Hooding Ceremony
Highlights
Commencement
The Law School Welcomes 159 graduates into the ranks of the alumni

Graduation: Gateway to the Profession
Dean Harbaugh discusses the challenges that face law graduates

Law School Association Elects New Board Members
Board increases from 9 to 15 members and gains greater diversity

RICO’s “Pattern” of Racketeering Activity
Professor Dark assesses the merits of various approaches to the pattern requirement

Second Annual Authors Reception Attracts Legal Community
Members of the faculty are recognized for their recent publications
"THE STRENGTH OF A SCHOOL CAN BE MEASURED BY ITS FACULTY"

For 119 years, The T.C. Williams School of Law has produced skilled lawyers of good character. On Sunday, May 7th the Law School continued this tradition as it welcomed 159 graduates into the ranks of its alumni.

Hundreds of family and friends gathered in Cannon Memorial Chapel for the Class of '89's Hooding Ceremony. Brisk temperatures and overcast skies created a comfortable climate for the day's festivities. The Hooding Ceremony was started in 1983 and has now become a tradition at T.C. Williams. The purpose of the ceremony is to recognize the graduating law students and present them with their hoods prior to the Commencement ceremony. The Law School faculty marched in procession into the overflowing Chapel. Music was provided by The University of Richmond Brass Quintet. Dean Harbaugh addressed the graduates and their families and friends. Each graduate was hooded individually. During the ceremony, awards were given to the members of the Class of '89 who made outstanding academic achievements. Carole Ann Summers was selected by the faculty as the best all around graduate and received The Charles T. Norman Award. The Corpus Juris Secundum, which is awarded to the student in the third year class who has made the most significant contribution to overall legal scholarship, went to J. Robert Tyler, III. James McCaw Pickrell, Jr., received the J. Westwood Smithers Medal (highest cumulative average at end of six semesters), and the Cudlipp Medal (highest average at end of second year). Claudia Talley Farr received The Edward W. Hudgins Memorial Scholarship. This scholarship was established in 1976 by Edward W. Hudgins in memory of his father, an alumnus of the law school, Trustee of the University, and Chief Justice of the Virginia Supreme Court, 1957-58. Sharon Ann Lorah won the William T. Muse Torts Award. James Andrew Talbert and J. Robert Tyler, III, won the Barnes Criminal Law Award, and Diana L. McDavid and Carole Ann Summers were the recipients of the Hirschler Real Property Award.
The Commencement exercises were held in the Robins Center. Paul Duke, RC'47 and senior correspondent for the Public Broadcasting System, gave the Commencement address. He advised the 800 graduates to "take nothing for granted and question everything. There is no script for success." Before the graduates were given their diplomas, honorary degrees were conferred upon Governor Gerald L. Baliles; Hannah L. Coker, former faculty member and music librarian, emerita; James C. Wheat, Jr., chairman of Wheat, First Securities Corporation; the Reverend Constantine N. Dombalis, dean of the Greek Orthodox Cathedral of Virginia; and Jean N. Woodward, president of the Baptist General Association of Virginia.

Following Commencement, Dr. Morrill and Dean Harbaugh hosted a reception for the law graduates in Sarah Brunet Hall. Hundreds of guests gathered to celebrate a most enjoyable and memorable event.
Dr. Morrill welcomes Governor Gerald Baliles.
Graduation: Gateway to the Profession

"Law graduates for generations have viewed the bar exam as an imposing final obstacle blocking their path into the profession."

By Joseph D. Harbaugh

This issue of Richmond Law celebrates graduation from T.C. Williams. Our cover is a vivid presentation of objects that symbolize graduation day: the academic hood with the bold red and blue colors of UR; the mortar board with the purple tassel reserved for students of the law; and the coveted diploma, the goal of all those who enter our Law School. Elsewhere in this issue is a story about graduation day 1989, complete with a portrait of the faculty and candid shots of graduates and guests at our Hooding Ceremony.

Graduation is indeed a milestone. In the words of a well-worn cliche heard in countless commencement addresses, it marks an end and a beginning. Graduation from the Law School is the end of preparation and the beginning of practice, the conclusion of simply studying and the onset of actually doing, the windup of merely thinking and the start of planning and acting as an attorney. Although those of us in legal education tend usually to focus on those matters that end with graduation, I want to spend a few moments considering two challenges that must be met as the graduate’s new career is just beginning: the bar examination and the first professional job.

THE BAR EXAM: HURDLE IN THE PATH

Law graduates for generations have viewed the bar exam as an imposing final obstacle blocking their path into the profession. Today’s graduates are no different than those who have gone before them. As the July, 1989 exam approached, our recent grads were feverishly preparing for the critical event. Cram school and the multistate, essay questions and course outlines, prep tactics and pass rates, writing strategies, study groups and the 1.8 minutes available to answer each of the 200 MBE questions—around T.C. Williams, these were the sights and sounds of preparation for the 1989 summer bar exams.

As apprehensive as members of the Class of ’89 were, they could take solace in the long tradition of success on the bar examination enjoyed by graduates of the University of Richmond Law School. Those that just graduated needed only to look to the five classes that preceded them, the 674 men and women who graduated from the Law School between 1984 and 1988. Eighty-eight percent of the ’84 to ’88 grads passed the bar of some state the first time they sat for it. In Virginia, the figure was equally as good. Eighty-six percent of our ’84-’88 graduates who sat for the Virginia bar were successful on their first attempt. Indeed, UR enjoyed an overall passage rate during those five years of 85%, a figure that includes those who took the exam more than once.

