribe to the position that the committee was taking on coeducation,” Mannix recalled. “It was a quota system. I guess in my naiveté, I thought it would be included in the record. I don’t know what happened. I don’t want to speculate, but somehow it was not provided to John.”

(Mannix went on to marry his wife, Susana, who enrolled at UVA in 1970 as a result of Lowe’s case.)

The next day in court, Michael introduced the majority report into evidence as the Report of the University’s Coeducation Committee.

Lowe offered no objection.

Merhige sensed something was off.

“Judge Merhige knew me pretty well and he could see by my facial expression that something was wrong,” Lowe said. “He was really watching me carefully.”

From THE RICHMOND TIMES-DISPATCH, Sept. 12, 1969:
"LAWYER JOHN C. LOWE, With Three of His Clients in Suit Against UVA.
MRS. NANCY JAFFE (left) MISS VIRGINIA ANNE SCOTT, MRS. JO ANN
KIRSEIN"



A UNIVERSITY CLASSROOM
in the 1970s.



On cross-examination, Lowe handed Mannix's report to Hereford.

"I said, 'Mr. Hereford, I hand you this document. May I ask you if you know what it is?'"

Lowe said Hereford looked at the report and blanched.

"He said, 'Yes, I do know what it is.'"

"Can you tell Judge Merhige what that is?" Lowe continued.

"This is Mr. Mannix's minority report," Hereford responded.

Lowe asked, "Is that part of the report of the coeducation committee?"

Hereford replied that it was.

At that point, the judge knew exactly what was going on, Lowe said. "He got beet-red and furious on the bench. He knew important evidence had been withheld from the court."

"I offer that in evidence," Lowe told the judge, who immediately went into recess to read the new material.

After coming out of chambers, Merhige granted the temporary injunction and Scott entered UVA later that year on the stipulation that if Lowe eventually lost the case, she would not earn any course credit. The other three women opted not to enroll.

A 'BLACK EYE' AVERTED

Because the overall coeducation lawsuit was a challenge to the constitutionality of a state statute, it was assigned to a three-judge court. With the narrow issue of the preliminary injunction resolved by Merhige, the legal teams for the plaintiff and the defendant gathered in a federal courtroom in Richmond to continue the case. They were called into chambers by the judges: Merhige, John MacKenzie and James Craven.

"When they got us in there, Judge MacKenzie said the reason they had called the teams in is because they thought the University was going to get a very black eye out of this matter if it went the wrong way," Lowe said. Michael quickly moved for a continuance, effectively putting the trial on hold

so he could go back to the Board of Visitors to see if the matter could be resolved.

About a week later, the board went into a special meeting and came out with a voluntary acceptance of full coeducation within three years on the terms Lowe's suit had proposed: admitting 450 women to the College in 1970 and 550 in 1971. In 1972, students were considered for admission to UVA without regard to gender.

Scott was 19 when she enrolled at UVA. She graduated in 1973 with a degree in religious studies. She later earned master's degrees in religious studies and education from the University.

"I feel fortunate to have had the opportunity to be a part of this suit and to watch it unfold," she said. "I am grateful for the outcome which enabled me to receive an education that enriched my life across many dimensions. All women who were able to attend UVA after the case was resolved are indebted to John for taking this case and so skillfully achieving a positive outcome for us all."

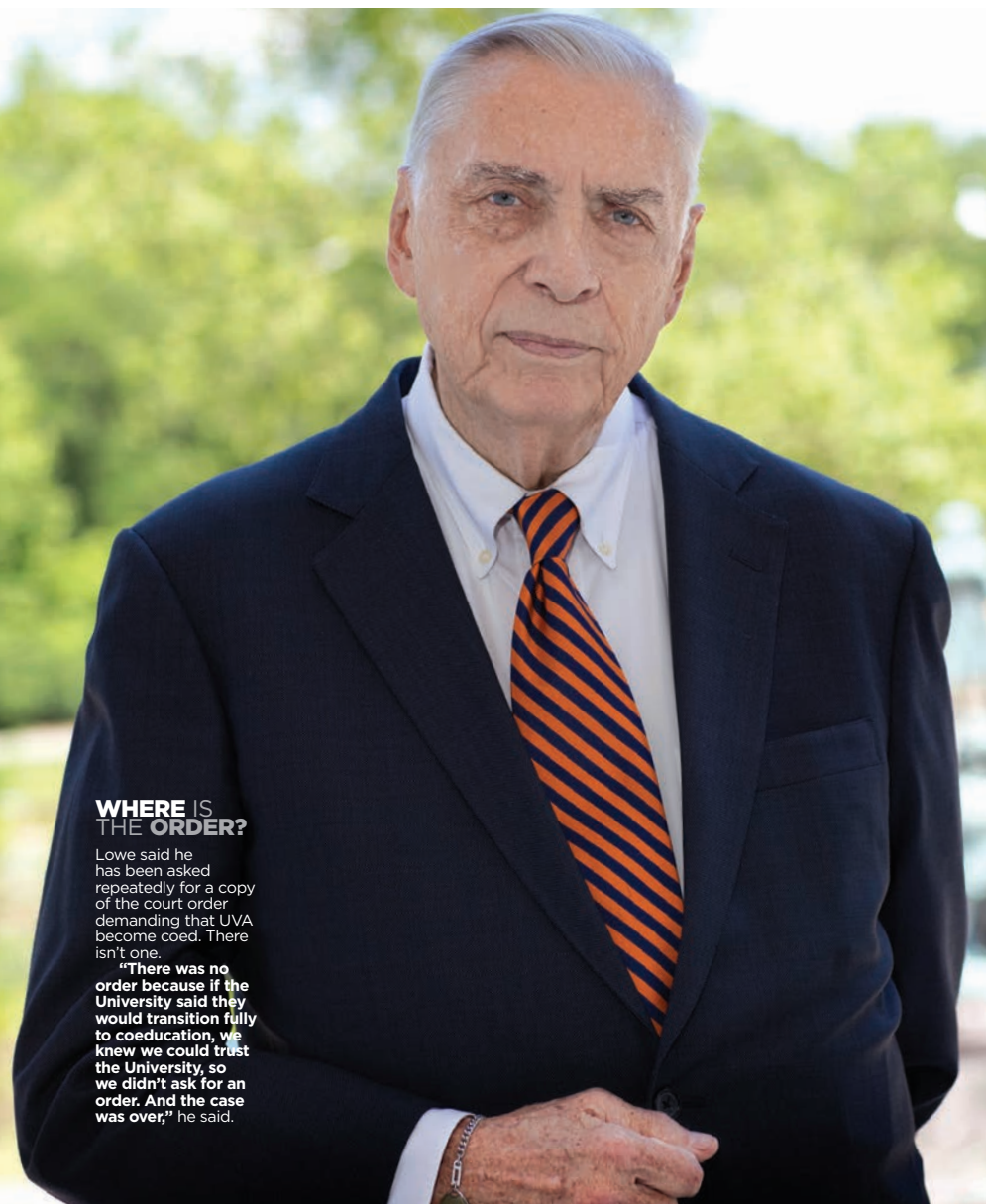
Scott said watching Lowe work on this case and others was an inspiration and a valuable learning experience.

"He was brilliant, fearless and totally dedicated to equal rights cases, regardless of how unpopular it made him," she said. "He was just getting his own practice going, but that didn't stop him from spending most of his time on cases that brought little or no revenue."

Lowe is 80 and still practicing trial law full-time in Bethesda, Maryland, with most of his practice in Virginia jurisdictions.

"One of the things that comes out of this, I hope, is to inspire young lawyers who may think they don't have much power," he said. "As long as you've got the opportunity to go to court for somebody, you've got a lot of power. Neither Phil nor I received any fee for handling this matter. It was a pro bono-publico case—for the public good. This will hopefully give other lawyers courage and inspiration to do good things on a pro-bono basis."

Today, as of this school year, women make up 56 percent of the incoming class and come from 47 states and 72 countries.



WHERE IS THE ORDER?

Lowe said he has been asked repeatedly for a copy of the court order demanding that UVA become coed. There isn't one.

"There was no order because if the University said they would transition fully to coeducation, we knew we could trust the University, so we didn't ask for an order. And the case was over," he said.

LOWE'S OTHER BIG CASES

SUING UVA TO ALLOW COEDUCATION

isn't the only big case of John Lowe's career. He argued and won the landmark First Amendment case *Bigelow v. Virginia* in the U.S. Supreme Court. He

convinced the very conservative Supreme Court of Virginia to strike down the Virginia Riot Act on First Amendment grounds. He was counsel for one of two Native Americans who were tried for allegedly murdering two FBI agents on the Pine Ridge Indian Reservation in South Dakota. (The jury acquitted both defendants.)

He was the successful lead counsel in a five-month-long court martial proceeding at Camp Lejeune, North Carolina—essentially a jury trial with

Marine Corps officers as jurors—for the last POW to return from captivity in North Vietnam. He has also represented clients in personal injury and medical malpractice cases, and at one time held the record for one of the highest personal injury verdicts in

Richmond, Virginia.

In 1992, Lowe joined the intellectual property law firm of Finnegan, Henderson, Farabow, Garrett & Dunner in Washington, D.C., where he was a partner trying major patent infringement jury trials until he retired as a partner in 2003, in order to return to a general law practice.



“This assistance is coming from a former prosecutor, the last person you think is going to help you. He’s the guy who locked you up.”

A Helping Hand After Prison

Former Prosecutor **Tim Heaphy ’91**
Starts Innovative Loan Fund

BY ERIC WILLIAMSON

AS A FORMER U.S. ATTORNEY FOR the Western District of Virginia, Tim Heaphy ’91 put them in prison. Now a partner with Hunton & Williams, Heaphy recently started The Fountain Fund to help them when they get out. The nonprofit provides low-interest loans to the formerly incarcerated for such purposes as paying off court debt or work-related expenses, for example.

The idea came to Heaphy while renting a vehicle. A man working on the lot struck up a conversation.

“He said, ‘You don’t remember me?’” Heaphy recounted. “I said, ‘I’m sorry, sir, I don’t remember you, tell me your last name,’ and he told me his last name. I remembered he had been convicted of a drug conspiracy. He was a pretty substantial drug seller in Charlottesville. He had pled guilty in a case I handled. He got a 10-year sentence, and he served eight years. We started talking about what it was like when he came back to Charlottesville from his lengthy incarceration. He said the biggest problem was debt; he just needed money.”

Expenses related to imprisonment can include compounded court fees not just related to the offense, but also for accrued child support, for example. Leaving court expenses unpaid under Virginia law can result in driver’s license suspension and—for former inmates—a probation violation. (UVA Law

alumni, professors and students recently challenged the driver’s license suspension law through a Legal Aid Justice Center effort.)

“He was in violation of his probation because of the fines, which meant he couldn’t get his Section 8 housing assistance, he couldn’t get food stamps, he couldn’t get disability—anything he would be eligible for, he couldn’t get because of the debt,” Heaphy said. “So I just started thinking, what could we do to help men and women who have these onerous financial obligations that are preventing them from being productive?”

Heaphy talked to his friends who work in criminal justice, formed a board and launched The Fountain Fund last year.

The fund made its first six loans in May to people in similar situations. The loans were for as low as \$800 to as high as a little over \$4,000. The repayment rate is at a fixed 5 percent interest, which goes back into the fund to help others.

Anyone formerly incarcerated can apply, without restriction based on residence, where the conviction occurred, the crime itself or the amount of time served.

“Their imprisonment could have been for a month, or it could have been for 20 years, it doesn’t matter,” Heaphy said. “We’re going to screen each person and take him or her on the merits of the situation.”

While there is no cap on how much an applicant can receive, Heaphy said he expects most loans to be in the \$2,000-\$3,000



"It's an old, broken system. They punish you, and they keep punishing you. So it's good that there are guys like Tim and organizations like *The Fountain Fund* that can help out. It's definitely needed."

— MARTIZE TOLBERT

range, based on the amount of debt individuals have reported.

In addition to making loans, The Fountain Fund provides programming, peer support and mentoring, while making referrals for other social services.

Martize Tolbert, a mechanic at a Charlottesville oil-change shop, is one of the people the fund has helped. Tolbert went to jail for four months last year on a probation violation related to unpaid court costs. The bill was up to \$3,200 when he got out, and the state had revoked his license. Unable to drive, he had trouble getting to work—and paying his fines.

But a friend who is involved in community services recommended Tolbert to the fund, which paid the debt and got his license back.

"This assistance is coming from a former prosecutor, the last person you think is going to help you," Tolbert said. "He's the guy who locked you up. It's an old, broken system. They punish you, and they keep punishing you. So it's good that there are guys like Tim and organizations like The Fountain Fund that can help out. It's definitely needed."

The loans aren't just about playing catch-up or covering basics, however. Heaphy said the fund will help people start small businesses as well. He said he is open-minded about how the money might be used because the project is something of an experiment; nothing quite like it exists. The fund

will refine its approach based on analysis over time, he said.

Heaphy noted that among those who have donated to the fund since its founding last year are currently and formerly incarcerated persons, who have said they appreciate the effort.

UVA Law professor Rachel Harmon; Jasmine Yoon '06, assistant director of annual giving for the Law School Foundation and a former assistant U.S. attorney; and Lisa Lorish '08, an assistant federal public defender, are among the fund's initial board members. Nicole Snyder '06, a former assistant U.S. attorney, serves as the fund's executive director.

Harmon said volunteering with the project is in line with her academic work, which focuses on ways communities can secure effective public safety more fairly and with less harm to individuals.

"I'm excited to be part of founding the fund," Harmon said. "After serving time in prison, people face overwhelming financial obstacles. They have trouble finding jobs, they are saddled with debt from fines and fees, they have trouble building credit, and it is hard for them to raise capital. With small loans and a little advice, we can help people reach their financial goals, and every person who successfully reintegrates reduces costly recidivism and makes our community stronger."

FOR MORE INFORMATION: www.fountainfund.org

50 Years of the *Legal Aid* Justice Center How Students *Opened a Door* for Legal Aid

LAJC'S GROWTH MIRRORS RISING SUPPORT FOR LEGAL AID OVER DECADES BY ERIC WILLIAMSON

Legal aid students in 1967: **HAYDEN CURRY '67, WILLIAM HUBBARD '67, GAIL MARSHALL '68, PETER WINDREM '68** and **DAVID FITZPATRICK '67**.



In the legal aid office, 1969 classmates **BILL SEXTON, JIM BAER, MIKE FOX** and **ART MOSHOS** gathered.



ROBERT F. RUTSCHOW (second from right), the first paid director overseeing the society.



RONALD TWEEL '71, second paid director of the Charlottesville-Albemarle Legal Aid Society.



IN THEORY, HELPING INDIGENT CLIENTS with their legal needs while providing experience to lawyers-in-training is an idea that few would oppose.

In reality, the story of how UVA Law helped bring legal aid to Charlottesville and surrounding areas, essentially founding the Legal Aid Justice Center, now in its 50th year, involved some resistance, even as it garnered support.

The center is among the oldest continuously operating legal aid programs in the state and has been a public-service training ground for many a UVA Law student. When its precursor, the Charlottesville-Albemarle Legal Aid Society, was incorporated in March of 1967, it was the first legal aid referral system for the indigent in the Charlottesville area.

“Absent the initial research of a determined group of law students last year and the hard work of the local bar’s five-man special committee, a legal aid society in Charlottesville would never have materialized,” read a Feb. 9, 1967, editorial in the Virginia Law Weekly.

Legal aid was not a new concept, however. Many big cities and their law schools had long had programs that provided legal help to the poor, often allowing students to pitch in under the supervision of practicing attorneys. Then, in 1965, the federal Office of Economic Opportunity widened the scope, adding 269 legal service programs around the country.

Like other progressive ideas of the time period, some embraced the concept of legal aid, while others felt it threatened the status quo.

In Charlottesville, where numerous residents were below the poverty level of \$3,000 a year in income, research indicated “a crucial need for free legal advice to the very low income families in this area, families who often have substantial legal problems but are reluctant to seek advice because of fear, pride, ignorance or economic hardship,” a March 10, 1966, article in the Law Weekly reported.

Dean Hardy Cross Dillard ’27, who was known for being

socially conscious, wanted to see if some legal aid arrangement would work locally.

“He was very enthusiastic,” said Gail Starling Marshall ’68, whom Dillard asked to visit other law schools and societies to see how their programs worked. Marshall would go on to teach at the Law School for four years; become a partner at Hogan & Hartson, a firm with its own pro bono department; and be named head of civil litigation for Virginia Attorney General Mary Sue Terry. In addition to those jobs, she would be recognized over time for her pro bono efforts in the areas of fair housing, the environment and parolee rights.

But before she achieved her professional standing, while doing the research for Dillard, Marshall discovered she was working on a project that was unpopular with many Virginia alumni.

“There was a lot of opposition from alums,” Marshall said—although they were not all alumni practicing in the Charlottesville area, she noted. “I think there was a cadre of sincere and dedicated people in the Charlottesville bar who saw something needed to be done to level the playing field. But the major concern from alumni was we would be taking away business from other lawyers who were practicing. And of course the answer was easy, in that these were cases that no one really wanted. They were not lucrative cases at all.”

In the spring of 1966, law students made their initial pitch to the bar for a local organization that would provide free legal counsel to the indigent in civil cases, with some of the advice meant to be preventative, it was reported.

While an early vote by the bar’s executive committee gave the plan its unanimous recommendation, some alumni opposition remained. Complicating matters, Dillard was exiting the deanship to serve on the World Court. Incoming Dean Monrad Paulsen was new to the job and nervous about offending alumni and rocking the boat with the Board of Visitors, Marshall said.

“The institution of the University and of the Board of Visitors was very, very, very conservative,” she said. “If you just

look at the occupations of people in those positions, at least during that period, they were heads of banks, heads of large corporations, and they saw this as against their interests.”

After a year of study, however, the bar unanimously accepted the committee’s report recommending the proposal. The Law School wasn’t responsible for running the new entity, which helped address alumni concerns, Marshall said. Students would only be allowed to do basic work, conducting preliminary interviews and setting appointments, at the discretion of a board. Furthermore, the cases weren’t expected to have much impact beyond the individual clients involved.

Soon after that approval, the society ran into opposition again when it tried to file its articles of incorporation with the state. An attorney with the State Corporation Commission denied the society’s first request, arguing that the articles were too broadly written.

“It has been decided that you must follow the model form verbatim before a charter will be granted,” the letter read.

The society revised their articles of incorporation, which were notarized on March 28, and recorded at the State Corporation Commission in Richmond on March 30.

The committee gave special credit to Marshall and Hayden Curry ’67 for seeing the project to fruition. David S. Fitzpatrick, Thomas G. Livesay and Wallace C. Winter, of the Class of 1967, and Peter F. Windrem, Class of 1968, helped research the idea as well.

Myron P. Simmons ’68 was the first student director on the society’s nine-member board, which had two student spots. Windrem was assistant director. The board reserved six seats for bar members, with one appointed by the Law School’s dean.

Law students were eager to take part as volunteers. Windrem told the Law Weekly that participants in the student group, the University of Virginia Legal Aid Society, had to be limited to 40 students in order to ensure everyone got enough value out of the experience. But because 70 students were interested, the society conducted a tryout process.

During his 1L summer, Winter had worked at the Legal Assistance Foundation of Chicago, the oldest legal aid program in the country. He returned and proselytized about the value of such programs, including while as editor of the Law Weekly.

“That summer got me interested in doing that kind of work,” said Winter, who would go on to become a supervisory attorney at the Chicago office. “I ended up doing it for 38 years. After I came back from the Peace Corps in Brazil, that was basically the only job I had until I retired.”

The Charlottesville-Albemarle Legal Aid Society Inc. office opened in the summer of 1967 at Court Square. The society provided legal services in the areas of domestic relations, landlord-tenant disputes and employment, among others. Students worked at the office in pairs on weekday afternoons, on a rotating basis. Every member of the local bar under age 60 was expected to serve as a supervising attorney on site, also on a rotating basis. But Marshall said that requirement was most likely “aspirational.”

In those early days, the office wasn’t as exciting a place to be as students might have imagined. Hugh Macgill ’68 recalled there being a lack of awareness about the service among potential clients, and something of a stigma to the work itself among practitioners.

“Business was not too good,” Macgill said. “A lot of times nobody would come. This was a new thing and not entirely a welcome thing. But it was not necessarily a bad thing, so people put up with it. Any kind of pushback was inevitable.”

Macgill went on to work on a school desegregation case in Georgia, in neighborhood services and, later, as a law professor at the University of Connecticut, culminating in his deanship there.

“Legal aid probably put a spin on a career that might not have been there otherwise,” Macgill said. “I implemented a number of programs at my law school that did stem from that initial experience.”

The society received federal funding in 1970, the same year the UVA student group changed its name to the UVA

Members of the Legal Assistance Society in March 1972: **GERRY GRAY '73**, assistant director; **DIANE STRICKLAND '73**, director; and **BRENDAN BOVAIRD '73**, office manager.

MARY BAUER '90, current director of the Legal Aid Justice Center.



Legal Assistance Society. In time, the legal aid office would build its clients and take on paid employees to supervise the work of students.

Ron Tweel '71 was the second lawyer hired to oversee their work—and the first to take a more ambitious approach, including attempting class actions. He was fresh out of school, working at an annual salary of \$9,000.

“I became pretty much the office for a couple of years,” Tweel said. “We established our credibility with the local bar and the local judges. I wore a coat and tie every day. We were not seen as real lawyers by some of the clients, so establishing credibility was important.”

He added, “Judges hated us in the 1970s.”

The office built a reputation by filing more cases, and, Tweel said, by being more prepared. He said the biggest case he handled was a lawsuit on behalf of welfare applicants. The case, heard in a Richmond federal court, involved seven

named plaintiffs and seven causes of action.

“It was basically me against five lawyers—me and a law student tried this case; he was like one year out of law school,” Tweel said. “I was scared to death. Fundamentally, we won the case. I probably wasn’t a good lawyer at the time, but we outworked them.”

Now with the Michie Hamlett law firm in Charlottesville, Tweel still runs into former clients from time to time. “When you represent someone, and you do something for them, they remember you. It’s very gratifying.”

In 2001, following a merger with Southside Virginia Legal Services Inc., the Charlottesville-Albemarle Legal Aid Society became the Legal Aid Justice Center. Today, the center employs dozens of attorneys and conducts Charlottesville business at its distinctive brick corner building on Preston Avenue. (The center also has offices in Richmond, Petersburg and Falls Church.)

UVA students typically gain experience working at the center through one of seven for-credit clinics that partner with Legal Aid, or by volunteering pro bono hours on other special projects. Mary Bauer '90 became the center’s current executive director in January 2014.

LEGAL AID DIRECTORS

- **ROBERT RUTSCHOW 1971-73**
- **RON TWEEL '71 1973**
- **DAVID LEVY '70 1973-76**
- **PETER MCINTOSH 1977-87**
- **ED WAYLAND 1988-94**
- **ALEX GULOTTA 1994-2013**
- **MARY BAUER '90 2014-PRESENT**

HOW THE LEGAL AID JUSTICE CENTER HAS MADE A DIFFERENCE

BECAUSE OF THE nature of the world as it existed before digital record-keeping, it’s

almost impossible to quantify the impact that the Charlottesville-Albemarle Legal Aid Society and the Legal Aid Justice Center has had on Virginians over the past half-century.

Here’s one measure, however: Since 1996, when Congress applied its most recent restrictions on

organizations that receive funds from the federal Legal Service Corporation, the center has closed a total of 38,895 cases, impacting 76,849 lives.

Those cases generated more than \$43 million in

judgements, awards and services for clients, and prevented the loss of more than \$17 million in assets or services.

The center serves clients at 125 percent of the poverty level. Last year, the average client had an income of \$13,000 in a year.

Another way to judge the impact has been through cases that have challenged the constitutionality of laws and policies, and through legislative and social reform.

One case that had a major impact was *Harris v. Bailey* (1982). Legal aid attorney Brock Green '75, now a partner at Jones & Green in Charlottesville, challenged the garnishment of a woman’s bank

account by the University of Virginia Hospital for an unpaid bill. Because the account contained only Social Security payments, Green successfully argued that the Virginia garnishment statute was unconstitutional. The U.S. District Court for the Western District of Virginia then entered an injunction prohibiting all creditors in the state from using the garnishment statute until it was rewritten by the legislature to protect people with exempt income.

The center’s list of ongoing initiatives include efforts to help children, immigrants and refugees, the formerly incarcerated and those who need legal assistance in healthcare matters,

among other concerns.

“To me, what’s really special about us is our model is not just helping people who walk in the door, as important as that is,” Executive Director Mary Bauer '90 said. “And it’s not just looking down from a fancy ivory tower and coming up with ideas to fix things. It’s marrying those two things. Our efforts to fix systems are deeply informed by the communities we’re serving and working with.”

In addition to helping vulnerable populations, Legal Aid has been a consistent employer of public-service minded graduates of the Law School throughout the years, including several Powell Fellows.

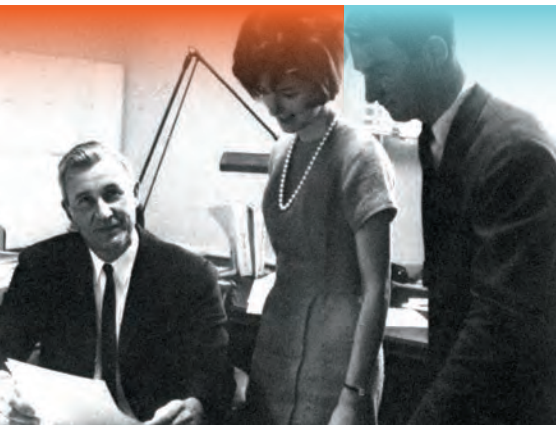
PROFESSOR PETER MANSON with GAIL MARSHALL '68 and HAYDEN CURRY '67

THE LEGAL AID JUSTICE CENTER'S first office at 222 Court Square.

