

Summer 2005

Richmond Law Magazine: Summer 2005

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Students win appeal

A tribute to Judge Merhige

Historic treasures unearthed

RICHMOND LAW

Magazine of the University of Richmond School of Law • Summer 2005, Vol. 18, No. 1



Fear, Irrationality and Risk Perception

An essay by Professor Henry L. Chambers Jr.

Dean's letter

Live greatly in the law



The vision of the University of Richmond School of Law is to “Live Greatly in the Law,” featuring programs that integrate theory, practice, and public service. As dean, my principal goal is to push us to achieve the goals of a strategic plan mapping our future through the academic year 2010. We should:

- Double the total financial aid awarded to students to ensure a student body that is exceptionally qualified and diverse.
- Dramatically increase the size of the faculty, adding at least 12 new positions by 2010, hiring faculty at the junior, middle, and senior levels.
- Commit in a consequential way to creating a pro bono service program, elevating the Law School's emphasis on the importance of pro bono activity and strengthening its ties to the community.
- Forge interdisciplinary partnerships across campus, strengthening the integration of the Law School into the larger flow of University endeavors, thereby enriching the course offerings, scholarship, and service opportunities available throughout the University and within the Law School.
- Execute an aggressive national marketing campaign to inform academics, judges, practicing lawyers, and prospective students of the advancing quality of the school.
- Further enhance our technology and information services programs.
- Open specialized academic centers to foster research, public outreach, and concentrated opportunities for J.D. students and students in shorter certificate, masters, or joint degree programs.
- Capitalize on the opportunities for collaboration and contribution in the local community, taking advan-

tage of the rich array of state and federal courts, federal, state, and local administrative agencies, public interest organizations, law firms, businesses, and educational institutions in the area, providing service to those entities and creating enriched experiential opportunities for students and faculty.

Along with these steps, you will note some exciting changes to *Richmond Law* magazine, our primary vehicle for communicating with law alumni, colleagues, peers and friends. With this issue, we are launching a redesigned publication that comes to you in full color. We have added pages, as well. Let us know what you think and feel free to pass along ideas on how we might further improve the magazine.

This fall we will announce a campaign to achieve our goals, including raising funds for an addition to the law school building to house these programs. As dean, I will spend a large part of my time in the coming years meeting alumni and friends to generate the resources we need to realize these goals. We will have the opportunity to discuss our plans in more detail during Alumni Weekend and Fall Gathering, which are scheduled for October 7 and 8. The weekend will feature the festivities you have come to expect, as well as a special tribute to our friend and colleague, Judge Robert R. Merhige Jr., who is memorialized in this magazine. This tribute, which I am planning with some of Judge Merhige's former law clerks, will include a symposium on the judge's jurisprudential legacy. We hope you will be able to join us, along with your friends and classmates, for what promises to be a fascinating and uplifting weekend. I look forward to seeing you there.

In the meantime, you have my thanks for your continued support.

Rodney A. Smolla
Dean, School of Law



Richmond law student, Sikh rights advocate, wins Oliver W. Hill Award

Amandeep Singh Sidhu, past president of the Law School's Student Bar Association, has received the 2005 Oliver White Hill Law Student Pro Bono Award by the Virginia State Bar. The award was presented in May at VSB's annual pro bono conference, which was held at the Law School.

Sidhu, who has been particularly active in fighting prejudice against those in the Sikh, Arab, Muslim and South Asian communities since the terrorist attacks of Sept. 11, 2001, was recognized for his determined work for justice, inclusion and civil rights.

The award is named for Hill, the legendary Richmond lawyer and civil rights activist, and recipient of the Presidential Medal of Freedom. In nominating Sidhu, Dean Rodney A. Smolla wrote, "I can think of no student more deserving of an award bearing Oliver Hill's name."

The son of physicians originally from India, Sidhu was born in Norfolk and grew up in Chesterfield County, Va. He attended Collegiate School in Richmond and The College of William and Mary.

As a teenager, he adopted the Sikh articles of faith, one manifestation of which is wearing a dastaar, or Sikh turban. His decision was met with curiosity and, at times, with animosity.

From that time, he says, he set out in pursuit of a life of advocacy and education.

On the day of the terrorist attacks of 2001, Sidhu was working as a consultant in Washington, D.C. That afternoon, an irate driver ran him off the road, likely because he was wearing the dastaar.

In the ensuing days and weeks, he became aware that anti-terrorist sentiment often was expressed through prejudice and violence directed at Sikhs and others. He responded by becoming an advocate for



Amandeep Sidhu, winner of the Hill award, wears the dastaar, or Sikh turban, as an article of faith.

Sikhs, working with the Sikh Coalition and becoming involved in issues including racial profiling, employment concerns and racist portrayals of Sikhs in popular media. His advocacy also helped prompt the Federal Aviation Administration and Department of Transportation to issue directives on airport security designed to ensure the rights of Sikh passengers.

Sidhu enrolled in the Richmond School of Law in fall 2002, but he continued his civil rights work and his advocacy work with the Sikh Coalition. He also helped co-found "A More Perfect Union" at the University, an organization devoted to combating reli-

gious and cultural bias, and serves as a board member of the University's Bonner Center for Civic Engagement. In the fall of his third year in law school, when a local gas station owned by Sikhs was set on fire, Sidhu worked as liaison between the Sikh community and law enforcement.

At the Law School, Sidhu has campaigned for community service. During his tenure as president of the Student Bar Association, students began an after-school tutoring program in a Richmond housing project.

Sidhu says there are numerous students at the Law School who also are deserving of recognition for their community service and he applauds them.

"I am a true believer that our greatest legal education comes not inside the classroom, but with our practical experience in the summer and in experiences in the broader community," he says. "I would like to see more experiential courses offered that allow students to experience the world around them in a way that creates 'buy-in' into a legal career that considers and supports issues of advocacy, education and service."

In the years since Sept. 11, Sidhu says, "There's no question the situation is much better, but much work remains with the general public in America.

"Sikhs remain extremely vulnerable as we are such a small minority in the U.S. and throughout the world. Although I don't expect to see it in my life, I'd like my children to be able to walk the streets and know that at least a majority of the people they encounter understand what it means to be a Sikh. By understanding who we are, and that the essence of our belief is equality, justice, and acceptance of all, regardless of faith, color, socioeconomics, gender, etc., the backlash will slowly dissipate."

After graduating this spring, Sidhu will clerk for Judge Walter S. Felton Jr., R'66, L'69, of the Virginia Court of Appeals. From there, Sidhu says, he hopes

to become an effective litigator and to "translate these skills into positive changes for our entire community. If that comes in the form of civil litigation in the realm of employment discrimination, criminal defense or prosecution, or in the broad realm of constitutionally protected rights, I hope to be a true advocate in the most ideal sense of the word while hopefully making a living as well."

For more information, see www.sikhcoalition.org, www.vsb.org, and <http://oncampus.Richmond.edu/student/life/chaplaincy/AMPU/ampu.html>.



From printed page to computer screen

Law library seeks to balance research methods



Balancing online and print resources has become a major issue for librarians across the county, and Timothy Coggins and his staff at the William Taylor Muse Law Library are no exceptions.

Recently, the Richmond law library was ranked 17th in the nation on *National Jurist* magazine's "technology honor roll," a list of schools "setting the pace in taking educational and communications technology as far as they can go to help law students."

The rankings are based on six categories, including the number of volumes, ►►

AWARD

Pulitzer-winning writer receives Green award



Dean Smolla and Linda Greenhouse

Linda Greenhouse, Pulitzer Prize-winning reporter for *The New York Times*, was presented the law school's highest honor, the William Green Award, at a luncheon in January.

Greenhouse, who covers the U.S. Supreme Court, accepted the award with a call for lawyers and future lawyers to lead by example to prevent the kind of behavior seen over the last year when "the rule of law has taken quite a beating. It's hanging by a thread."

She referred to the prison abuses at Abu Ghraib in Iraq. She said lawyers can not make something like that right after it has occurred. Instead, she said lawyers must "work to prevent this kind of behavior."

In presenting the award, Dean Rodney A. Smolla praised Greenhouse's ability to report with honesty, clarity and insight on the work of the Supreme Court. He said lawyers and law professors, after the court hears a key case, often say, "I can't wait to see what Linda has to say about it."

Greenhouse and Smolla both quoted the award's namesake, one of the first legal academics in Virginia, who said, "Courts of justice are the most important human institutions among civilized men."

SPEAKER

Deputy Attorney General discusses national security



James B. Comey

James B. Comey, deputy attorney general of the United States, delivered the 18th annual Emanuel Emroch Lecture this spring, speaking on "Fighting Terrorism and Preserving Civil Liberties."

Comey also joined professor John G. Douglass' Criminal Procedure class in a homecoming or sorts. Comey served as adjunct professor at the Law School during the 1990s when he was managing assistant U.S. attorney in charge of the Richmond Division of the U.S. Attorney's Office for the Eastern District of Virginia.

In his talk, Comey, who has announced since his visit that he is stepping down from his post, addressed a number of provisions of the Patriot Act that have sparked intense public debate. He argued that many of these provisions provide tools that have long been available to investigators and prosecutors in criminal matters to investigators and prosecutors pursuing terrorists in the United States.

Douglass, who preceded Comey as head of the criminal section of the U.S. attorney's office in Richmond, said Comey was "a huge hit" in the class. "He addressed the critical balance between liberty and national security from the pragmatic perspective of a leader who makes tough decisions every day."

titles and serials subscriptions. The library had ranked 32nd in an earlier survey by the magazine.

That is an honor the library is pleased to accept though it leads inevitably to many questions, foremost of which is: Why do you still have a law library when students have access via Internet to LexisNexis, Westlaw and many other resources?

The simple answer, Coggins says, is that while information gathering from the Internet is fast becoming an important way to conduct legal research, law students need to learn how to do research in this old profession in print materials to help develop context for legal issues.

The American Bar Association's accreditation standard for law libraries states that a law library collection must meet three goals. It must support the students' research needs and satisfy the demands of the law school curriculum. It should support the teaching, research, and service interests of faculty; and it must serve the school's special teaching, research, and service objectives. Electronic access alone would not meet these standards, Coggins says.

Richmond law students do have "free" access to LexisNexis and Westlaw and other essential online resources through licenses paid for by the law library. But Coggins and other librarians emphasize hard-copy research skills in first-year courses and in upper-level electives including Coggins' Advanced Legal Research. Many students, he explains, will practice at firms that don't provide unlimited access to LexisNexis and Westlaw.

Coggins recognizes the utility and allure of online resources, but he says lawyers who use them exclusively might miss pertinent information. "Even when you get the information," he says, "you may not see how your issue fits into the larger picture. You lose the context." And as comprehensive as they are becoming,

online systems still lack valuable earlier materials.

Because some firms pay for services like Westlaw on the basis of usage, lawyers need to know where they are going before they begin searching through the massive databases.

"I relied too much on online resources before [taking] Advanced Legal Research," said Emily Munro Scott, a recent law graduate who worked summers at Richmond firms McCandlish Holton and Hirschler Fleischer. One firm had Lexis and the other had Westlaw. Both paid for the services based on usage. "Coggins' class was particularly helpful in teaching us to use books again and helping us narrow a search before starting with Lexis and Westlaw,"

The trend, however, is toward electronic access.

"We're seeing more use of electronic resources such HeinOnline for law review articles and BNA online for loose-leaf services, rather than total reliance on print," Coggins notes. But Coggins and other law librarians worry about what might happen if a publisher discontinues its electronic service, leaving the library without any access to materials not acquired in print during the term of the license, and what might happen if a publisher decides to raise its price so significantly that the library must cancel its subscription to the electronic resource.

Another issue for law libraries that are used by local lawyers and others in the community is access. Many licenses for electronic resources restrict who is an authorized user.

Richmond law professor John Paul Jones appreciates the extensive print collection at the Muse Law Library. He focuses on admiralty law and constitutional law, and he's interested in the long history of both specialties. "There's practically nothing online before 1980," he notes, and it is spotty from 1980 to 1992.