How do these bar results match with the performance of T.C. Williams’ graduates from an earlier era?

"Whatever our share of test takers, T.C. Williams often leads all law schools or is near the top in the percentage of its graduates passing the Virginia bar."

Let’s compare the ’80s grads with the alumni/ae from 20 years ago, with those who graduated between 1964 and 1968. In what only can be termed a remarkable demonstration of consistency, the Virginia bar passage rates of the two groups of graduates are almost identical. Eighty-eight percent of the ’64 to ’68 graduates passed the bar the first time and UR enjoyed an 84% overall passage rate during that five year period.

Even though T.C. Williams graduated more than twice as many students between 1984-88 as it did between 1964-68 (a 125% increase in the number of graduates), the Law School’s share of those taking the Virginia bar exam dropped. From 1964 to 1968, one in seven Virginia bar examinees were UR products. Between 1984 and 1988, only one in nine test takers graduated from the Law School.

Whatever our share of test takers, T.C. Williams often leads all law schools or is near the top in the percentage of its graduates passing the Virginia bar. The Bar Examiners stopped releasing the ranking of law schools as of the June 1972 examination. But in the five years between ’64 and ’68, UR was first among the then
four Virginia law schools three years, was second one year and ended up third the other time. Although we cannot contrast official school results for the two eras we have been comparing, we can say that T.C. Williams' grads consistently surpass the average success rate on the Virginia bar exam. In the 10 years surveyed in this comparison—five from the '60s and five from the '80s—UR alumni/ae exceed the State bar passage rate by an average of 10%.

GETTING THE FIRST LAW JOB

It sometimes seems that today's average law student, at UR and all over the country, begins worrying about finding a good job not later than the end of the first week of first year classes. This is in sharp contrast with those who graduated in an earlier time. For example, as a 1964 law graduate, I cannot recall ever being concerned during law school about the availability of an interesting and rewarding legal position. At T.C. Williams, we do not have records for the years 1964-68 on the percentage of grads who had jobs at or shortly after graduation. To compensate for this deficiency in data, I have consulted with the Official Oral Historian of T.C. Williams, our beloved Jean Tarpley. Mrs. Tarpley estimates that 90% or more of the '64 to '68 grads had positions in the law within a few months of graduation day.

Mrs. Tarpley's recollection compares quite favorably with the very accurate statistics maintained by our Placement Director, Mrs. Beverly Boone. Ninety-two percent of the 674 students who graduated between 1984 and 1988 had a law related job within a short period following the announcement of the results of the July bar exam. Most of the 54 graduates who did not have a job had either flunked their first bar exam or, for one reason or another, were not actively seeking a position.

Of the 620 graduates from '84 to '88 who had located jobs, 60% went into private practice, 27% accepted government law positions, 10% were with corporations or other businesses, 3% landed public interest posts and 1% went into teaching or pursued an advanced law degree. Among the 168 who went to government law jobs (for example, prosecutor positions or agency posts), almost half (45%) were awarded judicial clerkships. Thus, one in eight graduates during this period accepted a clerkship with a state or federal judge.

"The continuing preference of most of our students for practice in firms of small to medium size dictates that we make special efforts to identify employers who fall into these categories."

Because the bulk of the grads went into private practice, it is worthwhile to consider the type of practice setting in which they found themselves. Twenty-three percent of the '84-'88 alumni/ae went to very small practice arrangements involving one to five lawyers. The same amount, 23% of the graduates (excluding an estimated one-third of the judicial clerks following completion of their term), accepted offers from large and very large law firms (i.e., in excess of 51 lawyers). The plurality of our graduates (215 total and 54% of those going into private practice), went with law firms characterized by the National Association of Law Placement as small to medium size operations, between 6 and 50 attorneys.

Where do our graduates practice law? Traditionally, most T.C. Williams grads practice in Virginia. For example, our records indicate that 90% of the alumni/ae from the Classes of '64-'68 are now practicing in Virginia and 30% are located in the Richmond area. Our recent graduates are similarly inclined to practice in the Commonwealth. Of the 620 grads from '84-'88 who were employed after the first bar exam results, 80% went to work in Virginia and 20% moved out-of-state to pursue their legal careers. Almost twice as many of the recent grads remained in the local area, however, as 56% of these younger Virginia lawyers settled in Richmond while the remaining 44% went to practice locations elsewhere in the State.

IMPLICATIONS FOR THE FUTURE

This reflection on the bar results and career choices of our recent and more distant graduates has implications for the faculty and administration of T.C. Williams.

First, we must continue to attract the best possible students to the Law School. Our students must be capable of completing a rigorous curriculum that prepares them to succeed on bar examinations that are bound to become more and more difficult. The reputation of T.C. Williams could be at risk if we do not maintain our enviable bar passage record.

Second, we must vigorously pursue a Placement Office strategy that continues to locate legal positions for our graduates in a tightening legal economy. That strategy must take into account that in the aftermath of recent "boom" years, the Virginia legal market is bound to experience a contraction, signs of which are now beginning to appear. The continuing preference of most of our students for practice in firms of small to medium size dictates that we make special efforts to identify employers who fall into these categories.