ALEX GULOTTA directed the center and taught during the 1990s and 2000s.

AUTHOR JOHN GRISHAM, who has been a faithful supporter of legal aid over the years, at a fundraiser with former LAJC director ALEX GULOTTA.

The distinctive brick corner building on Preston Avenue is the current location of the LEGAL AID JUSTICE CENTER in Charlottesville.



ANDREW BLOCK JR. founded and directed the JustChildren Program during its first 12 years.



1967

A group of Charlottesville attorneys and law students establishes the Charlottesville Albemarle Legal Aid Society in response to the acute need for a program of civil legal assistance to those who could not pay for services. Staff and local pro bono attorneys provide free legal services with funding from the national Legal Services Program.

1970

The society receives its first federal-era funding for legal aid from the U.S. Office of Economic Opportunity.

1978

Outreach services begin to rural counties of Nelson, Greene and Louisa.

1982

Legal Aid receives its first funding from the city of Charlottesville and Albemarle County for provision of legal services to the poor.

1984

Volunteers from Boyle and Bain, a private law firm, provide advice to Legal Aid clients one afternoon per week, establishing the pro bono model still in use.

1996

The U.S. Congress drastically reduces federal funding for legal aid providers nationwide and imposes significant restrictions on the representation of low-income clients. The society begins to examine its options to continue serving the full range of legal needs of low-income families.

1998

The society assists in the creation of Piedmont Legal Services, a new corporation with an overlapping board, to receive all federal funds that can be used for cases that fit the new federal guidelines. The board charges the society with responsibility to find new sources of revenue to continue operation to address issues that fall outside of the federal guidelines.

The society launches two programs, Just Children and the Virginia Justice Center for Farm and Immigrant Workers, which become an integral part of its mission.

2001

Following a merger with Southside Virginia Legal Services, Inc.—a legal services program with a rich tradition and history in the Petersburg area—the Charlottesville Albemarle Legal Aid Society becomes the Legal Aid Justice Center.

The center opens an office in Falls Church, home to the Northern Virginia arm of the Virginia Justice Center for Farm and Immigrant workers.

2003

The Legal Aid Justice Center conducts a capital campaign to purchase and renovate the Bruton Building at 1000 Preston Avenue in Charlottesville to serve as the headquarters office for the four offices in Central and Northern Virginia.

2007

The Legal Aid Justice Center dedicates the Charles B. Holt Rock House, restored with community support, to serve as headquarters for a pro bono project with the firm of Hunton & Williams, and installs a garden and walkway that commemorates Charles B. Holt and the era in which he lived.

The Legal Aid Justice Center celebrates its 40th anniversary of providing legal services in Central Virginia.

2008

Two signature programs at the Legal Aid Justice Center—the JustChildren Program and the Immigrant Advocacy Program (formerly, the Virginia Justice Center for Farm & Immigrant Workers)—celebrate their 10th anniversary.

2017

The center launches the Civil Rights & Racial Justice Program to focus on the criminalization of poverty.

SIZING UP THE SUPREME COURT TERM

FACULTY DISCUSS TOP CASES FROM 2016 TERM HOBBLED BY THE LACK OF A NINTH JUSTICE

ALTHOUGH NO SINGLE moment captured the public's attention like the court's dramatic halting of the Florida recount 16 years earlier—and despite many of the justices' best efforts—the Supreme Court's 2016 term was inextricably caught up in presidential politics. The seat formerly held by Justice Antonin Scalia went unfilled until April, meaning that the vast majority of the year's cases were decided by an eight-member court. During that time, the justices seemed to be struggling to avoid controversy, with the number of cases continuing to fall and the number of unanimous decisions continuing to rise.

Justice Neil Gorsuch's nomination led to the demise of the filibuster as a means of opposing Supreme Court nominations, and his first months on the court emphasized the stakes for all involved. In his first 17 cases, Justice Gorsuch had a 100 percent agreement rate with the court's most conservative member, Justice Clarence Thomas. He also



established himself as an aggressive questioner at oral argument and a sharp and clever writer who, even as the junior justice, seems more than willing to tussle with colleagues and question precedent. So far, he has done nothing to make those who supported him second-guess their choice and much to make his opponents worry.

"The 2016 term had no real blockbusters. Free speech claimants continued to win, usually by lopsided margins. In two important cases involving jury privacy and the death penalty, respectively, the court continued to show some concern about racism in the criminal justice system. There were cases under the Voting Rights Act and the Fair Housing Act and about the ability to sue government officials for constitutional violations. Even so, the 2016 term largely had the feeling of a calm between storms."

—TOBY HEYTENS '00

EXPRESSIONS HAIR DESIGN V. SCHNEIDERMAN THE LIMITS OF FREE SPEECH

"EXPRESSIONS HAIR IS A CASE that asks what the scope of the First Amendment is. It involves a New York law that says businesses cannot charge extra for paying with a credit card. They can offer a cash discount, but not a credit card surcharge. Expressions Hair argued that this is a



First Amendment violation, because it affects how they can describe their prices. The interesting thing is that both the solicitor general and the Supreme Court agreed—because the law might affect speech, it implicated 'the freedom of speech' under the First Amendment.

"But plenty of other business and contract regulations also implicate speech. Imposing liability for express warranties of fitness for a particular purpose also affects what businesses can say about their products. Does that mean that the warranty implicates the First Amendment? The law has traditionally said no. This case destabilizes the line between what is covered by the First Amendment and what is not."

—LESLIE KENDRICK '06

KOKESH V. SECURITIES AND EXCHANGE COMMISSION APPLICATION OF STATUTE OF LIMITATIONS

"THE SUPREME COURT'S unanimous *Kokesh* decision said the SEC may not obtain disgorgement, the surrendering of profits from illegal acts, from a defendant for conduct



older than five years before the date of filing an enforcement case. ...

"The decision will have some but not dramatic effects on the SEC's enforcement program. It will put extra pressure on the enforcement staff to devote attention to relatively more recent suspected violations.

It will also provide a further incentive to move investigations along to a prompt conclusion or to develop a record sufficient to persuade defendants to extend the limitations period with a tolling agreement. Speedier investigations would be a welcome development because a common complaint about SEC enforcement inquiries is that they take far too long."

—ANDREW VOLLMER '78

MURR V. WISCONSIN REGULATORY TAKING

"THE SUPREME COURT'S 5-3 decision in *Murr v. Wisconsin* provides courts with a new legal test to use in



determining what 'property' is for the purposes of assessing whether property has been taken by the government without just compensation, in violation of the Fifth Amendment.

"If past takings decisions are any guide, one thing is sure: This new multi-factor test will lead to lots more litigation, and this is probably not the last time the court will have to weigh in. The multi-factor balancing test that courts use to assess whether property has been 'taken' has already led to—in the court's own words—"vexing" subsidiary questions about the proper meaning, scope and application of each factor."

—MAUREEN BRADY

"THE COURT HEWED to its longstanding 'ad hoc' approach to questions of when government regulation goes so far as to amount to a taking of property for which compensation is owed. While the court broke some



new doctrinal ground by articulating a nonexclusive multi-part test for determining the 'proper unit of property against which to assess the effect of the challenged government action,' Justice Kennedy's majority opinion for five of the eight participating justices stressed that neither the ultimate

question of whether property has been taken nor the narrower one of the proper 'denominator' presented in *Murr* is reducible to straightforward analysis. Justice Gorsuch, who joined the court after the *Murr* oral argument, did not participate. In dissent, Justice Thomas suggested that the court revisit its regulatory takings precedents, raising the interesting possibility that we may see significant doctrinal change in this area in the not-too-distant future."

—JULIA MAHONEY

SESSIONS V. MORALES-SANTANA CITIZENSHIP

"IN *MORALES-SANTANA*, the Supreme Court struck down a citizenship statute that treated children of unmarried U.S. citizen fathers differently than children of unmarried U.S. citizen mothers. The court has considered similar challenges on numerous occasions over the last 40 years but has never before found a constitutional violation—despite the gender-discriminatory nature of the statutes in question.



This case reflects a significant departure from past precedent. What is really striking about the opinion is that the court did not give the extraordinary deference to Congress that it has usually applied to immigration and citizenship statutes. Instead, the opinion reads like the court's other equal protection cases, applying intermediate scrutiny to strike down a gender-discriminatory statute."

—KERRY ABRAMS

TC HEARTLAND V. KRAFT FOOD BRANDS PATENT LITIGATION FORUM-SHOPPING

THE DECISION "vindicates prior Supreme Court precedent and reinstates the traditional approach to patent venue, which had worked well for nearly a century before the Federal Circuit departed from that approach. The case also shows the continuing trend of the Supreme Court reasserting its authority over patent cases—a trend I identified 15 years ago in my article on 'The Festo Decision and the Return of the Supreme Court to the Bar of Patents.'"



—JOHN DUFFY, who was on the legal team for TC Heartland

TRINITY LUTHERAN CHURCH OF COLUMBIA V. COMER FIRST AMENDMENT, 14TH AMENDMENT

"THE IMPACT of Trinity Lutheran is somewhat ambiguous. For some, the court's striking down of a provision of the Missouri constitution that



prevented churches from receiving state grants for playground resurfacing is not a great departure from existing precedent. The decision simply requires the state to treat religious applicants the same as non-religious ones.

For others, however, this decision is more momentous, as it seems to open the door to significant state funding of churches and church-related operations. The decision understates some core anti-Establishment concerns. Those concerns include the opposition to using taxpayer money to fund religious organizations, the worry that religious organizations will become dependent on the government or complicit with the government for funding, and the fear that competition for government funds will generate religious strife."

—RICHARD SCHRAGGER

WEAVER V. MASSACHUSETTS PREJUDICE, EFFECTIVE COUNSEL

"THIS RULING emphasizes how willing the justices have become to find serious and even structural



constitutional errors at criminal trials not reversible because they are deemed 'harmless.' The justices were unwilling to recognize that serious structural errors, like the lack of a public trial, that harm interests beyond just the correctness of the outcome, require meaningful relief. The court's reasoning highlights just how complex and difficult it has become for any convict to prevail on constitutional claims, even ones that go to the very structure of a fair criminal trial."

—BRANDON GARRETT

THE *DEMISE* OF THE

In ‘End of Its Rope,’ Garrett Follows Thread of Death Penalty’s Decline

BY ERIC WILLIAMSON

BRANDON GARRETT IS THE WHITE BURKETT MILLER PROFESSOR OF LAW AND PUBLIC AFFAIRS AND THE JUSTICE THURGOOD MARSHALL DISTINGUISHED PROFESSOR OF LAW.



DEATH PENALTY?

STATISTICALLY SPEAKING, CAPITAL PUNISHMENT HAS ONE FOOT IN THE GRAVE.

Overcoming a legacy of racial bias and other factors that affect death sentencing may end the practice completely, according to Professor Brandon Garrett, author of a new book on the death penalty.

“End of Its Rope: How Killing the Death Penalty Can Revive Criminal Justice,” published by Harvard University Press, is Garrett’s fourth book. In it, he and his research team were the first to use empirical analysis to understand the trends behind the decline of the death penalty in the United States.

Garrett, also the author of “Convicting the Innocent: Where Criminal Prosecutions Go Wrong,” said understanding the reasons behind the decline can serve as a catalyst for future criminal justice reform.

“Here in Virginia, we have not had a death sentence in seven years, and we used to be second after Texas in death sentences,” Garrett said. “I began to read transcripts of death penalty trials in Virginia and realized that the ground had completely shifted. Attitudes towards tough punishment had changed and jurors were rejecting death sentences even in the murder cases that prosecutors thought were the most serious. I wanted to understand the story of the great death penalty decline because it had the potential to show how we can turn away from mass incarceration and harsh punishment more broadly.”

With the help of researchers Ankur Desai ’17 and Alex Jakubow, an empirical research librarian at the UVA Law Library, Garrett analyzed death-sentence data from 1990 to 2016, county by county.

Among the trends he uncovered, Garrett found that counties with more black residents had more death sentences, and counties with more white murder victims also had more death sentences.

There was also a “muscle memory” effect, he said. “Counties imposed far more death sentences just as a function of having done so in the past.”

The data reflect a legacy of racial bias and idiosyncratic local preferences, he said.

Garrett said the decline was interesting to him because no

one seemed to predict it. In fact, in the 1990s, more than 300 people a year were sentenced to death. States such as California, Florida, Texas and Virginia were among the leaders.

“Back then the story was that so many of those death sentences were flawed; most were reversed for grave errors and few resulted in executions,” he said.

By 2000, new death sentences started to decline. Prosecutors sought death less often, and jurors imposed death sentences less often. That trend continued to build, year after year, in even the most steadfast death penalty jurisdictions.

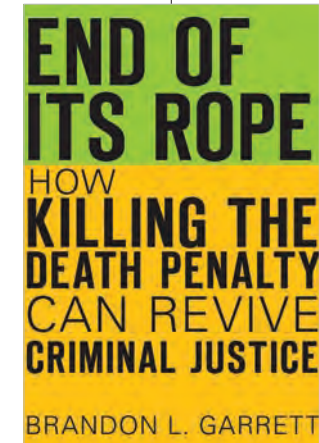
Today, death sentences have all but disappeared from rural America, and are now mainly witnessed in large, urban areas.

“Hundreds of local courts used to sentence people to death,” Garrett said. “Last year, there were just 31 death sentences in a couple dozen counties.”

While acknowledging that Americans’ growing awareness of an imperfect legal system may have played a role, Garrett said a more overarching factor may have been the decline in murders that began in the mid-1990s. Fewer murders meant fewer potential death penalty cases. He also noted a defense lawyering effect: States with offices for defense lawyers had significantly more pronounced declines in death sentences. Cost was a third factor, he said.

Garrett called the death penalty “a failed experiment.”

“States have tried everything to try to save the death penalty from itself, but the bias, both racial and geographic, is too ingrained,” he said. “Lawmakers have tried to speed up executions, but have instead seen more delays and botched executions. They have tried to insist on higher-quality proof, and have still seen exonerations of innocent death row inmates.”





The decision “vindicates prior Supreme Court precedent and reinstates the traditional approach to patent venue, which had worked well for nearly a century before the Federal Circuit departed from that approach.”

—JOHN DUFFY

MAKING LEGAL HISTORY

PROFESSOR JOHN DUFFY ON TEAM THAT WINS ‘FORUM-SHOPPING’ CASE AT SUPREME COURT

A LEGAL TEAM THAT INCLUDED PROFESSOR JOHN DUFFY won a Supreme Court decision in May that will significantly curb so-called “forum-shopping” in patent infringement cases.

In *TC Heartland v. Kraft Food Brands Group*, the court ruled 8-0 on behalf of Heartland that such cases must be tried either in the state where the defendant company is incorporated or in a district where the defendant company has committed acts of infringement and has an established place of business.

Duffy represented TC Heartland in court at the federal appellate level and at the Supreme Court, where the case was argued March 27.

In a March 11, 2016, argument before the U.S. Court of Appeals

for the Federal Circuit, Duffy said the Federal Circuit should follow the approach set forth in a 1957 Supreme Court decision. The court rejected Duffy’s argument and reaffirmed its own precedent, which permits venue wherever a federal court would have personal jurisdiction over a defendant company, not just where the company is headquartered or has a regular place of business.

The Supreme Court reversed that interpretation in a 10-page opinion written by Justice Clarence Thomas.

Duffy said the decision “vindicates prior Supreme Court precedent and reinstates the traditional approach to patent venue, which had worked well for nearly a century before the Federal Circuit departed from that approach.”

—Mary Wood and Eric Williamson

FACULTY



MILA VERSTEEG
AWARDED
CARNEGIE
FELLOWSHIP

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VERSTEEG LANDS CARNEGIE FELLOWSHIP

MILA VERSTEEG, who studies the world's constitutions, has been named a 2017 Andrew Carnegie Fellow.

Versteeg is one of 35 fellows nationally to each receive the \$200,000 award, given by the Carnegie Corporation of New York to fund significant research and writing in the social sciences and humanities. The fellowship is the most gener-



ous stipend of its kind.

"The University is extremely proud of Professor Versteeg's scholarly accomplishments and congratulates her on winning this competitive fellowship," said UVA Executive

Vice President and Provost Thomas C. Katsouleas. "Out of many strong candidates, we were so pleased to have her represent the University."

Versteeg, the Class of 1941 Research Professor of Law, said she was honored to be named a Carnegie Fellow and is grateful to the University and Dean Risa Goluboff for nominating her. She will use the award to expand her research into the world's constitutions to better understand how constitutional rights are enforced in different countries.

"Constitutional rights should protect us from the excesses of unconstrained democracy," Versteeg said, but "we know remarkably little about whether constitutional rights actually make a difference."

Versteeg is among the first scholars to use quantitative empirical methods to compare the world's constitutions. To carry out her new research, she will spend most of the fall traveling to foreign countries to conduct interviews and survey experiments.

—Mary Wood



The fifth edition of **KENNETH S. ABRAHAM'S** "The Forms and Functions of Tort Law" was published by Foundation Press, and "The Transformation of the Civil Trial and the Emergence of Tort Law," co-authored with **G. EDWARD WHITE**, was published in the Arizona Law Review.



KERRY ABRAMS co-authored several amicus briefs in litigation over the new administration's "travel ban." She presented "The Rights of Marriage: *Obergefell*, *Din*, and the Future of Constitutional Family Rights" at the Family Law Scholars and Teachers Conference at Fordham Law in May and at the International Society of Family Law World Conference in Amsterdam in July. Abrams' paper "Domicile Dismantled," co-authored with **KATHRYN BARBER '15**, was published by the Indiana Law Journal in January (Barber recently was selected for a clerkship with Justice Ruth Bader Ginsburg, see p. 18). Another article, "Family Reunification and the Security State," was published in Constitutional Commentary in August. Abrams prepared a new piece on family reunification under the new administration for a symposium on "Managing Citizenship, Security and Rights: Regulating Marriage Migration in Europe and North America" in Montreal in August. She

continues to serve as the University's vice provost for faculty affairs.



BARBARA ARMACOST '89 addressed a group of police chiefs, captains and sergeants at a "Law Enforcement and the Constitution" seminar in May at Montpelier. The two-day event was sponsored by the Robert H. Smith Center for the Constitution.



ADITYA BAMZAI presented papers at the Junior Faculty Federal Courts Workshop at Emory School of Law in April, the Mid-Atlantic Junior Faculty Forum at the University of Richmond School of Law in May, the Hoover Institution's Conference on Regulation and the Rule of Law in June, and the Administrative Law New Scholarship Roundtable at the Moritz College of Law of the Ohio State University in June. He was also invited to present in July on developments in administrative law to the attorneys in the Texas Office of the Attorney General. Finally, the Texas Review of Law and Politics published an invited speech that he gave last fall on "Justice Scalia and the Evolution of *Chevron* Deference."



MICHAL BARZUZA recently published "Board Interlocks and Outside Directors' Protections," co-authored with **QUINN CURTIS**, in the Journal of Legal Studies, and "Unbundling the Dynamics of MV Implementation: Voluntary versus Reluctant Adoption of MV as a Source of an Omitted-Viable Bias" in the University of Chicago Law Review Online. She has another article, "The Private Ordering Paradox in Corporate Law," forthcoming in the Harvard Business Law Review. Barzuza was a discussant at the Harvard/Yale/Stanford Junior Faculty Forum at Stanford Law School in June and recently presented her paper "Nevada: What We Know and What We Don't Know (Yet)?" (co-authored with David Smith) at the University of California, Los Angeles, School of Law conference, "Can Delaware Be Dethroned? Evaluating Delaware's Dominance of Corporate Law."



In July, the National Academies of Sciences, Engineering and Medicine released a major report on Pain Management and the Opioid Epidemic. The 18-member committee that produced the report, appointed in the spring of 2016, was chaired by **RICHARD J. BONNIE '69**. The report conveys a sense of urgency about an alarming and still-uncontrolled epidemic of opioid addiction and overdose deaths and recommends an "all

hands on deck" response. The proposed action plan includes a culture change in pain management among prescribers; a proactive public health approach by the Food and Drug Administration and state regulators regarding opioid approval and prescription monitoring; a commitment to funding basic and translational research to develop non-opioid paradigms for pain management; and better access to treatment for opioid use disorder and to medication for preventing overdose deaths. Bonnie presented the report in briefings to the FDA, the sponsoring agency, and congressional staff. **MARGARET FOSTER RILEY** was a consultant to the study. In August, at a meeting of the Governing Board of the National Research Council in Woods Hole, Mass., Bonnie outlined additional steps that should be taken by the nation's public health leadership in addressing the opioid epidemic.

With **BRANDON GARRETT** and **JOHN MONAHAN**, Bonnie is a leader of the new Virginia Criminal Justice Policy Reform Project, a nonpartisan effort to improve the criminal justice system through the collection and analysis of criminal justice data (see story on page 28).



In September, **MAUREEN BRADY** published an essay titled "*Penn Central Squared*" on the Supreme Court's most recent eminent domain decision, *Murr v. Wisconsin*, in the University of Pennsylvania Law Review Online.

In October, she was invited to speak on the *Murr* decision at the American Bar Associa-

tion's State and Local Government Fall Conference in Savannah, Ga.

Another article on constitutional eminent domain provisions, "The Damagings Clauses," will appear in the Virginia Law Review next year. Brady recently presented it at the Mid-Atlantic Junior Faculty Forum at the University of Richmond School of Law and at the Emory Law School Faculty Colloquium.

This fall, Brady will also present at the Marquette Law Junior Faculty Scholars Workshop in Progress Conference; the annual Constitution Week Conference held at the Center for Constitutional Studies at Utah Valley University, where the topic is "Free Markets, Economic Liberty, and the Constitution"; and at the Property Law Works in Progress Conference at Northeastern Law School.



DARRYL BROWN '90 gave a presentation on "Public Corruption Enforcement in the U.S." at the July meeting of the International Society for Criminal Law Reform. In April, he was invited to present a paper at Rutgers Law School Criminal Law Reform Symposium on "How Criminal Law Dictates Rules of Prosecutorial Authority." That same month he moderated a discussion with judges, prosecutors and defense lawyers on "judicial responsibility for justice in criminal law" at Hofstra Law School. In September he presented a paper on U.S. plea bargaining at the German Society of Comparative Law annual meeting in Basel, Switzerland. He is co-editing and writing a chapter for the "Oxford Handbook of Crimi-

nal Process," due out in early 2018.



JONATHAN CANNON gave a presentation on climate change policy under the new administration at the 40th XL MIT Global Change Forum held in March. Also in March, he presented his research "Can Private Land Management Help Close the Conservation Funding Gap?," co-authored with Matthew Oreska, at the Miller Center. In April, Cannon gave a three-part PBS interview on Politics Matters.

Cannon gave the keynote address on environmental federalism to the Environmental Council of the States in July. He gave a panel presentation on the Office of EPA General Counsel, held at Michigan Law School in September. This fall, he will also publish "Pope Francis, 'Laudato Si,' and U.S. Environmentalism," co-authored with Stephen Cushman, in the William & Mary Environmental Law and Policy Review.



GEORGE COHEN gave his ethics presentation, "Compensating Fact Witnesses," as part of the UVA Law Alumni Weekend. He also published a chapter, "Law and Economics of Agency of Partnership," in "The Oxford Handbook of Law and Economics, Vol. II: Private and Commercial Law," and published a new edition of "The Law and Ethics of Lawyering" a professional responsibility casebook, with Geoffrey C. Hazard Jr., Susan

P. Koniak, Roger C. Cramton and W. Bradley Wendel.



ASHLEY DEEKS spoke on several panels related to law and technology in the spring as part of her role on the State Department's Advisory Committee on International Law. The panels included one at New America on encryption wars, and ones at Harvard Law School on domestic cyber litigation and about the international law implications of countering violent extremism online. In May, she penned a piece for The Washington Post on the attacks by Turkish security services on protesters in Washington, and the role of diplomatic immunity in attempts to prosecute Turkish officials. In July, she spoke about non-international armed conflicts at a transatlantic workshop on international law and armed conflict in Florence, Italy. She has two forthcoming articles: one about international law in U.S. statutes and one about secret international agreements.



In May, **KIM FERZAN** presented "Multiple Personality Disorder and the Criminal Law" at the Law School's Board and Council luncheon. She also presented "The Means Principle and Optimific Wrongs" at a roundtable at Yale Law School; the workshop papers are part of a festschrift in honor of Larry Alexander, Ferzan's longtime co-author. In June, in Vaxholm,

Sweden, Ferzan presented "Deontological Discrimination" at the Stockholm Centre for the Ethics of War and Peace's conference on Adil Haque's book, "Law and Morality at War." In September, criminal law theorists came to UVA Law to discuss Ferzan and Alexander's draft book manuscript, "Reflections on Crime and Culpability." After this project, the two plan to co-edit a book on applied ethics and criminal law. The edited volume is under contract with Palgrave.



BRANDON GARRETT'S new book, "End of its Rope: How Killing the Death Penalty Can Revive Criminal Justice," was published by Harvard University Press in September. He is speaking about the book at several law schools during the fall.

With **RICHARD BONNIE '69** and **JOHN MONAHAN**, Garrett is a leader of the new Virginia Criminal Justice Policy Reform Project, a nonpartisan effort to improve the criminal justice system through the collection and analysis of criminal justice data (see story on page 28).