For the time being, Jones says, lawyers need to be able to work both

ways. "I'm comfortable with a book in my lap and I'm becoming comfortable with the computer screen."

•••

'Sonny' Seiler reveals 'Midnight' movie truths

Frank Seiler says he has learned one thing about Hollywood.

"Hollywood is in the entertainment business," says the amicable Georgia attorney in his unmistakable drawl. "I learned fast that producers will do anything to get a hook or make a buck, and to do this they will handle the truth hazily."

Seiler was the star attraction at the kick-off of the Law School's Film Series, which featured a showing of *Midnight in the Garden of Good and Evil*. The movie, based on the best-selling book by the same name, was directed and produced by Clint Eastwood. The book was written by John Berendt.

Seiler, better known by his nickname "Sonny," is not only a character in the movie, but also an actor. He plays the judge during the murder trial of Jim Williams, who was accused of killing his

homosexual lover during an argument. In real life, Seiler was one of Williams' attorneys during three trials.

Seiler spoke to the crowd following the screening in the Moot Courtroom.

While the movie shows only one trial, actually there were four, said Seiler. He was not involved with the first trial but came on after the first guilty verdict was overturned. "I got stuck with the second trial, not knowing it would ride with me for eight years," he said.

The second trial also resulted in a guilty verdict, but that verdict also was overturned. The third trial produced a hung jury. A not-guilty verdict came on the fourth try.

One of the key facts that surfaced after the third trial came from a juror who had voted to convict and then had second thoughts, Seiler said. The man called him after the trial and said that pictures of a cat at the crime scene had an impact on him.

Officers had testified they had properly secured the scene, but the juror referred to one picture that showed Williams' cat walking through the evi- ►►



Frank 'Sonny' Seiler (above) plays the judge in the movie about an infamous Savannah murder. He was a lawyer in the case in real life.

SYMPOSIUM

Law School symposium focuses on global economy



Stephen B. Moldof and Ann Hodges

Manufacturers, unions, government, educators and corporations face enormous challenges from a rapidly expanding global economy.

The resulting legal, financial, environmental, and human relations issues are dramatic.

"We simply have to change the way we do business" to compete successfully, said Stephen B. Moldof, senior partner at Cohen Weiss & Simon LLP, which represents a variety of labor unions.

Moldof was among leaders who gathered at the law school in March for dialogue on "Business, Labor and Law in the Global Economy," a symposium sponsored by the Law School, the Jepson School of Leadership Studies, and the Robins School of Business. It was organized by professors Ann C. Hodges and Paul M. Thompson.

Participants included representatives of manufacturers and trade groups, economists and professors, government officials, and business leaders who deal in international trade and economic policy.

Marlene Jennings, a member of Canada's Parliament, spoke on Canada's role in the global market. Michael J. Schewel, Virginia's secretary of Commerce and Trade, discussed the impact of globalization in Virginia. Speakers also focused on the impact of China's burgeoning development.

COMMUNITY

Law School joins community service work

Law School students, faculty and staff picked up paintbrushes and hammers, and joined in the University's annual community service week in April.

For Build It 2005, they helped build a house for Habitat for Humanity and revitalize three city schools in the same neighborhood during the week.

In addition to working with nails and mortar, people from the Law School tutored children, conducted book drives for schools, provided advice on college, and analyzed research data collected for the schools.



Top: Sandy Hausrath, rising second year student, and Kim Wiseman from computer services

Bottom: Brooke Bennett (left) and Cindy Stubbe of the law alumni and development office

dence. Williams' defense attorneys had not noticed it.

"I'd never seen any cat in any pictures," said Seiler. "Everybody had missed it. Finally we found the cat. It blended in with the Persian rug. Then, you couldn't see anything but the cat."

During the final trial, Seiler held this picture back until his closing argument. He then picked up the picture and passed it among the jurors. As they viewed it, they all smiled, he said.

"When they smile at that stage they're not thinking of sending someone to prison for life, and that's a good feeling," Seiler said. "You can learn a lot from jurors and you can learn that we lawyers aren't as smart as we think we are. That's how you win big cases."

The film series is sponsored by Park and Company PC

— Wayne Scarberry

Law School launches National CyberEducation Project

The Law School's newly formed Intellectual Property Institute has launched a National CyberEducation Project in collaboration with The Media Institute, a Washington-based nonprofit foundation that promotes freedom of expression.

"Debates over the intellectual property issues that arise in the digital age often appear to reflect a new generation gap," notes James Gibson, assistant professor and the institute's director. "The project will focus on producing educational materials, programs, and forums that work to bridge that gap."

The National CyberEducation Project's first major undertaking will be the National File-Sharing Roundtable on



Nov. 11. The summit will address file-sharing technology, copyright law, and the milestone *MGM v. Grokster* decision that the U.S. Supreme Court is expected to issue this summer.

It will feature participants from around the country, including musicians, technologists, and businesspeople, as well as legal experts who will use real-time videoconferencing to share their perspectives on this crucial topic and on the future of music distribution.

The summit will offer a broad audience a chance to glimpse the entire spectrum of ideas on this controversial issue, as presented both by those shaping the debate and by those most affected by the decision.

For more on the roundtable and project, visit <http://law.richmond.edu/ipi/cybered>.

Innocence Project comes to the Law School

Last November, an overflow audience of students, faculty and guests gathered in the Law School's Moot Court Room to listen as Marvin Anderson of Hanover County, Va., recounted his story of conviction on charges of rape, forcible sodomy, abduction and robbery, and of the 15 years he spent in prison for crimes he did not commit. Through the efforts of Innocence Project lawyers, who arranged for 20-year-old DNA evidence in Anderson's case to be tested, he was finally exonerated. Anderson became the 99th person in the United States to be cleared through post-conviction DNA testing.

As that statistic suggests, Anderson's story is not unique.

Peter J. Neufeld, co-founder and director of the Innocence Project at the Benjamin N. Cardozo School of Law in New York City and co-author of *Actual Innocence*, joined Anderson in the discussion of legal advocacy and reform organizations that work to reverse and prevent wrongful convictions.

The event, which was co-sponsored by the Law School and the Washington, D.C.-based Mid-Atlantic Innocence Project, could lead to similar work at Richmond.

"The program was quite powerful," said Dean Rodney A. Smolla, who has formed an exploratory committee of local attorneys and school administrators to look at developing an Innocence Project at the University. The Law School also sent several faculty members and students to the National Innocence Conference in April. "We would like to make the Innocence Project a reality here at the Law School," Smolla said.

Journal of law and technology celebrates 10 years

In April 1995, there was little online publishing in the United States and almost none at law schools. But several students at the University of Richmond School of Law set out to change that.

Headed by Editor-in-Chief Richard Klau, a group of Richmond law students created the first student law review in the United States to be published online.

To celebrate its 10th anniversary, the *Richmond Journal of Law & Technology* hosted a reception this spring that was attended by many JOLT alumni including the journal's former and current advisors, professors John Paul Jones, Timothy Coggins and James Gibson. Outgoing Editor-in-Chief Sean Sullivan Kumar thanked the faculty and staff, and the past and present journal staff for their work. Dean Rodney A. Smolla recognized JOLT's leadership in technology integration and called for the journal's continued role in discussion of issues at the expanding intersection of law and technology. Incoming Editor-in-Chief Neal H. Lewis thanked the alumni and asked for their ongoing support.

Since 1995, the journal has received numerous awards, and has been cited as a model by other online publications.

JOLT has built an international readership and published articles by foreign and American authors including a federal judge. It covers issues including electronic discovery, music and movie piracy and Internet gambling. It is available at: <http://law.richmond.edu/jolt/>, or on Lexis, Westlaw and HeinOnline.

JOLT welcomes submissions, particularly from Richmond law professors and alumni.

APPOINTMENT

Benos appointed Canadian Honorary Consul



William J. Benos with Marlene Jennings

Dignitaries from Richmond joined the Canadian Parliamentary Secretary for Canada-U.S. Relations at the University in March to cheer the appointment of William J. Benos, L'88, as Canada's first Honorary Consul in Richmond.

The gathering of leaders from the area's political, business, legal and educational communities acknowledged the importance of the relationship between the two nations.

"The enhanced representation and appointment of Bill Benos in this important city is not because the Canada-U.S. relationship is not working, but rather an opportunity to strengthen and build on a partnership and friendship that already exists," said Marlene Jennings, Parliamentary Secretary to the Canadian Prime Minister.

Benos' mission will be to help strengthen affiliations between the nations and build awareness of the importance of trade and investment between Canada and Virginia.

"There already is a strong Canadian business presence in Richmond, and I look forward to building more partnerships," Benos said.

Benos was born, raised and educated in London, Ontario, Canada. He is a partner in Williams Mullen's International Section. He has served as an adjunct professor at the Law School for over a decade.



Richmond attorney Phyllis Katz, L'82, (top) calls on new law graduates to participate in their communities and to stand up for individual rights. Corinna Lain (right, middle) applauded this graduating class and encouraged its members to stay true to values they have learned. The Law School honored the late J. Clopton Knibb, L'39, (right, bottom) who enjoyed a distinguished career in the law though blind. The class of 2005 includes 166 graduates. Of that total, 152 were conferred in May and 14 in January.



Richmond Times-Dispatch

Commencement 2005

Alumna urges law graduates to use power to correct wrongs

Phyllis Katz, L'82, a principal in the Richmond office of Sands Anderson Marks & Miller, told University of Richmond School of Law graduates at their May commencement that they should treat all people with dignity and respect, participate in society beyond just voting and meet the challenge to right some wrongs.

"I hope that you will never become complacent no matter how pressing the demands of your profession may be. There are needs in our community and only with your participation will our community grow," she said at the ceremony in the Robins Center.

Katz said she has a photo that has been her compass for many years. Taken in South Africa, it shows five women walking to vote for Nelson Mandela after the end of apartheid.

The photo represents several things to Katz: the strength of community, the importance of participation in society and the role of law.

"You will have an important part in making sure that our legal system makes us a nation that continues to stand for individual rights," she said. "As lawyers, we have the power to change wrongs."

Katz previously served as director of the Department of Employee Relations Counselors for the state of Virginia and founded LINC (Legal Information Network for Cancer), a nonprofit organization that helps cancer patients with legal and business issues that may arise as a result of their illness.

Student speaker Amandeep Sidhu of Chesterfield, Va., reflected on the class of 2005's last three years. Sidhu, who received the Nina R. Kestin Award for service to the Law School and the larger

community, commended the class for its work in the community on such projects as tutoring elementary students, working with Habitat for Humanity and preparing the groundwork for an Innocence Project at the school that would work to free people wrongfully convicted of crimes.

"Our goal should be to restore the confidence of citizens in lawyers," he said.

Corinna Lain, the faculty speaker, said the class of 2005 was a special class. "You mattered to us. You have inspired us," she said. "Don't forget to love the law, and don't forget your zeal for justice and the truth," she advised graduates.

Sean Kumar of Alexandria was recognized with the Charles T. Norman Award for best all-around graduating student, and Ryan Frei of Vienna, Va., received the T.C. Williams Law School Scholarship Award, presented to the student who has made the most significant contribution to overall legal scholarship.

The Law School posthumously recognized James Clopton Knibb, L'39, with the Dean's Distinguished Alumnus Award. Knibb, who had served as Goochland County, Va., Commonwealth's Attorney for almost 30 years, had hoped as a young man to become a doctor, but he became blind while in college. He redirected his energy to the law. His wife Rita attended classes with him, taking notes and reading to him.

Knibb died April 29 at age 97.

— Linda Evans



FACULTY BRIEFS

Faculty achievements, publications and appearances



James Gibson wrote and filed friend-of-the-court briefs in the *MGM v. Grokster* file-sharing copyright case. The briefs were joined by law professors from other schools including Harvard, the University of Virginia, the University of California at Berkeley, Chicago and the University of Texas. He has been interviewed in connection with the case by *USA Today*, *Bloomberg News*, *Slate* and the *National Law Journal*. He was a panelist in a discussion of the case at George Washington University Law School. His article “File-Sharing Delusions” appeared in *The Providence Journal*. His article “Re-Reifying Data” was published in *Notre Dame Law Review*.