As we work to achieve these goals for our graduates, I will continue to keep you posted on the results. In the meantime, I know that you join me in extending to the graduates of the Class of 1989 the best of luck on the bar examination and great success in their professional careers as they begin their first law jobs.
RONALD J. BACIGAL recently published the second edition of *Virginia Criminal Procedure* (the Harrison Company). Professor Bacigal gave a Law Day address to the Portsmouth Bar Association.


OKIANER CHRISTIAN DARK was a panelist, "Black Women Attorneys in the Law," at Rutgers University School of Law, Newark, New Jersey on February 9, 1989. Professor Dark was the keynote speaker at the Honors Convocation at Claflin College in Orangeburg, South Carolina. In January and February, she conducted Legal Education Seminars for the Richmond Chapter of the Old Dominion Bar Association.

JOSEPH D. HARBAUGH chaired the National Negotiation Workshops for the Practicing Law Institute in New York and Los Angeles for almost 200 attorneys.


STEVEN D. HINCKLEY, Associate Law Librarian, left the University in June. He has accepted the position of Assistant Librarian for Public Services at Georgetown University Law Center. Steve will supervise a department of 8 librarians and 18 support staff members. The Georgetown Law Library has over 540,000 volumes and serves a diverse user population including 2,600 full-time and part-time JD and graduate students, and 75 full-time faculty members. In the five years Steve has served as Associate Librarian at the University of Richmond, he has done much to improve services to students and faculty.

GARY LEEDES has written an article entitled "Cross Examination of Law and Literature" that will appear in the forthcoming issue of the *Journal of Legal Education*. Professor Leedes is scheduled to speak at the Rutherford Institute Continuing Legal Education Seminar in Charlottesville, Virginia on September 23, 1989.

DONALD H. STONE published "The Civil Commitment Process for Juveniles: an Empirical Study," *University of Detroit Law Review*, Volume 65, Issue 4, Page 679. Professor Stone gave a presentation to the Virginia Council for Social Welfare in Richmond on May 27 and 28. The two topics presented were guardianship for the elderly and decision making for persons with disabilities. Professor Stone will be leaving the University of Richmond in August to become the Director of Clinical Programs at the University of Baltimore School of Law.
Michael Allan Wolf co-authored the fourth edition of Land-Use Planning: A Casebook on the Use, Misuse, and Re-Use of Urban Land. This book was published by Little, Brown and Company in April. Professor Wolf also published a guest editorial in the March 27, 1989 issue of Tax Notes, entitled “Setting the EZ Record Straight: What Can We Learn from the States,” and an article in the Winter 1989 issue of The Urban Lawyer: “An Essay in Re-Plan: American Enterprise Zones in Practice.” Professor Wolf delivered the following lectures: “Legal Pitfalls in Growth Management,” at the Annual Conference of the VCU Urban and Regional Planning Student Association (April); “Regulatory Takings: What has the Supreme Court Wrought?,” and “Enterprise Zones: States Realities and Federal Prospects,” at the PLI Program in New York City on Handling Land Use and Environmental Problems of Real Estate (March); “An Overview of Zoning, Subdivisions, and Variances,” at the Program on Planning and Zoning for the Community presented by the Meredith Center for Environmental Studies (March); and “What Has the U.S. Supreme Court Done to Our Private Property Rights?,” at the University of Richmond Law Alumni Breakfast (February).

Law School Welcomes Two New Faculty Members

Two new positions have been added to the Law School faculty. Nancy Boy­land Collins, a trial attorney with the United States Department of Justice, Land and Natural Resources Division, will teach a variety of courses and assist with the clinical programs. Jonathan Kenneth Stubbs, a practicing attorney, will direct the legal writing program in addition to teaching several first year courses. This brings the total full-time faculty up to 22 and lowers the student faculty ratio to 20:1. Last year three full-time professors, Ann Hodges, Ken Harris, and Michael Wolf, joined the faculty. Dean Harbaugh reported that more than 500 applications were received for these two positions. Like last year, the Law School was able to hire its first choice for each of these positions. “The fact that we are able to attract a huge number of highly qualified applicants testifies to the strength of our current faculty,” said Harbaugh.

Nancy Collins earned a B.S. degree in Communications from Bowling Green State University, a M.S. degree in Interpersonal Communications from Purdue University, and her J.D. degree, summa cum laude, from DePaul University College of Law. She attended the National Institute of Trial Advocacy. Nancy Collins formerly worked as a trial attorney in the Office of the Solicitor of the United States Department of Labor in Chicago. Her duties included trying legal and factual cases before the Occupational Safety and Health Review Commission, brief writing and settlement negotiations. She tried numerous OSHA and Black Lung cases. Ms. Collins then worked as a trial attorney in the United States Department of Justice, Torts Branch, Civil Division, Environmental and Occupational Disease Litigation Office. She was the lead counsel on the test toxic tort cases filed by asbestos manufacturers against the United States. Nancy received several awards for outstanding performance and special achievements. Most recently, Nancy Collins was a trial attorney with the United States Department of Justice, Land and Natural Resources Division, Enforcement Section. She handled civil litigation under a broad range of environmental statutes including air, water, asbestos and toxic substances. Her primary concentration was in complex Superfund cases.