In May, Garrett commented on work and gave a talk about the process of writing legal books at the annual Culp Colloquium at Duke Law School. Garrett also organized a Neighborhood Criminal Justice Roundtable conference, at which a group of UVA criminal law colleagues participated, moderated panels and commented on works in progress.

In June, as part of the CSAFE Forensic Science Center of Excellence, Garrett presented research to collaborators at Iowa State Uni-

versity, including two new studies with **GREG MITCHELL**. Garrett also presented this research, which examines how laypeople assess forensic evidence, at the National Forensic College at Cardozo School of Law, and spoke about his book “Too Big to Jail” at the AALS Criminal Justice Section.

Also in June, Garrett presented his research on the decline in death sentences at the Law & Society Conference in Mexico City, where he also presented a chapter on international approaches to corporate crime for a book being co-edited by **DARRYL BROWN '90**, and organized and moderated a panel on criminal justice reform. He presented the paper “The Proficiency of Experts” with Mitchell at the University of Chicago Law School, and then in July workshopped it at UVA Law. He also presented on the law and science of eyewitness memory at a Virginia CLE course in July.

In September, advisers for the Laura and John Arnold Foundation’s grant program met with Garrett and his collaborators, and several spoke to students as part of a panel about the challenges of eyewitness memory.

Garrett recently published “A Tactical Fourth Amendment” in the Virginia Law Review, co-authored with **SETH STOUGHTON '11**; “Cumulative Constitutional Rights,” co-authored with **KERRY ABRAMS**, in the Boston University Law Review; and “The Decline of the Virginia (and American) Death Penalty” in the Georgetown Law Journal.



In June, **MICHAEL GILBERT** published a

paper titled “Entrenchment, Incrementalism, and Constitutional Collapse” in the Virginia Law Review. In September, he presented a follow-up paper, “Optimal Entrenchment of Legal Rules,” at the University of San Diego. He participated in the American Law and Economics Association meetings at Yale and the Political Economy and Public Law conference at the University of Southern California. At UVA, he spoke to alumni about the 2016 election and moderated a discussion among judges about judicial elections. Gilbert spent three days at Montpelier discussing constitutional design with recipients of the Mandela Washington Fellowship for Young African Leaders, along with **MILA VERSTEEG**.



RISA L. GOLUBOFF'S book, “Vagrant Nation: Police Power, Constitutional Change, and the Making of the 1960s,” received several honors, including the Lillian Smith Book Award (co-winner), the David J. Langum Sr. Prize in American Legal History and an honorable mention for the James Willard Hurst Prize in Socio-Legal History.

In July, Goluboff provided a roundup of the 2016 Supreme Court Term to the Ninth Circuit Judicial Conference. In September, she spoke to the Northern Virginia Chapter of the Federal Bar Association about the importance of lawyers. She will speak on the U.S. Constitution at “More Than the Score” before the UVA homecoming game in October.



As part of a symposium for the 50th anniversary of *Terry v. Ohio*, **RACHEL HARMON'S** article “Proactive Policing and the Legacy of *Terry*,” written with her student **ANDREW MANNS '17**, is being published in the Ohio State Journal of Criminal Law during the fall. The article considers *Terry* in the context of three kinds of policing: investigative policing, which is represented in court decisions that imagine that police act primarily as criminal investigators; patrol policing, which is the standard model of policing predominant in most police departments for decades; and proactive policing, which—enabled by *Terry*—involves strategies contemporary police departments use to prevent crime rather than merely address it once it has occurred. The article argues that communities must evaluate whether proactive policing is worth its significant costs, and that both litigation and statutory reforms can help promote political review.

Harmon also recently published “Evaluating and Improving Structural Reform in Police Departments” in *Criminology & Public Policy*. This policy essay describes the ongoing challenges of assessing empirically legal tools for preventing law-breaking by the police, including the difficulty of operationalizing both constitutional violations and the legal remedies that seek to address them. The essay suggests some avenues for improving the use of consent decrees in the absence of strong empirical evidence and for enhancing research in this area.

The Search and Seizure Law Report will publish an adaptation of Harmon’s article, “Why Arrest?” (originally published in the Michigan Law Review). Like the original, this briefer adaption argues that many arrests do not serve important state interests well in light of the available alternatives. As a result, police departments should conduct far fewer arrests than they currently do, and states should restrict the statutory authority to arrest accordingly.

Harmon also continues to serve on the National Research Council’s Committee on Proactive Policing, and as an associate reporter for American Law Institute’s Principles of the Law of Policing project.



This spring, **ANDREW HAYASHI** presented his paper “Savings Policy and the Paradox of Thrift” at Columbia Law School and a special symposium at Yale Law School on Law and Macroeconomics.

The article, co-authored with Daniel P. Murphy from the Darden School of Business and forthcoming in the Yale Journal on Regulation, reassesses legal interventions into private savings decisions in light of the great recession and very low interest-rate environments. In May, Hayashi presented “Tax Avoidance and Mergers: Evidence from Banks During the Financial Crisis,” at the annual meeting of the American Law and Economics Association. The article, co-authored with **QUINN CURTIS** and **ALBERT CHOI**, examines the effect of tax avoidance motives on bank acquisitions.



HAYASHI PRESENTS PAPER AT STANFORD/YALE/HARVARD JUNIOR FACULTY FORUM

ANDREW HAYASHI had a paper accepted to the 2017 Stanford/Yale/Harvard Junior Faculty Forum.

Hayashi presented “A Theory of Facts and Circumstances” during the June 6-7 conference at Stanford Law School. The article, which is forthcoming in the Alabama Law Review, argues that insights from game theory can be applied to “facts and circumstances” tests to make them more predictable without sacrificing their flexibility.

His paper was selected through a blind submissions process, and focuses on how courts infer state of mind from available information.

No more than 20 scholars are chosen each year from among those submitting to the event. Hosting rotates among the three schools.

—Eric Williamson



DEBORAH HELLMAN published her article, “A Theory of Bribery,” in the Cardozo Law Review. In June, Hellman presented her paper “Indirect Discrimination and the Duty to Avoid Compounding Injustice” at the conference on “Racial Justice After Obama,” held here at the Law School. Finally, she participated in the annual meetings of the American Society for Political and Legal Philosophy and the Analytic Legal Philosophy Conference.



TOBY HEYTENS '00 helped coach UVA’s undergraduate trial advocacy team to its third national championship in Los Angeles. Heytens also was appointed by the U.S. Court of Appeals for the Fourth Circuit to represent a *pro se* litigant challenging the conditions of his confinement, and spoke about the most recent U.S. Supreme Court term at the summer meeting of the Virginia Bar Association.



A. E. DICK HOWARD '61 submitted an amicus brief to the Supreme Court of Virginia in support of a challenge to partisan gerrymandering. The principal architect of Virginia’s current constitution, Howard argued in his brief that

the court should enforce that constitution’s requirement that legislative districts be compact and contiguous. Law professors from William & Mary, Washington and Lee, and the University of Richmond joined Howard on the brief.

At the request of James Madison’s Montpelier, Howard organized and led a visit to Scotland for friends of Montpelier. At Edinburgh’s Signet Library, the gathering place of Scottish solicitors, Howard lectured on “The Idea of Scotland”—Scotland seen through history, art, literature and politics. He emphasized the influence the Scottish Enlightenment had on Madison when he was the leading voice in shaping the U.S. Constitution and Bill of Rights.

Charlottesville Opera invited Howard to give a guest lecture, “In the Age of ‘Rigoletto’: Evading the Censor, Imagining a Nation.” Howard explored the intimate connection between Giuseppe Verdi’s operas and the aspirations of the Italian people for unification. The themes of nation and nationalism are closely linked to a course Howard is teaching in the fall, Constitutionalism: Nation, Culture, and Constitutions.

The speaker’s circuit took Howard to Richmond, where he gave a lecture, “The Changing Face of the Supreme Court,” to The Woman’s Club. He paid special attention to the dynamics of the Roberts Court. In Washington, Howard was the keynote speaker at the annual meeting of the Baronial Order of Magna Carta. His topic was “Magna Carta’s American Adventure.” At Montpelier, speaking to a 50th anniversary reunion of the Rhodes Scholars’ Class of 1967, Howard reflected on the ways Americans and Britons went about marking Magna Carta’s

800th anniversary.

For the Virginia Magazine of History and Biography, Howard wrote a review of 1972 UVA Law alumnus and former professor **J. HARVE WILKINSON III'S** book, “All Falling Faiths: Reflections on the Promise and Failures of the 1960s.” Looking ahead, Howard consulted with Historic Jamestowne on its plans to mark the 400th anniversary of Virginia’s first legislative assembly in 2019.

Here at the Law School, Howard moderated a panel on state constitutional law at the annual banquet of the Law School’s Federalist Society. Howard took the occasion to reflect on his experiences during the drafting and adoption of Virginia’s constitution and to compare notes with Sixth Circuit Judge Jeffrey Sutton and New Hampshire Supreme Court Justice James Basset. During the Law School’s Alumni Weekend, Howard made remarks at dinners of two reunion classes—the Classes of 1962 and 1972.

The Law School designated Howard to become the Warner-Booker Distinguished Professor of International Law.



In September, **CALE JAFFE '01** presented a paper, “Melting the Polarization on Climate Change Policy,” at the eighth annual Colloquium on Environmental Scholarship at Vermont Law School. The paper identifies Jaffe’s strategy for reversing the recent slide toward intense, partisan division on global warming. With students in the Environmental and Regula-

tory Law Clinic, Jaffe has sought to put this strategy into practice. The clinic presented written and oral comments to a work group established by Virginia Gov. Terry McAuliffe on global warming policy. The clinic’s research was cited by the governor’s work group in its final report, which led to a draft regulation on greenhouse gas pollution. The clinic remains involved in the development of that regulatory effort, which has garnered national attention.

In May, Jaffe joined with University of Wisconsin professor Stephanie Tai to submit comments to the Environmental Protection Agency in opposition to a major regulatory repeal initiative. The comment letter was signed by 85 environmental and administrative law professors around the country.

Jaffe recently authored a column in The Environmental Forum (a publication of the Environmental Law Institute) on the EPA’s approach to regulatory repeal, and is positioning the clinic to play a significant role in the administrative process that will follow.



ALEX JOHNSON'S article, “Is It Time for Irrevocable Wills?” was published in the University of Louisville Law Review last spring. He presented his paper “Taking A Long View—the Cyclical Nature of Race Relations in the United States” in June at the conference on racial justice held at the Law School, which was hosted by

KIM FORDE-MAZRUI, Richard Banks of Stanford Law School and Guy Uriel-Charles of Duke Law School.

Johnson finished updating his treatise “Understanding Modern Real Estate Transactions,” and the expanded fourth edition will be available this fall. The dean also appointed Johnson to the Law Library director search committee.



JASON S. JOHNSTON recently published the article “High Cost, Little Compensation, No Harm to Deter: New Evidence on Class Actions under Federal Consumer Protection Statutes” in the Columbia Business Law Review, “Restoring Objectivity and Balance to Regulatory Science; A Comment on Dudley and Peacock” in the Supreme Court Economic Review, and “Debunking the 100 Percent Renewables Fantasy” in Regulation. In July he presented “CFPB’s Flawed Arbitration Study” at a conference, “The CFPB’s Anti-Arbitration Rule: Analysis and Implications,” sponsored by the U.S. Chamber of Commerce and the Center for Competitiveness. In September, he presented at a Cato Institute conference, “Understanding Incentives in the Regulatory Process.” He will also deliver a talk on “Third Party Litigation Financing: An Economic Analysis” at Pepperdine University Law School in October.



LESLIE KENDRICK '06 was a visiting professor at Harvard Law School during the January term. Last spring, she

gave workshops at Harvard and the University of Chicago law schools, and spoke at a conference titled “Disrupted: Speech and Democracy in the Digital Age” at Columbia University. She concluded her year as chair of the Torts Section of the Association of American Law Schools by moderating a panel on gun regulation and private law. She was a luncheon speaker for the Charlottesville-Albemarle Bar Association, where she gave the talk “Free Speech in the 21st Century.” Her work is forthcoming in the Michigan Law Review, the Virginia Law Review, the Journal of Tort Law, and Philosophy & Public Affairs. She became vice dean of the Law School on July 1.



DOUGLAS LAYCOCK delivered the Harrington Fellows Lecture, on “Liberty and Justice for All,” at the University of Texas Law School in April. He recently published the 2017 Supplement to his casebook, “Modern American Remedies”; “Free Speech and the Pulpit” in The Christian Century; and “Religious Liberty, Health Care, and the Culture Wars” in the book “Law, Religion, and Health in the United States” (Cambridge University Press, 2017). He filed an amicus brief in support of restitution plaintiffs in *Mount v. Pulsepoint Inc.* in the Second Circuit.



KENDRICK '06 WINS ALL-UNIVERSITY TEACHING AWARD

LESLIE KENDRICK '06 has earned UVA's All-University Teaching Award.

Kendrick, who joined the faculty in 2008 after clerking for U.S. Supreme Court Justice David Souter, became vice dean in July. She teaches courses in torts, property and constitutional law. She was nominated by her former students.

"I feel very humbled by this award," Kendrick said. "My students mean a lot to me, and their effort and kind words mean more than I can say."

Having first met Kendrick at an informal dinner for female students at the professor's home, **CASEY T.S. JONAS '17** was eager to take Kendrick's course Constitutional Law II: Freedom of Speech and Press.

"I had heard it was 'the best class at the law school,' and I was not disappointed," Jonas said.

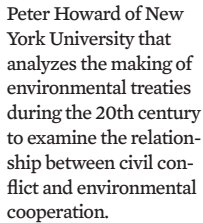
Kendrick won over another fan, first-year law student **RAPHAËLLE DEBENEDETTI '19**, in her Torts class.

"Professor Kendrick's passion for Torts is contagious," Debenedetti said. "While some might find the subject tortuous, I quickly became 'a torts fan'—as she playfully refers to her students."

—Eric Williamson



MICHAEL A. LIVERMORE, with collaborator Daniel Rockmore of Dartmouth, is working on a new edited volume to be published by the Santa Fe Institute Press. The volume is focused on the use of advanced computational techniques to study the law. A workshop of chapter authors hosted by the Santa Fe Institute will be held in December. Two related papers co-authored by Livermore have been accepted for publication and will appear in early 2018. The first, "The Supreme Court and the Judicial Genre," with Rockmore and Allen Riddell of the University of Indiana, will appear in the Arizona Law Review and examines the growing disconnect between the U.S. Supreme Court and the federal appellate courts by using computational analysis of the texts of opinions issued from 1950-2005. The second, "Computationally Assisted Regulatory Participation," with Vladimir Eidelman and Brian Grom, both with FiscalNote, will appear in the Notre Dame Law Review. That article uses natural language processing techniques to analyze several million public comments received by administrative agencies during the Obama administration to examine the relationship between commenter sentiment and the political leanings of agencies. In November at a symposium held by the Ohio State Law Journal, Livermore will present a paper, "Re-thinking State Relevance," that will examine recent trends in environmental federalism. Livermore is also in the final stages of a research project with



Peter Howard of New York University that analyzes the making of environmental treaties during the 20th century to examine the relationship between civil conflict and environmental cooperation.



For the second time, **RUTH MASON** served as a panelist at the annual congress of the International Fiscal Association, which brings together thousands of tax practitioners. At this year's Congress, in Brazil, she spoke about EU state-aid enforcement. Mason also published a series of articles in Tax Notes on the European Commission's investigations of U.S. multinationals, including Apple Inc., for tax avoidance. She presented the final paper in the series in October at Northwestern School of Law and Boston College School of Law.



GREGORY MITCHELL and **BRANDON GARRETT** published "The Proficiency of Experts" in the Pennsylvania Law Review, a paper that they also presented at a workshop at UVA Law this past summer. Mitchell also published "Libertarian Nudges" in the Missouri Law Review as part of a symposium issue dedicated to the doctrine known as libertarian paternalism, and "Jumping to Conclusions: Advocacy and Application of Psychological Research" in the book "The Politics of Social Psychology."



JOHN MONAHAN continues to serve as a member of the Board of Behavioral, Cognitive and Sensory Sciences of the National Research Council. He is also a member of the Technical Advisory Group for the National Evaluation Study of Assisted Outpatient Commitment, sponsored by the Substance Abuse and Mental Health Services Administration. Monahan has recently published articles on various legal and scientific aspects of violence risk assessment; they appeared in the peer-reviewed journals *Psychiatric Services*, *Law and Human Behavior*, and the *American Journal of Public Health*.

With **RICHARD BONNIE '69** and **BRANDON GARRETT**, Monahan is a leader of the new Virginia Criminal Justice Policy Reform Project, a nonpartisan effort to improve the criminal justice system through the collection and analysis of criminal justice data (see story on page 28).



JOHN NORTON MOORE reports that the Center for Oceans Law and Policy, which he directs, held a successful two-day conference in May in Indonesia on "The Marine Environment and U.N. Sustainable Development Goal 14 (Life Below Water)." Papers from this conference, co-edited by Moore, will be available in 2018. The proceed-

ings volume from the previous conference, "International Marine Economy: Law and Policy," has been published by Brill/Nijhoff. Planning is currently underway for the center's 2018 conference, which will be held in Beijing May 23-25, and is titled "Cooperation and Engagement in the South China Sea and Asia Pacific Region."

The oceans center held its 22nd session of the Rhodes Academy for Oceans Law and Policy in Greece in July. The three-week intensive program, taught by world-class faculty, continues to attract students from around the globe and is organized by the center.

The Center for National Security Law, which Moore also directs, held its 25th National Security Law Institute in June. Each year, the intensive two-week program presents dozens of lectures, panels and debates on theoretical background and contemporary issues in national security law. This year's participants were particularly interactive, which made for very productive sessions. This year also featured a very international group, including individuals from China, Australia, South Korea, Canada, the Philippines, India, Israel and Japan.

In May, Moore served as moderator for a symposium of leading experts on the U.N. Convention on the Law of the Sea. The International Law Committee of the United Nations Association of the National Capital Area, in partnership with the American Society of International Law and the American Bar Association's International Law Committee, hosted the symposium.

Moore also delivered in May the keynote address at the Freedom of Navigation and the Law of the Sea work-

ALI UPDATE: MAHONEY, PRAKASH ELECTED; ABRAHAM SHIFTS TO EMERITUS STATUS

JULIA MAHONEY and **SAIKRISHNA PRAKASH** were elected in July as members of the American Law Institute. They became



the 23rd and 24th members of the UVA Law faculty currently affiliated with ALI. In May, long-serving ALI council member **KENNETH S. ABRAHAM** shifted to emeritus status. Abraham has played a major role in the Re-statement of the Law of Liability Insurance, and in the business of the American Law Institute in general, for more than two decades.

"[Emeritus status] won't end my participation in the ALI," Abraham said. "It's just the beginning of a new stage in my career."

The institute is the leading independent organization in the United States producing scholarly work to clarify, modernize and otherwise improve the law. The organization includes judges, lawyers and law professors from the United States and abroad, selected on the basis of professional achievement and demonstrated interest in improving the law.

—Eric Williamson

shop in Providence, R.I. The U.S. Naval War College (Stockton Center for the Study of International Law) and the Center for Oceans Law and Policy sponsored the program. Officials and scholars from the United States, United Kingdom, Canada, France, Japan and India participated.

Moore and **ROBERT TURNER** report that a new collection of top student papers from their War and Peace seminars is nearing editorial completion and will be titled "Lifting the Fog of War: New Thinking About War and War Prevention." Moore authored the preface. The book will be available from Carolina Academic Press in 2018.

Moore's most recent article is "Navigational Freedom: The Most Critical Common Heritage," in *International Law Studies*.



TOM NACHBAR published his latest paper, "Rational Basis 'Plus,'" in the summer issue of *Constitutional Commentary*. The paper examines the process by which *U.S. Department of Agriculture v. Moreno*—the case that has served as the foundation for several of recent equal protection cases—was decided. He also recently returned from his deployment as a U.S. Army judge advocate to Iraq, where he served as legal adviser to Special Operations Joint Task Force—Operation Inherent Resolve.



DOTAN OLIAR has submitted for publication "Empirical Studies of Copyright Registration," in the forthcoming "Research Handbook on the Economics of Intellectual Property Law, Vol. II," edited by Peter S. Menell and David L. Schwartz, summarizing the body of literature on the empirics of copyright registration, to which he has contributed substantially over the past years. His working paper "Right on Time: First Possession in Intellectual Property Law," co-authored with **JAMES STERN '09**, was presented at the American Law and Economics Association Annual Meeting in May.



DAN ORTIZ spoke in May as part of the American Bar Association's Presidential Law Day Program, "The 14th Amendment: Transforming American Democracy," in Washington, D.C. He spent much of the summer briefing *Epic Systems Corp. v. Lewis*, which will be argued Oct. 2 in the Supreme Court, and other Supreme Court cases. *Epic Systems* concerns whether an employer can require employees to completely waive their right to collective action in lawsuits and arbitration as a condition of employment.



SCHAUER DELIVERS HLA HART MEMORIAL LECTURE AT OXFORD

FREDERICK SCHAUER delivered the HLA Hart Memorial Lecture, one of the most esteemed scholarly lectures in the world, at Oxford's University College on May 9.

His talk, "The Perils of Panglossian Constitutionalism," drew on research in cognitive psychology as well as insights from philosophy and legal theory.

Schauer explored—and lamented—the increasing tendency to avoid conflicts between rights and policy, or between rights and other rights, by interpreting the empirical world or defining rights in ways that make the conflicts evaporate.

Previous Hart Lecturers have included U.S. Supreme Court Justices William Brennan and Stephen Breyer; legal theorists Tony Honore, Ronald Dworkin, Richard Epstein, Joseph Raz, Nicola Lacey and John Finnis; and moral/political philosophers John Rawls, Bernard Williams, Thomas Nagel, Joel Feinberg and Christine Korsgaard.

Schauer is a David and Mary Harrison Distinguished Professor of Law.

—Mary Wood



SAIKRISHNA PRAKASH gave the keynote address in April at the University of St. Thomas Law School's "Presidential Executive Power Under the Constitution: Uses, Abuses, and Prospects for the Future." In May he proposed a balanced-budget amendment at the "Big Fix" conference at the Stanford Constitutional Law Center and gave a talk on the commander-in-chief power at the Originalism Boot Camp at Georgetown Law School. In February he was a commentator at the University of San Diego's Originalism Conference, and in March he testified before Congress on the constitutionality of the Consumer Financial Protection Bureau. He addressed Lynchburg's SPHEX Club on presidential power in June. This spring he also penned op-eds appearing in *The Wall Street Journal* on the filibuster and Justice Neil Gorsuch's debut on the Supreme Court. He joined the Volokh Conspiracy blog, published in *The Washington Post*, in July. Also that month, he was elected to the American Law Institute.



In March, **MILDRED ROBINSON** participated in the Dean's Diversity Forum at Widener Commonwealth Law School, in Harrisburg, Pa. She presented on the topic of state economic incentives. The presentation provided an overview of such programs, now in place in all states as well as the District of Co-

lumbia.

Also in March, at the invitation of Indiana University law professor Leandra Lederman, Robinson presented her paper "Irreconcilable Differences?: State Income Tax Law in the Shadow of the Internal Revenue Code" as part of Lederman's tax colloquium. The paper presents an overview of the ways in which states have historically approached the taxation of incomes, current state income tax practices, and a comparison of state and federal legislative processes.



This summer **GEORGE RUTHERFREN** prepared an amicus brief in a human rights case, *Jesner v. Arab Bank, PLC*, in which the Supreme Court will decide the scope of corporate liability for violations of the Alien Tort Statute. Rutherfren also published several articles and gave the presentation "Racial Justice: Progressive or Defensive" at a racial justice conference organized by **KIM FORDE-MAZURI**. Rutherfren has also been representing a client seeking treatment of Hepatitis C by the Virginia Department of Corrections.

Rutherfren additionally published the following articles: "The Origins of Arguments over Affirmative Action: Lessons from the Civil Rights Act of 1866," to appear in a collection, "The Greatest and the Grandest Act: the Civil Rights Act of 1966 from Reconstruction to Today"; "What Happened to the Framers of the Federal Rules? Generational Change and the Transformation of the Rulemaking Process," to appear in the *Journal of the*

Supreme Court Historical Society; and "The Rights of Aliens under the United States Constitution: At the Border and Beyond," to appear in the *Virginia Journal of International Law*.



FREDERICK SCHAUER published "On the Nature of Legal Reasoning," a response to four commentators at a symposium at the University of Genoa, to mark the publication of his book "Thinking Like a Lawyer." Other recently published articles include "Analogy, Expertise, and Experience," written with **BARBARA SPELLMAN**, in the *University of Chicago Law Review*; "Commercial Speech and Perils of Parity," part of a symposium at the Northwestern University Law School, in the *William & Mary Bill of Rights Journal*; "The Annoying Constitution: Implications for the Allocation of Interpretive Authority," in a symposium issue of the *William & Mary Law Review*; and "On the Relationship between International Law and International Constitutionalism" in the *Vienna Journal of International Constitutional Law*.

In May, Schauer delivered the HLA Hart Memorial Lecture, which he titled "The Perils of Panglossian Constitutionalism," at Oxford University, and in April gave the Roy R. Ray Lecture at Southern Methodist University on the topic of "Free Speech, the Search for Truth, and the Problem of Collective Knowledge."