Mary L. Heen was appointed to an AAUP national task force. She edited the annual important developments report of the ABA Section of Taxation Committee on the standards of tax practice, to be published this summer in *The Tax Lawyer*.

Ann C. Hodges wrote “The Limits of Multiple Rights and Remedies: a Call for Revisiting the Law of the Workplace,” which was published in the *Hofstra Labor and*

Employment Law Journal’s symposium on the 40th anniversary of the Civil Rights Act of 1964. Her article “The Business Fallout from the Rapid Obsolescence and Planned Obsolescence of High-tech Products; Downsizing of Noncompetition Agreements” was published in *6 Columbia Science & Technology Law Review* (with Porcher L. Taylor III, assistant professor of paralegal studies in the School of Continuing Studies.)

Joyce Janto wrote an article “Redemption: Reflections of a Life in Middle Management” for *Trends* in which she surveys management styles and theories including total quality management and self-managed team models. In the article, she takes a cue from singer Bobby Vee, asking, are middle managers “devils or angels.”

At the recent annual meeting of the Southeastern Chapter of the American Association of Law Libraries, Janto, deputy director of the law library, received the Special Service to the Chapter award that is presented annually to an association member. The award recognizes continued and sustained service to the chapter.

Emmeline Paulette Reeves has written (with Linda Jellum) “Cool Data on a Hot Issue: Empirical Evidence That a Law School Bar Support Program Enhances Bar Performance.” The article will be published in *Nevada Law Journal*. She also made a presentation on the University’s bar exam support program to the faculty of the University of Baltimore Law School.

Dean Rodney A. Smolla published a new edition of his constitutional law casebook: Daan Braveman, William Banks, and Rodney Smolla, *Constitutional Law: Structure and Rights in Our Federal System* (5th Ed., Lexis 2005). He published supplements to his treatises *Smolla and Nimmer on Freedom of Speech; Federal Civil Rights Acts*, and *The Law of Defamation*. He also published articles including: “Free the Fortune 500! The Debate over Corporate Speech and the First Amendment,” 54 *Case Western Reserve Law Review* 1277(2004); “Restoring Reason and Civility to the Judicial Selection Process,” 39 *University of Richmond Law Review* 793(2005); “Nineteen Rules to Dean By,” 36 *University of Toledo Law Review* 183 (2004); “New York Times

Left to right: James Gibson, Mary Heen, Joyce Janto, and Dean Rodney Smolla.



v. Sullivan: Core Doctrine Likely to Hold,” 22 *Communications Lawyer* 11 (2004); “Not So Free Speech,” *Legal Affairs* magazine (January/February 2005); “The Life of Privilege,” *Slate*, March 18, 2005; “Ten: Why the Ten Commandments Make for Such Messy Law,” *Slate*, Oct. 15, 2004; “You Say Napster, I say Grokster: What Do You Do When Technology Outpaces the Law?” *Slate*, Dec. 13, 2004; “American System Requires Sunshine,” *Richmond Times-Dispatch*, March 13, 2005.

Dean Smolla also participated in interviews with media including *The New York Times*, National Public Radio, and Fox News. He has spoken at conferences and symposia, and before school, community, and student groups.

A. Benjamin Spencer wrote “Jurisdiction and the Internet: Returning to Traditional Principles to Analyze Network-Mediated Contacts.” The article has been accepted for publication by *Illinois Law Review*. He also published “Obtaining Mareva-type Provisional Relief in New York and Federal Courts” in *Commercial Injunctions* 803 (2004), and “Terminating Calder: ‘Effects’ Based Jurisdiction in the 9th Circuit after *Schwarzenegger v. Fred Martin Motor Co.*” in 26 *Whittier Law Review* 197 (2004).

Peter Swisher wrote an article “Insurance Binders Revisited,” in 39 *Tort Trial & Insurance Law Journal* 1011 (2004). The article provides a comprehensive examination of binders – temporary contracts of insurance that protect insureds during the time between completion of an application and issuance of a policy.

Carl W. Tobias has published articles on federal judicial selection in the *University of Richmond Law Review*, the *National Law Journal*, the *Winston-Salem Journal*, *Las Vegas Review Journal*, *The Roanoke Times*, the *Recorder* and *The Virginian-Pilot*. He was a widely quoted contributor to the debate over judicial selection and the use of the ‘nuclear option,’ appearing on outlets including National Public Radio. Tobias published book reviews in *Human Rights Quarterly* and *Tulane Law Review*. His review of John McPhee’s *The Founding Fish* appeared in *Ecology Law Quarterly*, while his take on Dan Kemmis’ book *This Sovereign Land* was published in *Environmental Law*. He has been quoted on various cases and on judicial selection in numerous newspapers including the *Washington Post*, *National Law Journal*, *Newsday*, *Richmond Times-Dispatch*, *Winston-Salem Journal* and the *Baltimore Sun*.

Sally Wambold is preservation columnist for the quarterly *Technical Services Law Librarian*. Her recent articles include “Surfing for Preservation Topics,” “Double Takes on Preservation,” “Microform and Digital Preservation,” and “Surveying the Preservation Landscape.”

Gail Zwirner was presented a Story Award by the University “in recognition of extraordinary community service.” She was recognized for her work with the Boys & Girls Clubs of Richmond, where she worked with the Black Law Students Association on law-related programs. She is active in the Fan District Association and the Historic Monument Avenue Foundation.



Left to right: A. Benjamin Spencer, Carl Tobias and Sally Wambold.



Samantha Cutler selected for fellowship



Samantha L. Cutler, L'05, has been selected for a prestigious Presidential Management Fellowship. She will work in the Department of Homeland Security's Customs and Border Protection Labor Relations Branch.

The program, operated by the U.S. Office of Personnel Management, provides fellows with unique opportunities for careers with the federal government. They are selected for a variety of attributes as prospective leaders in government.

Cutler, from Augusta, Ga., served as president of the Black Students Law Association at the Law School. Last year, she was elected to the American Bar Association Law Student Division Board of Governors.

Admissions volunteers deliver admissions success

When prospective students visit the Law School, they come with questions about the work, the professors, the culture, and student life. To answer those questions, the admissions office calls on a highly

motivated and dedicated group of volunteers, Law School Admission Representatives (LSARs).

Their success rate, says Michelle L. Rahman, associate dean of admissions, is impressive. Last year, LSARs hosted 259 prospects, and 83 percent of them applied to the Law School. Of those applicants, 53 percent were admitted compared with 23 percent of the entire applicant pool. Forty-six percent enrolled compared to 29 percent of the entire pool.

"Clearly the LSARs made a huge difference," Rahman says.

The first LSAR group came together in 1997 when Rahman's son, Josh, L'98, suggested that students be recruited to walk prospects around campus.

"Who can do a better job of answering the kind of questions people have about the school than students who know and love the place?" Josh says.

Quickly the LSAR program went from needing to recruit volunteers to having to select them from a pool of interested law students. This year there are 42 LSARs who show prospects around and work during orientation and at open houses.



Student volunteers Neil Lewis and Sara Theile.

Sandy Hausrath, who just finished her first year at the Law School where she is a John Marshall Scholar, says students involved believe they are helping the prospects while contributing to the Law School.

Sara Theile, a third-year student and LSAR co-chair, agrees, and she says answering prospects' questions, "reminds me of the positive aspects of this law school."

Being an LSAR doesn't just mean being a tour guide.

Hausrath says she has had 45-minute telephone conversations with prospective students who are concerned about what law schools, and particularly this law school, are all about.

"I think we can really help them make the right decision."

Spring break in California is a learning experience

Richmond law students Robert Gallagher and Justin Fulton spent part of their spring break a long way from the stereotypical beach scene, though they did go to California.

Gallagher and Fulton represented the Law School in the Client Counseling Nationals, which were held in Anaheim. Gallagher and Fulton, who just completed their first year, competed in three rounds against 142 teams from across the United States as well as Canadian champions.



This essay is adapted from remarks given on a panel at a symposium entitled "Fear and Risk in Times of Democratic Crisis" held at the University of Missouri-Columbia School of Law on Feb. 20, 2004. In it, the author argues that fear can play multiple roles in any decision-making process. Determining whether reactions to fear are irrational is a complex task, he contends, and extreme care is necessary in developing policy prescriptions based on the claim that fear can trigger irrationality.

Fear, irrationality

By Henry L. Chambers Jr., Professor of Law, University of Richmond School of Law

Forms of fear

Many identify fear as a singularly negative precursor to irrational risk perception. If fear is only defined in this manner, its effect may appear limited to distorting thought processes and decision making. However, if we broaden our concept of fear to include the ideas of thrill, danger, and uncertainty about the unknown, its effects can be neutral or positive. When viewed more broadly, fear can serve at least three different functions: fear can be a commodity; fear can focus thoughts; or fear can trigger action.

Fear as commodity

In carefully packaged forms, fear can be bought and sold like a commodity. For example, people will pay to ride roller coasters and other "thrill rides" that are supposed to evoke fear. The greater the fear or thrill generated, the more some want

to ride. Even when fear itself is not sold, it can be instrumental in selling other products. For example, life insurance purchases may stem from fear. Though life insurance does not eliminate the fear of death, it minimizes the fear that one's family will be destitute as a result of one's death. Given the relatively low risk of early death among the young and healthy, life insurance for the young and healthy would appear to be an irrational expenditure of money. On the other hand, there is nothing irrational about spending even a significant amount of money to lower the risk of a relatively unlikely occurrence if the pain that would accompany the unlikely occurrence is quite high. That fear is a part of the decision to buy life insurance does not make the purchase irrational. Indeed, when fear is packaged as a commodity or has an effect on the purchase of a commodity, it can be—though is not always—assessed or valued in a highly rational way.

Fear as focuser

Fear can also make one focus on what really matters and how much or how little something is valued. Indeed, fear may initiate a thought process that would never have occurred otherwise. For example, I have had a number of discussions with various law professor colleagues about keeping office doors open or closed when speaking with students. Convinced that unfounded allegations of harassment or misconduct might arise from closed-door meetings and could ruin their careers, they have reached their decisions after thinking (often for the first time) about the costs and benefits of requiring that all student meetings be open-door. Usually, their consideration includes why professors meet with students, whether such meetings should occur if they cannot be conducted in an open-door setting, and the general nature of relationships between students and

and risk perception

professors. However one feels about the open-door/closed-door issue, the discussion—certainly fueled or triggered by fear, which itself may be irrationally assessed—is a fruitful one that may force professors to rethink and strengthen their relationships with students.

Fear as trigger

Fear can appear to trigger seemingly irrational actions from citizens, courts and legislatures alike. But this irrational effect may be similar to the effect that any extreme emotional or physical state may have on thought or action. For example, love, joy, pain, and vengeance can all trigger seemingly irrational thoughts or acts. However, what appears irrational from one perspective may be highly rational from another perspective.

For example, many people may deem the purchase of an expensive engagement ring a highly irrational act. A significant expenditure of money on a symbol of love by an impecunious couple may appear irrational to some, but highly rational—indeed, necessary—to others. Just like love, fear may trigger irrational actions or rational actions that simply appear irrational to some. Thus, a one-size-fits-all vision of fear as invariably a trigger of irrational risk perception is too narrow. As importantly, fear may be unexceptional in that it may affect thought processes no differently than other factors or strong emotions.

The transformative power of fear

Fear also can transform us in ways that fundamentally alter how we perceive our world. *There's a Nightmare in My Closet*, a wonderful children's book, provides insight on the transformative power of fear. In the book, a child plans to vanquish the nightmare that lives in his closet. In the process of facing and embracing his fear/nightmare, he realizes that his fear was not so scary after all. And once he faces his first nightmare, the other nightmares in his closet are no longer scary. The book suggests that facing and overcoming fears changes how the little boy looks at his surroundings. This lesson is well worth learning or relearning at any age.

