Fear, Irrationality and Risk Perception
An essay by Professor Henry L. Chambers Jr.
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 advantage 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 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 religious 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., ’66, 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 broader 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.”


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 country, 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

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.”

FOR THE RECORD

A look at the people, events and issues making news at the Law School
Deputy Attorney General discusses national security

James B. Comey

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

Comey also joined professor John G. Douglas’ Criminal Procedure class in a homecoming of 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 debate.

‘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.

FOR THE RECORD

Law School symposium focuses on global economy

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 I. 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.
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.

Schools.

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In the same neighborhood during the week.

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

“In different circumstances, we have learned that a person who is a scientist isn’t as smart as we think we are. That’s where you win big cases.”

The film series is sponsored by Park and Company PC.

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/jolt/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 integra-

tion and called for the journal’s conti-

nued role in discussion of issues at the expanding intersection of law and tech-

ology. 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.

Benos appointed Canadian Honorary Consul

Dignitaries from Richmond joined the Canadian Parliamentary Secretary for Canada-U.S. Relations at the University in March to cheer the appointment of William I. Benos, CCR, 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.
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
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 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.


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.
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.

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.

Samantha Cutler selected for fellowship

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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

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.
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

The transformative power of fear
Fear also can transform us in ways that fundamentally alter how we perceive our world. 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.
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 overestimated 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.

“Scary,” was the way Merhige described those years. Yet, he never entertained the notion of stepping down from the bench. “If I had gotten off (the bench), the kooks would have said they won,” Merhige said in 1998, the year he finally retired. “I wouldn’t give them the satisfaction.”

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 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 done 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 Garbing 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. Douglas, 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.

Douglas recalled the day he brought his son, Scott, then 8 or 9, to the office. Douglas 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,” Douglas 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 grand-father 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 I 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 94 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 ques-
tion 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.

Richard Viney/Dispatch
ost 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. “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,” amazed 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
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 mooting 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.

“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.”

Autism is the fastest-growing developmental disability, according to the Autism Society of America.
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.
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 that may have belonged to Chief Powhatan 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 and "may indicate status of this village where Powhatan ended up, so possibly this was an elite..."
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

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

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

PARTNERS
Alumni involvement and philanthropy supporting the Law School
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. Morris has been 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.

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.

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.”
1960s

Leonard A. Afer, ’77, and Irving M. Blanc, ’76, have relocated their home to 200 Georgia Ave., Silver Spring, MD. They are vice chairman and treasurer, respectively, of the 1960s Committee on the Class of ’60. Their firm, Afer and Blanc, has been recognized by the National Association of Women Judges for its commitment to diversity in the legal profession.

Richard Cullen, L ’77, received an Honorary Doctorate of Laws from the College of William and Mary in Williamsburg, Va. He is president of the University of Virginia Foundation of Washington, D.C., and Chairman of the Board of Directors of the University of Virginia. He is also a member of the Board of Directors of the Virginia Medical Society.

1970s

Donald K. Butler, ’76 & ’70, has been honored with the Lifetime Achievement Award by the Virginia State Bar’s Family Law Section. He is a partner at the firm of Butler, Poole, & Butterfield in Richmond, Va.

Gregory D. Foreman, ’74, is a partner at Williams Mullen in Richmond, Va.

Richard Cullen, L ’77, has been named to an advisory board for the Virginia Law Review.

1980s

Steven E. Bart, L ’80, finished second in his primary campaign for the Republican nomination for Virginia Attorney General. He is a partner in the firm of Bart, Williams, and Mullen. He has been named to an advisory board for the Virginia Center for Law and Public Policy, 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 Hamilton & 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 in 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.

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

Howard C. Wick, Jr., L ’79, is a member of the board of directors for the Virginia Public Safety Foundation.
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 business, 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, ’80, has been named circuit court judge for Virginia’s 29th Judicial Circuit. He lives in Buena Vista, Va.

Garrison D. Lickle, ’80, is managing director and regional president of Isham Brothers Trust in Palm Beach, Fla.

Robert Chambliss “Cham” Lights Jr., ’81, 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 was a founding director, executive committee member of the board of directors of the First Clinic of Central Virginia Inc. He is a senior claims legal counsel with Nationwide Mutual Insurance.

Herbert A. Calabrese III, ’81, is a member of the board of directors of the Virginia Museum of Fine Arts Foundation.