Schauer spoke on "Legal Normativity Deconstructed" at Queen Mary College, University of London, and at

the International Congress on the Philosophy of Law in Lisbon. In August he was the keynote speaker at the Argentinian Association of Legal Philosophy annual conference. He recently gave guest lectures at Columbia and the University of San Diego law schools. He was the principal speaker and honorary Phi Beta Kappa honoree at Dartmouth College in June.



RICHARD SCHRAGGER was the keynote speaker for the Project on Municipal Innovation Advisory Group, which consists of the chiefs of staff to the mayors of the 35 largest cities in the country. The event was sponsored by the Ash Center for Democratic Governance at the Harvard Kennedy School. He also spoke about his new book, "City Power," at the Virginia Festival of the Book and at the Hometown Summit in Charlottesville, a conference addressing the needs of medium-sized and small cities.

Schragger was a panelist at a conference, "Local Government Decision Making and Preemption: Legal Remedies and Actions," held at Fordham Law School. Schragger also participated in a conference on racial justice held at the Law School, and in June was a participant in the annual Law and Religion Roundtable, sponsored by the Notre Dame Law School and held in Chicago. His article "The Political Economy of City Power" was published in April in the *Fordham Urban Law Journal*.

His book chapter "How Much May Religious Accommodations Burden Others?" co-authored with Nelson



SCHWARTZMAN '05 HELPS LEAD AMICUS BY CON LAW PROFS ON TRAVEL BAN CASES

MICAH SCHWARTZMAN '05 helped file amicus briefs in *IRAP v. Trump* and *State of Washington & State of Minnesota v. Trump*, the Fourth and Ninth circuit cases challenging the Trump administration's travel ban. He worked on subsequent briefs filed in the Supreme Court.

"The main argument of our brief is that the travel ban violates the First Amendment and the equal protection clause of the 14th Amendment, because it's based on animus against Muslims," Schwartzman said. The briefs were signed by more than 45 leading constitutional law scholars, including UVA Law professors **DEBORAH HELLMAN** and **RICHARD SCHRAGGER**.

—Mary Wood

Tebbe and **MICAH SCHWARTZMAN '05**, appeared in an edited volume titled "Law, Religion, and Health in the United States," which was published by Cambridge University Press in July.



This past winter, **MICAH SCHWARTZMAN '05** presented a paper on corporate rights, co-authored with **STEVE WALT**, at Princeton's Program in Law & Public Affairs. Schwartzman co-authored (with Richard Schragger and Nelson Tebbe) two papers on the limits of religious accommodations, the first of which recently appeared in a volume on "Law, Religion, and Health Care in the United States." His paper "Religion, Equality, and Anarchy" was published in a volume on "Religion in Liberal Political Philosophy." Schwartzman is currently co-authoring a casebook on "Constitutional Law and Religion."



CRYSTAL SHIN '10, the Law School's inaugural director of the Program in Law and Public Service (see story on p. 37), was named a co-recipient of the Virginia State Bar's Young Lawyer of the Year Award in May. She was recognized for her "devotion to the conference, the legal profession and the community throughout her career, and service as co-chair of the Children and the Law Commission." Shin previously served



SHADEL TEACHES 'GREAT COURSES' SERIES

MOLLY BISHOP SHADEL is one of four law professors leading a new class offered by The Great Courses, called Law School for Everyone.

The Great Courses' programming—which is available in video, audio and downloadable formats—is aimed at lifelong learners seeking affordable educational experiences from top faculty. The law class, which includes 48 lectures available at www.thegreatcourses.com, is designed to educate viewers about the complexities of the legal system and the foundational role that law has played in American history.

Selected from hundreds of professors, Shadel filmed 12 lectures that frame the course as a whole and focus on the importance of litigation in the American legal system.

"I thought an interesting way to approach this would be to use famous trials, so I picked some of my favorites—the trial of George Zimmerman, the O.J. Simpson trial, the trial of William Kennedy Smith," she said. "Going into the trials in-depth for The Great Courses has given me new insights that I'll be incorporating into my classes here this semester."

Shadel, an expert in public speaking and a former attorney in the Justice Department's Office of Intelligence Policy and Review, said the experience was "surprisingly intimidating."

"The Great Courses uses a state-of-the-art television studio with impressive sets and multiple cameras, including one that follows you around and sometimes zooms in on your face. I had to learn how hit my mark, how to turn to face the correct camera at the correct time, and how to keep going without being distracted by a camera zooming around my head," she said. "My UVA students are going to benefit from this because I have been freshly reminded of what it feels like to be nervous about speaking in public."

The other professors teaching Law School for Everyone are Joseph L. Hoffmann of Indiana University's Maurer School of Law, Peter J. Smith of George Washington University School of Law and Edward K. Cheng of Vanderbilt Law School.

—Madison Fisher

at William & Mary Law School as a clinical assistant professor and director of the PELE Special Education Advocacy Clinic.



GIL SIEGAL spoke at the American Bar Association's annual meeting of the Alternative Dispute Resolution Section in April in San Francisco, on the topic "When 'Yes' Means 'No': Rethinking Informed Consent to Dispute Resolution Procedures." In September, he presented at the annual meeting of the American Otolaryngology Head and Neck Surgery Association in Chicago on "Malpractice in Otolaryngology." Siegal's recent publications include "Medical Malpractice Implications of Clinical Practice Guidelines" (with Douglas S. Ruhl) in *Otolaryngology – Head and Neck Surgery*, and "Should Altruism, Solidarity, or Reciprocity be Used as Prosocial Appeals? Contrasting Conceptions of Members of the General Public and Medical Professionals Regarding Promoting Organ Donation" (with N. Guttman, N. Appel and G. Bar-On) in *Journal of Communication*.



UVA hosted a panel to discuss **BARBARA A. SPELLMAN'S** recent book (with Michael J. Saks), "The Psychological Foundations of Evidence Law," in February. Panelist and Vanderbilt University law professor Ed Cheng then interviewed Spellman for his podcast "Excited Utterance."

Recently, Spellman co-authored "Combating Biased Decisionmaking and Promoting Justice and Equal Treatment" in *Behavioral Science & Policy*. She lectured at Kent State University on "Judgment in Forensic Science and in Judicial Decisionmaking."

As part of her ongoing project of connecting law and psychology, Spellman spoke in July on "What Psychology and Law Is and What It Could Be" at the Association for Psychological Science. She also co-authored the chapter "Psychologists in Law Schools" for the third edition of the book "Career Paths in Psychology: Where Your Degree Can Take You."

Spellman has spoken frequently on the topic of reproducibility in science and wrote "Science in Spite of Itself," a book review of "The Seven Deadly Sins of Psychology: A Manifesto for Reforming the Culture of Scientific Practice," which appeared in *Nature* in April. In May, she served as a panelist of "The Future of Psychological Science" at the Association for Psychological Science in Boston and spoke on the replication crisis at Oklahoma State University.



A. BENJAMIN SPENCER has been promoted to the rank of captain in the U.S. Army Reserve, where he serves as a member of the Judge Advocate General's Corps. He has been awarded two Army Achievement Medals for his outstanding contributions to his unit, U.S. Southern Command, U.S. Central Command, and the Professional Communications Program at the

Judge Advocate General's Legal Center and School.



PAUL STEPHAN '77 served as the coordinating reporter for the American Law Institute, which met in May to approve the "Fourth Restatement of the Foreign Relations Law of the United States." The final work will be published by the end of this year. Stephan also delivered a paper titled "International Law as a Wedge Between the Common and Civil Law" to a conference organized by the South Slavic Branch of the International Law Association in Montenegro. In August and September, he taught a course on emerging markets at Sydney Law School and Melbourne Law School. Stephan also led a workshop for the Australian Ministry of Foreign Affairs in Canberra. In addition, Stephan presented his works internationally at University of New South Wales, and for Duke Law School in Pretoria, South Africa. His papers presented in Canj and Pretoria will be published in separate books.



J.H. "RIP" VERKERKE will present his paper "Mapping Employment Dismissal Law: A Leximetric Investigation of EPL Stringency and Regulatory Style" at the Conference on Empirical Legal Studies in October at Cornell Law School.



CHIEF JUSTICE ROBERTS APPOINTS SPENCER TO COMMITTEE ON CIVIL RULES

U.S. Supreme Court Chief Justice John Roberts has appointed **A. BENJAMIN SPENCER** to the Advisory Committee on Civil Rules of the Judicial Conference of the United States. The Judicial Conference is the principal policymaking body of the U.S. Courts, and is charged with developing amendments to the Federal Rules of Civil Procedure. Spencer, an expert in civil procedure and federal jurisdiction, officially received the news in a letter from Roberts in May.

"I am confident that your contributions will be many," Roberts wrote.

Spencer is serving a three-year, renewable term that began Oct. 1, working with Judge John D. Bates of the U.S. District Court for the District of Columbia, the committee's chair.

"For proceduralists, this is the principal group of people who superintend the body of rules around which our field revolves," Spencer said. "It is very humbling for me to be presented with this opportunity."

—Eric Williamson



MILA VERSTEEG was named an Andrew Carnegie fellow for the academic years 2017-19. The fellowship will allow her to conduct research on constitutional rights effectiveness. In the past year, Versteeg gave talks in Bogota, Colombia; Cambridge, England; Tel Aviv and Herzeliya, Israel; and Izmir, Turkey. She also gave workshops at Berkeley, Georgetown, Stanford, Columbia, the University of Louisiana, and the University of California, Los Angeles. This fall she will be conducting fieldwork in Myanmar and Russia. Her 2017 publications so far include articles in the University of Chicago Law Review, the Cornell Law Review, Law & Social Inquiry and an edited volume on Comparative International Law. She also recently published in leading political science journals such as the American Political Science Review and the American Journal of Political Science. Versteeg is the director of the law school's Human Rights Program and organized numerous events in the past academic year on human rights topics.



GEORGE EDWARD WHITE will deliver the William Acker Lecture at Birmingham Southern University in early November. The title of the talk is "Law in the Early Republic." White will present on the place of history in tort law at a plenary session of the annual meeting of the American Association

of Law Schools in San Diego on Jan. 5. He will present a paper at the Law and Humanities Workshop at Stanford Law School on March 12. The topic is "American Jurisprudence and Legal Education: From Process Theory to 'Law And.'"



During the spring, **GEORGE YIN** published three op-eds (in The Washington Post, USA Today and the History News Network), a letter to the editor in The New Yorker, and a short article in Tax Notes on Congress' ability to obtain the tax returns of President Donald Trump. The authority is based on a 1924 law that was designed to give the legislature the same rights as the executive branch to examine and possibly disclose confidential tax return information. The House of Representatives has held a series of votes on this issue but so far has refused to exercise its authority.

Yin also delivered a keynote luncheon address in the spring to a meeting of the Florida Tax Institute in Tampa, Fla. Yin explained how changes in the tax legislative process have affected the type of tax legislation produced by Congress. He plans to convert the speech into a short essay.

During the summer, Yin completed an article, "The Curious Origins of the Major Tax Preferences for Oil and Gas Producers," which will appear in a forthcoming edited volume "Tax and the Environment." The article concerns the origins of two almost-100-year-old oil and gas tax incentives: the percentage depletion allowance and an option to allow produc-

ers to expense rather than capitalize their intangible drilling costs. Yin explains that neither preference arose as a result of explicit congressional policy to favor producers. Rather, they were the product of legislative and administrative misjudgments and confusion. Finally, Yin also finished a working draft, "Codification of the Tax Law and the Emergence of the Staff of the Joint Committee on Taxation." The draft describes the early development of the staff following its creation in 1926 and focuses on the staff's work over a dozen years to codify the tax statutes. Yin shows how this achievement established the staff's reputation and prominence, and also helped to change the nature of the overall legislative process.



A Serving Soldier

LT. GEN. CHARLES PEDE '87 Leads the U.S. Army JAG Corps

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LEADING THE U.S. ARMY JAG CORPS

“THAT’S THE PRIDE OF THE AMERICAN ARMY—**THAT WE’RE A LAW-ABIDING ARMY.** WE’RE IN A LEGALLY INTENSIVE WORLD—AND SUCH A WORLD BENEFITS FROM WELL-TRAINED AND PREPARED LAWYERS AND PARALEGALS.”

UVA LAW ALUMNI AND FACULTY: A HISTORY OF LEADERSHIP IN THE JAG CORPS.

IN ADDITION TO PEDE, **BRIG. GEN. PAUL S. WILSON ’89** wrapped up his service leading the JAG School in Charlottesville in August and will retire in November. He also served as commander of the Army’s Legal Services Agency and chief judge of the U.S. Army Court of Criminal Appeals. **BRIG. GEN. RICHARD GROSS ’93** retired in January 2016 from serving as legal counsel to the chairman of the Joint Chiefs of Staff. **PROFESSOR TOM NACHBAR** is a judge advocate in the U.S. Army Reserve, where, among other assignments, he was a principal editor and contributor for the first three editions of “The Rule of Law Handbook: A Practitioners’ Guide,” and served in Jerusalem and the West Bank, and in Iraq. **PROFESSOR A. BENJAMIN SPENCER** also joined the JAG Corps as a Reserve officer, where he has worked on international and administrative law issues at U.S. Central Command and also at other commands, helping soldiers and their families with their wills and other personal legal matters.



PEDE with **BRIG. GEN. PAUL S. WILSON ’89** at Wilson’s retirement ceremony Aug. 4 at the JAG School.

Fulfilling the Mission

Lt. Gen. Charles Pedes ’87

IN A CEREMONY AT THE PENTAGON ON JULY 26, CHARLES PEDE ’87 WAS SWORN IN as the 40th Judge Advocate General of the Army. The ceremony also marked Pedes’s promotion from brigadier general to lieutenant general.

Gen. Mark A. Milley, the Army’s chief of staff, hailed the JAG Corps as “fundamental to good order and discipline” and to maintaining a military “that is capable of taking on the enemies of our country and defending U.S. national interests.” Pedes, in turn, urged his team, both soldiers and civilians, to “be ready for the next fight ... [to] set standards and enforce them—and for everyone in our corps to aspire to be the absolute best in everything they do.”

A few weeks into his new job, Pedes still looks back with a mixture of pride and disbelief. “It was very special, nothing you ever plan for or aspire for,” he said. “If you’re a serving soldier, you just want to serve and take advantage of the opportunities the Army gives you to do the Army’s mission.”

For him, the ceremony also brought back memories of his father, Brig. Gen. August Pedes, a 30-year Army veteran, and two other ceremonies. In 1984, at then-Lt. Charles Pedes’s ROTC

commissioning ceremony just before his graduation from UVA, his father delivered remarks in which he laid out rules for soldiers that Pedes has kept in mind throughout his career: challenge convention, lead by example, embrace your moral compass, and—perhaps most important—put the men and women under your command first. Pedes reiterated those themes when he followed in his father’s footsteps by delivering the ROTC commissioning ceremony at UVA last year.

The Judge Advocate General’s Corps, formed on July 29, 1775, just 26 days after Gen. George Washington took command of the Continental Army, is composed of lawyers and paralegals. All five branches of

the service have their own JAG Corps, though the Army’s is the largest. They provide every form of legal representation imaginable to uniformed personnel, from separation agreements to writing wills to debt collection and employment matters. They also handle criminal and disciplinary matters such as prosecuting and defending soldiers at courts martial, as well as litigating government and defense appeals (see story on p. 32).

Perhaps even more important, the JAG Corps advises the Army on the law of armed conflict. That means advising commanders and soldiers on how to conduct operations in a lawful manner, by minimizing casualties, focusing on lawful targets, and avoiding damage to civilians and civilian property. “That’s the pride of the American army,” Pedes said, “that we’re a law-abiding army.”

“We’re in a legally intensive world—and such a world benefits from well-trained and prepared lawyers and paralegals.”

The Army has nearly 1,900 lawyers on active duty around the world, as well as 1,600 paralegals and 99 legal administrators. There are also approximately 650 civilian attorneys, and another 2,700 attor-

neys in the Reserve and National Guard.

At Pedes’s promotion, Gen. Milley reminded his audience of a point that Pedes, an Army brat, already knew. Recognizing the sacrifices that spouses and children make for the service members’ careers, Milley reiterated, as Pedes puts it, that “the family owns the [promotion] stars, not you—because they make it possible.”

Pedes grew up on bases around the country. Looking back on his experiences in law school, Pedes warmly recalled several of his professors, including former dean Emerson Spies, Steven Saltzburg (now at George Washington University) and Graham Lilly ’63. Lilly’s civil procedure hornbook, in fact, still sits on Pedes’s desk. Reminded that the JAG students are traditionally a force in the North Grounds Softball League, Pedes, a former law school softball player himself, chuckled. “They’re a little too competitive, I suppose.”

His Army legal career has taken him all over the world, to Germany, Somalia, Turkey, Afghanistan, Iraq and elsewhere—wherever members of the military require legal services. He has also commanded the Army’s Legal Services Agency and served as chief judge of the Army’s Court of Crimi-

nal Appeals at Fort Belvoir, Virginia.

In March 2015, he returned to Charlottesville, assuming command of the Judge Advocate General’s Legal Center and School, next to the Law School. His most recent assignment before his current assignment was as assistant judge advocate general for military law and operations, supervising a staff of more than 70 lawyers inside the Pentagon who support the secretary of the Army.

Pedes is confident that he inherits a JAG Corps in good shape. “Our corps is extraordinarily healthy,” he said. “But the world is a constantly changing, dynamic place, and new threats emerge.”

Although the Army’s focus has been on counterterrorism for the past several years, Pedes wants to ensure that it is also prepared if a “full up” war breaks out.

“Are we ready?” he asked. “The answer is, in short, yes. But I want to make sure that we’re more than ready.”

—Mark F. Bernstein ’89

**TOP
LITIGATOR**
HIRED
TO KEEP
NON-PRO
STATUS QUO

able to negotiate much larger payments in return for their services. The U.S. Judicial Panel on Multidistrict Ligation consolidated the suits and transferred them to Judge Claudia Wilken of the U.S. District Court for the Northern District of California. If Wilken doesn't grant summary judgment, the case is expected to go to trial late in 2018. If the NCAA loses, it could spark a bidding war for top players and end college athletics as athletes and fans have always known it. "They are not professional players," Wilkinson said. "They are student-athletes and they are receiving a scholarship to attend school and participate in these activities like other students participate in extracurricular activities."

Now a principal at Wilkinson Walsh + Eskovitz, she is a 30-year litigation veteran. As an assistant U.S. attorney, she won the Attorney General's Exceptional Service Award, the Justice Department's highest honor, for her prosecution of drug lord Dandeny Muñoz Mosquera in the bombing of a Colombian airliner, and argued successfully for the execution of Timothy McVeigh in the Oklahoma City bombing case. In recent years, she has also served as lead counsel in antitrust suits brought against Major League Baseball and the National Football League.

The National Law Journal said that Wilkinson's hiring sets up a "dream matchup" in the litigation. The NCAA clearly agrees. "Beth's unparalleled track record of success throughout her career in high-profile cases, as well as her past representations in antitrust matters and of the sports and higher education communities, make her especially well-suited to lead the defense of the association as the litigation proceeds," said Donald Remy, the NCAA's chief legal officer.

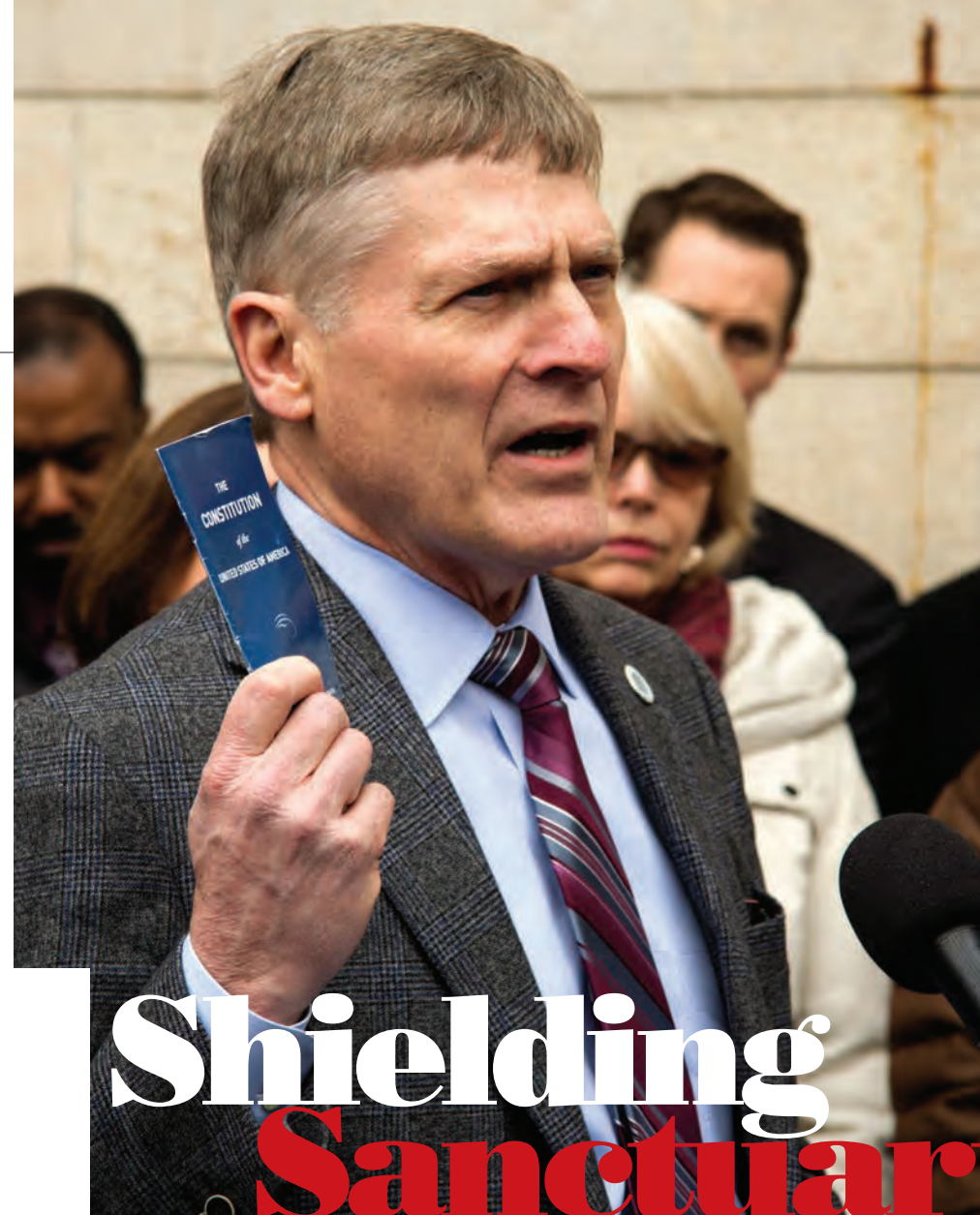
—Mark F. Bernstein '89

In Defense of the NCAA

Beth Wilkinson '87

FANS SETTLING IN TO WATCH COLLEGE FOOTBALL THIS FALL should take heed. Class-action litigation pending against the NCAA could upend the model that has defined college athletics for more than a century. Recognizing how high the stakes are, the NCAA has hired veteran litigator Beth Wilkinson '87 to play defense.

The plaintiffs in *Jenkins v. NCAA* are male and female athletes who seek a declaratory judgment that current NCAA rules, which cap the amount of money colleges can pay athletes to the value of a full scholarship, are a form of price-fixing, and that they should be



Shielding Sanctuary Cities

Peter Holmes '84

THOUGH IT HAS SO FAR RECEIVED LESS ATTENTION than the Trump administration's "travel ban," another executive order seeking to crack down on so-called sanctuary cities is also facing legal challenges, one of them filed by Seattle City Attorney Peter Holmes '84 in the U.S. District Court for the Western District of Washington.

President Donald Trump's executive order, issued Jan. 25, declares that sanctuary cities—those that refuse to comply with requests by federal immigration officials to detain those believed to have entered the country illegally—"have caused immeasurable harm to the American people and to the very fabric of our republic." Attorney General Jeff Sessions has indicated that the Justice Department will require all cities to verify that they are in compliance with federal immigration law and threatened to withhold federal funds from cities that refuse.

In a March 29 press conference, Holmes denounced the administration's "continual saber-rattling" and said the suit "represents Seattle's attempt to mute histrionics in favor of a plain statement of the law. I hope the president will refrain from tweeting his legal opinion before

**LEADS
SEATTLE
CHALLENGE
TO EXECUTIVE
ORDER**

our courts have an opportunity to do so."

Seattle and Portland seek a declaratory judgment that they are in compliance with applicable immigration laws. But they further allege that the executive order is unconstitutionally vague and violates both the 10th Amendment, by attempting to require them to enforce federal immigration law, and the spending clause of Article I, by threatening to withhold federal funds as a means of coercing cities to comply with federal policy.

The spending clause argument relies in part of the Supreme Court's decision striking down portions of the Affordable Care Act in *National Federation of Independent Business v. Sebelius*. Holmes acknowledged the irony in liberals citing Chief Justice John Roberts and the 10th Amendment, traditionally a conservative shield, against a perceived overreach of federal government, but adds, "I think there is a beautiful symmetry here."

In April, a federal judge in San Francisco issued a preliminary injunction against the executive order in a suit filed by the city of San Francisco and Santa Clara County. That case is currently pending before the Ninth U.S. Circuit Court of Appeals.

Holmes said that the executive order has already caused a drop-off in domestic violence prosecutions, as abused women refuse to press charges for fear that they might be deported. The two-term city attorney, who is seeking re-election this fall, was instrumental in persuading the Washington Legislature to change state law six years ago to reduce the maximum sentence for misdemeanors from 365 to 364 days, so that a conviction would not subject the defendant to deportation under federal immigration law.