A truly irrational response to fear occurs when an individual judges a fear or its risk reasonably, and then takes an irrational action to meet the judgment.

More practically, the events of Sept. 11, 2001, may have had a transformative effect on us as a society. The fears triggered and faced on that day changed many of us. The result may be that our definition of rationality has changed as well. Indeed, many scenarios that would have seemed irrational before Sept. 11 are routinely contemplated today. Similarly, courses of action that might never have been taken before Sept. 11 have been or may yet be taken. In many instances, what qualifies as “rational” today is different from what qualified as such before Sept. 11. Though the reactions of those first transformed by fear may have seemed irrational to the majority at first glance, those reactions may come to define rationality if society as a whole is ultimately transformed by the same fears.

Fear and democratic crisis

Given that this symposium focuses on “Fear and Risk in Times of Democratic Crisis,” I would be remiss if I did not very briefly mention race, risk perception, perceived irrationality, and democracy. Some who suggest that fear results in inaccurate or irrational risk perception seem to believe that individuals overestimate known or knowable risks and act irrationally based on those overestimations. However, whether a risk has been misperceived or overstated may depend on how a risk is defined. For example, the risks I face as a black man differ from those faced by others who are not black men. My fears stem from risks I face and derive in part from incidents in which I or my black friends have been involved; they are likely different than the fears of those who are not black men. If my experiences are deemed exceptional, my reaction to them may be deemed to be based on irrational or inaccurate risk perception. Many in the minority community and some in the majority community will deem my fears and the precautions I take against bad outcomes rational because they may share the same fears or appreciate them. However, if the majority of my fellow citizens deem my fears to be irrational or based on faulty risk perception, legislators

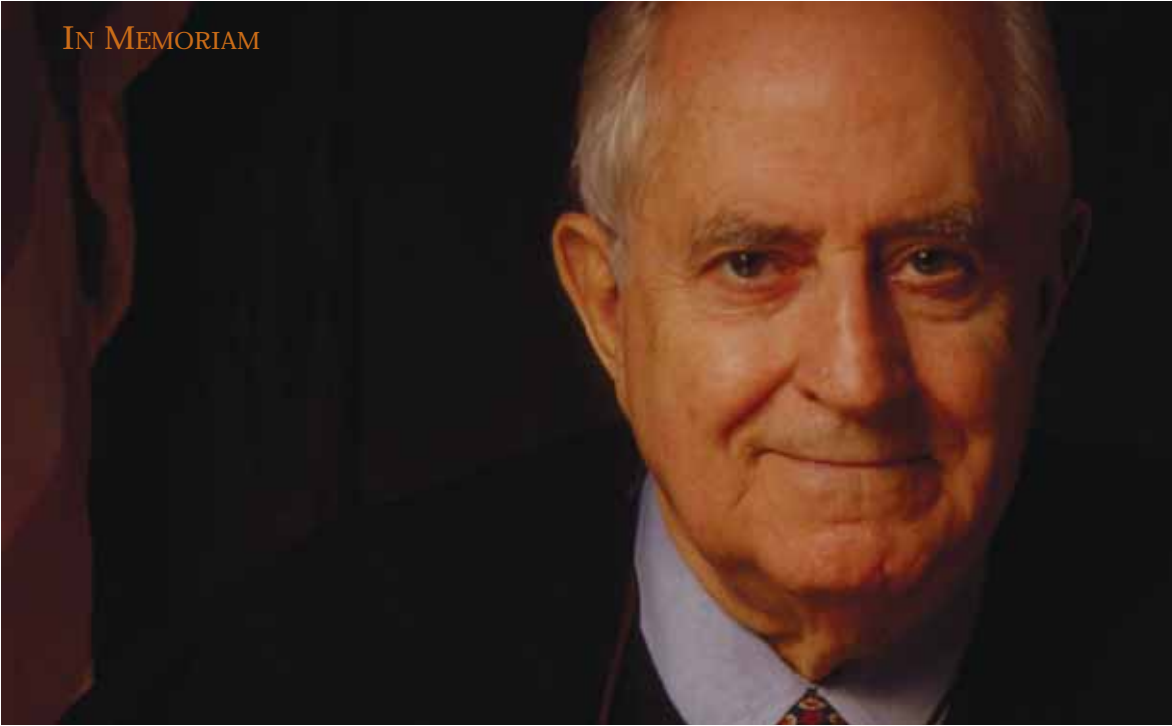
may have little incentive to act on my fears. Because the fears of minorities may be deemed exceptional or non-representative and, therefore, easily dismissed by the majority, minorities arguably always live “in times of democratic crisis.”

Conclusion

Fear may not always be rational and may in fact lead to irrational behavior. However, we must be vigilant when labeling fear and actions triggered by fear as irrational. Improperly deriding fear as anti-rational may stem from a lack of recognition that competing value systems or desires may yield different outcomes.

That a person acts outside of the mainstream in assessing or reacting to fear does not make him irrational. Fear may drive one person to take one action and drive another person to take another more drastic action. If both actions are rational, fear has not triggered irrationality, though the temptation is to deem the more drastic action irrationally driven by fear. If the different responses are based on the different values or preferences of the two people, ascribing irrationality to one person’s action may be inappropriate.

One must be careful in labeling fear or reactions to fear as irrational even when evaluating a person’s reactions only by reference to the person’s internal value system. That a person is willing to pay a significant amount to eliminate a small risk but seems unwilling to pay a smaller amount to eliminate a significantly larger risk may not necessarily make him irrational, depending on how the person processes the risk or whether contemplating the risk transforms the person and how he rationally evaluates the risk. A truly irrational response to fear occurs when an individual judges a fear or its risk reasonably, and then takes an irrational action to meet the judgment. That is, in order for a response to be irrational, fear must deform a rational thought process into an irrational one rather than transform one rational thought process into a different rational thought process. Though fear can presumably transform a rational thought process into an irrational one, this may occur in far fewer circumstances than we might imagine. ■



A judge's legacy

By Bill Lohmann

When Robert R. Merhige Jr. was appointed to a judgeship on the federal bench in 1967, his fellow attorneys in Richmond applauded his selection as both a well-deserved honor and a much-appreciated reprieve.

"I remember being very enthusiastic about him going on the bench because everybody felt he was pretty much the best lawyer in town," said Lewis T. Booker, R'50, H'77, a longtime Richmond attorney and retired member of the University of Richmond board of trustees.

"It was also," he added with a laugh, "getting the competition off the road."

Merhige, L'42 and H'76, served as a judge for the Eastern District of Virginia for 31 years, handling some of the biggest legal cases of the times with a firm hand and an uncommon grace. He died in Richmond on Feb. 18. He was 86.

Over the years, Merhige presided over major corporate litigation cases, including the bankruptcy reorganization plan for the A.H. Robins Co. in the Dalkon

Shield case. He imposed a \$13 million fine against Allied Chemical for its pollution of the James River with the insecticide Kepone, but reduced the fine when Allied set up a cleanup fund.

He ordered the University of Virginia to admit women in 1970. He wrote the decision for a three-judge panel that threw out the appeals of three Watergate figures, including G. Gordon Liddy. He presided over the trials of Ku Klux Klan and American Nazi Party members accused of killing members of the Communist Workers Party, as well as the trials of Native Americans accused of crimes at Wounded Knee, S.D.

In the early 1970s, his orders to integrate dozens of Virginia school systems made him, perhaps, the most publicly reviled man in Richmond. The editorial pages

of the Richmond newspapers regularly roasted him, and anti-busing protesters often paraded past his home. A fellow diner at a restaurant spat in his face, and his pet dog was shot to death, after having its legs tied. For two years, Merhige, his wife, Shirley, and their son, Mark, lived under 24-hour protection by U.S. marshals.

“If I had gotten off (the bench), the kooks would have said they won. ... I wouldn't give them the satisfaction.”

—*Robert Merhige*

During those difficult times, Booker served on the Richmond school board that came under fire, first from Merhige to establish a plan to desegregate the schools and later from residents unhappy with the resulting cross-town busing. Booker recalled it often felt like “the judge and the school board against the world.”

Booker admired Merhige's courage and integrity in the face of relentless vilification. “He was doing, in my mind, exactly what the law required him to do,” Booker said. So when he became rector of the board of trustees, he proposed the University award the judge an honorary degree.

“Here was one of our alumni who in my mind was being unfairly criticized,” Booker said. “He was a great credit to the University ... (and) I thought we should show him the community was

behind him.”

To Booker's grateful surprise, there was no dissent among board members. Merhige received his honorary degree in 1976.

“I remember being so proud of the UR board for standing up for a judge who was doing the right thing,” said Booker, who in recent years has worked two doors down from Merhige after the judge retired and joined the Richmond firm Hunton & Williams.

Merhige's history with the University dated back to the late 1930s when he showed up in Richmond excited to attend law school – at the College of William & Mary.

The mayor of High Point, N.C., where Merhige had done his undergraduate work, set up Merhige with a part-time coaching job at St. Christopher's School in Richmond. Merhige wanted to attend law school, and the mayor told him W&M was close by.

Once he arrived in town, Merhige discovered that Williamsburg wasn't particularly convenient to the West End of Richmond. But he was happy to learn about the T.C. Williams School of Law and was accepted at the school.

During law school, Merhige led a meager existence, holding a variety of part-time jobs around the school, working as a janitor and in the library, among other things, to pay his way. He survived on stale rolls, peanut butter and cheap bottles of soda. But he loved the law, and for the first time in his academic career, he excelled in class.

After Pearl Harbor, he enlisted in the Army Air Corps. He'd finished only two years of law school, but

the faculty voted to award him a degree under a special war-time provision. M. Ray Doubles, dean of the law school, was Merhige's mentor and friend and the person who encouraged him to return to Richmond after the war to practice law. Years later, Merhige established a scholarship in honor of Doubles.

Over the years, Merhige was generous to the University with his money and his time. He taught classes and met with students and faculty, and was a recipient of the Green Award, the law school's highest honor. When he retired from the bench, he donated his papers to the law school. He'd lent his reputation long before.

“As I've traveled around the country ... meeting other members of our profession, invariably when I've said I'm from Virginia, people have mentioned Judge Merhige, told stories about him, reminisced about cases they had in front of him,” said Rodney A. Smolla, dean of the law school. “I've come to appreciate first-hand what an extraordinary figure he is, not only in our local community, but in our national community of lawyers.

“As a judge he was much more important than the sum of his opinions. His values and his approach to being a judge were as important as his actual rulings. He stood for courage, humility, good humor, treating lawyers and litigants with dignity, and never taking his eye off the struggle for justice.”

The Law School plans to honor this “struggle for justice” during Fall Gathering in October with a memorial event exploring Judge Merhige's life, jurisprudence, and legacy. The school intends to continue to honor his legacy in several other ways: the school's environmental law program is named in Merhige's honor, and plans call for a new building addition – part of a proposed expansion of the school – also to be named for Merhige.

Even with his name on a building, Merhige will be remembered by many for his small kindnesses.

Despite being known as a stickler for courtroom decorum and for once having evicted his own father from court because he fell asleep on the front row, Merhige had a warm side beneath his black robe. He fetched lunch for his office staff and provided sweaters for chilled jury members.

He also was nice to children.

John G. Douglass, now a professor at the law school, previously worked as an assistant U.S. Attorney. He tried his first jury case in front of Merhige.



Judge Merhige (photographed here with law students in the 1960s) returned to the Law School regularly throughout his career.

Douglass recalled the day he brought his son, Scott, then 8 or 9, to the office. Douglass wasn't scheduled in court, but wound up with an unexpected proceeding before Merhige. He asked the judge's clerk if it would be all right if Scott sat in the courtroom.

“A few minutes before court, the clerk brought a note from the judge that said to bring (Scott) up and let him sit at the counsel table,” Douglass recalled. “Judge Merhige didn't want him just to observe. He wanted him to be in the middle of it.”

“Afterwards, he got Scott a Coca-Cola and we sat around and chatted, like it was his own grandfather.”

That was another role Merhige took very seriously. His son Mark described his dad as “the best grandfather on the planet.”