Jonathan Stubbs was graduated from Haverford College and studied at the University of Oxford in England at the Honours School of Jurisprudence. He received his J.D. from Yale Law School and his LL.M. from Harvard. He is a candidate for a Masters of Divinity from Harvard Divinity School. His work experience includes a wide variety of activities. Upon graduation from Harvard Law School, Jonathan worked as a law clerk for the Honorable James T. Giles, United States District Judge for the Eastern District of Pennsylvania. He was an assistant Solicitor for the City of Philadelphi and worked as a summer associate in the Office of General Counsel of Harvard University. Jonathan was a visiting professor at Howard University School of Law where he taught Professional Responsibility and Human Rights. He has practiced with several law firms in Washington, D.C. and in Virginia. Jonathan was an associate adjunct professor at T.C. Williams where he taught legal writing.
Law School Association Elects New Board Members

Law School Association President Leland Mahan is pleased to report that six new directors have been added to the board. This expansion increased the diversity of the Law School Association Board, giving it a broader geographic reach. Steven D. Barnhart '84 and Jane S. Glenn '83 will serve one-year terms. Judge Edgar L. Turlington Jr. '59 and George D. Varoutsos '73 will serve two-year terms. Michael L. Rigsby '69 and William J. Sturgill '63 will serve three-year terms.

Steven D. Barnhart received his J.D./M.B.A. degree from the University of Richmond in 1984. Since 1984, he has practiced with the fifty-lawyer litigation firm of Drew, Eckl and Farnham in Atlanta, Georgia. His principal areas of practice are municipal and law enforcement liability, tort and contracts. Steve is an active participant in the Saturday Lawyer's Program of the Atlanta Legal Aid Society, providing free legal service to indigents. He also regularly serves as an arbitrator for the Fulton County Superior Court Civil Arbitration Program.

Jane S. Glenn practices law in Roanoke with the firm of Gentry, Locke, Rakes & Moore. She primarily practices in the areas of civil litigation, insurance defense, personal injury and products liability. Jane was graduated from the College of William & Mary in 1979 where she earned a B.A. in English. She received her J.D. from T.C. Williams in 1983. While in law school, Jane was a member of the McNeill Law Society and Associate Editor of the Law Review. She was a recipient of the American Jurisprudence Book Award. Jane is a member of a number of professional organizations including the Young Lawyers Section of the Virginia Bar Association, Defense Research Institute, American Bar Association, Roanoke Bar Association, and the Virginia Association of Defense Attorneys.

Michael L. Rigsby received his B.S. in Industrial Engineering from Virginia Polytechnic Institute and State University in 1967 and was graduated from T.C. Williams in 1969. Mike is the Bar Counsel for the Virginia State Bar where he is the administrator of the attorney grievance system in Virginia. Upon graduating from law school, he was appointed Assistant Commerce Counsel and later Commerce Counsel for the State Corporation Commission. Mike has been an adjunct associate professor at T.C. Williams and an adjunct instructor at University College at the University of Richmond. He is the former State Director, Virginia Chapter, Americans for Effective Law Enforcement, Inc. Mike has published several articles including: "Virginia: The Unauthorized Practice of Law Experience," 19 University of Richmond Law Review 499 (1985) and "Professional Responsibility—Annual Survey of Virginia Law," 21 University of Richmond Law Review 807 (1987). Mike's wife, Linda, is also an alumna of T.C. Williams and former member of the Law School Association Board.
William J. Sturgill is the senior partner in the firm of Sturgill, Sturgill & Stewart in Norton, Virginia. Bill was graduated from T.C. Williams in 1963. He is the Past President of the Wise County Bar Association, former member of the District Ethics Committee, and served on the Council of the Virginia State Bar from 1982-1988. Bill is Chairman of the Board of Black Diamond Savings Bank and President of Jefferson Mortgage Corporation. Since 1987, Bill has been a member and Vice Chairman of the Advisory Council at Clinch Valley College. He and his wife, Gaye, have one daughter and two sons.

Edgar L. Turlington, Jr., earned his B.A. degree from the University of Richmond in 1954 and his LL.B. degree from T.C. Williams in 1959. He is a judge in the 13th Judicial District, Civil Division, in Richmond. Judge Turlington is a member of the Board of the Association of District Court Judges of Virginia. He has served on the Board of the Conference of Virginia District Court Judges as well as numerous committees of the Supreme Court of Virginia including the Rules Committee which recently promulgated a new set of procedural rules for the General District Court system in Virginia.

George D. Varoutsos received his B.A. in history and political science from Richmond College in 1970 and his J.D. from The T.C. Williams School of Law in 1973. He practices law in Arlington, Virginia and has been a lifelong resident of Arlington County. Upon graduating from law school, George was a law clerk for U.S. District Court Judge Oren R. Lewis. He then joined the firm of Varoutsos, Koutoulakos, Arthur & Dolan as an associate. In 1976, he opened his own practice. George currently serves as a substitute judge in the Arlington Juvenile & Domestic Relations Court. He is president of the Arlington County Bar Association. He and his wife, Sandra, have a 6½ year old daughter, Christine.