—Mark F. Bernstein '89



Helping Others Stay Firm

Allegra Nethery '95

TEN YEARS AGO, ALLEGRA NETHERY '95 FACED A PROFESSIONAL CROSSROADS.

A labor and employment law partner at Seyfarth Shaw's Chicago office, she had begun to find her work unfulfilling and decided to leave the firm to explore other career options. She wanted to do something that felt more socially focused and began taking classes in nonprofit management, thinking that she might try to join a charitable foundation. A few months into her break, she had lunch with J. Stephen Poor '80, her former firm's managing partner. Poor noted that Seyfarth had recently formed its own charitable foundation. Shortly after that meeting, he asked if Nethery would consider running it.

Nethery soon returned to the firm as its first full-time pro bono and philanthropy partner. She heads Seyfarth's pro bono, charitable contributions, community service and sustainability initiatives. At the time, Seyfarth was the only firm, to her knowledge, to wrap all of its public service work under one full-time director.

Although many lawyers may want to do pro bono work, the pressure to bill their time can make that difficult. Seyfarth addressed this by giving full billable credit for all pro bono work.

WHEN SHE WANTED TO DO MORE GOOD, HER FORMER FIRM TOOK NOTE

Nethery describes her job as a mixture of encouragement and assistance. "I like to say that our program is bottom-up, not top-down," she said. "It's really about engaging our attorneys in what they're passionate about."

"In many cases, attorneys will come to her with cases they would like to take on or organizations they would like to assist. In other cases, she meets with attorneys who know that they want to give back but don't know what's out there. She also recruits and manages relationships with outside organizations in the community that might need legal help, trying to match them with Seyfarth lawyers who would be a good fit.

The firm's pro bono work encompasses a wide range of cases and causes: immigration and asylum law, domestic violence representation, landlord-tenant disputes, prisoner rights cases and assisting nonprofits. Charitable contributions, through the Seyfarth Shaw Charitable Foundation, are made by each of the firm's offices under her direction. As

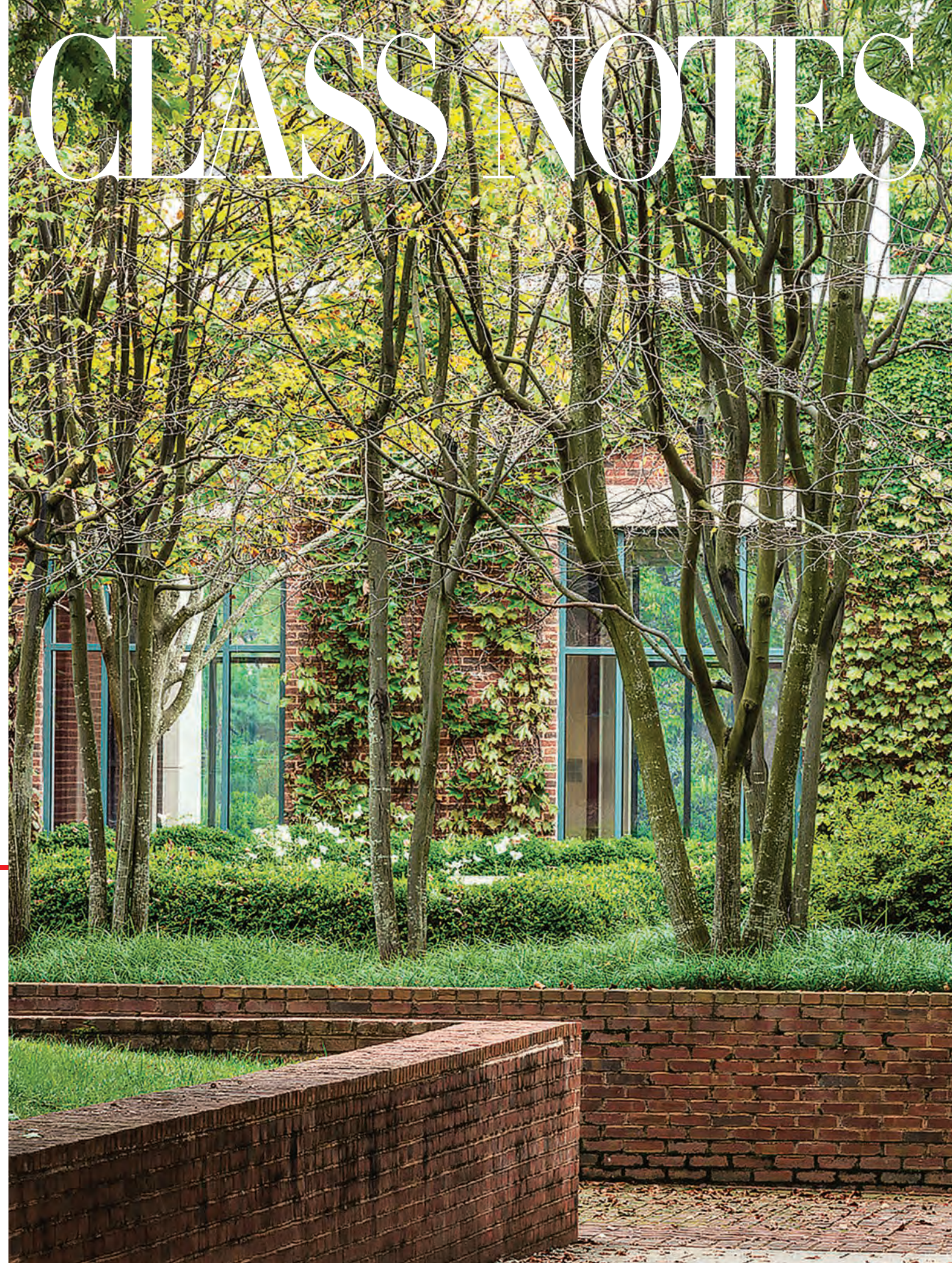
if that weren't enough to do, Nethery also recently served as president of the Chicago Bar Foundation, the charitable arm of the Chicago Bar Association. "It's all about how we give back to our community," she said, "whether in money, influence or voluntary legal work."

Nethery said the legal industry's commitment to pro bono work has grown since she finished law school. The Association of Pro Bono Counsel, of which she is president-elect, has more than 200 members from more than 100 firms. Last year, 71 percent of Seyfarth's attorneys did some form of pro bono work, totaling 19,367 hours.

"I think there has been a real culture shift," she said.

—Mark F. Bernstein '89

CLASS NOTES





IN MEMORIAM: EARLE K. SHAWE '34, 'DEAN OF LABOR LAWYERS,' UVA LAW'S OLDEST ALUM

EARLE K. SHAWE '34, the Law School's oldest alumnus, a founder of Shawe & Rosenthal and a pioneer in the area of labor law, died June 30 at age 104.

Shawe, who began his career as a trial attorney representing labor unions, founded the Baltimore firm in 1942 and became a well-known management-side attorney. He has been referred to as the "dean of labor lawyers."

In one of his landmark cases, Shawe filed and won the first charge under the Taft-Hartley Act of 1947, which restricts the power of labor unions. He represented Baltimore Graphic Arts Association, a group of printing companies, in a labor dispute against the International Typographical Union.

Shawe's son, Stephen D. Shawe, said he will always remember his father for his persistence. Even in collective bargaining negotiations when the chance of making a deal happen seemed impossible, his father would figure out ways to make things work out.

"He would not allow for failure," Shawe said. "He would be there day and night and then do it again the next day. He would never allow the other side to say no. It was a very good lesson at what's possible if you keep at it."

Shawe continues to work at the firm his father founded. He called his father's life the "classic story of the Great Depression."

Earle Shawe grew up in Portsmouth, Virginia. After a high school teacher pressured him to go to college, Shawe attended the University of Virginia at 16 and graduated with a law degree at 22. After a brief stint as a law clerk for a small New York firm, Halpert and Halpert, Shawe became an attorney for the Reconstruction Finance Corp. and then the National Recovery Administration.

Shawe eventually would end up joining the National Labor Relations Board, where he was the youngest attorney for the newly formed organization. There, he represented the employees of Bethlehem Steel and helped them gain legitimate bargaining rights.

Stephen Shawe said his father gained recognition because there were so few people who specialized in labor law. He continued to work into his 80s.

The annual Earl K. Shawe professorship will continue to honor selected UVA Law faculty in his memory.

—Holden Wilen, adapted from
Baltimore Business Journal

1959

HARWOOD MARTIN is "exhausted by retirement!" His activities include conducting Coast Guard Auxiliary patrols on the Chesapeake Bay, volunteering weekly at a local hospital as well as with a social service agency serving the disadvantaged by providing legal and medical services, along with food, clothes and housing.

1962

IRVING FULLER and his wife, Whitney, have moved to Amelia Island, Fla. The couple lives in the Osprey Village Retirement Community.

1963



WILLIAM R. RAKES was included in 2017 Virginia Super Lawyers. Rakes practices business litigation with Gentry Locke in Roanoke, Va.

Lang and **BILL WILSON** received the 12th annual Chancellor's Award for Leadership in Philanthropy in Richmond, Va., this spring. The couple was nominated for the award by the Dabney S. Lancaster Community College Educational Foundation, for which Bill has been a director of the board for nearly 25 years. The Wilsons are known for their generous support of the community college's students.

1964

Although retired since 2015, **GILBERT WRIGHT** has maintained his

Florida license and enjoys being involved on a pro bono basis in various community and association issues, and in participating as a volunteer judge/magistrate in Jacksonville's Teen Court.

1965

TOM PLAYER won the 2017 Phillip Shutze Award for Artisanship/Craftsmanship given by



the Institute of Classical Architecture and Art, for his work in bronze relief. A sample work is the 3 feet by 4 feet relief titled "Trail of Tears," illustrating the removal of the Cherokee Nation from Georgia to Oklahoma in the 1830s. Player turned to sculpting after a 40-year legal career.

1966

After 50 years of practice as a business attorney and counselor, **GORDON CARPENTER** took pen to paper—really fingers to keyboard—to share some of the experience and wisdom gleaned from his practice. Carpenter's goal in publishing "Start Your Business ... But Do It Right" was to provide budding entrepreneurs with clear, meaningful and practical advice to guide their small businesses from the outset. Carpenter continues to be licensed by the Rhode Island and Massachusetts bars.

ROGER MENTZ was assistant secretary of the Treasury for tax policy in the late 1980s and was

the principal spokesman for the Reagan Administration on all tax policy matters at the time. Mentz played a major role in the enactment of the Tax Reform Act of 1986 and recalls the historic time in his book, "Tales of Tax Reform."

1967

Gentry Locke in Roanoke, Va., recently celebrated **J. RUDY AUSTIN'S** 50-year career. Austin focuses his practice in the areas of insurance defense, insurance coverage, workers' compensation, construction and legal ethics. He is a recipient of the 2007 Virginia Association of Defense Attorneys' Award for Excellence in Civil Litigation—its highest honor. Austin is consistently included in Best Lawyers in America for personal injury litigation (defendants). He is also one of a select group recognized by Chambers USA for Virginia litigation (general commercial); is noted as a litigation star in general commercial and insurance litigation by Benchmark Litigation; and is regularly included in Virginia Super Lawyers in civil litigation and defense.

1968

W. ROBERT PEARSON is a nonresident scholar at the Middle East Institute in Washington, D.C. He is also president of American Diplomacy Publishers in Chapel Hill, N.C.



J. RUTLEDGE YOUNG JR. is working as special counsel with the boutique litigation firm Duffy & Young in

Charleston, S.C., after a 40-year career with Young, Clement, & Rivers. Young was listed in the 2017 South Carolina Super Lawyers as a top-rated business litigation lawyer. He has been listed for more than 30 years in the Best Lawyers in America and for more than 10 years in Chambers USA America's Leading Business Lawyers. Rutledge is a diplomat of the American Board of Trial Advocates and a fellow in the American College of Trial Lawyers. He has also been listed in Best Lawyers in America for bet-the-company litigation every year since 1999. He recently wrote, "Hope to see everyone at our 50th reunion."

1969

GEOFFREY "CHARLES" BEST died Feb. 17 at his home in New York City. Best taught English at the American University of Beirut and served as a special assistant at the International Energy Agency in Paris before rising to senior partner in the New York City office of LeBoeuf, Lamb, Greene & MacRae, where he spent his legal career as a litigator.

Five years after retiring from the King County Superior Court bench (Seattle), **MICHAEL FOX** accepted an appointment as special deputy coroner for Franklin County, Wash., to conduct an inquest into the officer-involved shooting death of a Mexican farm worker in Pasco. He then accepted a two-day-a-week position as a judge on the Tulalip Tribal Court near Everett, where he expects to serve for the next two years. But the highlight of his retirement years is the arrival of his first grandchild, Willow Sally Violette, who is applying for early admission to UVA Law, Class of 2042.



SENATOR JOHN WARNER AND HIS WIFE, JEANNE VANDER MYDE, in front of the Rotunda in 2007 as he announced his plans to retire from the Senate in 2009.

UVA LIBRARY HOUSES PAPERS OF SEN. JOHN W. WARNER '53

The papers of former U.S. Sen. **JOHN W. WARNER '53** are now available for public viewing through the University of Virginia Library. They became open to the public in April and are housed at UVA's Albert and Shirley Small Special Collections Library.

When he retired in 2009 from the Senate, Warner had logged 30 years in the upper house of Congress and garnered a well-earned reputation as one of the most effective legislators of the last half-century.

He said he hopes that students and young civic leaders can use his papers as an example of how to build consensus and take on major national priorities.

"I put it all out there," he said. "Some public officials only want to put things out piecemeal or only want to show this or that. I 'dumped' the whole thing, all the records for everyone to see."

The full collection not only spans Warner's three decades as a senator, but also reaches back to his earliest days as an enlisted man in the U.S. Navy in the final years of World War II. Researchers will get a glimpse into his lengthy career as a public servant before he ran for office in 1978, including his years as a Marine officer in the Korean War, an assistant U.S. attorney, undersecretary of the Navy, secretary of the Navy and head of the American Revolution Bicentennial Administration.

"Certainly the Warner papers will be an important window into the end of the 20th century and all the political issues that took up the nation's attention in that time," said Hoke Perkins, the associate University librarian for philanthropy. "We are thrilled to be able to add this important collection to our archives."

Warner was a regular figure on Grounds throughout his career in public service and accepted an invitation from UVA in 2008 to make the University Library the eventual home of his public papers.

—Katie McNally

SUBMIT A CLASS NOTE

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22903

Please send your
submissions by
Feb. 1, 2018
for inclusion in
the next issue.



**CHARLES CASPER '77
HELPS REPRESENT
MICROSOFT IN SUPREME
COURT WIN**

CHARLES B. CASPER '77, a partner in Montgomery McCracken's Philadelphia office, was recently part of the legal team that won *Microsoft v. Baker* before the Supreme Court. Casper is chair of the firm's class action defense practice group.

On June 12, the court ruled unanimously in *Baker* that the federal courts of appeal lack jurisdiction to review an order denying class certification after the named plaintiffs voluntarily dismiss their claims with prejudice.

In 2011, plaintiffs filed suit against Microsoft claiming the Xbox 360 console had a design defect that caused it to scratch game discs and make them unplayable. But Microsoft introduced evidence that only 0.4 percent of Xbox 360 users reported disc scratching of that sort. Two federal district judges in Seattle denied class certification due to individual issues of causation, and the Ninth Circuit denied two petitions under Rule 23(f) for an immediate appeal. After the Ninth Circuit denied their request for an immediate appeal, the plaintiffs moved to dismiss their case with prejudice, but then appealed nonetheless. Only the Ninth and Second circuits permitted plaintiffs to do this. Five other circuits did not. The Supreme Court granted Microsoft's request to take the case and resolve the conflict.

Casper was heavily involved in *Baker*, a decision that now places plaintiffs and defendants on an even playing field when it comes to appealing decisions about class certification. He has been one of Microsoft's lawyers since the case began.

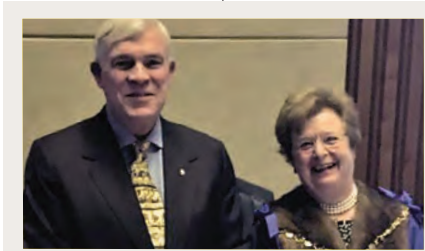
—Eric Williamson

Fox writes that he has been in regular contact during the last year with **BUTCH WILLIAMS, YALE LEWIS, RANDY URMSTON, MARTHA BALLENGER, ANGUS KING, JERRY WILLIAMS '73, PETER WINDREM '68, DAN MCDONALD, MARY VOCE, WILL HAZLETON, GREG CONNIFF and FRANK MACMURRAY.**

PowerSouth dedicated a new 44,000 square-foot building in honor of its longtime general counsel, **J. THEODORE JACKSON JR.** Jackson has served as the cooperative's general counsel since 1978 and his work helped build the foundation for the energy provider in Alabama and Northwest Florida, said the board chairman. Jackson is a shareholder in Rushton, Stakely, Johnston & Garrett in Montgomery, Ala. He practices primarily in the areas of utility law, taxation, general corporate law, municipal and corporate finance, and the law of cooperative organizations.

1971

WILLIAM P. BOSWELL was elected a freeman of the Worshipful Company of Scriveners. He was sworn in to the nearly 700-year-old livery company at Guildhall in London on April 26. He subsequently was elected a freeman of the City of London, which he is given to understand may permit him to herd sheep across Tower Bridge, if the mood strikes.



BILL BOSWELL '71 WITH THE MASTER OF THE COMPANY following the Freeman's Oath ceremony in London at Guildhall on April 26.

RONALD CASTILLE, retired chief justice of the Pennsylvania Supreme Court, was elected to the board of the Pennsylvania Legal Aid Network. The board supervises and accounts for federal and state funding for agencies that provide legal services to indigent citizens.

Two Law alumni teamed up with a Darden graduate to write about growing up together in the 1950s and early '60s in a small town, where they and their "zany friends mess up just about everything they touch—from regular school, to dancing school, church, sports, scouting and, eventually, dating—all under the sometimes not-so-watchful eyes of the well-intentioned adults around them." "Not Exactly Rocket Scientists and Other Stories" is the work of **GILBERT SCHILL and JOHN MACILROY '74**, along with Robert Hamilton (Darden '74). Their stories have caught the attention of both novelist Pat Conroy and actor/screenwriter Tony Dow, who played Wally on "Leave It to Beaver."

1972

GEORGE HOUSE was recognized as a leader in environmental law in the 2017 Chambers USA: America's Leading Lawyers for Business. House practices with Brooks Pierce in Greensboro, N.C.

DOUGLAS P. RUCKER JR. was named to Super Lawyers Virginia for professional liability: defense. Rucker concentrates his practice in contract law and business and professional litigation at Sands Anderson in Richmond.

1974

JAY WALDRON is being inducted into the U.S. Rugby Hall of Fame. His rugby career spans nearly five decades and both coasts of the United States. He began playing in 1968 at UVA, where he continued to play until he graduated from the Law School. Waldron then played for the Portland RFC on the West Coast through 1984. He next joined the Portland Old Boars and the Owls until 1998.

Waldron has been recognized for his accomplishments as a trial and appellate lawyer in environmental and energy law with Schwabe, Williamson & Wyatt in Portland, Ore. In addition to rugby, Waldron has been a triathlete and a university boxing champion. He has taken adventure motorcycle and rafting trips on six continents. Waldron has been married to his wife, Karen, for 48 years; their son, Shane, coaches for the Los Angeles Rams.

1975

LEE MERCIER is on track to retire at the end of this year, but will continue to administer trusts for disabled adults and minor beneficiaries. He attended his 50th reunion at Princeton and was on a mission to look for classmates who also graduated from UVA Law. He sends his best wishes to all.



**CHET HURWITZ '78
STARTS NONPROFIT
TO HELP EMPLOY
AUTISTIC ADULTS**

CHET HURWITZ '78 has started a new venture, one that's close to his heart.

Hurwitz is a founder and board member of Ventures ATL, an Atlanta-based nonprofit corporation that employs people with autism through the businesses it operates—currently, product fulfillment and data entry. It began offering the third-party services in June.

The types of work were selected to match the positive skill sets of many people with autism, including the ability to focus on information in highly literal ways. As demand for the services grows, so will the number of employees. Hurwitz anticipates a staff of 10 workers by next summer.

"Ventures ATL operates businesses for which there is genuine commercial demand, that play to the strengths and skills of this population, while operating within a particularly accommodating work environment," he said.

Hurwitz himself has an adult son with autism and has been mindful of the high unemployment rate among their population.

JOY TAYLOR '98, who has a teenage son with autism, is among the board members of Ventures ATL.

"I initially met Joy after reading an article in UVA Lawyer describing her efforts to establish the Cloverleaf School in Atlanta for children with learning differences," Hurwitz said. "While there was a 20-year gap in our times at UVA Law School, we shared a common interest in promoting learning and employment opportunities for individuals with autism in the Atlanta area."

—Eric Williamson

1976



After working in law and public finance for 42 years, **ANDREW KANE** recently retired as a managing director from D.A. Davidson & Co., a regional brokerage firm, where he specialized in the securitization of both affordable housing municipal debt and public infrastructure. Previously, he had been a partner with Ballard Spahr, practicing in Philadelphia and Denver. "Now empty-nesting in Denver with my wife, Diane, we have begun spending summers in coastal Maine. Our adult twins both work and live in San Francisco. As I embark on the next chapter of periodic consulting and board memberships, I would enjoy hearing from classmates and school friends at andrewkanemail@gmail.com."

1977

Former U.S. Rep. **J. RANDY FORBES** joined the government law and policy practice's federal team in the Washington, D.C., office of Greenberg Traurig. Forbes is a senior director with the firm and represents major corporations and governmental entities before the U.S. Congress and the executive branch.



CYNTHIA D. KINSER, the first female chief justice of the Supreme

Court of Virginia and senior counsel at the law firm Gentry Locke, was honored by having her portrait hung at the court on June 9. Kinser spent 17 years on the court, with more than three years as chief justice. She retired from the bench in 2014, and a year later joined the Roanoke firm as senior counsel, where she focuses on appeals, criminal matters and government investigations.

"An accomplished legal scholar, Justice Cynthia Kinser is a pioneer in her field and one of the most consequential women in Virginia history," said Gentry Locke managing partner Monica Taylor Monday, who spoke at the portrait reception. "She is the only woman to serve as chief justice of the Supreme Court of Virginia, and the only woman to lead one of the three branches of Virginia's government. And she is one of a small group of women who have held high office in Virginia. She is an inspiration to women and attorneys in Virginia and nationwide."

JAMES D. SATROM was ranked in Band 3 for Energy & Natural Resources Law by Chambers USA. Satrom is a board member with Hall Estill in Tulsa, Okla. Prior to joining the law firm he served in the Office of General Counsel-Secretary of the Air Force/Pentagon. His practice focuses on energy, natural resources, and oil and gas law.

1978

BRUCE L. MERTENS was named to Super Lawyers Virginia for estate and probate. Mertens leads the trusts and estate planning team at Sands Anderson in Richmond.

1979



ANNE KLEINDIENST was recognized in 2017 Southwest Super Lawyers in the business and corporate and franchise law categories. Kleindienst practices business and health care law with Polsinelli in Phoenix.

1980

W. DAVID PAXTON was included in 2017 Virginia Super Lawyers. Paxton practices employment and labor law with Gentry Locke in Roanoke.

RICHARD J. POCKER is president-elect of the State Bar of Nevada's Board of Governors. He will be sworn in as Nevada State Bar president in July 2018. Pocker is the administrative partner for the Nevada office of New York-based Boies, Schiller & Flexner.

BARBARA YOUNG was recognized in the 2017 Chambers & Partners guide for her work in corporate law and mergers and acquisitions. Young is with Verrill Dana in their Westport, Conn., office.

1981

EDWARD J. "NED" KELLY III was named chairman of the board of the CSX Corp.

C. STEVEN MASON was named in Chambers USA for his work in real estate law. Mason practices with Smith Anderson in Raleigh, N.C.



While **NICHOLAS REYNOLDS** was the historian at the CIA Museum, he discovered clues that suggested Ernest Hemingway's involvement in World War II era intelligence work was much more complex and fraught with risks than had been previously understood. Reynolds, himself a long-term CIA officer, former Marine colonel and Oxford-trained historian, is a lifelong fan of Hemingway's writing and said he felt sick when he first found the links to the Soviet intelligence agency NKVD. Reynolds went on to write the New York Times best-seller "Writer, Sailor, Soldier, Spy: Ernest Hemingway's Secret Adventures, 1935-1961." In March, "CBS This Morning" ran a segment on the book and an interview with Reynolds.

1982

WENDELL FLEMING is approaching her 10th year as executive director of the LARRK Foundation in Denver. The foundation funds organizations that serve at-risk kids. "The work is incredibly rewarding and the people I meet are passionate about their work and impact," she writes. "I was sad to miss our reunion this year and the chance to hang with the raging I-atollahs. Rage on!"

GREG JONES writes that he and his wife, Shirley, survived trips to the jungles of Peru and Borneo. He continues to litigate civil cases throughout Arkansas. His son, **ALEXANDER '14**, is currently clerking in Little Rock for U.S.

District Judge Kristine Baker.

JENNIFER JORDAN MCCALL is the chairperson of the estates, trusts and tax planning group at the Pillsbury law firm. She is based in Silicon Valley, but also practices in New York and Florida. (She is admitted to the bar in California, Florida and New York.) Her daughters, Hillary and Caroline Clark, both live and work in San Francisco. Both went to Princeton and Caroline is now going to Stanford Business School.