As gentle as he often was as a mentor and teacher, Merhige was, from his early days, a tough, competitive lawyer.

In his biography of Merhige, *May It Please the Court*, law professor Ronald J. Bacigal recounts an exchange involving Merhige, from his law school days, and Dean Doubles, his advocate and friend.

Doubles recalled, “I have never seen a student who had more zeal for the study of law, or who was more hell-bent on becoming a lawyer.”

Merhige initially impressed Doubles by earning the highest grade ever given in his Criminal Procedure course. Merhige received a grade of 98 on a grading scale where 84 was an A, and it was almost unheard of to earn a grade over 90. Doubles regarded it as “a truly staggering performance.”

Years later, Merhige recalled the grade differently: “Dean Doubles short-changed me. The only thing I missed on that exam was some trick question about the name of the grand jury foreman. It wasn't a fair question and I deserved a 100 on the test. I love the man but I still resent the grade.” ■

Bill Lohmann, R'79, writes for the Richmond Times-Dispatch.

Richmond students board buses at a transfer point in 1970, the first year of busing to desegregate city schools



Richmond Times-Dispatch

THEIR DAY IN COURT



Law students win appeal before 4th Circuit

By Randy Fitzgerald, R'63 and G'64

Most third-year law students don't get an opportunity to argue a case before a federal appeals court. In fact, many attorneys never do.

But this spring, the Richmond-based 4th U.S. Circuit Court of Appeals handed down an opinion in a case that was prepared and presented over a period of several years by University of Richmond School of Law students. The students won.

Third-year students, Cassie R. Craze and Natasha Umbertis, both L'05, argued the case before the court last fall on behalf of an autistic child and his parents. The family had sued the Henrico County [Va.] School Board, claiming the boy's school did not give him an appropriate individual educational program, as was his right under the Individuals with Disabilities Education Act (IDEA).

His case came to the attention of professor Adrienne E. Volenik, director of the Law School's Disability Law Clinic, which agreed to represent the child and his parents.

For the students involved over the numerous steps leading to the appeals court ruling, the process was an extraordinary educational opportunity.

It was "just incredible," Umbertis says. "It's terrifying to go from law school to practice without such hands-on experience."

Congress created IDEA in part to ensure that all children with disabilities can get free appropriate public education that meets their unique needs and prepares them for employment and independent living.

Because they saw the plan for their son as inadequate, the parents of the boy, called Z.P., sent him to a private school.

Autistic children have special educational needs because they have a greatly reduced ability to imitate actions and sounds, and because they lack normal attention skills and are easily distracted from learning, says Volenik. The students argued that because Z.P. is severely autistic, he needed many more hours of one-on-one time with teachers than the school board offered.

Umbertis and Craze say they were terrified by the prospect of appearing before the court, perhaps with good reason. They had no courtroom experience. It was Umbertis's "first-ever court appearance, either as a law student or in any manner." And as a visiting student from City University of New York Law School, she also was new to Richmond.

"Preparing for the argument was one of the most challenging things I have ever done since I did not have any background in the area of special education law or in the Z.P. case prior to the time that we started work on the 4th Circuit argument," Craze says.

She had "never even participated in moot court or any of the other voluntary opportunities the law school provides to practice oral argument." In fact, she had "no intent of ever stepping foot in a courtroom." She came to law school because she "enjoyed research, writing and interacting with clients."

To make matters worse, they had only one month to prepare, beginning in late August with a Sept. 29 court date. "The case already had a huge body of information, thousands of pages," amassed during legal proceedings leading to the appeal to the 4th Circuit. "Fortunately, the students [from the Law School clinic] who had come before us had done a great job with the case, and we had some very knowledgeable people mooting us to help us prepare," Umbertis says.

After Z.P.'s parents challenged the county plan with the aid of the Law School clinic, their case went first to a hearing officer, who held for Z.P. Appealed by the county, it was presented next to the U.S. District Court for the Eastern District of Virginia, which reversed the decision. From there, the appeal moved it to the 4th Circuit, which ruled in favor of Z.P. and remanded the case to District Court.

Michele Burke, L'03, one of the students who prepared the case for presentation before the hearing officer says, "It took over our semester. It was our lives. We interviewed parents, wrote the demands letter. The time we had was very short.

"The five of us [who worked on the case] really got close," Burke says. "We believed in it. We called ourselves 'The Clinic Girls.' We were all so obsessed with it."

"The Clinic Girls" won though they faced experienced attorneys because the county's experts were not strong in autism, Burke says. "They didn't really understand it.

"We read a lot and spoke to a speech therapist and occupational therapists, people who know autism. We knew autism," Burke says. "[Opposing counsel] thought they did, but they really didn't."

Joanne Stanley, L'04, now a law clerk in Loudon County [Va.] Circuit Court, argued the case at the next level, in U.S. District Court. She prepared the briefs, the appeal and the appendix. During that process, professors at the Law School subjected the students from the clinic to a series of valuable drills, Stanley says. "I



Autism is the fastest-growing developmental disability, according to the Autism Society of America.

also had access to a child advocate who acted as a judge. I was well prepared.”

After the District Court ruled, Stanley stayed on the case and prepared the briefs for the appeal to the 4th Circuit, a task that is challenging even for an experienced attorney.

When it came their turn, Umbertis and Craze also discovered how difficult yet valuable the moot experience can be. They found themselves before a star-studded panel of Dean Rodney A. Smolla, Judge Robert Bork, himself a former federal appeals court judge, and Senior Justice Harry L. Carrico of the Supreme Court of Virginia. “The whole law school and law community were invited,” Umbertis says. “The Moot Court Room was packed.”

The moot court judges “criticized, questioned and gave hints afterwards,” Volenik says, leaving the students “as prepared as they could be.” Maybe as importantly, the students figured the real case “would not be any more nerve wracking.”

“It was tougher at school” than in the actual hearing, Umbertis says. “The 4th Circuit gave us a little leeway. They were interested in provoking the answers they wanted. The moot court asked pointed questions and really helped us fine tune our case.”

Initially Volenik was going to choose one of the two women to present the case, Craze says, “but as the semester progressed, we decided to divide up the argument.”

Each focused on different aspects of the appeal, but “we made sure that we both were comfortable answering any questions.” That turned out to be a good decision.

Craze characterized the panel they faced as “a very ‘hot bench’” that asked a lot of questions. “As it turns out, most of the questions I was asked dealt with subjects Natasha had focused on and vice versa.”

While the students say they valued working closely with one another during preparation and arguments, they realized that in these instances, both must be equally focused and prepared on all aspects of the case.

“Having another law student who was just as focused on the case as I was and who also felt overwhelmed by what we were doing helped me significantly,” Craze says.

Umbertis says they spent 30-35 hours a week preparing. She was juggling four classes and a part-time job, but she “lived, ate and breathed that case.”

“We had great team support,” Umbertis says.

Volenik’s clinic is one of several that present Richmond law students with opportunities for valuable legal training under real pressures, with real peoples’ lives at stake.

“This individual learning experience made law school so much more valuable to me,” Stanley says. “It was hands on, and I could help.”

Burke has carried what she learned to her job as a busy litigator with the Richmond firm LeClair Ryan. “The work I do now is completely different from the case, but I draw on the experience.”

“You really have to note the facts. You have to know the law,” Burke says. “You have to overprepare. It was absolutely the best thing, Adrienne’s clinic, the whole experience. She’s a very good leader.”

Craze, who graduated in January, knows that even with the victory in the 4th Circuit, Z.P.’s family still faces challenges inside and outside the legal system. “I was thrilled when I read the opinion,” and as she carries the experience with her into practice, “I intend to follow the case and hope that everything turns out well for Z.P. and his family.” ■



Representing the Disability Law Clinic are (from left) Samantha Cutler, Cassie Craze, Darnell Griffen, Professor Adrienne Volenik, Natasha Umbertis and Linda Shin.



History unearthed

Alumnus' riverfront home was Chief Powhatan's 'elite space.'

By Rob Walker

Nine years ago, when Bob Ripley bought the farm overlooking Purtan Bay and the York River, he knew the place had once been home to Virginia Indians. But Ripley, a successful lawyer and developer, had no plans to dig into history. He was buying a great place to train his prized Chesapeake Bay retrievers for the American Kennel Club's hunting test program.



Bob and Lynn Ripley help drive the excavator and sift through the earth at the dig on their York County farm. Archaeologists and students have run field schools there to investigate what lies inside this major historic site.

Ripley, R'66 and L'69, had worked as commonwealth's attorney for York County and the city of Poquoson, and as counsel to the county's industrial development authority. His development firm had built hundreds of houses in the region. He ran a successful private practice.

He and his wife, Lynn, were anxious to move to the next stage in their lives, which took them to the 300-acre farm and the house on the bluffs overlooking the pristine bay. Eagles nested near the waterfront and two massive pecan trees nearby were marked on a Civil War-era map of the place.

Strolling along the beach and over the fields, Lynn kept finding arrowheads, pottery shards, old coins and ancient pipes. So the Ripleys invited archaeologists from the Virginia Department of Historic Resources to come have a look.

Soon they found themselves at the center of a great deal of excitement.

Evidence now shows that the farm is the site of Werowocomoco, Chief Powhatan's village and headquarters around the time of the Jamestown settlement, and the place where Capt. John Smith claimed his life was spared by the intervention of the Indian Princess Pocohontas.

The discovery was heralded in newspapers from Los Angeles to New York to London.

Since then, the land has been subject to intensive excavation, which has solidified the Powhatan connection while dating the settlement back perhaps 15,000 years, well before the Colonial era and the arrival of Europeans in the New World.

Today Bob and Lynn Ripley live on what may be

one of the most significant archaeological sites in America.

"This has all been incredible," Ripley says. "In 1607 in Virginia, there were two things of great significance going on in Virginia: Jamestown and Werowocomoco."

Werowocomoco symbolizes Powhatan at the height of his power, a time when he interacted with the English who had just come to Jamestown, according to E. Randolph Turner III, archaeologist with the Virginia Department of Historic Resources.

The gulf in public knowledge about this interaction between the two civilizations has been broad, but with the Werowocomoco discoveries, it should narrow.

On a recent spring day, the Ripleys greeted guests at the gate and led them down to an open, fallow field where a handful of students were working. Their painstaking examination was under the supervision of Martin D. Gallivan, assistant professor in the Department of Anthropology at the College of William and Mary. Gallivan has overseen summer field schools on the site where archaeologists and students meticulously examine evidence found along the bluffs and in the fields behind.

This year, the Werowocomoco work won a rare \$98,000 grant from the National Endowment for the Humanities. The Virginia Department of Historic Resources, the Virginia Foundation for the Humanities, and William and Mary also have been generous with financial support and expertise.

The most exciting find thus far may be the extensive double ditch system that seems to curve through the site. Archaeologists have found an assortment of Indian artifacts there, and radiocarbon dating on some indicates they are from the early 1400s.

Gallivan says understanding the ditches is a significant goal. They appear to be at least 400 yards long and "may indicate status of this village where Powhatan ended up, so possibly this was an elite space," he says. They seem to be similar to a double 'D' formation that is on a map of the site that Pedro de Zuniga sent to Spain in 1608.

So far, the excavations have covered 4,000 square feet and that's less than 1 percent of the site, Gallivan says. "It's remarkable."

The recent life-altering discovery on the Ripleys' farm has raised serious questions for the couple. Across

a field from the dig, a handful of retrievers, almost an afterthought now, stir as visitors approach their well-kept pens and house. Among them is one mutt, a "beach dog" Ripley brought home from a recent trip to Vieques in Puerto Rico. The dog's name, Ripley says with a smile, is G.D. Lucky.

"The moment the archaeologists said this was Werowocomoco, we wondered: 'Should we keep this quiet? Should we announce what we've found?'" Ripley says. "We knew 2007 was coming and from the historical point of view, we felt it was time to learn all we can about the Virginia Indians here around the time of Jamestown."