George D. Varoutsos '73
The "pattern" of racketeering activity is the most frequently litigated aspect of actions involving the Racketeer Influenced and Corrupt Organization Act ("RICO"). According to a 1987 study, 40.4% RICO actions were dismissed because there was no pattern of racketeering. This dismissal is almost twice as high as the next basis for dismissal of RICO actions—no predicate acts. This litigation has generated conflicting definitions of "pattern" that led the United States Supreme Court to issue a writ of certiorari for H.J. Inc. v. Northwestern Bell Telephone Co., an Eighth Circuit Court of Appeals case. This article briefly identifies and assesses the merits of the various approaches to the pattern requirement taken by the federal district and circuit courts. Then, it examines the significance of H.J. Inc. in this context.

RICO was enacted in 1970 to prevent organized crime from gaining a foothold in legitimate business. The RICO sponsors stressed the need for a broadly worded statute in order to allow prosecutors to reach organized crime that ran highly sophisticated, diversified and imaginative modes of business. The RICO statute was not intended to be restricted to organizations such as the mafia. The status of the defendant in a criminal or civil RICO case was not to be considered. "RICO [should] be read broadly. Congress wanted to reach both 'legitimate' and 'illegitimate' enterprises." Hence, the most frequently used RICO provisions make it unlawful for any person—not just mobsters—to conduct or participate in the conduct of the affairs of an enterprise through a pattern of racketeering activity which results in injury to the business or property of the plaintiff. The debate, however, about RICO's statutory breadth in civil cases intensified after the United States Supreme Court decision in Sedima, S.P.R.L. v. Imrex Co.

In Sedima, the Court struck down two judge-made limitations that the lower court had drafted onto RICO. Many federal district courts and circuits had devised rules or limitations to stymie the efforts of litigants to use the federal treble damage action in every commercial fraud case. Ironically, although the Sedima Court rejected judicial efforts to limit the scope of RICO, it provided a way to limit RICO through the pattern requirement. As one commentator stated, when discussing Sedima, "what the Court gave with one hand, . . ., it tried to take away with the other when it suggested in dictum that lower courts should hold plaintiffs to proof of a more meaningful pattern of racketeering." The dictum referred to by the commentator is in footnote 14 of the Sedima opinion. The court stated:

As many commentators have pointed out, the definition of a "pattern of racketeering activity" differs from the other provisions in § 1961 in that it states that a pattern "requires at least two acts of racketeering activity," § 1961(5), not that it "means" two such acts. The implication is that while two acts are necessary, they may not be sufficient. Indeed, in common parlance two of anything do not generally form a "pattern." The legislative history supports the view that two isolated acts of racketeering activity do not constitute a pattern. As the Senate Report explained: "The target of [RICO] is thus not sporadic activity. This infiltration of legitimate business normally requires more than one 'racketeering activity' and the threat of continuing activity to be effective. It is this factor of continuity plus relationship which combines to produce a pattern." S. Rep. No. 91-617, p. 158 (1969).

Footnote 14 has generated at least three approaches by federal district and circuit courts for interpreting the pattern requirement. These approaches are based upon the interpretation given the Supreme Court's use of "continuity plus relationship" in footnote 14. The three approaches can be described as: (1) multiple scheme; (2) two-predicate acts; and (3) multiple factor.

The multiple scheme approach, the most restrictive approach taken by a circuit, requires proof that multiple fraudulent acts are in furtherance of multiple illegal schemes rather than a single scheme. This approach is articulated best by the United States Court of Appeals for the Eighth Circuit in Superior Oil Co. v. Fulmer. In Superior Oil, the plaintiff's evidence showed
that defendant engaged in several related acts of wire and mail fraud in furtherance of a single scheme to steal gas from plaintiff’s pipeline. The Eighth Circuit held that plaintiff satisfied the “relationship” prong of the Sedima test but not the “continuity” prong. There can be no continuity or continuing pattern of racketeering activity if there is only a single fraudulent scheme. “[I]n the absence of proof that the defendants had ever done these activities elsewhere, it would not be said that plaintiffs had proved ‘continuity’ sufficient to establish their RICO claims.”

The Superior Oil multiple scheme approach relies principally on the “continuity” prong of Sedima. Continuity exists, under this approach, if the racketeering acts are not isolated. Thus, multiple schemes or episodes are required because the word “pattern” connotes a multiplicity of events: “[t]he continuity inherent in the term presumes repeated criminal activity, not merely repeated acts to carry out the same criminal activity. It places a real strain on the language to speak of a single fraudulent effort, implemented by several fraudulent acts, as a “pattern of racketeering activity.”

There are a couple of problems with this multiple scheme approach. First, the continuity prong as construed here appears to conflict with the relationship prong. Relationship means that the racketeering acts are connected, usually close in time to one another, involve the same victim and are in furtherance of some criminal scheme. “Continuity,” on the other hand, requires unconnectedness or separate acts. To satisfy the pattern requirement under the multiple schemes approach would require a plaintiff to “show that predicate acts were both ‘related’ and ‘sufficiently unconnected’ in time and substance.” Under this approach, plaintiffs can generally show relationship but would have great difficulty demonstrating continuity. In fact, under this approach no plaintiff has demonstrated the “continuity” prong to the satisfaction of the Eighth Circuit. Courts refusing to adopt this multiple scheme approach take the position that the continuity requirement was focused at eliminating RICO actions against perpetrators of single, isolated or sporadic acts rather than an attempt to limit RICO to complicated multiple schemes of criminal activity.