JAMES PFANDER'S book, "Constitutional Torts and the War on Terror" (Oxford Press, 2017), was cited in *Ziglar v. Abbasi*, 137 S. Ct. 615, Supreme Court 2017, with Justice Stephen Breyer dissenting.

MARY FOIL RUSSELL opened her own law firm in 2016 in Bristol, Va. The firm specializes in bankruptcy and civil litigation.

1983

MARK DAVIDSON was recognized as a leader in corporate law/mergers and acquisitions in the 2017 Chambers USA: America's Leading Lawyers for Business. House practices with Brooks Pierce in Greensboro, N.C.

PAULA MONOPOLI was named Sol & Carlyn Hubert Professor of Law at the University of Maryland Carey School of Law, where she teaches Property, Trusts and Estates, and a seminar on gender in the legal profession.

MARIN SCORDATO, is associate dean and professor of law at Catholic University's Columbus School of

Law, where he teaches Torts and Agency. Monopoli and Scordato live in Bethesda and their triplets—Victoria, Richard and Christopher—have all graduated from college (Johns Hopkins University, University of Maryland and Wake Forest University). Victoria is deputy press secretary for Sen. Jon Tester, D-Mont.; Richard teaches and coaches debate for Wilshire Academy in Los Angeles; and Chris is a legal assistant at the U.S. Pan Asian American Education Foundation. Their youngest son, Patrick, is a senior at Boston College, where he is a member of the men's varsity swim team.



KERRY E. NOTESTINE, a shareholder and co-chair of Littler's business restructuring practice group in Houston, was elected as a fellow of the College of Labor and Employment Lawyers. Those selected to the college must uphold the highest professional qualifications and ethical standards, as well as exhibit strong scholarship, teaching, lecturing and/or writing, along with leadership of no less than 20 years. Notestine focuses on litigation and trials, business restructuring, discrimination and harassment, ERISA and benefit plan litigation, and class actions. He's written a leading book on trials of employment law cases, "Employment Law Trials: A Practical Guide," and has authored several other books and chapters. He is a fellow of the Texas Bar Foundation and was named nine times in Best Lawyers in America.

GEORGE R. PITTS was named to Super Lawyers Virginia for bankruptcy: business. Pitts practices with the business group and bankruptcy and creditors' rights team at Sands Anderson in McLean.



TERENCE P. ROSS was named as national co-chair of Katten's intellectual property litigation practice. Ross co-leads a team of more than 40 attorneys in protecting the intellectual property of the firm's clients in federal and state courts throughout the United States, as well as before the International Trade Commission, the Trade-mark Trial and Appeals Board, and the Patent Trial and Appeals Board. Ross concentrates his practice on the litigation of disputes relating to intellectual property, media and First Amendment rights, e-commerce and technology. He practices in Washington, D.C.

BOB SIMMONS, executive director of Council on Children's Rights, was appointed by North Carolina Gov. Roy Cooper to a four-year term on the North Carolina Social Services Commission. The commission oversees the work of the state's Division of Social Services. Before joining the council as executive director in April of 2015, Simmons served as a partner in McGuireWoods' Charlotte office and as a long-time leader in local non-profit and philanthropic circles. In addition to his work at the council, Simmons chairs the Mecklenburg County Child Fatality Protection and Prevention Team and is a member of the

leadership group of Race Matters for Juvenile Justice.

1984

PETE HOLMES writes that he and **ANN** love Seattle and "would love to welcome any visiting classmates." Pete spoke in March at the Law School on America's urban/rural divide. He recently launched his campaign for reelection to his third term as Seattle city attorney (holmesforseattle.com). "Stay tuned re: my recent sanctuary cities lawsuit versus the Trump Administration," he adds (see story on p. 93).



JOHN B. LYNCH JR. was appointed to the board of directors of the Lawyers Collaborative for Diversity, an organization formed by lawyers to answer the call for diversity. Lynch is a member of Robinson+Cole's business transactions and finance practice groups, and he chairs the firm's diversity committee in Hartford, Conn. The mission of the collaborative is "to unite the resources, energy and commitment of the state's leading law firms, corporations, public-sector entities, law schools, state and county bar associations, and affinity bar organizations in the joint mission of making it a more attractive place for attorneys of color, minorities and women to practice law and find satisfying professional opportunities."

ARA L. TRAMBLIAN was honored by the Local Government Attorneys of Virginia with the 2017

A. Robert Cherin Award for Outstanding Deputy or Assistant Local Government Attorney at LGA's recently concluded spring conference. Tramblian was selected for his "distinguished public service that reflects a personal commitment to the highest ethical and professional principles and enhances the image of local government attorneys in the Commonwealth." In nominating Tramblian, Arlington County Attorney Stephen MacIsaac described him as a "genteel but hard-nosed" litigator with a "ferocious work ethic." These characteristics, combined with his expertise in tort liability and real estate taxation, have saved the taxpayers of Arlington County millions of dollars.

1985



TERRY BENNETT and **MARTY CONROY** rode their bikes, loaded down with their gear, clothes and tools, from New York City to Montreal this summer. The duo covered 430 miles in six days—with an impressive 71-mile daily average. Upon arrival, Bennett and Conroy spent a couple of days in Montreal, arranging to have their bikes shipped home and enjoying the city's great restaurants. They returned home by train, allowing them to see many of the places they traveled through on their ride. Bennett writes, "the hardest part of the trip (in addition to the Adirondacks) was the fact that our second day (a 93-mile day) marked the beginning of a heat wave—when we stopped riding at around 5:30 p.m., we noted that the temperature was 94 degrees."

1986

Beer vs. United States resulted in increased salaries for federal judges, justices, magistrates and judicial hearing officers in substantial amounts. **PETER H. BEER LL.M.** was heralded for his involvement in the landmark case in a recent Carter Mondale Letter, produced by the Carter Center in Atlanta. Beer is soon retiring from the U.S. District Court for the Eastern District of Louisiana. A review of the case was published in the Louisiana Bar Journal.



BILL EIGNER was selected as Best of the Bar Top Attorney 2017 by the San Diego Business Journal. Eigner has been called "the go-to guy for mergers and acquisitions and emerging companies." He practices with Procopio in San Diego, focusing on corporate and securities law, as well as emerging growth and technology, energy and the environment, medical technology, and mergers and acquisitions and strategic joint ventures.

The Greenberg Traurig Global Real Estate group, co-led by **RICHARD GIUSTO**, received the 2017 Chambers USA Award for Excellence in Real Estate at the Chambers and Partners USA Awards for the third time on May 25. The real estate team, now more than 300 strong, also received the award in 2013 and 2010, and has been nominated for the award every year since 2007. Giusto is based in the firm's Miami office.

KENNETH WILLIAMS was federal habeas counsel for Texas death row inmate Raymond Mar-

tinez, in addition to his full-time teaching duties as a professor at South Texas College of Law Houston. On April 23, the U.S. Supreme Court granted certiorari on the issue of whether Martinez is intellectually disabled and therefore ineligible for the death penalty, but Martinez died of natural causes Aug. 10.

1987



DAVID M. EISENBERG died May 27 in London after a brief battle with cancer. Eisenberg earned a master's degree at Princeton after obtaining his bachelor's at the University of London. After law school, he joined White & Case in London, where he became a partner and co-head of the firm's global telecoms practice.

TIMOTHY GOETTEL was named in Chambers USA for his work in corporate law and mergers and acquisitions. Goettel practices with Smith Anderson in Raleigh, N.C.

DAVID E. "DAVE" GROGAN recently had his second novel, "Sapphire Pavilion," published by Camel Press. The international legal thriller features fictional UVA Law graduate Steve Stilwell. The book is set in Vietnam, Texas and Virginia around Memorial Day 2000, and is dedicated to Vietnam veterans and Wounded Warriors. His first book, "The Siegel Dispositions," is being reprinted as part of the Harlequin Worldwide Mystery series. Grogan and his wife, Sharon, live in Savoy, Ill.

TAMAR M. MEEKINS, deputy attorney general for the Public Safety Division at the District of Columbia Office of the Attorney General and a law professor at Howard University School of Law, died Feb. 19 at age 55.

Meekins worked for over a decade at the Public Defender Service for the District of Columbia. Upon leaving PDS, she served as the deputy director of the Office of Citizen Complaint Review (now the D.C. Office of Police Complaints), and then joined the Howard University School of Law faculty in 2001, where she taught criminal law topics and inspired many of her students to pursue a career in public service. Meekins' skills as an educator were recognized by the Howard University Law School with the prestigious Warren Rosmarin Award for Teaching and Service. She was also the recipient of the first award at Howard Law for excellence in service to the university, the school and the surrounding community. Beyond the classroom, Meekins was a supervising attorney in the school's Criminal Justice Clinic, where she trained and supervised students who represented clients in misdemeanor cases in the D.C. Superior Court. Additionally, as the director of Howard's Clinical Law Center, a fully functioning law office within the school, she played a critical role in advancing the school's mission to train the next generation of social justice advocates.

In 2015, Meekins took a leave of absence from Howard to serve as the deputy attorney general. A critical component of her job was to implement the criminal justice reform plan for the district's first elected attorney general, **KARL RACINE '89**. For her work there, Meekins was given the presti-

gious Attorney General's Award for the Outstanding Head of a Division in December of 2016.

JOHN THORPE RICHARDS JR. and his wife, Jordan, received the Courage in Leadership Award from the Tuberous Sclerosis Alliance on March 1, at the National Press Club in Washington, D.C. Tuberous Sclerosis Complex is a rare disease that causes tumors to form in vital organs, including the brain, eyes, heart, lungs, liver and kidneys. It is the leading genetic cause of both autism and epilepsy. Richards served on the TS Alliance board of directors and is currently on its corporate advisory board. He was one of the founders of the TS Alliance's government relations effort to secure annual federal TSC research funding since 2001. In making the award, the TS Alliance noted that "because of their leadership and dedication, Congress has appropriated \$65 million to the Department of Defense's Congressionally Directed TSC Research Program over the years." Richards is a member of Bogorad & Richards in Alexandria, Va.



JIM STRAWBRIDGE was inducted into the Virginia Tech College of Engineering's Academy of Engineering Excellence. The academy consists of 146 alumni who have achieved exceptional career success. Strawbridge works as an independent consultant and serves as an adviser to a handful of privately held technology companies.

RANDY TINSLEY was recognized as a leader in environmental law in the 2017 Chambers USA: America's Leading Lawyers for Business. Tinsley practices with Brooks Pierce in Greensboro, N.C.

FRED WAGNER has joined the Washington, D.C., office of Venable as a partner in the firm's environmental practice group. Wagner continues to focus on major project and infrastructure development issues.

1988



SARAH BORDERS was inducted into the Hall of Distinction of the Louisiana State University E. J. Ourso College of Business. Borders is a partner in the financial restructuring practice group of King & Spalding, an international law firm that represents a broad array of clients, including half of the Fortune Global 100. She is also chair of the firm's lateral hiring committee. During her career, she has represented General Electric Capital, been included in Georgia Super Lawyers, and served as past president of the Bankruptcy Section of the State Bar of Georgia and a fellow in The American College of Bankruptcy.



JOHN COOPER of Cooper Hurley Injury Lawyers in Norfolk, Va., was reappointed as a

governor-at-large of the Virginia Trial Lawyers Association. The appointment recognizes Cooper's work over the years, initially as a district governor from the Virginia Beach/Norfolk area, and his contribution to the group's efforts on committees dealing with litigation support, public affairs and the association's legislative agenda. He also chaired the fundraising committee for the past two years. Cooper was recently recognized in Virginia Super Lawyers.



WILLIAM "BUDDY" COX of Lightfoot, Franklin & White delivered "Hot Topics in Federal and State Environmental Law" at the first Annual Environmental Professionals' Conference on May 2 in Birmingham, Ala. Cox represents clients in environmental and toxic torts cases across the United States. He handles administrative claims brought by state and federal regulatory agencies under environmental statutes and regulations, disputes among persons responsible for cleanup costs at remediation sites under the Superfund Act, natural resource damages claims and opportunities to redevelop potentially contaminated properties.

ROBERT HUNTLEY LL.M. was named Idaho's 2017 James J. May Trial Lawyer of the Year. Huntley was honored by the Idaho Trial Lawyers Association for his dedication to the practice of law, his active community involvement and his commitment to the preservation of



CQ ROLL CALL/TOM WILLIAMS

D.C. ATTORNEY GENERAL KARL RACINE '89 FILES EMOLUMENTS CLAUSE LAWSUIT

A year ago, only legal scholars were well-versed in the Constitution's emoluments clause.

But concern that President Donald Trump might be improperly benefiting from the foreign officials, federal agencies and state governments who may be patronizing Trump properties to curry favor with the administration led **KARL RACINE '89**, the attorney general of the District of Columbia, and Brian Frosh, the attorney general of Maryland, to file a groundbreaking constitutional challenge.

Racine and Frosh allege that Trump's actions violate Article I, Section 9, which states that "no person holding any office of profit or trust ... shall, without the consent of the Congress, accept of any present, emolument, office, or title, of any kind whatever, from any king, prince, or foreign state." They further allege violation of Article II, Section 1, which provides that while the president may receive a salary, he "shall not receive ... any other Emolument from the United States, or any of them." They seek both declaratory and injunctive relief.

The suit, filed on June 12 in the U.S. District Court for the District of Maryland, is believed to be the first time the emoluments clause has been invoked in a legal challenge by a government entity. Some legal scholars have questioned whether the plaintiffs will be able to establish standing.

"Never in the history of this country have we had a president with these kinds of extensive business entanglements or a president who refused to adequately distance themselves from their holdings," Racine said at a press conference. "President Trump is flagrantly violating the Constitution, which explicitly bars presidents from receiving gifts or inducements from foreign or domestic government entities."

He indicated he would seek the release of Trump's tax returns to prove the extent of his business dealings.

Then-White House press secretary Sean Spicer dismissed the suit, saying, "It's not hard to conclude that partisan politics may be one of the motivations."

Both Racine and Frosh are Democrats.

—Mark F. Bernstein '89

the civil justice system. Huntley was a justice of the Idaho Supreme Court from 1982-89. In recent years, his practice has been primarily devoted to the work of a trial and appellate lawyer in a spectrum of cases, including substantial class actions.

MARIA LEONARD OLSEN is practicing civil litigation in Bethesda, Md. In recent years, she has authored several books, including "Not the Cleaver Family—The New Normal in Modern American Families," and two children's books, "Mommy, Why's Your Skin So Brown?" and "Healing for Hallie." Her next book, "Fifty After 50—Fifty New Things I Did After Turning 50 and What I Learned From Them," will be published in the next year. Olsen lives on the Chesapeake Bay.



JAMES F. WILLIAMS of Perkins Coie has been named managing partner of the firm's Seattle office. Williams also recently won statewide election for Washington State delegate to ABA House of Delegates. State delegates—

one for each of the 50 states, Puerto Rico and the District of Columbia—are elected by the ABA members in their home states and serve for a term of three years.

1989

PAT BROOKS recently retired from work and the law. She writes that she "is having a grand time gardening and reading. A master gardener class and long-postponed overseas trips are in the planning stages." Her son, Steve, and his family (Kim and three dogs) live in Newport, Va.

1990



JUDITHE (LINSE) LITTLE'S historical novel, "Wickwythe Hall," was released Sept. 30 by Black Opal Books. One of the novel's main characters was inspired by a Virginian who grew up in Greenwood, outside of Charlottesville. The novel takes place in a country house in England in 1940 just after the Germans invade France.



PANEL PROS In July, **MICHAEL WU '92**, senior vice president, general counsel and secretary of Carter's; **LOUISE SAMS '85**, executive vice president and general counsel, Turner Broadcasting Systems; and **CRAIG SILLIMAN '94**, executive vice president, public policy and general counsel, Verizon Communications; served on the Minority Corporate Counsel Association's 20th Anniversary Roadshow general counsel panel at the offices of Alston & Bird in Atlanta.

CATHARINA MIN joined Covington & Burling's Silicon Valley office as partner in the corporate group. She writes that she "is very excited with her great new platform and wonderful colleagues."

1991

TERRENCE R. GRAVES was named to Super Lawyers Virginia for transportation/maritime. Graves is chairman of the coverage and casualty litigation group at Sands Anderson in Richmond.

MARK HAMER is a partner at Baker McKenzie in Washington, D.C., and chair of the firm's North America antitrust and competition practice group. He joined Baker from the U.S. Department of Justice's antitrust division, where he received the Attorney General's Distinguished Service Award in 2016. He lives in McLean, Va., with his wife and two daughters.

MICHAEL P. ROUTCH was appointed chairman of the workers' compensation section of the Pennsylvania Bar Association. He is currently a shareholder in the Holidaysburg, Pa., office of McQuaide Blasko.

SHARI ROBBINS ROUTCH was appointed interim director of admissions at Penn State Altoona. She has also served as the school's director of university relations since 1996.

1992

KAY LYNN BRUMBAUGH joined GIAC Systems in Dallas as chief legal officer and secretary. GIAC is the industry leader in payment fraud reduction. Brumbaugh was most re-

cently partner and chair of the antitrust practice group at Andrews Kurth Kenyon, where she practiced for more than 13 years. She has been in private practice for over 23 years and has a history of representing clients in the areas of antitrust litigation and counseling, class actions, and other complex commercial and business litigation matters. She has represented GIAC as outside counsel for the past nine years.



NATASHA PERDEU SILAS was appointed co-dean of the National Criminal Defense College, which was founded in 1985 to provide intensive trial skills training to criminal defense attorneys throughout the United States. NCDC's two-week Trial Practice Institute is the long-standing premier program of its kind in the country and has served as a model for the training of criminal defense attorneys in emerging democracies abroad. Silas takes up this post while remaining at the Federal Defender Program for the Northern District of Georgia, where she has been since 1994, and where she also works with her husband, **KENDAL D. SILAS**.

1993

ERIC BALABAN was named a Wasserstein Fellow at Harvard Law School for the 2017-18 term. He is a senior staff counsel with the ACLU's National Prison Project, representing prisoners in class action lawsuits challenging unconstitutional conditions of confinement. Balaban is also an adjunct professor at

Georgetown University Law Center.

MARK BRAZEAL is the chief legal officer at Broadcom Ltd. in Irvine, Calif. Prior to his current role, he served as the chief legal officer and senior vice president, IP Licensing for SanDisk Corp., until it was acquired by Western Digital Corp. in 2016. Before joining SanDisk, Brazeal spent 15 years at Broadcom Corp. in various positions of increasing responsibility, most recently as the senior vice president and senior deputy general counsel in charge of all commercial, operational, IP licensing and litigation matters for the company. Broadcom is a leading designer, developer and global supplier of a broad range of digital and analog semiconductor connectivity solutions that serve the wired infrastructure, wireless communications, enterprise storage and industrial markets.

TODD PEPPERS' latest book, "A Courageous Fool: Marie Deans and Her Struggle Against the Death Penalty," was published this summer. The book examines the life and career of death penalty activist Marie Deans. For 20 years, Deans fought for the rights of death row inmates in Virginia. She filed lawsuits over prison conditions, found the inmates lawyers for their appeals, and stood "death watch" in the death house with 34 inmates. Thanks to Deans, three inmates received conditional or full pardons based on concerns about their factual innocence, including Earl Washington—a mentally handicapped inmate who came within eight days of being executed for a crime he did not commit. Peppers is the Henry H. & Trudye H. Fowler Professor in Public Affairs at

5 ALUMS TAPPED FOR LEADING ROLES IN GOVERNMENT

FIVE ALUMNI HAVE BEEN TAPPED FOR TOP POSTS IN THE ADMINISTRATION OF PRESIDENT DONALD J. TRUMP, WITH THREE TO SERVE IN GENERAL COUNSEL SLOTS.



JOHN MITNICK '88 was nominated to be general counsel of the Department of Homeland Security. Mitnick has served during the past several years as senior vice president, general counsel and secretary for the Heritage Foundation.



J. PAUL COMPTON JR. '89 was chosen to be the general counsel of Department of Housing and Urban Development. He exits partnership at Bradley Arant Boult Cummings.



PETER B. DAVIDSON '90 was selected to be general counsel of the Department of Commerce. Davidson recently served as senior vice president for congressional relations at Verizon Communications, and prior to that, as general counsel to the U.S. trade representative.



EMILY MURPHY '01 has been nominated to run the General Services Administration. Currently senior adviser to acting GSA chief Tim Horne and a former GSA chief acquisitions officer, Murphy is an experienced Capitol Hill staffer.



KIRSTJEN NIELSEN '99, White House Chief of Staff John Kelly's chief of staff at the Department of Homeland Security, was asked to serve under her boss again, as principal deputy chief of staff.

—Eric Williamson

Roanoke College. The book was co-authored with a former student.

1994

ZEBULON D. ANDERSON was named in Chambers USA for his work in labor and employment law. Anderson practices with Smith Anderson in Raleigh, N.C.



ETHAN SHENKMAN, former deputy general counsel at the U.S. Environmental Protection Agency, joined Arnold & Porter Kaye Scholer's environmental practice as a partner in the Washington, D.C., office. Shenkman served as deputy assistant attorney general of the Department of Justice's Environment and Natural Resources Division from 2010 to 2014, and then as deputy general counsel at the EPA until earlier this year. Before joining the administration, Shenkman was a litigation partner in private practice and prior to that a career attorney at the ENRD. He is currently an adjunct professor of environmental law at Georgetown University Law Center.

1995

CHRISTOPHER L. BENNETT was named vice chair of the hospitality and gaming group at Eckert Seamans. Bennett is based in Washington, D.C., and joined the firm in 2015 after a 16-year tenure at Interstate Hotels & Resorts, where he served as chief administrative officer and general counsel. He oversaw the legal affairs of the global

hotel management company, which includes more than 450 hotels across North America, Europe and Asia. While at Interstate, Bennett also oversaw Interstate's human resources department with its 33,000 global associates, served as managing director of the company's international portfolio, and oversaw the company's public relations team.

PETER VINCENT has made several appearances on MSNBC—discussing topics ranging from the firing of the FBI director to immigration and citizenship as an unreliable indicator of terrorist activity. Vincent was also featured on a Science Channel show about El Chapo.

1996



MORGAN BURNS was elected to the Faegre Baker Daniels firm management board in Minneapolis. Burns is a corporate partner focusing on capital markets transactions, mergers and acquisitions, and corporate governance.



DAVID PHILLIPS joined Eversheds Sutherland as a partner in the firm's Atlanta office. His practice focuses on mergers and acquisitions, and private equity transactions. Phillips joins the firm from Axiall Corp., a publicly traded manufacturer of chemicals and building products,

where he served as deputy general counsel and corporate secretary. His practice covers a broad range of corporate governance matters and complex business transactions.

1997



JENNIFER MORGAN DELMONICO, the managing partner of Murtha Cullina, was named a recipient of the Women in Business Award from the Hartford Business Journal. Each year, this award recognizes women throughout Central Connecticut who hold leadership roles and make a difference in their organization and community. DelMonico is the incoming chair of the Greater New Haven Chamber of Commerce. She also serves on the executive committee of the Connecticut Business and Industry Association, the board of the New Haven Symphony Orchestra, and the executive committee of the Federal Practice Section of the Connecticut Bar Association. She is a James W. Cooper Fellow of the Connecticut Bar Foundation. Prior to becoming the managing partner of Murtha Cullina in January 2015, DelMonico was chair of the firm's litigation department.

KEVIN W. HOLT has assumed the role of president of the Roanoke Bar Association. Holt practices with Gentry Locke and focuses his practice on commercial, employment, Employee Retirement Income Security Act, and intellectual property litigation. He represents companies and individuals

in business and contract disputes, including complex financial and real estate matters. Holt represents employers, insurance carriers and plan fiduciaries in defending ERISA claims involving life, health, accident and disability benefits. He also represents clients with cases involving intellectual property rights. Holt's practice is primarily focused in federal court. He was named in the 2016 Best Lawyers in America in commercial litigation.



LORI D. THOMPSON was appointed as general counsel at LeClairRyan, where she is a shareholder and serves as the office leader of the firm's Roanoke, Va., office. LeClairRyan has approximately 350 attorneys with offices in 16 states. For the third consecutive year, Thompson was named Best Lawyers' Bankruptcy Lawyer of the Year for Roanoke for 2017 and one of Super Lawyers' Top 50 Women Attorneys in Virginia. Thompson and her husband Mark reside in Roanoke with their two children, Sidney, 16, and Caleb, 13.

1999



CLARISSA KANG was recognized in the 2017 Super Lawyers list for Northern California. Kang is a director in the Employee Retirement Income Security Act litigation group at Trucker Huss in San Francisco.



JAY NANAVATI joined Kostelanetz & Fink as a partner and co-founder of the firm's new Washington, D.C., office. His practice focuses on complex and sophisticated civil tax controversies, including sensitive audits, administrative appeals, and litigation in the U.S. Tax Court, federal district and appellate courts, and state tax tribunals; related tax advice, including advice on uncertain tax positions, financial reporting, claims for refund, amended returns, voluntary disclosures and internal investigations; and representation of individuals and institutions in white-collar and criminal tax investigations and prosecutions. NanaVati spent more than a decade as a federal and state prosecutor, most recently serving as an assistant chief in the Department of Justice's Tax Division's Criminal Enforcement Section for the Western Region.



ANTHONY M. RUSSELL was included in 2017 Virginia Super Lawyers. Russell practices personal injury and medical malpractice law with Gentry Locke in Roanoke, Va.

ALIX ROSENTHAL is the vice president for compliance for Lyft in the San Francisco Bay Area.