Mary C. Commander, ’81, and Elisa D. Carman have formed Commander & Carlson in Norfolk, Va. Their practice emphasizes family law, adoptions and workers’ compensation.

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

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

Dennis M. Hogue, ’82, and ’84, is chairman of the board of the Virginia Bar Association.

Brian L. Placentini, ’83, and ’84, is chief financial officer of Parker Pollard and Brown.

B. Leigh Drewry, ’83, was elected president of the Richmond Bar Association.

Mark L. Esposito, ’83, is one of three members of the management committee at PennStuart. He is an officer in the Benjamin Franklin Bar Association. His practice focuses on bankruptcy, business transactions, creditors’ rights, civil and commercial litigation and criminal defense.

Steven L. Higgs, ’84, has been named president-elect of the Roanoke 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, ’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, ’85, announced the opening of his firm, which serves health care clients in Williamsburg, Va.

Rhyse Griffith South, ’86, is a member of the firm of LandAmerica. She lives in Midlothian, Va.

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

Teresa M. Chafin, ’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 Gochonou, ’87, is a public defender in Hampton, Va.

W. Bradford Stallard, ’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, ’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, ’88, is the first-ever honorary consul of the Canadian government. A Canadian citizen and resident of Richmond, Benos will assist Canadian companies in opening up branch locations in Virginia and, conversely, will assist Virginia companies seeking growth opportunities and resources for doing business in Canada and elsewhere.

Arthur V. Shaheen, ’89, is managing resident attorney of the Blacksburg, Va., office of Shaheen & Shaheen PC.

Attison L. Barnes III, ’89, is co-author of “Preserving Theft of Corporate Knowledge,” which was published in the September 2004 issue of The Virginia Bar Association News Journal.

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

Debra Desmore Cerron, ’89, married Dr. James F. Corcoran in 1989. In May 2004, she earned an LLM from the George Washington School of Law in international law and dispute resolution. Her daughter, Alexandra, is currently attending Dickinson School of Law.

David A. Garrison, ’89, is a shareholder and chair of the environmental law practice group at Cawthrop, 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 Valley 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!
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’86, and their children, Connor and Quinn.


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 policy analyst, fosters clients in the areas of business for-
mation, commercial transactions, mergers and acquisitions, securities, arbitration, creditors’ rights and admin-
istrative law.

James R. Kibler, L’93, who lives in
Richmond with his wife, Sarah Catherine Peterson Kibler, W’87, and their three children, is vice president of govern-
mental relations for AGI Resources’ mid-Atlantic region. AGI 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 part-
ner with Mickie Hamlett Lowery Rasmussen & Towell in the firm’s Charlotteville, 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 LeClar Ryan and special-
izes in business bankruptcy law and civil litigation.

Amy Miller, W’93 and L’96, an associate in the labor and employment depart-
ment of McGuireWoods, was named one of the top lawyers in Washington, D.C., in the December 2004 issue of Washingtonian.

William L. Jura, L’97, is treasurer of the Read Center He is with KPMG.

David Markis, L’97, is president of the Younger Lawyers Section of the Fairfax Bar Association. He has a solo practice in Northern Virginia and has written for the Younger Lawyers publication.

David J. Somers, L’97, has been pro-
moted to partner at LeClar Ryan.

Michael E. Perman, B’87 and L’90, and his wife have a son, Colin 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 broker-
age and consulting firm in New York. A former landlord and tenant attorney, Jordan’s legal work includes business transactions as well as directing sales and leas-
ing activities at the firm.

Becky Hartz, L’99, is policy analyst, fos-
ter care and adoption, for Voices for Virginia’s Children.

After law school, Jones clerked in Fairfax County Circuit Court, She also found her future husband, Kevin Jones, L’90.

"They are incredibly complex. They’re ener-
mously time-consuming, and you’re not going to get a huge payout at the end," Jones says. She 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. "They seemed to be the people whom I was working," "willing to invest the money to back the case," the judge added. "They made a long haul 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 19 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,” Jones says. “It was a bad idea for many reasons. We tried to make the 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 emo-
tional 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.”

"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 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.”"
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.

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. McClenny-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 Bourdon, 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. Randll Rashton 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.

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


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.

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’88
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

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

Joseph A. (Joe) Tannery
August 31, 2004

Brent M. Timberlake, L’04
August 31, 2004

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.

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