Second, some courts argue that the multiple schemes requirement is not supported by the language of RICO, its legislative history or by Sedima. In Sun Saving and Tour Ass’n v. Dierdorff, the Ninth Circuit agreed with the Seventh and Eleventh circuits that it was not necessary to show more than one fraudulent scheme or criminal episode to establish a pattern under Sedima. Neither RICO’s language nor Sedima’s interpretation of it supports a requirement of separate episodes or schemes.

The second approach can be described as the two-predicate act approach. This approach, the most liberal or expansive view, allows for a pattern of racketeering activity where there are just two related racketeering acts committed in furtherance of a single scheme or episode. Four circuits—the Second, Fifth, Ninth and Eleventh—have taken this approach. In essence, these courts rely on the language of the statute that states that a pattern of racketeering “requires at least two acts of racketeering activity within a ten year period.” The second circuit’s opinion in United States v. Ianniello represents this approach. “[W]hen a person commits at least two acts that have the common purpose of furthering a continuing criminal enterprise with which that person is associated, the elements of relatedness and continuity which the Sedima footnote construes § 1962(c) to include are satisfied.”

Naturally, the problem with this two-predicate act approach is that it could greatly expand the reach of RICO. Any short-lived scheme involving a mail and wire fraud could be a racketeering violation. In other words, a federal RICO case could be made if there was fraud involving at least two phone calls or mailings. Hence, the circuits that formally adopted such an approach appear to have retreated.

Finally, the third approach is a multiple factor approach that requires more than a short transaction or episode involving two racketeering acts but less than the Eighth Circuit’s multiple schemes. The Seventh Circuit may be regarded as the leader of this middle road or flexible approach. In Morgan v. Bank of Waukegan the Seventh Circuit considered several factors including the number and variety of racketeering acts, duration of the scheme, number of victims, and presence of separate schemes and distinct injuries. After examining these multiple factors, the court found a “pattern” in a four-year conspiracy that operated through numerous fraudulent loan statements and induced plaintiffs to invest in some drug stores. In Morgan, there was one scheme but several predicate or racketeering acts. Essentially, the Seventh Circuit took the position that “repeated infliction of economic injury upon a single victim of a single scheme is sufficient to establish a pattern of racketeering for purposes of civil RICO.”

Given the different and apparently irreconcilable approaches for the pattern requirements, H. J. Inc. v. Northwestern Bell Telephone Co. gives the (continued on page 15)
The Merhige Center Addresses Environmental Concerns

By W. Todd Benson '82

In February, the Merhige Center hosted a program along with the Environmental Law Section of the Virginia State Bar on enforcement of environmental laws. Assistant Attorney General John Butcher first discussed the decision making process that leads to the institution of litigation by the state. Ann Powers, Vice-President and General Counsel, Chesapeake Bay Foundation, similarly discussed the decision making process of an environmental organization that leads to a decision to file a citizen suit. Chip Gash, a partner in the firm of Hunton & Williams, then presented a defense perspective on early phases of environmental litigation. It was a very practical, lawyer oriented program with good information on how to minimize the potential for litigation.

More and more, local governments are asked to shoulder the burden of environmental protection. This particularly is true in the area of non-point source pollution control. Accordingly, in March, the Merhige Center sponsored a program on land use. Professor Michael A. Wolf, T.C. Williams School of Law, presented an overview of zoning and subdivision law. He was followed by Harvey Hinson, a Henrico County planner with over 27 years of experience. Mr. Hinson described in detail the procedures involved in the basic land use programs (rezoning, subdividing, variances, etc.). Mr. Hinson was followed by a panel discussion on effective participation in the land use process. Panel members included Helen S. M. Blackwood, a member of the Chesapeake Bay Local Assistance Board, G. L. McKinney, Chairman of the Henrico County Planning Commission, and Frank O. Brown, an attorney in private practice and former adjunct professor of law at T.C. Williams.

The Merhige Center is assisting with the designation of a portion of the Chickahominy River as a state scenic river. The designation efforts are a valuable contribution by the Law School to the community. In addition, the process provides an excellent vehicle for furthering law school education. Participating students will have to search for and assemble relevant facts, undertake legal research, negotiate, draft legal documents, and explain the process and proposal to the general public, affected Counties, and the General Assembly. As the capabilities of the Merhige Center grow, increased public service is planned. If you know of or are involved in a project that would benefit from Merhige Center assistance, please contact Todd Benson.

Efforts are underway to plan programs for next year. The Merhige Center will co-sponsor a program with the Environmental Law Section of the Virginia State Bar and the Administrative Law Section of the Virginia Bar Association on "Regulation By Permit." The program will commence with a 1 hour talk by Phillip Reed, Skadden, Arps, Slate, Meagher and Flom on: "When Is Rule Making Required?" Following Mr. Reed, a panel containing representatives from the environmental, industry, state, and federal sectors will discuss 4 or 5 specific problems that have been identified in Virginia where permitting, policy statements, etc. appear to be substituting for the rule making process. We are excited about this program and will provide more information as the plans develop. In addition, the Merhige Center will sponsor a program on the Chesapeake Bay Preservation Act in the early fall in order to assist Tidewater Virginia in understanding and complying with new regulations which become effective in July of this year. Programs on the public trust doctrine, water rights in Virginia, and environmental audits are under consideration. As always, all programs will be free to law students and members of the University of Richmond community; all programs are designed for CLE credit eligibility.
Emroch Lecture Features Alan Morrison

The Fifth Annual Emanuel Emroch Lecture was held on campus on April 13. This year's distinguished lecturer was Alan B. Morrison, director of the Public Citizens Litigation Group in Washington, D.C. Mr. Morrison's lecture was entitled, "Of Protective Orders, Plaintiffs, Defendants, and Public Interest Groups: Where Does the Balance Lie?"