In 2007, Virginia and the nation will celebrate the 400th anniversary of the Jamestown settlement just down the river. The events should bring hordes of tourists to the area, and the Ripleys' must weigh their role. The farm is their home, and the prospect of tour buses and curious history buffs arriving at the gate is a concern.

Their land, with expansive river frontage and fertile, pastoral acreage, clearly holds enormous value as development escalates along creeks, bays and rivers in the region. But now, with the Werowocomoco discovery, its value has become almost incalculable.

Lynn Ripley, whose curiosity over her discoveries triggered the excavation, has since enrolled in conservation and archaeology classes at William and Mary, and she is out at the site with her hands in the dirt alongside the students whenever work is underway. She shows off some of the prize discoveries with pride and joy.

The Ripleys have maintained an open invitation to Virginia Indians, whose ancestors may have lived at Werowocomoco, to come to the place, and they visit often, marveling at artifacts including one ceramic pipe that may have belonged to Chief Powhatan himself.

They have set up an advisory group, the Werowocomoco Research Group, which includes Indians who provide input on the dig.

Teachers from Gloucester and Prince William county schools have come to the site and broadcast lessons across the country via satellite. The research group

Arrowheads, spear tips, pottery pieces, pipes and coins have been uncovered along the riverfront and in the fields that lie nearby. Hurricane Isabel unearthed a wealth of artifacts that caught the Ripley's eyes.

Three who helped change Bob Ripley's life

Robert F. Ripley Jr. says three people he encountered as a law student changed his life. The credit goes first to Dean William Muse, "a truly great man, who provided us all with the incentive to do things right, to be good lawyers," Ripley says. "He was like a father to me."



Ripley acknowledges a second law school mentor who helped him enormously soon after he received his degree. Facing his first jury trial, Ripley found himself studying his old notes from professor Ray Doubles' criminal law and procedures class. "Those old notes saved me. He knew what we would have to do."

Ripley also says he was thankful for his choice of roommates during that first year. Walter S. Felton Jr., R'66 and L'69, now a judge with the Virginia Court of Appeals, taught him how to approach his studies. "Whatever Walter did, I did," Ripley says. "Otherwise, I'm not sure I would have made it."

is planning to have documentaries, virtual tours and other educational programs that will enable the Ripleys to share this piece of history without too much disruption to their lives.

Werowocomoco soon will be nominated for state and national historic landmark status. The Ripleys are weighing options for its future, perhaps as a state or national park or in the hands of a private trust. After 2007, they plan to reassess the findings and prospects.

Says Ripley, "It's been an incredible adventure." ■





Getting involved

I was driving to court recently and listening to national news radio when I was surprised and thrilled to hear our dean, Rod Smolla, discussing the First Amendment as it applies to downloading music.



This is just another example of how the University of Richmond Law School is on the rise. The visibility and reputation of the school, the quality of the student body, the strength of the courses and programs, and the sense of optimism for the school's future are increasing dramatically. Don't you want to be a part of this?

Whether it is through involvement in a pro bono legal project, helping to develop one of the five legal centers, mentoring a student, participating in career placement efforts, or through financial support to the annual fund, you can make a difference. The opportunities are great, and the needs are even greater.

This year we have seen a huge increase in the number of alumni events from the Northeast to the Deep South. Consider hosting such an event in your area next year. Or perhaps you could help recruit and support new students with phone calls, a reception or dinner.

Our firm has employed numerous Richmond students as summer clerks and then helped place them in full-time jobs. We have been fortunate to share in their careers as colleagues and as friends. Perhaps one day we will have the pleasure of hearing one of our former clerks, as we heard Dean Smolla, speaking as a legal expert on the radio.

Tim Barnes, L'78
President of the Law School Association

Building bridges

We are bridge-builders. The Young Grads Association builds bridges to usher graduating law students into their new status as alumni and to welcome them into the Law School Association. We encourage their continued involvement with the Law School and their support of its initiatives.



This bridge is built on a foundation established by our involvement in the everyday life of the school, its students and its programs.

You are considered a "young grad" for six years following graduation. There are currently 23 members on the Young Grads Association, with at least two from each class. There are council members located from Richmond to Maine to Texas. They represent a cross-section of our young alumni.

We represent Richmond law's young alumni before the LSA board and we build lasting relationships we hope will flourish among all members of the Law School Association.

The Young Grads Association also serves charitable and educational purposes, including encouraging alumni support, promoting the law school's welfare and encouraging fellowship among Richmond law alumni.

Young grads conduct mock interviews and meet with prospective students. They co-sponsor an incoming student luncheon, and they host a barbecue for the graduating class. They encourage support of the annual fund and membership in *de novo 1870*.

Please let us know how we can serve you, and we'll work on that bridge, too.

Eric A. Gregory, R'96 and L'02
President of the Young Grads Association



Meath heads bar association

James V. Meath, L'79, was installed earlier this year as the 115th president of the Virginia Bar Association.

A partner in the labor and employment section of Williams Mullen in Richmond, Meath has been active in the association, a voluntary group of more than 5,600 lawyers, since 1982.

The association includes 26 substantive sections and committees dealing with issues of importance to lawyers and judges.

Meath was co-chair of the Law School's successful "Top Tier Initiative," which concluded in 2002 after raising more than \$6 million. He is a member of the University's board of associates and has served as an adjunct professor at the Law School.

At Williams Mullen, he is vice chairman of the firm's board and head of its Richmond-Charlottesville region. He has served on the American Bar Association's board of governors.

Morris elected president of trial lawyers group

James W. "Jimmy" Morris III, L'57, has been elected president of the American College of Trial Lawyers, a highly regarded professional association.

Morris, partner in the Richmond firm Morris and Morris PC, has been active in the organization since his induction in 1984. He also has served as president of the Bar Association of the City of Richmond, the Virginia Association of Defense Attorneys and the Defense Research Institute.

In his 44 years of practice, Morris has distinguished himself as a products liability defense lawyer and in commercial and professional trial matters.

The college is an honorary association of lawyers from the United States and Canada. Founded in 1950, fellowship is extended to experienced trial lawyers, determined to have mastered the art of advocacy, whose careers have been marked by the highest standards of ethical conduct, professionalism, civility and collegiality.

Narro offers guide to public interest law

Victor Narro, L'91, returned to campus in March as the first University of Richmond School of Law Public Interest Fellow. He spent several days working with students, faculty, and lawyers from the community to practicing law in the public's interest.

Narro, who has been recognized nationally as a successful advocate for workers and grassroots organizations, received the law school's Nina R. Kestin Service Award as a student.

He has gone on to a distinguished career representing immigrant workers, fighting to eliminate sweatshops, and helping organize day laborers, domestic workers, garment workers, and gardeners primarily in the Los Angeles area. His work has touched on immigrant law, voting rights, education, and employment law.

Professor Ann C. Hodges described Narro as "the most dedicated, unselfish, humble, and kind lawyer I can imagine."



Left to right: James V. Meath, James W. "Jimmy" Morris III, Victor Narro

Richmond Law magazine is looking for alumni who would like to submit notes on behalf of their graduating classes. If you would like to gather news from you classmates and write a letter to the magazine twice a year, or if you have news of your own, please contact us at (804) 289-8028 or at LawAlumni@Richmond.edu or Law Alumni, University of Richmond School of Law, University of Richmond, VA 23173.

1960s

Leonard A. Paris, R'58 and L'62, and **Irving M. Blank, L'67,** have relocated their firm, ParisBlank LLP, to 1804 Staples Mill Road, Richmond 23230. **C. Felix Cross III, L'75,** is an associate with the firm.

The Hon. J. Dale Bimson, L'65, is counsel at the firm of Pender & Coward. He is the former city attorney of the city of Virginia Beach, and he served as chief judge of the Virginia Beach General District Court. His practice focuses on public administration, municipal and governmental law, land-use planning, mediation and arbitration.

W. Douglas Call, L'65, recently graduated from Colgate Rochester Crozer Divinity School with a master's of divinity degree. He and his wife, Donna, welcome friends to their guest home in Wester, N.Y., near Niagara Falls.

Roderick B. Mathews, L'66, of Troutman Sanders, has been elected to a three-year term on the Virginia Law Foundation board of directors.

Robert N. Baldwin, L'67, retired this April after 30 years as executive secretary to the Supreme Court of Virginia. He has been responsible for the financial management of the state judicial system, as well as for implementing policies and procedures, compiling statistics, and evaluating and planning for changes in the organization, structure and procedures of the state court system. He also served as secretary of the Judicial Council, both Judicial Conferences, the

Committee on District Courts and as general liaison between the courts, the legislature, the state executive office and the Virginia State Bar, as well as the news media and the general public.

Andrew W. Wood, R'64 and L'67, was the subject of a recent *Richmond Times-Dispatch* article about his 35 years of work with the Central Virginia Legal Aid Society Inc. The Richmond Bar Association recognized Wood for his volunteer work by awarding him its annual John C. Kenny Pro Bono Award. He and his wife, **Cheryl Wood, L'79,** are partners at Wood & Wood.

Patrick M. McSweeney, L'69, has been named to an advisory board for the Virginia chapter of the Federalist Society for Law and Public Policy Studies, a public-interest organization with headquarters in Washington, D.C. The society is a group of conservatives and libertarians interested in the state of the legal order.

Michael L. Rigsby, L'69, of Carrell Rice & Rigsby in Richmond, represents attorneys and their firms in matters involving licensing, standards of care, disqualification, fees, legal ethics and related issues. He has qualified as an expert witness in Virginia, West Virginia and Maryland, and is a frequent lecturer on the subject of professional responsibility.

1970s

Donald K. Butler, R'66 and L'70, has been awarded the Lifetime Achievement Award by the Virginia State Bar's Family Law Section. He was honored for a career reflecting professional achievement and recognition by the bar and the legal community.

Gregory D. Foreman, L'74, is a partner with Bowen Camplin Carr Foreman & Rockecharlie in Richmond.

Key to Abbreviations

School of Arts and Sciences.....	A
Robins School of Business.....	B
School of Continuing Studies.....	C
Graduate School of Arts and Sciences.....	G
The Richard S. Reynolds Graduate School of the Robins School of Business.....	GB
Honorary degree.....	H
Jepson School of Leadership Studies.....	J
University of Richmond School of Law.....	L
Richmond College.....	R
Westhampton College.....	W

Michael R. Packer, L'74, joined the staff of Chesterfield County Public Schools as the school system's legal counsel.

C. Felix Cross III, L'75, is an associate with the firm ParisBlank LLP in Richmond.

Katrin B. Colamarino, L'76, retired from the information technology law practice at JPMorgan Chase Bank in September 2004. She is pursuing a favorite activity as a fundraising executive for a nonprofit organization. She and her husband, Leu, have moved to San Luis Obispo, Calif.

Robert L. Samuel Jr., L'76, was named one of Virginia's Legal Elite by *Virginia Business* magazine for the third consecutive year. He also has been elected by his fellow commissioners to a fourth term as chair of the Chesapeake Redevelopment and Housing Authority.

Lewis T. Stoneburner, L'76, was recognized Jan. 24, 2005, by *Virginia Lawyers Weekly* for having two of the top 10 jury verdicts in Virginia in 2004. In 2003 he had one of the top 10 jury verdicts in Virginia. All three of these verdicts were for injuries patients suffered due to medical negligence. Two of the verdicts were returned in Norfolk Circuit Court and the other was in Richmond Circuit Court.

Michael J. Aheron, L'77, was voted best real estate attorney in Roanoke, Va., by readers of *Roanoker* magazine.

Richard Cullen, L'77, has been named to an advisory board for the Virginia chap-

ter of the Federalist Society for Law and Public Policy Studies, a public interest organization with headquarters in Washington, D.C. The society is a group of conservatives and libertarians interested in the state of the legal order.

A. Bartlett Keil, L'77, formerly of the Keil Law Firm PC, has merged his practice with the firm of Pender & Coward. He specializes in family and matrimonial law, as well as complex property settlements, distributions and litigation.

Wade Massie, L'77, manages the commercial litigation group at PennStuart, where he provides trial and appellate counsel in tort, contract and environmental cases, including commercial, mining and labor litigation.