Georgia State Rep. **BOB TRAMMELL** was elected as house minority leader. Trammell has represented Georgia's 132nd House District since 2015.

2000

RYAN FARNEY and Kerri Millikan welcomed a new daughter, Hope Millikan Farney, on Feb. 19.

LIBAN JAMA joined the fraud investigations and dispute services group of Ernst & Young in Washington, D.C. Jama previously served as a senior adviser of legal, policy and strategy at the Public Company Accounting Oversight Board in its division of enforcement and investigations. Before that he spent almost a decade at the U.S. Securities and Exchange Commission, where he served as senior adviser to SEC Chair Mary Jo White, and prior to that, as counsel to Commissioner Luis Aguilar.

JARON SANDY is a partner specializing in corporate and tax law at FILEAS, located in Dijon, France. After four years of corporate practice at Gibson, Dunn & Crutcher in New York, he relocated to France in 2004 and passed the French bar that same year. He now represents several French subsidiaries of foreign groups, liaising with the parent company's legal department to provide advice on the particularities of French corporate law. A member of the Dijon and New York bars, he also assists French clients with their cross-border mergers and acquisitions transactions

and commercial contracts in the U.S. and other countries.

2001

ANDREW S. BOUTROS, national co-chair of Seyfarth Shaw's white-collar, internal investigations and false claims team, was tapped earlier this year to chair the ABA Task Force on College Due Process and Victim Protections. Under Boutros' stewardship, the task force completed its mandate and developed recommendations to ensure a fundamentally fair process for both victims and the accused in college sexual misconduct cases. The task force's work has the potential to have a wide-ranging impact on America's nearly 5,000 colleges and universities and almost 21 million students.



CHRIS CHI was named general counsel of IASIS Healthcare Corp., a national operator of hospitals and health insurance plans based in Franklin, Tenn. Chi was previously a partner at Bass, Berry & Sims in Nashville.

ANTHONY GREENE and his wife, Heidi, wel-

comed their first child, Marshall David, on July 27. Greene is a partner with Troutman Sanders and is based in both Atlanta and New York City.

FRANK SULLIVAN JR. LL.M. received the 2017 American Inns of Court Professionalism Award for the Seventh Circuit. The award honors "a lawyer or judge whose life and practice display sterling character and unquestioned integrity, coupled with ongoing dedication to the highest standards of the legal profession and the rule of law." Sullivan is professor of practice at Indiana University's McKinney School of Law. Prior to joining the faculty, Sullivan was a justice on the Indiana Supreme Court from 1993 to 2012. He is a past chair of the ABA Appellate Judges Conference, a member of the American Law Institute, and a commissioner from Indiana to the Uniform Law Commission. Before taking the bench, Sullivan served as Indiana state budget director and executive assistant for fiscal policy to Indiana Gov. **EVAN BAYH '82**.

SUSANNAH STROUD WRIGHT was named the first general counsel for Credit Karma, a top venture-backed personal finance company. Previously head of compliance at SolarCity and Tesla, Wright also joins Credit Karma's executive committee in San



2017 AMERICAN INNS OF COURT PROFESSIONALISM AWARD FOR THE SEVENTH CIRCUIT: Judge John Daniel Tinder presents the award to **PROFESSOR FRANK SULLIVAN JR. '01**. PHOTO COURTESY SEVENTH CIRCUIT BAR ASSOCIATION

DAVID STUCKEY '01 STARTS EURO PUBLICATION CEE LEGAL MATTERS

First he was a lawyer. Then he met a woman on a train traveling from Zurich to Budapest. The romance led him to become a legal recruiter in Hungary. While the romance eventually faded, his love of Central and Eastern Europe remained.

Today, **DAVID STUCKEY '01** draws upon his knowledge of law firms in 24 Euro-

pean countries to publish CEE Legal Matters, a print and online publication covering the lawyers and legal industry in the region.

Stuckey and his business partner, Radu Cotarcea, launched the startup as a website (www.ceelegalmatters.com) in December 2013. They added the magazine counterpart in February 2014.

The monthly English-language magazine now has about 500 subscribers, a pass-along readership of about 1,000 additional readers each month, and website traffic of more than 35,000 unique visitors a day.

"Many countries in the region, as in the West, have their own print or online publications covering the legal industry, but very little of it is in English, and there really is no other publication—no common source of information about the legal industry in the region in English, the lingua franca of commercial lawyers—like ours," Stuckey said.

In seeking to fill this gap, he and Cotarcea committed themselves to the goal that appeared on the cover of the magazine's first issue: "Our mission is, simply, to be the go-to source



design skills, and together they pretty much do it all.

"People are inevitably surprised to hear that there are really only two of us managing and editing—and to a large extent producing—all the content in the magazine and on the website," Stuckey said. "We're regularly asked who our publisher is, or where we're based in London, and are forced to clarify that we publish this ourselves, do all the work ourselves, and are in fact based here in Budapest."

Stuckey said the job is fun, and puts him exactly where he wants to be in the world.

"The opportunity to witness and report on the rapid development of this fascinating part of the world, through the perspective of the lawyers who make so much of it happen, is a thrill—something I never expected or could have imagined," Stuckey said. "Plus, I have to admit, for someone who loves to travel like me—for a Europhile like me—to live in and travel regularly, comfortably and familiarly among amazing cities such as Prague, Istanbul, Budapest, Vienna and Zagreb, is pretty amazing."

—Eric Williamson

Francisco. As general counsel, Wright oversees all legal matters, including corporate, regulatory, consumer protection, compliance and government affairs.

2002

CRISTINA LUCCHETTI RYAN is director of alternate dispute resolution services with the American Arbitration Association. She is based out of the AAA's Los Angeles office, where she focuses on administering large complex commercial matters in the construction division for the western region.

KATE VON TER STEGGE has been appointed as a judge to the Multnomah County Circuit Court in Portland, Ore., by Gov. Kate Brown. Von Ter Stegge writes that she has “happily spent her career in public service,” first as a law clerk to Judge **DAVID A. FABER LL.M. '98** of the Southern District of West Virginia and then as a deputy district attorney for Multnomah County. Von Ter Stegge has spent the majority of her career litigating civil rights and employment cases at the Oregon Department of Justice, and, most recently, for the Multnomah County Attorney's Office. She considers it a privilege to have represented Multnomah County in *Geiger v. Kitzhaber*, asking the U.S. District Court to strike down Oregon's constitutional provision limiting marriage to one man and one woman. The provision was declared unconstitutional in May of 2014, when Oregonians finally secured marriage equality. Von Ter Stegge lives in Portland with her husband, Damien, and their 6-year-old daughter, who is a major fan of Ruth Bader Ginsburg.

2003

STACEY ROSE HARRIS was elected to the Virginia State Bar Council, representing the Alexandria Circuit in the governing body of the bar. She has also been appointed to the board of directors for the Federal Bar Association's Northern Virginia Chapter. Harris is a partner at the litigation boutique of DiMuroGinsberg, where she practices business and general civil litigation.

ROSCOE JONES is now legislative director to Sen. Dianne Feinstein. Jones' previous positions were as senior counsel to Sen. Cory Booker; senior counsel to Sen. Patrick Leahy, on the Senate Judiciary Committee; special counsel to Tom Perez, former secretary of Labor and current Democratic National Committee chair; and an assistant U.S. attorney in Seattle. He also taught administrative law and civil rights policy at the University of Washington School of Law and Evans School of Public Policy and Governance, respectively.

ERICA PAULSON and her husband, Ryan Consaul, welcomed a daughter, Eliza Consaul, in February.

2004

SARAH BAKER is the executive director of We The Action, a new platform founded to match attorneys willing to provide free legal assistance with other individuals or nonprofit organizations in need. Baker hopes her fellow alumni will register to help at WeTheAction.org.

ANGELA CIOLFI '03
WINS VIRGINIA LEGAL AID AWARD

The Virginia State Bar recently honored **ANGELA CIOLFI '03**, a 13-year veteran of the Charlottesville-based Legal Aid Justice Center, for her headline-making work over the past year. The Access to Legal Services Committee of the state bar gave Ciolfi, a former



UVA Law Powell Fellow, the Virginia Legal Aid Award. Established in 1992, the award honors outstanding legal aid attorneys who exhibit creativity in their advocacy and generate an impact that's felt beyond their own program's service area. Joining the ranks of past honorees such as John Whitfield '81, executive director of Blue Ridge Legal Services, and LAJC's executive director, Mary Bauer '90, Ciolfi received the award shortly after taking over as LAJC's director of litigation and advocacy. The promotion comes after seven years as the legal director of LAJC's JustChildren program. It was in that role that Ciolfi and her colleagues published a statewide report in May 2016 that found that the number of out-of-school suspensions in Virginia had increased from previous years and that highlighted the detrimental effect of taking students out of the classroom setting. The report caught media attention when it declared that Virginia schools were pushing out too many students

with “widespread, discriminatory overuse” of suspensions and expulsions. Two months later, Ciolfi's work again came into the public eye when she filed a class-action lawsuit against the commissioner of the state's Department of Motor Vehicles, targeting the practice of automatically suspending the driver's licenses of people who are unable to pay their fines and court costs. The suit, filed on behalf of four indigent Virginians, contended that the practice puts low-income individuals at a disadvantage by taking away their ability to drive to work, thus “paradoxically” inhibiting them from being able to pay off the court fees that got their license suspended in the first place. The suit was dismissed from federal court in March due to a jurisdictional dispute—a federal judge ruled that the case should be filed in state court—but Ciolfi and a cadre of fellow attorneys are trying to keep the suit alive with an appeal to the Fourth Circuit. If successful, the lawsuit could help more than 900,000 Virginians regain their licenses. Already, the U.S. Department of Justice, 16 law professors, the Virginia chapter of the NAACP, and 17 other civil rights and poverty law organizations have filed amicus briefs in support of the case. According to her co-workers, Ciolfi's standout work is indicative of her broad talents and deep commitment to the LAJC's mission of providing low-income clients with high-caliber legal services. “She's truly an extraordinary talent and leader in terms of the range of skill sets that she has,” Bauer said. “She has brought this giant lawsuit, but she is also incredibly skilled at lobbying and mentoring people.” —Dean Seal, adapted from the *Daily Progress*



JEFF BARNES, a partner in Fisher Phillips' Houston office, has been named in the Texas Super Lawyers Rising Stars every year since 2007. Barnes is board-certified in labor and employment law by the Texas Board of Legal Specialization. He represents employers in all aspects of labor and employment law. He has developed a special expertise in cases involving violations of noncompete agreements, theft of trade secrets and unfair competition, and he is a frequent speaker on these issues. Barnes also has significant experience representing employers in Fair Labor Standards Act collective actions and advising clients regarding wage and hour compliance.



KATY CAOUE was appointed general counsel and secretary of Guckenheimer, a national leader in corporate dining and wellness services. Caouette has been with Guckenheimer for two years, establishing and developing the company's internal legal department. This spring she led the \$225-million sale of the company to ISS Facility Services, a Copenhagen-based global services provider. Caouette lives in Northern California with her husband, **CORY CAOUE** '96, and their three children.



NUALA E. DRONEY was appointed to the board of trustees of the Boys & Girls Clubs of Hartford, Conn. Droney is a member of Robinson+Cole's business litigation group, where her practice focuses on complex business litigation, intellectual property litigation, and the representation of clients in government investigations. With eight locations throughout Greater Hartford, the clubs serve more than 5,000 of the region's most needy children and teens every year, providing an array of youth development programs designed to put them on the path to great futures.

IRINA KHANIN and her family moved to Winchester, Va. Khanin still practices as a guardian ad litem for children and adults.

SEAN SUDER joined Calfee, Halter & Griswold as a partner in its Cincinnati office. Suder practices commercial real estate, land use, zoning and historic preservation law, and leads the firm's zoning consulting affiliate, Calfee Zoning. He was named a 2017 Ohio Rising Star in the category of land use law. Suder recently presented on the topic of zoning for re-population at the American Planning Association National Conference in New York City, and on the integration of zoning and historic preservation at the Legacy Cities Conference in Detroit and the Michigan Historic Preservation Conference in Petoskey.



North Carolina Court of Appeals Judge **JOHN M. TYSON LL.M.** has earned recertification as a board-certified specialist in real property law – business commercial and industrial transactions from the North Carolina State Bar Board of Legal Specialization. Tyson is the only judge in North Carolina to earn and maintain this distinction. A native of Cumberland County, N.C., Tyson also served as chairman of the North Carolina Ethics Commission and was elected by voters statewide to serve a second eight-year term on the court of appeals in 2014.

TYLER CHANCE YARBRO was recently named to the Nashville Business Journal's 2017 Best of the Bar list in the field of litigation and dispute resolution. Yarbrow is a shareholder at Dodson Parker Behm & Capparella in Nashville, Tenn.

2005



S. CHRISTINA KWON made partner at Hunton & Williams in New York City. Kwon focuses her practice on capital markets transactions for energy and utility issuers.

JOBY RYAN co-authored “Standing in the Midst of a Data Breach Class Action” with his fiancée, Allison Holt, and his father, **JOSEPH RYAN JR. '78**. The article was

recently published in the Defense Counsel Journal, and is available online.

2006

ANTHONY ORLANDI is an associate at Branstetter, Stranch & Jennings in Nashville, Tenn. He was named as a member of the 2017 class of the Tennessee Bar Association's Young Leadership Forum.



CHRISTINA PEARSON was promoted to partner at Pillsbury Winthrop Shaw Pittman. A member of the corporate practice, Pearson represents companies in the technology, health care and life sciences, and consumer and retail industries on corporate and securities matters in all stages of the business life cycle, from startup to maturity and liquidity transactions. She also assists emerging growth companies in corporate matters and financing transactions and has closed more than 100 venture capital financings. She is based in Silicon Valley.

DAVID REED and his wife, Sara, welcomed their second daughter, Elizabeth Jane Reed, in February. Big sister Annie could not be more excited to have a baby sister. The Reeds live in Atlanta, where David is a patent litigator with Kilpatrick Townsend & Stockton.

DANIELLE SLOANE was among Law360's rising stars for 2017—a list of 156 attorneys under 40 whose legal accomplishments transcend their age.

Sloane practices with Bass, Berry & Sims in Nashville, Tenn., and was named in the health care category.



Dentons corporate senior managing associate **CRISSY WOLFE** was recognized by Daily Report, a leading legal trade publication in Georgia. Wolfe is among 30 Atlanta lawyers named to the annual On the Rise list, highlighting lawyers under the age of 40 who wield influence in their practice areas in Georgia and beyond. Wolfe focuses her practice on providing corporate and transactional counsel to public and private companies in a variety of industries. She regularly represents middle-market clients on both the buy and sell sides in transactions ranging from \$5 million to \$250 million. Her clients include private equity funds in portfolio company acquisitions. Wolfe also frequently advises tax-exempt organizations, including 501(c)(3) and 501(c)(6) organizations.

2007



J. AUSTIN CURRY, who works for the Dallas-based intellectual property and business litigation law firm Caldwell Cassidy & Curry, was named one of the Top 100 young lawyers in Texas on the 2017 Texas Rising Stars list.

2008



LES S. BOWERS was included in the 2017 Virginia Super Lawyers Rising Stars list. Bowers practices personal injury law with Gentry Locke in Roanoke.

CHRISTOPHER A. JAROS has been named a partner at K&L Gates. He is based in the Charleston, S.C., office and focuses his practice on litigation and environmental law.

NATHANIEL C. WILKS is now a partner in the Pittsburgh office of Eckert Seamans. His practice covers all aspects of intellectual property law, with a focus on the preparation and prosecution of patent applications, primarily in the electronic arts, infringement and validity studies, patentability and right-to-use opinions, and litigation support.

ALEC ZADEK is a member in the litigation group at Mintz, Levin, Cohn, Ferris, Glovesky and Popeo in Boston. Zadek is a trial lawyer, litigating closely held business disputes, post-closing contractual disputes, indemnification disputes and coverage disputes (representing insurers). He also has an active pro bono practice and has been recognized for his work representing survivors of sex trafficking and domestic violence.

2009



FRANK SAVIANO, a corporate sports law associate at Proskauer in New York City, has been named to Leaders in Sport's 2017 Leaders Under 40 list of the top sports executives globally under the age of 40. Honorees were recognized for being "the most inspirational, innovative and talented leaders in sport" and will be honored at the annual Leaders Under 40 Awards Dinner in October.

BRYAN STARRETT, a partner with Brooks Pierce in Greensboro, N.C., was named to Benchmark Litigation's Under 40 Hot List. Starrett's practice includes general business litigation, internal investigations and compliance, and employment law.

2010

CRYSTAL SHIN is the 2017 co-recipient of the R. Edwin Burnette, Jr. Young Lawyer of the Year Award, awarded by the Virginia State Bar's Young Lawyers Conference. The award honors an outstanding young Virginia lawyer who has demonstrated dedicated service to the Young Lawyers Conference, the legal profession and the community. Shin was the director and a clinical assistant professor of law at William & Mary Law School, where she supervised and instructed law students enrolled in the Parents Engaged for Learning Equality Special Education Advocacy Clinic and the Advanced

Special Education Advocacy Clinic. On July 1, Shin joined UVA Law as an associate professor and the director of the Program in Law and Public Service.

CORRIE SIRKIN recently founded the Sirkin Law Firm based in Manassas, Va. The firm specializes in family law and domestic relations matters, including divorce, separation, child custody, visitation, child support, equitable distribution, spousal support, military divorce, premarital agreements and separation.

DAN SULLIVAN was included in the 2017 Virginia Super Lawyers Rising Stars list. He practices litigation with Gentry Locke in Roanoke.

2011



MATTHEW GAMBALE joined Cranfill Sumner & Hartzog in Wilmington, Del. Gambale's practice focuses on civil litigation defense.



CAROLINE KLOCKO joined the Dallas office of Winstead. Her practice focuses on commercial transactions involving procurement and disposition, distribution, technology and intellectual property, licensing, outsourcing of business processes and professional services.

GARY LAWKOWSKI was named counselor to the solicitor at the U.S. Department of the Interior. Lawkowski previously served as counsel to Federal Election Commission Chairman **LEE GOODMAN '90** and Vice Chairman Donald McGahn.

ADAM MILASINCIC recently announced his campaign for the Texas Legislature in 2018. Find the latest news on his efforts on Facebook under "Adam for Texas."

2012



SETH BECKLEY joined Cranfill Sumner & Hartzog's Raleigh, N.C., office as an associate in the firm's litigation practice group. He practices in construction, premises, product liability, professional liability, and trucking and commercial transportation. He has litigated matters in state and federal court, in Financial Industry Regulatory Authority and American Arbitration Association arbitration, and before the North Carolina Court of Appeals. He is also experienced in the pre-suit investigation of racing and commercial trucking accidents.

ALLISON HUEBERT joined Quinn Emanuel's Chicago office. She was previously a litigation associate at Kirkland & Ellis in Chicago. Her practice focuses on complex commercial litigation and arbitration.

2014

ALEXANDRA "ALEX" MEADOR recently talked, in-depth, with the host of Charlottesville's "Sunday Morning Wake-Up Call" about child sex abuse and trafficking. Meador is an assistant commonwealth attorney in Augusta County, Va., and prosecutes a range of felonies and misdemeanors—primarily specializing in the prosecution of child sexual abuse, adult sexual assault and domestic violence cases. Meador has also completed specialized training in a variety of areas, including forensic interviewing, sexual assault nurse examinations, strangulation, adult non-stranger sexual assault, domestic violence, juvenile court practice and procedure, child abuse, economic crimes and DUIs.

2016

CLAIRE COLLINS joined the intellectual property litigation group at Fish & Richardson in Boston.



HILLARY TAYLOR was elected to the board of directors of the Minnesota Lavender Bar Association. The MLBA is the primary association of lawyers, judges and other legal professionals in Minnesota that works to promote justice in and through the legal profession for the LGBT community, and has successfully worked in collaboration with other organizations to expand LGBT equality. Taylor practices with Maslon's litigation group in Minneapolis, focusing on tort and product liability and general commercial litigation. Taylor main-

tains an active pro bono practice, volunteering with the Children's Law Center of Minnesota and Volunteer Lawyers Network. She also serves as an attorney-mentor for law students with the MLBA and was recently elected to the board of directors of the Minnesota Justice Foundation, which creates opportunities for law students to perform public interest and pro bono legal services.

2017



When **CLAYTON "TEX" PASLEY** and **RACHEL ELLEN SIMON** graduated in May, the engaged couple were happily surprised to learn they were co-recipients of the Law School's Pro Bono Award. The two met as 1Ls while doing pro bono work at the Legal Aid Justice Center in Charlottesville. The duo left town headed for Knoxville, Tenn., where both will be clerking for U.S. District Judge Pamela Reeves of the Eastern District of Tennessee. Simon's clerkship starts this September, while Pasley's starts in 2018. The couple were wed Aug. 19 on a farm outside Lexington, Ky.

2013



AS PUBLIC HOUSING BECOMES PRIVATIZED, UVA-TRAINED ADVOCATES STAND UP FOR TENANTS

KIM ROLLA '13 and **HELEN HARDIMAN '13** have a message for any company in Virginia that seeks to take advantage of a new government program to redevelop old public housing for low-income residents: Follow the law, or face a challenge.

Hardiman is vice president of law and policy for the advocacy group Housing Opportunities Made Equal of Virginia. Rolla is housing team coordinator and staff attorney at the Legal Aid Justice Center. The two groups, along with UVA Law students, are working together to challenge violations of federal housing law in the wake of privatization.

"Nearly 50 years since passage of the federal Fair Housing Act, housing discrimination is alive and well," Hardiman said. "While it might not be as overt, it is just as insidious."

The U.S. Department of Housing and Urban Development opened an investigation in March into allegations of discrimination by Hopewell Redevelopment and Housing Authority and its corporate counterpart, Community Housing Partners, which in 2014 razed the Hopewell, Virginia, public housing community formerly known as Langston Park. The entities built new apartments on the site, now called the Summit at Hopewell. Hardiman and Rolla's groups are representing nine current or former residents whose rights were violated during relocation for construction, or who returned to experience discrimination at the Summit.

The redevelopment was the site of a tragedy last year.

"A woman with disabilities died from complications of a heart problem that her housing provider refused to accommodate by transferring her from an upper-level unit to a first floor unit," Hardiman alleged.

Another woman lost custody of her infant child at a hearing in which the child's father pointed to uninhabitable conditions of the unit she was transferred into during redevelopment, Hardiman and Rolla said.

Letting children play outside unsupervised was also problematic under the new lease terms, they said.

"Once the new housing was complete and some families were allowed to return, single mothers had to make an impossible choice: Let their kids play outside and risk notices of lease violation with threats to call Child Protective Services or force their kids to stay cooped up inside new apartments that were smaller than before," Hardiman said. "The fair housing rights of people with disabilities and families with children were effectively ignored both before, during and after conversion of the property."

The Summit project was Virginia's first under the Rental Assistance Demonstration program, an initiative that allows housing authorities to offer tax incentives to private investors who finance the redevelopment of some of the nation's rundown public housing stock.

Rolla said the RAD program, which is attractive to officials because it leverages private equity, could expand beyond its current "pilot program" cap of 185,000 units of public housing.

"Leveraging private equity means permanently privatizing these units of public housing, which has a profound impact on tenants' lives and the long-term affordability of this housing," Rolla said. "If the cap is lifted, the problems at the Summit at Hopewell could be the tip of the wave, unless we act now to ensure the greatest possible protections for tenants."

—Eric Williamson

ALUMNI RETURNED TO CHARLOTTESVILLE
FOR **UVA LAW ALUMNI WEEKEND**, MAY 12-14.



FAST FACTS:

- 1,200+ ALUMNI AND GUESTS** ATTENDED REUNION WEEKEND
- 5,000+ HAM BISCUITS** ENJOYED IN 3 DAYS
- 100+ WALKED THE HALLS** OF MONTICELLO AND MONTEPELIER
- 350+ OMELETS MADE TO ORDER** DURING THE MOTHER'S DAY CELEBRATION AND FAREWELL BRUNCH
- 150+ MAGIC TRICKS** DELIGHTED KIDS AT THE ALUMNI BARBECUE
- 200+ HEARD DEAN RISA GOLUBOFF** DELIVER HER FIRST STATE OF THE LAW SCHOOL ADDRESS

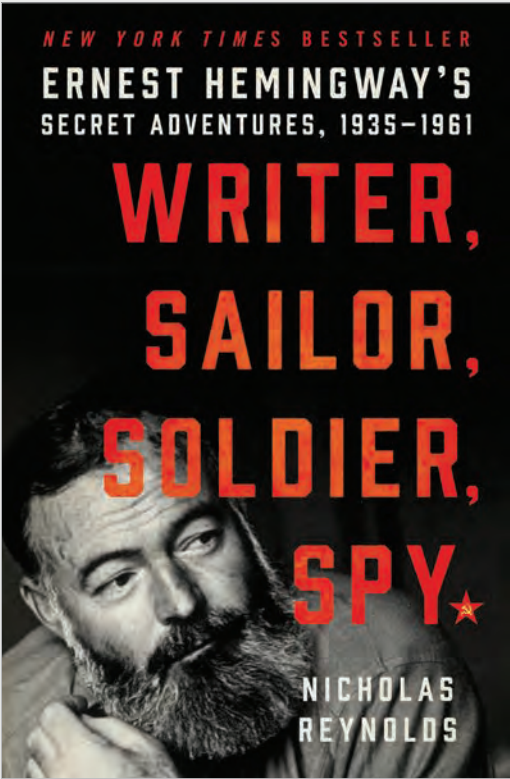
NONFICTION
ALUMNI BOOKS

WRITER, SAILOR, SOLDIER, SPY:
ERNEST HEMINGWAY'S SECRET
ADVENTURES, 1935-1961

NICHOLAS E. REYNOLDS '81
WILLIAM MORROW

While he was the historian at the CIA Museum, Nicholas Reynolds, a longtime CIA officer, former Marine colonel and Oxford-trained historian, began to discover tantalizing clues that suggested Ernest Hemingway's involvement in World War II-era intelligence work was much more complex and fraught with risks than has been previously understood.