Alan Morrison earned a B.A. degree from Yale in 1959. After serving as a Commissioned Officer in the U.S. Navy from 1959-63, he was graduated magna cum laude from Harvard Law School in 1966 where he was a member of Law Review. From 1966 until 1968, Mr. Morrison practiced with the firm of Cleary, Gottlieb, Steen & Hamilton in New York.

More than 100 alumni, faculty, students, and friends gathered in Dennis Auditorium in the E. Claiborne Robins School of Business to hear Mr. Morrison's lecture. The lecture was followed by a reception in Sarah Brunet Hall. This reception was sponsored by the Legal Forum.

The Emroch Lecture Series was created at T.C. Williams in 1984. It is named after Richmond trial attorney Emanuel Emroch, who holds both his undergraduate and law degrees from the University of Richmond. Mr. and Mrs. Emroch, their son Walter, and friends of Emroch made the lecture series possible by an initial endowment gift of $25,000.

(RICO continued from page 13)

United States Supreme Court an opportunity to settle this controversy. In H. J., Inc., the complainants alleged that Northwestern Bell Telephone Company initiated an illegal scheme to influence members of the Minnesota Public Utilities Commission (MPUC), over a period of six years. The MPUC determines the rates that a telephone company may charge its customers. The complaint alleged that MPUC commissioners received tickets to sporting events and plays, vacations, cash gifts and other amenities during a six year period. All acts were designed to influence MPUC commissioners on behalf of the telephone company. It was further alleged that votes at commission meetings on telephone rate increases were beyond the amounts originally recommended by the administrative law judges. The district court dismissed the complaint on several grounds, including a failure to satisfy the pattern requirement. The district court stated that the plaintiff failed to satisfy the pattern requirements because all of the acts were committed in furtherance of a single scheme to influence MPUC commissioners to the detriment of Northwestern Bell’s ratepayers. The district court applied the Eighth Circuit’s multiple scheme approach and stated that the "continuity" prong of Sedima was not satisfied because "plaintiffs alleged the existence of several fraudulent acts, each of the acts was committed in furtherance of a single fraudulent scheme . . . . [T]here simply are no allegations that the defendants are engaged in 'other criminal activities' elsewhere."29 The Eighth Circuit affirmed the district Court's dismissal solely on the lack of a pattern of racketeering activity. The Eighth Circuit stated that the plaintiffs had to allege that the telephone company engaged in several endeavors in the past or was presently engaged in other criminal activities so that there was more than a single fraudulent scheme or effort.30

At issue in H. J., Inc., is the validity of the Eighth Circuit's multiple scheme approach for interpreting the pattern requirement. It is unlikely that the Supreme Court will support a two-predicate act approach but the Court could adopt the multiple factor approach on these facts. In H. J., Inc., the telephone company's acts were part of a single scheme to influence MPUC commissioners to vote favorably for rate increases. Although there was a single scheme, the acts forming the basis for racketeering activity were continuous. The various acts occurred over a six year period, involved multiple victims (the telephone company's ratepayers, indeed this action is a class action representing that group), and defendants used a series of gifts and amenities to achieve the scheme's objective. This activity might very well have continued if it was not discovered, thus this racketeering activity posed a threat of continuing activity.

H. J. Inc. provides the Supreme Court with an opportunity to adopt a workable approach. The multiple factor approach would appear to be the best solution until (or unless) Congress amends the statute to provide different standards (or guidance) for interpreting the pattern requirement. This approach gives the courts the flexibility to achieve RICO objectives without permitting every "garden variety" fraud claim brought into federal court to be transmuted into a federal action. To the extent Sedima's footnote (continued on page 19)
A Record Number of Alumni Support Law Fund

Under the leadership of Dick Cranwell '68, the 1989-90 Law Fund reached record heights. The Law Fund total exceeded $410,000, with more than 1450 alumni contributing $135,000. Last year, 1368 alumni contributed $130,000. Strong alumni participation in giving is critical to the success of the Law Fund. T.C. Williams is fortunate to receive outstanding support from its alumni.

Like last year, regional alumni telethons were held in Richmond, Hampton Roads, Roanoke/Salem, and Northern Virginia. Nearly $80,000 was pledged by 1219 alumni (38%) during these events. Last year, $70,000 was pledged by 1065 alumni (35%) during the telethons. Special thanks go to Vince Mastracco '64 in Norfolk, Dale Webb '86 in Roanoke, and Bill Thomas '63, David Mercer '73, and Pia Trigiani '83 in Northern Virginia for making the regional telethons possible.

The Law Firm Scholarship Program continues to enjoy excellent progress as many firms have increased their level of support and several new firm scholarships have been established.

Admissions

By Ann S. Gibbs '83

This was a year of many record setting achievements within the world of admissions at UR Law School. We received a record number of applications from which we chose a first year class with record-setting average LSAT scores, undergraduate GPA's and personal accomplishments. This was a spectacular year for the Law School and confirms that we are a school “on the move.”