Kingston Smith, L'77, is chief counsel for representative-elect Joe Schwarz, R-Mich., of the U.S. House of Representatives. A decorated veteran who served in the Air Force during the Vietnam War, Smith previously worked as a civil trial lawyer.

Gordon M. Cooley, L'78, of Ijamsville, Md., is senior vice president and senior deputy counsel at Mercantile Bankshares Corp. in Baltimore. He was elected to the board of trustees at Hood College in May 2004 and in September 2004, he was elected chairman of the board of the Community Foundation of Frederick County, Md.

Fred R. Kozak, L'78, is secretary of the Powhatan County, Va., Bar Association.

Ronald E. Kuykendall, L'78, has been general counsel for Sandy Spring Bankcorp Inc., a bank holding company in Olney, Md., for five years. Publicly traded and listed on the NASDAQ, Sandy Spring is the third largest independent bank headquartered in Maryland.

Jackson E. "Jack" Reesor, L'78, president and chief executive officer of Old Dominion Electric Cooperative and the Virginia, Maryland & Delaware Association of Electric Cooperatives, has been named chairman of the board of directors of the Virginia Chamber of Commerce. He also serves as a board member of Virginia Public Broadcasting, the Virginia YMCA, the Virginia Center for Coal and Energy Research, the Center for Rural Virginia and the Virginia Foundation for Agriculture in the Classroom.

P. Christopher Guedri, L'79, was featured in an Oct. 24, 2004, article in the *Richmond Times-Dispatch*. An attorney with the law firm of Allen, Allen, Allen & Allen, Guedri has the distinction of winning two million-dollar jury verdicts in a week in October 2004.

Dennis Miller, L'79, remarried in December 2003 to Lori Long Miller. He has a 10-year-old son, Samuel "Ray." Miller graduated from the University of Colorado-Boulder in 1994 with a master's degree in electrical engineering. He has been a development software engineer in the data storage and defense industries for 10 years.

Edward H. Starr Jr., L'79, was featured in a recent *Virginia Lawyers Weekly* article about *Valley Proteins Inc. v. Royal Insurance Co.*, a case in which he represents the policyholder.

Howard C. Vick Jr., L'79, is a member of the board of directors for the Virginia Public Safety Foundation.

1980s

Steven E. Baril, L'80, finished second in his primary campaign for the Republican nomination for Virginia's attorney general. He is a partner in the Richmond firm Williams Mullen and has been named to an advisory board for the Virginia chapter of the Federalist Society for Law and Public Policy Studies, a public interest organization with headquarters in Washington, D.C. The society is a group of conservatives and libertarians interested in the state of the legal order.

John D. Epps, L'80, a partner on Hunton & Williams' litigation, intellectual property and antitrust team, has been elected to the Virginia Bar Association's board of governors. Epps, who was listed in *The Best Lawyers in America*, 2005-06 edition, focuses his practice on business litigation, arbitration and mediation. The Virginia Bar Association is a voluntary organization of lawyers committed to serving the public and the legal profession.



Left: Law School graduates from the 1950s meet during Fall Gathering '04: (left to right) Buddy Pollard, L'59; William Smithers, L'59; Alton Bryant, L'59; John Smart, L'59; Milton Miller, L'58; Ed Turlington, L'58; Peyton Farmer, L'59; Jay Levit, L'58 and Milton Maddox, L'58.

Above: Also attending were Hatch Johnson, L'73; Robert L. Flax, L'77 and Stuart Williams, L'80.

ALUMNI PROFILE

LandAmerica chief still benefits from Law School education



Starting law school, Theodore L. Chandler Jr., L'77, thought he would be a tax lawyer with a big accounting firm. Since then, he has traveled a long road from spreadsheets to the executive suite.

He graduated from the University of Virginia's McIntyre School of Commerce with a bachelor's degree in accounting. He took the CPA exam during his first semester at the Richmond School of Law, "which I don't recommend," he says. He worked

during summers for Arthur Young, predecessor to the accounting giant Ernst and Young.

"I was smart enough to see that the lawyers were having more fun than the accountants," Chandler says, so he moved to Williams Mullen, a Richmond law firm with a strong business practice.

At Williams Mullen, Chandler worked his way up to lead the corporate and securities team, dealing with successful clients including Lawyers Title Insurance, which would become the Fortune 500 company LandAmerica. He also served on Williams Mullen's board of directors.

In 1991, he was named to Lawyers Title's board, and in 2000, Chandler joined the company full time. "I loved the legal practice and the talented people at the firm, but I liked this opportunity. I knew their people; I admired their executives and their business model. It was an opportunity to expand my horizons, so I jumped the fence."

In 2004, Chandler, who had been president and chief operating officer at LandAmerica, was named president and chief executive officer. "I really enjoy the opportunity to be in the decision-making seat rather than in an advisory seat," he says.

With headquarters in Richmond, LandAmerica Financial Group is a leading provider of real estate transaction services with 10,000 active agents in the United States, Mexico, Europe, Canada, the Caribbean and Latin America. In 2004, LandAmerica made *Fortune* magazine's list of most admired companies.

Chandler says his law school education and background in business law have been excellent preparation for his role at LandAmerica. "There's no question my degree let me work in a place [Williams Mullen] where I could see close up a lot of businesses, what made them successful or not.

"As a lawyer you learn a disciplined thought process that is helpful in business—where you deal with a lot of imperfect information in making decisions rapidly," Chandler says.

His wife Laura Lee, W'74, comes from a family of Richmond graduates. Daughter Becca just completed her sophomore year at the University.

"There's no question this city benefits tremendously from the graduates" of the University and law school, he says.

By Rob Walker

The Hon. Michael S. Irvine, L'80, has been named circuit court judge for Virginia's 25th Judicial Circuit. He lives in Buena Vista, Va.

Garrison D. Lickle, L'80, is managing director and regional president of Lehman Brothers Trust in Palm Beach, Fla.

Robert Chambliss "Cham" Lights Jr., L'80, has been elected to the board of directors of the Lynchburg Historical Foundation Inc. Lights recently served as vice chairman of the Lynchburg Electoral Board, on the executive committee of the board of the Library of Virginia, and he was a founding director and executive committee member of the board of directors of the Free Clinic of Central Virginia Inc. He is a senior claims legal counsel with Nationwide Mutual Insurance.

Herbert A. Claiborne III, L'81, is a member of the board of directors of the Virginia Museum of Fine Arts Foundation.

Mary G. Commander, L'81, and Elisa D. Carlson have formed Commander & Carlson in Norfolk, Va. Their practice emphasizes family law, adoptions and workers' compensation.

Jane Anderson, L'82, lives in Minneapolis and works for West, a Thomson business, at its corporate headquarters in Eagan, Minn.

Michael H. Gladstone, L'82, of Richmond, was elected a regional director of the Virginia Association of Defense Attorneys at the group's meeting in Richmond last October.

Donald W. Piacentini, B'74 and L'82, is chief financial officer of Parker, Pollard and Brown.

B. Leigh Drewry, L'83, was elected president of the Lynchburg, Va., Bar Association.

Mark L. Esposito, L'83, is one of three members of the management committee at PennStuart. He is an officer in PennStuart's Bristol, Tenn., office. His practice focuses on bankruptcy, business, transactions, creditors' rights, civil and business litigation and criminal defense.

Steven L. Higgs, L'83, has been named president-elect of the Roanoke, Va., Bar Association. He is with the Roanoke law firm of King & Higgs, where his practice focuses on creditors' rights, bankruptcy and commercial litigation. Higgs is certified in both creditors' rights law and consumer bankruptcy by the American Board of Certification.

Mary K. Costello, L'85, has been appointed to the New Jersey Supreme Court ethics committee for District VI, Hudson County. Her term expires in 2007.

Peter M. Mellette, L'85, announced the opening of his firm, which serves health care clients in Williamsburg, Va.

Rhysa Griffith South, L'86, is a member of bar council and the board of directors of the Virginia Local Government Attorneys. She lives in Midlothian, Va.

Jefferson T. Barnes, L'87, has been elected president of the Trial Attorneys of New Jersey, a statewide organization that represents both plaintiff and defense trial attorneys in preserving the jury system, improving the efficiency of the courts and conducting seminars for trial attorneys.

Teresa M. Chafin, L'87, is believed to be the first female circuit judge in Virginia, west of Roanoke. Chafin, who lives in Lebanon, Va., was appointed to the new judgeship by Virginia's General Assembly, which created the position to help alleviate a growing backlog of cases in the region.

James Gochenour, L'87, is a public defender in Hampton, Va.

W. Bradford Stallard, L'87, is one of three members of the management committee at PennStuart. He is the firm's managing director and focuses his practice on commercial and business disputes, civil rights and governmental liability, employment law, insurance defense and tort defense.

Stanley P. Wellman, L'87, of Richmond, was elected a regional director of the Virginia Association of Defense Attorneys at the group's meeting in Richmond last October.

William J. Benos, L'88, is the first-ever honorary consul of the Canadian government. A Canadian citizen and a resident of Richmond, Benos will assist Canadian companies interested in setting up branch locations in Virginia and, conversely, will assist any Virginia companies seeking guidance and resources for doing business in Canada.

Arthur V. Shaheen, L'88, is managing resident attorney of the Blacksburg, Va., office of Shaheen & Shaheen PC.

Attison L. Barnes III, L'89, is co-author of "Preventing Theft of Corporate Knowledge," which was published in the September 2004 issue of *The Virginia Bar Association News Journal*.

William S. Bradley, L'89, and his wife, Michelle, recently traveled to the Far East with their children, Jack and Michelle.

Debra Desmore Corcoran, L'89, married Dr. James F.T. Corcoran in 1991. In May 2004, she earned an LLM from the George Washington School of Law in litigation and dispute resolution. Her daughter, Alexandra, is currently attending Dickenson School of Law.

David A. Garrison, L'89, is a shareholder and chair of the environmental law practice group at Gawthrop, Greenwood & Halsted in West Chester, Pa. With more than 15 years of legal and technical experience in the environmental field, he has presented and written on numerous topics such as indoor air quality and mold, environmental risk avoidance, Superfund, agricultural pollution and environmental contracting. Garrison serves on the Chester County Agricultural Development Council as well as on the boards of the Volunteer English Program of Chester County and the Green Valleys Association. He is a co-founder and co-chair of the Environmental Law Section of the Chester County Bar Association.

Alumni Weekend

On Oct. 7 and 8, the Law School will host its annual Alumni Weekend and Fall Gathering. This is reunion year for classes from 1955 through 2000, ending in '5' and '0.' Reunion chairs will contact members of those classes soon with details. *Join us!*

John C. Ivins Jr., L'83, is vice president of the Science Museum of Virginia Foundation.

Judith W. Jagdmann, L'84, has been named to an advisory board for the Virginia chapter of the Federalist Society for Law and Public Policy Studies, a public interest organization with headquarters in Washington, D.C. The society is a group of conservatives and libertarians interested in the state of the legal order.

Douglas M. Nabhan, GB'82 and L'84, is vice chairman of legal affairs for the Richmond Forum.



Some members of the Class of '84, (left to right) Larry Salzman, Gary Allen, Lynne Jones Blain, Rich Maxwell, Ann Burks, Marshall House, Greg Britto

Alicemary Leach, L'89, is government affairs director at Millennium Cell Inc. She is based in Washington, D.C.

John L. Walker III, L'89, of Richmond, was elected to a second three-year term as a member of the Virginia Law Foundation's board of directors.

Send your news!
Write to LawAlumni@
Richmond.edu or Law Alumni,
University of Richmond Law
School, University of Richmond,
VA 23173.

1990s

Christopher Hackman, L'90, the assistant district attorney for Lancaster County, Pa., is a candidate for Lancaster County Court judge.

Allen R. Moye, L'90, is director of the Rinn Law Library at DePaul University College of Law.

Ramesh Murthy, L'90, an attorney and chair of the litigation department at PennStuart in Abingdon, Va., was listed in *The Best Lawyers in America*. His practice focuses on employment defense, workers' compensation and civil litigation.