"When I first read about [what Hemingway had done], I thought that this is not the Hemingway we're accustomed to," Reynolds said in a recent interview about the book for paulsemel.com. "We're used to the Hemingway who is someone with semi-formed left wing sympathies, a general predilection to prefer the underdog over the tycoon, but not someone who gets involved in politics in an organized way, not someone who commits to an ideology of any sort."



and gaining tactical intelligence for the Allies during the liberation of Paris. The tone of the book is simultaneously factual and gripping.

"I am a classically trained historian, I'm used to writing the facts in a very precise way, and footnoting my sources, and worrying more about accuracy than color or readability," Reynolds said. "But in this case, I had a great story with a lot of passion and drama, and I had terrific support from my editor and a couple of book groups that I belong to, who pushed me in the direction of writing creative nonfiction. So I'm hoping that the end result is fun to read for people, and that I tell the story in a way that they can enjoy reading the story as well as learn something, and then come to their own conclusion as to whether my answer to the question [of why Hemingway became involved with the Soviet secret service] is a good one."

—Madison Fisher



THE ABA COMPLIANCE OFFICER'S DESKBOOK
ANDREW S. BOUTROS '01,
T. MARKUS FUNK and
JAMES T. O'REILLY '74
AMERICAN BAR ASSOCIATION

Authored by compliance experts from Perkins Coie and Seyfarth Shaw, and a professor from the University of Cincinnati Law School, this user-friendly, practical and real-world focused reference book can help professionals spot compliance pitfalls and challenges across industries, subject matters and corporate infrastructures, and recommends practical solutions.



ROCKY BOYER'S WAR
ALLEN BOYER '82
NAVAL INSTITUTE PRESS

Based in part on an unauthorized diary kept by Boyer's father, 1st Lt. Roscoe "Rocky" Boyer, this narrative history offers the reader an account of World War II Allied air commander Gen. George Kenney's "air blitz" offensive in the Southwest Pacific as it was lived both in the cockpit and on the ground. Diaries were forbidden, but Rocky kept one—full of casual-

ties, accidents, off-duty shenanigans and rear-area snafus.



THE NEW RULES OF RETIREMENT STRATEGIES FOR A SECURE FUTURE
ROBERT C. CARLSON '82
WILEY

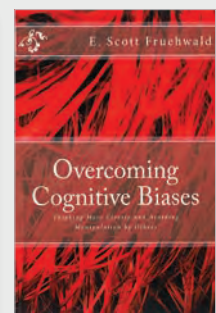
Today, Americans face six critical threats to lifetime income security that past generations didn't face, including low investment returns, higher taxes, the deterioration of Social Security and Medicare, longer life expectancy and more. In this second edition, Carlson presents advice and strategies based on independent, objective and detailed research, reflecting today's environment.



START YOUR BUSINESS ... BUT DO IT RIGHT
GORDON CARPENTER '66
INFINITY PUBLISHING

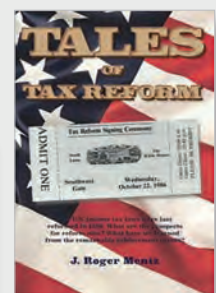
Carpenter shares his experience, acumen and wisdom garnered from representing small, private businesses for more than 50 years. He offers budding small-business entrepreneurs clear, meaningful and practical advice, from

their businesses' inception through the early stages of growth.



OVERCOMING COGNITIVE BIASES: THINKING MORE CLEARLY AND AVOIDING MANIPULATION BY OTHERS
E. SCOTT FRUEHWALD LL.M. '94, S.J.D. '01
CREATESPACE

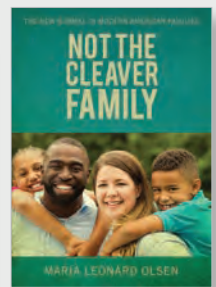
This book offers guidance on understanding and overcoming cognitive biases—ways of thinking that are different from reality—in order to think more clearly and avoid being manipulated by others.



TALES OF TAX REFORM
J. ROGER MENTZ '66
CREATESPACE

Is tax reform, now looming in Congress, as easy and straightforward as some pundits suggest? Mentz explores what happened in 1986, when fundamental tax reform was enacted by Congress and signed into law by President Ronald Reagan. Mentz, then the U.S. Treasury Department assistant secretary for tax policy, investigates how this legislative success was accomplished and what lessons can be learned

for those who seek to enact tax reform today.



NOT THE CLEAVER FAMILY—HOW THE TYPICAL MODERN AMERICAN FAMILY HAS CHANGED
MARIA LEONARD OLSEN '88
TATE PUBLISHING

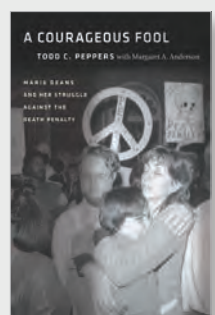
Cultural shifts and science have allowed the typical American family to no longer resemble the Cleavers, the idealized fictional family from the 1950s and '60s television show "Leave It to Beaver." This book, based on hundreds of interviews with diverse families across the country, illustrates just how the normative paradigm of the American family has changed.



GORILLA AND THE BIRD: A MEMOIR OF MADNESS AND A MOTHER'S LOVE
ZACK MCDERMOTT '08
LITTLE, BROWN AND COMPANY

The author, a 26-year-old Brooklyn public defender, woke up one morning convinced he was being filmed, "Truman Show"-style, as part of an audition for a TV pilot. After a manic spree around Manhattan, McDermott, who is bipolar, was arrested on a subway platform and admitted to Bellevue

Hospital. So begins the story of McDermott's freefall into psychosis and struggle to claw his way back to sanity, regain his identity and rebuild some semblance of a stable life. It's a journey that took him back to his Kansas roots and to the one person who might be able to save him: his tough, big-hearted Midwestern mother, nicknamed "the Bird," whose fierce and steadfast love is the light in McDermott's dark world.



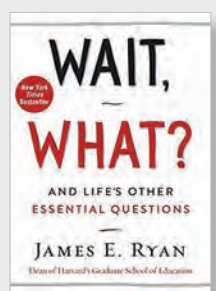
A COURAGEOUS FOOL: MARIE DEANS AND HER STRUGGLE AGAINST THE DEATH PENALTY
TODD C. PEPPERS '93
with MARGARET A. ANDERSON
VANDERBILT UNIVERSITY PRESS

A South Carolina native who yearned to be a fiction writer, Deans was thrust by a combination of circumstances—including the murder of her beloved mother-in-law—into a world much stranger than fiction. For 20 years, Deans fought for the rights of death row inmates in Virginia and South Carolina. She filed lawsuits over prison conditions, found the inmates lawyers for their appeals and stood "death watch" with 34 inmates. Thanks to Deans, three inmates received conditional or full pardons based on concerns about their factual innocence, including Earl Washington—a mentally handicapped inmate who came within eight days of being executed for a crime he did not commit.



WE DO OUR PART: TOWARD A FAIRER AND MORE EQUAL AMERICA
CHARLES PETERS '57
RANDOM HOUSE

"We Do Our Part" was the slogan of Franklin Delano Roosevelt's National Recovery Administration—and it captured the can-do spirit that allowed America to survive the Great Depression and win World War II. Over the course of his 60-year career as a Washington, D.C., journalist and historian, Peters, the founder of the Washington Monthly, argues that too many Democrats have lost touch with the average American. Instead, the liberal elite became more concerned with being smarter, having better taste and making more money than with understanding the concerns of the average worker.



WAIT, WHAT? AND LIFE'S OTHER ESSENTIAL QUESTIONS
JAMES RYAN '92
HARPERONE

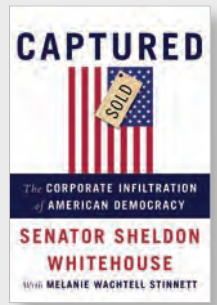
In "Wait, What?," Jim Ryan, dean of Harvard University's Graduate School of Education and president-elect of the University of Virginia, celebrates the art of

asking—and answering—good questions. Using examples from politics, history, pop culture and social movements, as well as his personal life, Ryan demonstrates how these essential inquiries generate understanding, spark curiosity, initiate progress, fortify relationships and draw our attention to the important things in life—from the Supreme Court to Fenway Park. By regularly asking these five essential questions, Ryan promises, we will be better able to answer life's most important question: "And did you get what you wanted out of life, even so?"



BEYOND POLITICS: THE PRIVATE GOVERNANCE RESPONSE TO CLIMATE CHANGE (BUSINESS AND PUBLIC POLICY)
MICHAEL P. VANDENBERGH '87 and **JONATHAN M. GILLIGAN**
CAMBRIDGE UNIVERSITY PRESS

Private-sector action provides one of the most promising opportunities to reduce the risks of climate change, buying time while governments move slowly or even oppose climate mitigation, the authors say. Starting with the insight that much of the resistance to climate mitigation is grounded in concern about the role of government, this books draws on law, policy, social science and climate science to demonstrate how private initiatives are already bypassing government inaction in the U.S. and around the globe.



CAPTURED: THE CORPORATE INFILTRATION OF AMERICAN DEMOCRACY
SHELDON WHITEHOUSE '82 with **MELANIE WACHTELL STINETT**
THE NEW PRESS

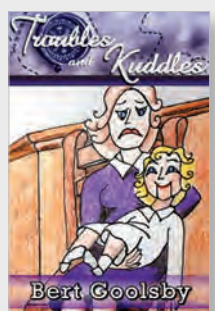
U.S. Sen. Sheldon Whitehouse offers an eye-opening take on what corporate influence looks like today from the Senate floor. He combines history, legal scholarship and personal experiences to explain what he believes has gone wrong in a government that is supposed to be "of the people, by the people, for the people," exposing multiple avenues through which the government has been infiltrated and disabled by corporate powers. Whitehouse argues that we can—and must—take our American government back and make it work in the public's best interest.

FICTION



DEADFALL
LINDA FAIRSTEIN '72
PENGUIN RANDOM HOUSE

After Manhattan District Attorney Paul Battaglia is brutally assassinated on the stairs of the glamorous Metropolitan Museum of Art, all signs point to Alexandra Cooper's involvement, and, despite her rank, she is quickly the prime suspect. She and her partner (and lover), homicide Detective Mike Chapman, take the investigation into their own hands and fall headfirst into the highly unregulated world of illegal animal trade along Africa's heroin highway and big-game hunting of endangered animals on U.S. soil.



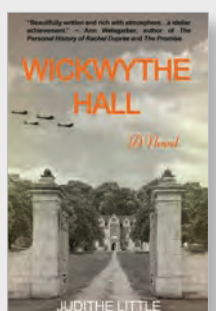
TROUBLES AND KUDDLES
BERT GOOLSBY LL.M. '92
REBECCA VICKERY PUBLISHING

Goolsby's story, a sequel to "Finding Roda Anne," focuses on the efforts of Delores Meek, a lawyer one would not ordinarily retain on a good day (and who uses a converted milk truck for a law office), as she endeavors to help a ventriloquist with legal troubles associated with her dummy, Kuddles.



SAPPHIRE PAVILION
DAVID E. GROGAN '87
CAMEL PRESS

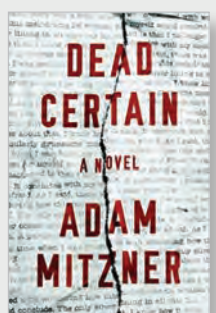
UVA Law grad Steve Stilwell's former Navy JAG Corps buddy Ric Stokes has been jailed for possession of heroin in Vietnam. He was found in the same room with his traveling companion, who died of an overdose in the company of a prostitute. Steve knows his friend is a straight arrow. Was he set up? If so, why? Steve travels to Ho Chi Minh City in search of the truth, and in no time is targeted by the people who framed his friend.



WICKWYTHE HALL
JUDITH LINSE LITTLE '90
BLACK OPAL BOOKS

It's May 1940; Germany invades France, and three lives are upended. Annelle LeMaire is a French refugee desperate to contact her Legionnaire brothers. Mabry Springs, the American wife of a wealthy Brit, is struggling to come to terms with a troubled marriage and imminent German invasion. Reid Carr, the American representative of a French champagne house, brings more than champagne to Prime

Minister Winston Churchill. Their paths entwine when Churchill and his entourage take refuge at the Springs' country estate. There, as secrets and unexpected liaisons unfold, Annelle, Mabry and Reid are forever bound by the tragedy they share.



DEAD CERTAIN
ADAM MITZNER '89
THOMAS & MERCER

Attorney Ella Broden's sister, Charlotte, has sold her first novel—then goes missing. Ella starts investigating with the help of Detective Gabriel Velasquez, an old flame in the New York Police Department, and finds that her sister's novel may contain details of her real-life affairs, and any one of her lovers could be involved in her disappearance. Ella works through her list of suspects, matching fictitious characters with flesh-and-blood men. But will it be too late to save the sister she only thought she knew?



NOT EXACTLY ROCKET SCIENTISTS AND OTHER STORIES
GILBERT E. SCHILL JR. '71, JOHN W. MACILROY '74 and **ROBERT D. HAMILTON III**
PAGE PUBLISHING

Three UVA alumni—two from the Law School and one from Darden—write about growing up together in the 1950s and '60s in a small town. They and their friends mess up just about everything they touch—from school, to church, sports, scouting and eventually dating—all under the sometimes not-so-watchful eyes of the adults around them. Their stories have caught the attention of novelist Pat Conroy and actor and screenwriter Tony Dow.



IN MEMORIAM

EARLE K. SHAWE '34
PIKESVILLE, MD.
June 30, 2017

CARROLL D. REA '45
MANAKIN SABOT, VA.
April 3, 2017

JOSHUA L. ROBINSON '48
LURAY, VA.
April 3, 2017

BRUCE G. CORNELL '49
GULFPORT, MISS.
June 13, 2017

ROBERT L. CORWIN '49
HUNTINGTON, N.Y.
March 22, 2017

FRANKLIN K. LANE III '49
VALLEY VILLAGE, CALIF.
Feb. 22, 2017

EDGAR A. MASSENBURG '49
HAMPTON, VA.
June 10, 2017

LOUIS S. HERRINK JR. '50
KING GEORGE, VA.
April 17, 2017

HARVEY E. WHITE JR. '51
NORFOLK, VA.
Feb. 11, 2017

DAVID C. LATHAM '52
ORLANDO, FLA.
April 29, 2017

FRANK N. PERKINSON JR. '52
ROANOKE, VA.
June 24, 2017

HOWARD J. FALCON JR. '53
WEST PALM BEACH, FLA.
July 7, 2017

HERBERT C. HELD '53
BOULDER, COLO.
Dec. 1, 2016

FRANK TALBOTT III '53
RICHMOND, VA.
July 21, 2017

C. PFEIFFER TROWBRIDGE '53
STUART, FLA.
May 21, 2017

ELIZABETH W. B. JOHNSTON '56
WINCHESTER, VA.
Feb. 22, 2017

PHILIP A. KOLVOORD '56
EDEN, VT.
March 11, 2017

EDWARD F. KILLEEN '57
MADISON, WIS.
March 19, 2017

S. LEE MILLER '57
BARRINGTON, R.I.
May 29, 2017

WILLIAM W. MINER '57
MYSTIC, CONN.
April 6, 2017

BENJAMIN ALLSTON MOORE JR. '57
CHARLESTON, S.C.
Feb. 18, 2017

AUBREY R. BOWLES III '58
RICHMOND, VA.
April 28, 2017

ROWLAND H. COLEMAN JR. '58
BRIDGEPORT, CONN.
July 4, 2017

ROBERT W. EMMONS JR. '58
GLOUCESTER, MASS.
April 10, 2017

EDWIN B. FOCKLER III '58
NORTH EAST, MD.
July 23, 2017

WALLER H. HORSLEY '59
RICHMOND, VA.
May 10, 2017

WILLIAM V. NEVILLE JR. '59
LONGWOOD, FLA.
April 23, 2017

LAWRENCE ASKEW WARNER '59
BOCA GRANDE, FLA.
March 5, 2017

CHRISTOPHER M. WELD '59
ESSEX, MASS.
March 5, 2017

JOHN P. ACKERLY III '60
RICHMOND, VA.
May 18, 2017

LAURENCE VOGEL '60
LIVINGSTON MANOR, N.Y.
Feb. 13, 2017

JAMES P. BABER '61
CUMBERLAND, VA.
May 22, 2017

PAUL H. FRANKEL '61
OCEANPORT, N.J.
Feb. 28, 2017

GROVER C. WRIGHT JR. '61
VIRGINIA BEACH, VA.
June 28, 2017

H. WILLIAM HODGES III '62
ROCKVILLE CENTRE, N.Y.
March 28, 2017

JOHN B. NASON III '62
SEDONA, ARIZ.
May 23, 2017

MORRIS W. SAVAGE '62
JASPER, ALA.
April 10, 2017

BELDEN A. FREASE '63
PALM BEACH, FLA.
Jan. 16, 2017

PEYTON S. HAWES JR. '63
ELBERTON, GA.
July 19, 2017

THOMAS L. HUTTON JR. '63
ABINGDON, VA.
March 6, 2017

EVERETTE G. ALLEN JR. '65
RICHMOND, VA.
May 29, 2017

ROBERT E. BROWN '65
NORFOLK, VA.
May 19, 2017

JAMES DENNIS RASH '65
CHARLOTTE, N.C.
July 25, 2017

L. SCOTT BARKSDALE '66
STILWELL, KAN.
July 7, 2017

FRANCIS E. PERKINS JR. '67
SOUTHBOROUGH, MASS.
Feb. 14, 2017

ERNEST CLIFFORD BARRETT III '69
WASHINGTON, D.C.
Feb. 14, 2017

FRANCIS G. MCBRIDE '71
NOKESVILLE, VA.
July 17, 2017

GEORGE E. ALLEN III '73
RICHMOND, VA.
March 29, 2017

JAMES T. COUNTISS '74
BRISTOL, VA.
May 17, 2017

CHARLES A. MCKENNA JR. '74
NEWPORT BEACH, CALIF.
April 12, 2017

LEE D. UNTERMAN '75
NEW YORK CITY
Feb. 5, 2017

ALAN L. AREY '76
TAZEWELL, VA.
March 16, 2017

CHARLES F. HUXSAW '77
BEDFORD, MASS.
March 4, 2017

J. FRANK STEWART '80
LOS ANGELES
May 19, 2017

JOHN L. SULLIVAN '80
WASHINGTON, D.C.
May 6, 2017

MELANIE C. MALONEY '81
ALEXANDRIA, VA.
Oct. 1, 2016

DEBORAH JOHNSON PYLES '81
CROZET, VA.
July 3, 2017

JAMES E. BALDWIN JR. '83
SPRINGFIELD, MO.
July 7, 2017

MICHAEL J. OLECKI '86
LOS ANGELES
April 4, 2017

DAVID M. EISENBERG '87
LONDON
May 27, 2017

TAMAR MARIA MEEKINS '87
SILVER SPRING, MD.
Feb. 19, 2017

JULIAN ABELE COOK JR. '88
OAK PARK, MICH.
May 16, 2017

ANDREW W. VOLIN '89
DENVER
March 15, 2017

JEROME A. SMITH '90
SARATOGA, CALIF.
May 7, 2017

ANGELA M. STEPHERSON '90
DALLAS
Jan. 20, 2017

RICHARD C. SEAVEY '94
MIAMI BEACH, FLA.
June 10, 2017

ANNE M. LEWIS '95
ALEXANDRIA, VA.
July 18, 2017

CORINNE AVERY ROOSEVELT '97
WASHINGTON, D.C.
April 5, 2017

Tim Phillips '97

GENERAL COUNSEL AND ASSISTANT SECRETARY OF THE AMERICAN CANCER SOCIETY INC.
AND THE AMERICAN CANCER SOCIETY, CANCER ACTION NETWORK INC.

DESCRIBE YOUR JOB and what you like about it.

Well, I've heard it said it's not a job if you enjoy what you do. And what I do is serve and lead. I serve the mission of my organization to fight relentlessly to defeat a disease whose time has come, while we celebrate the lives of those in the battle and honor the lives of those who gave their full measure in the effort. I am privileged to lead a team of dedicated legal and compliance professionals who devote their time and talents to advising our mission partners on a full range of issues. And what I love most about the work is that no day is like any other. I serve in an environment where the landscape constantly changes.

Do you have a morning routine? (And a plan to beat that famous Atlanta traffic?)

The first thing I do in the morning is pray and meditate with Scripture. Following that exercise, most mornings I will visit the gym or practice yoga—or both. My “plan” to beat the infamous Atlanta traffic is to accept it. The Serenity Prayer helps!

Who has been the most influential person in your life?

I would say the person who has had the most lasting influence on my life is Abbot Aidan Shea, OSB, who taught me Latin and French, and served as my guidance counselor in high school. He officiated my confirmation in the Catholic faith, officiated my marriage and baptized both my sons. He has been a friend and spiritual mentor for most of my adult life.

What is the most indispensable piece of advice you've ever received?

Proverbs 3:5-6. [“Trust in the Lord with all your heart and lean not on your own understanding; in all your ways submit to him, and he will make your paths straight.”] I have tested these words often and never have they failed.

Is there a memento you keep, in your office or at home, that inspires you?

I keep the Navy SEAL Ethos posted on the wall above

my computer monitor. I also keep a copy of The Serenity Prayer on my credenza.

What did you enjoy most about your law school days?

I would say what I enjoyed most was the camaraderie we shared as classmates and schoolmates.

I believe what makes the Virginia Law experience so unique is the combination of a shared desire for the pursuit of academic excellence and a shared commitment to servant leadership, encased in an environment of mutual respect.

If your life as general counsel were made into a movie, what would the title be?

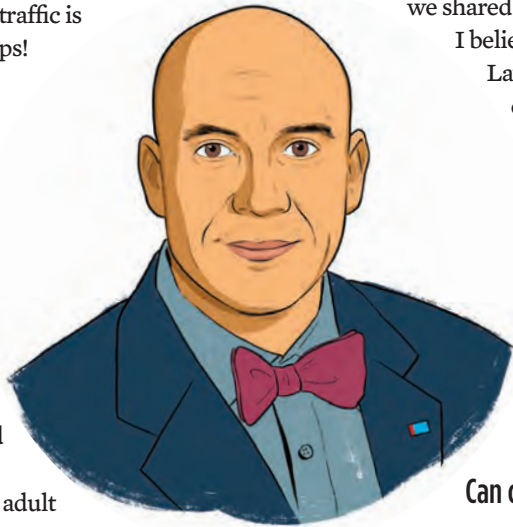
“Mission Possible.”

Can cancer be defeated?

Yes, we can!

You have the last word, what do you want to say?

To the Virginia Law community, I say, lead. Lead by example. Lead with conviction and fortitude. I believe now more than ever our society beckons for servant-leaders who embody civility and courage of conviction. And of course a sense of humor! The Virginia Law community is a breeding ground for these elements. Please continue our tradition of servant leadership.



ILLUSTRATION/ALEX FINE





CONNECT WITH ALUMNI AT A RECEPTION NEAR YOU. | WWW.LAW.VIRGINIA.EDU/ALUMNI

NOV. 29—ROANOKE, VIRGINIA
HOTEL ROANOKE

11:45 A.M. *reception*
12:15 P.M. *lunch*

NOV. 29—CHARLOTTE, NORTH CAROLINA
OFFICES OF MCGUIRE WOODS
6-7:30 P.M. *reception*

DECEMBER 6—WASHINGTON, D.C.
METROPOLITAN CLUB
6:30-8:30 P.M. *reception*

DEC. 13—CHARLOTTESVILLE
KESWICK HALL
6:30-8 P.M. *reception*

FEB. 20—NEW YORK CITY
YALE CLUB
11:45 A.M. *reception*
12:15 P.M. *lunch*

MARCH 8—ATLANTA
THE WIMBISH HOUSE
11:45 A.M. *reception*
12:15 P.M. *lunch*

MARCH 8—BIRMINGHAM, ALABAMA
BIRMINGHAM CIVIL RIGHTS INSTITUTE
6-8 P.M. *reception*

MARCH 21—NORTHERN VIRGINIA
RITZ CARLTON, TYSONS CORNER
6:30-8 P.M. *reception*

APRIL 18—BOSTON
OMNI PARKER HOUSE HOTEL
11:45 A.M. *reception*
12:15 P.M. *lunch*

APRIL 18—MANCHESTER, NEW HAMPSHIRE
THE FOUNDRY
6-6:30 P.M. *reception*
6:30 P.M. *dinner*

REUNIONS
MAY 11-13—CHARLOTTESVILLE

FOR THE CLASSES OF:

1968, 1973, 1978, 1983, 1988,
1993, 1998, 2003, 2008,
2013 and the Lile Law Society
ALL ALUMNI ARE INVITED TO ATTEND.

MAY 31—RICHMOND, VIRGINIA
OFFICES OF HUNTON & WILLIAMS
6-7:30 P.M. *reception*

JUNE 14—WASHINGTON, D.C.
METROPOLITAN CLUB
11:45 A.M. *reception*
12:15 P.M. *lunch*



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