Michael C. Roach, L'90, is an attorney in the Chicago firm Meade & Roach LLP.

George L. Hiller, L'91, recently received a grant from the U.S. Department of Education's business and international education program to develop a series of higher education programs through the Southwest Virginia Higher Education Center in Abingdon, Va. He also teaches at the University of Richmond's School of Continuing Studies.

The Hon. Thomas H. Kelley, L'91, was elected in November 2003 to the York County Court of Common Pleas for the 19th Judicial District of Pennsylvania. He is assigned to the Family Law Section of the bench and resides in York, Pa., with his wife, **Nathalie, B'87**, and their children, Connor and Quinn.

William Edward Riley IV, L'91, a partner with Boone, Beale, Cosby & Long in Richmond, is chair of the Criminal Law Section of the Virginia Trial Lawyers. He and his wife, Amanda, welcomed William Edward Riley V on Nov. 4, 2004. He joined sister Isabella, 2.

Jerry M. Wright, L'91, is vice president for the 2004-05 board of directors of Richmond Metropolitan Habitat for Humanity.

Lisa F. Clement, L'92, a principal in PennStuart's Richmond office, is a member of the board of directors of the Virginia Association of Defense Attorneys.

Alison Feehan, L'92, is assistant general counsel and vice president at Wachovia Securities.

Tracy Ann Houck, L'92, is a panel member of Arbitration Associates Inc. of Midlothian, Va.

G. Manoli Loupassi, L'92, of the Law Office of G. Manoli Loupassi LLC in Richmond, was recognized by his peers in *Virginia Business* magazine's "Legal Elite" for his practice in the area of criminal and traffic defense. He recently co-authored "Virginia CLE's Defenses of Serious Traffic Cases."

Brian R. Pitney, L'92, has been selected as chair of the business, finance and real estate practice group for Sands Anderson Marks & Miller. Pitney counsels clients in the areas of business formation, commercial transactions, mergers and acquisitions, securities arbitration, creditors' rights and administrative law.

James R. Kibler, L'93, who lives in Richmond with his wife, **Sara Catherine Peterson Kibler, W'87**, and their three children, is vice president of governmental relations for AGL Resources' mid-Atlantic region. AGL is the largest natural gas company on the East Coast.

Carolyn A. White, L'93, is secretary-treasurer of the Richmond Bar Association.

William W. Tunner, L'95, is secretary for the Good Neighbor Village.

J. Gregory Webb, L'95, is an equity partner with Michie Hamlett Lowry Rasmussen & Tweel in the firm's Charlottesville, Va., office.

Gregory J. Golden, L'96, is a partner in the corporate department of Baker Botts in the firm's Washington, D.C., office.

Christopher A. Jones, L'96, and his wife, Kate, welcomed a daughter, Abigail "Abby" Grace, on Oct. 11, 2004. She joins sister Sarah Katherine, 2. Christopher is a partner at LeClair Ryan and specializes in business bankruptcy law and civil litigation.

Amy Miller, W'93 and L'96, an associate in the labor and employment department of McGuireWoods, was named

one of the top lawyers in Washington, D.C., in the December 2004 issue of *Washingtonian*.

William J. Kurz, L'97, is treasurer of the Read Center. He is with KPMG.

David Marks, L'97, is president of the Young Lawyers Section of the Fairfax Bar Association. He has a solo practice in Northern Virginia and has written for the *Young Lawyers* publication.

David J. Sensenig, L'97, has been promoted to partner at LeClair Ryan.

Michael E. Parham II, L'98, and his wife have a son, Colton Woodward, born Nov. 4, 2004. He joined brother Alexander. Michael is manager of civil claims at the Virginia Department of the Treasury's division of risk management.

Kristin L. Jordan, L'98, has been named director of sales and leasing at Georgia Malone & Co. Inc., a real estate brokerage and consulting firm in New York. A former landlord and tenant attorney, Jones will identify and negotiate transactions while directing sales and leasing activities at the firm.

Becky Hartz, L'99, is policy analyst, foster care and adoption, for Voices for Virginia's Children.

2000s

Magnus Kim, L'00, is associate producer of the film *Monster-in-Law* starring Jennifer Lopez and Jane Fonda.

Brian J. Schneider, L'00, is vice president of the Richmond chapter for the Federal Bar Association.

Melanie Kielb West, L'00, and her husband, Keith West, had a son, Colin Nathaniel, on Jan. 5, 2005. He joins brother Christian, 2.

Bradley G. Dalton, L'01, was appointed county attorney of Carroll County, Va., in January. He also serves on the board of governors of the Young Lawyer's Conference of the Virginia State Bar.

ALUMNI PROFILE

Jones takes lead in Virginia fight for birth-injury program



Ann LaCroix Jones, L'90, first encountered families with profoundly injured children soon after joining a personal injury firm in Fairfax, Va. Her firm, like many firms, rarely took these cases.

"They are incredibly complex. They're enormously time-consuming, and you're not going to get a huge payout at the end," Jones says. Jones had a hard time saying no.

Parents of these children are persistent and one mother kept calling, reaching Jones directly, and striking a deeply sympathetic chord. William "Sandy" Snead III, the lawyer for whom Jones was working, "was willing to invest the money to back [the case]. He gave me a long leash so I could learn about this, which I did, and we were successful. Then you take another and then another. You talk to these people and you have to help them."

Today Jones is regarded as one of the top legal experts on Virginia's Birth-Related Neurological Injury Compensation Program, a no-fault program that provides lifetime support for infants who suffer permanent, disabling damage to the brain or spine during labor, delivery or resuscitation. She has helped 13 children enter the program and has about 10 more under review.

Jones was widely quoted in Virginia media during the 2005 General Assembly's deliberations over a proposed change in the 17-year-old law that would have excluded premature babies from the program's coverage. "The change had been proposed before," Jones says. "It was a bad idea for many reasons. We tried to make that clear. Apparently someone was listening." The proposal failed.

It was a victory for parents who often are forced to represent themselves in these challenging, complicated and extremely emotional cases because so few lawyers will take them.

"I've read too many opinions where they didn't get the award, and I thought I could have won that for them," Jones says.

Jones left Fairfax County for her undergraduate education at James Madison University knowing she wanted to become a lawyer. Her mother ran a court-reporting business, so Jones had seen the inside of many courtrooms. "I loved the atmosphere. I wanted to be a trial lawyer."

Richmond was the perfect place to pursue her legal interests, she says. "Everything is there – the courts, the legislature."

She also found her future husband, Kevin Jones, L'90.

After law school, Jones clerked in Fairfax County Circuit Court, a "spectacular experience." She learned "how not to shoot yourself in the foot in front of the judge."

From there, she worked for Snead for about 12 years. Last year, Jones founded Jones and Rostant PC, where she focuses on medical malpractice and personal injury cases. She will continue to work for "birth-net" clients.

"That's a passion," she says. "I have to work for them."

By Rob Walker



(Left to right) Monica Plummer, Kimberly Smith, L'91, and Donta'e Bugg, 2L.

David Freedman, L'01, is an associate with McGuireWoods in the firm's products liability department in Richmond. He married Jennifer Lynn Basehore on July 30, 2004.

Save the dates Join us for Alumni Weekend October 8 and 9

B. Webb King, L'01, an attorney at Woods Rogers in Roanoke, Va., married **Allegra M.C. Black, '97**, on Oct. 16, 2004.

Jason Moore, L'01, is vice president of the Powhatan County, Va., Bar Association.

Leigh A. Carr, L'02, is an associate at Klimek, Kolodney & Casale in Washington, D.C., specializing in construction law.

Catherine Haas, L'02, has joined the Appellate Defender Division of the Indigent Defense Commission. She was previously with the Richmond Public Defender's Office.

Margaret Hoehl O'Shea, L'02, married Jeremiah "Jake" O'Shea on July 10, 2004, in Lexington, Va. **Josie Bragg, L'02**, was a member of the wedding party. In attendance at the wedding were **Mandy Beasley, Dave Brow, Seth Hudson and Josh Cumbow**, all L'02; and **Rebecca Britton Brown, Mark Kronenthal and Joe Tannery**, all L'03. The O'Sheas live in Smithfield, Va., where Margaret is a clerk for the Hon. Robert J. Humphreys of the Virginia Court of Appeals.

J. Christopher Chamblin, L'03, formerly a clerk to the Hon. Herbert C. Gill Jr., is an associate with the Law Offices of Douglas L. Fleming Jr. in Leesburg, Va.

Krista M. Mathis, L'03, is an associate in the Richmond office of Strother Law Offices PLC. Her practice concentrates on land use and zoning, small business representation and family law.

Jacqueline S. McClenney-Neal, L'03, was featured in *Style Weekly* magazine Sept. 29, 2004, as one of the area's "Forty Under 40," a listing of young professionals in the Richmond area who lead

in their community through volunteerism. A former Richmond School Board member, she chairs the Voting Rights Project for the Virginia State Bar/Young Lawyers Conference.

Lauren Brown Sigler, L'03, joined the counsel's office at the Republican National Committee in Washington, D.C., in the fall of 2003. She and her husband, Bill, live in Alexandria, Va.

Lisa M. Tuck, L'03, practices civil litigation at Bourdow, Bowen & Ellis.

Benjamin S. Barlow, L'04, is an associate at Black, Noland & Read PLC in Staunton, Va.

Ryan W. Boggs, L'04, is an associate with Christian & Barton specializing in commercial real estate and environmental law.

Pamela J. Butler, L'04, is an associate with McGuire Woods. Her practice focuses on employment discrimination and wrongful discharge.

Timothy Carnes, L'04, is assistant commonwealth's attorney in the Norfolk commonwealth's attorney's office.

Andrew J. Cornick, L'04, is an associate with Boone, Beale, Cosby & Long. His practice focuses on criminal trials and appeals.

Peter A. Gambardella, L'04, is an associate at Parker, Pollard & Brown, where his practice focuses on civil litigation, business law and real estate.

Emily Stan Hoard, L'04, works at E. Randall Ralston PC in Charlottesville, Va., practicing in real estate, trusts and estates, and tax law.

Clara Marks, L'04, has joined Williams Marks as an associate in the firm's real estate division.

John D. McPhaul, L'04, is an associate at Troutman Sanders.

Brent M. Timberlake, L'04, is an associate at Troutman Sanders.

IN MEMORIAM

Michael J. Aheron, L'77
August 13, 2004

John Lewis Ames, L'37
January 23, 2005

William Cabell, L'56
October 24, 2004

Walter J. Cory Jr., L'56
January 26, 2005

Thomas Taylor Cralle, L'50
November 18, 2004

Arthur C. Ermlich, L'63
September 2, 2004

Walter Ray Gambill, R'42, L'49
January 8, 2004

John Anthony Garrett, L'81
December 22, 2004

Wiley G. Gary, L'71
October 18, 2004

Seymour Horwitz, R'53, L'56
February 14, 2005

J. Clopton Knibb, L'39
April 29, 2005

John A. Mapp, L'48
August 17, 2002

Robert R. Merhige Jr., L'42, H'76
February 18, 2005

Michael Wallace Moncure III, L'53
November 5, 2004

Thomas J. Moore, R'62, L'65
May 12, 2001

Michele Anne Mullady-Blalock, L'03
January 20, 2005

Alice Harper "Lou" Muse, widow of former Dean William T. Muse
January 31, 2005

Harlin Perrine, L'5
January 17, 2005

Clifford W. Perrin Jr., L'70
August 11, 2004

Kenneth Stewart Potter, L'89
May 29, 2004

Gerald Press, L'58
February 19, 2000

Gilman P. Roberts Jr., L'68
November 24, 2004

William T. Robey III, L'65
May 30, 2004

Dominick J. Romino, L'43
February 9, 2005

Henry J. Schrieberg, L'40
October 28, 2004

Gilbert R. Swink Jr., L'41
July 2, 2004

Kenneth W. Turner, L'53
February 9, 2005

Richard Wright West, R'60, L'63
July 6, 2004

William John Williams, L'55
August 31, 2004