This year, applications peaked at approximately 1600 files compared to last year when we received 1450 applications. The average admitted student this year has a 39 LSAT score and a 3.2 undergraduate GPA. These statistics represent a tremendous increase from past years. This year's admitted students are 51% female, up from 42% in the past. 50% of this group currently reside out-of-state and 10% identified themselves as minority students. Certainly in addition to quality academic potential, this group is one of the most diversified classes ever to have been admitted.

As many institutions across the nation struggle to maintain a quality student body, the University of Richmond, through hard work and good fortune, continues to attract top rate students. This year indicates that as law school admissions become more and more competitive, our law school will continue to be a popular choice among students nationwide.

Icewaters

By Ann S. Gibbs '83

No, an icewater is not a new kind of popsicle or some frizzy health food drink. You will not find one at any store or restaurant. But ask our admissions staff about an icewater and you will receive a perfectly logical answer. An icewater is a cocktail party with no cocktails.

If you had been an applicant to the Law School this year, you probably would have received an invitation to one of these events. Ten Icemakers were organized across the country in order to bring the University of Richmond School of Law to our applicants. In addition to socializing over icewater, soft drinks and cookies, the applicants were able to see a slide show of the University and hear short presentations from current students and alums who practice in these locations. Our travels took us to North Carolina, Massachusetts, Pennsylvania, Maryland, New York and, of course, Virginia.

The receptions were well received and were especially successful out-of-state where information about our Law School is not widely publicized.

The largest out-of-state turnout was in Greenbelt, Maryland, where we spoke to an audience of about 75 people. Of course, the Icewater in Richmond attracted over 100 applicants and filled the Reception Room in Sarah Brunet Hall.

Our students and alumni represent our school far better than any literature or publication ever could. Once again, our success in recruiting next year's class is a result of hard work and contributions from students, staff, faculty and loyal alums who participated in these Icemakers. Thanks to everyone who took time from a busy schedule to support UR Law School!
Law Weekend '89 Preview

For the first time in recent years, Law Weekend will coincide with Homecoming at the University of Richmond. These events have been scheduled on October 27th and 28th. While both Law Weekend and Homecoming will have their own schedule of activities, alumni of both the undergraduate University and the Law School will be able to enjoy a fuller weekend. Many of our law alumni hold dual degrees from the University. The decision to combine these events was made in part to attract a greater attendance overall. Because the fall is generally a hectic time for everyone’s calendar, some alumni had to choose between attending Law Weekend or Homecoming.

The alumni offices of both the Law School and the undergraduate University have carefully planned the weekend to enable all alumni to enjoy a wider variety of activities. A conscious effort was made to avoid conflicts of interest. As usual, there will be separate mailings for these events. The brochures will include more activities which will appeal to alumni interests.

The Barnett Memorial Golf Tournament, a Law School tradition, has continued to grow in popularity among alumni, students, and faculty. This year’s tournament will be held at the Hermitage Country Club on Friday, October 27th. Tee-times will begin at 8:00 a.m. The Fall Gathering will be held in the Rotunda of the grand Hotel Jefferson. This event, sponsored by the Law School Association, attracted more than 600 alumni and friends last year. To accommodate this year’s reception, the Mezzanine area has also been reserved. In addition, posters with “Classes of ’80-’89, Classes of ’70-’79, Classes of ’60-’69, Classes of ’50-’59, Classes of ’40-’49, and Classes of ’39 and before’ will be placed on easels in the Rotunda so classmates will know where to congregate.

The Annual Meeting of the Law School Association will take place on Saturday, October 28th at 10:00 a.m. in the Moot Courtroom in the Law School. This will be followed by a brunch in the Student Lounge. Like last year, a mock law class and Moot Court presentation will be conducted for parents, spouses, and family members. Last year more than eighty “prospective students” attended this information session.

A chartered bus will carry alumni and friends from the brunch to the football game at UR Stadium where the Spiders will host the Connecticut Yankees. Kick-off is at 1:00 p.m. A post game party will be held in Millhiser Gym beginning at 4:00 p.m. This party is open to all University alumni and friends.

Law School class reunions will be held on both Friday and Saturday nights at various locations. Members of the classes of ’54, ’59, ’64, ’69, ’74, ’79, and ’84 will celebrate their reunions. A special reunion will be held at “Columbia” for alumni who graduated prior to 1954. A Reunion Committee has been recruited for each of these classes and will assist the Alumni Office with planning the reunions.

A number of class reunions will be held during Law Weekend. Members of the Classes of ’84, ’79, ’74, ’69, ’64, ’59, ’54, ’49 and earlier will receive information regarding the details of the reunions.

1989-90 Reunion Committees

<table>
<thead>
<tr>
<th>Class of ’84</th>
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<tbody>
<tr>
<td>Ann T. Burks</td>
<td>Edward A. Beck III</td>
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<tr>
<td>Mark M. Esposito</td>
<td>W. Richard Kay Jr.</td>
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<tr>
<td>Siran Seropian Faulders</td>
<td>Olin R. Melchiomma Jr.</td>
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<td>J. David Faulders</td>
<td>Philip L. Hatchett</td>
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<td>Philip L. Hatchett</td>
<td>Donna D. Lange</td>
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<td>Richard C. Maxwell</td>
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<td>Russell C. Williams</td>
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<tr>
<td>Margaret I. Bacigal</td>
<td>Isabel H. Atlee</td>
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<tr>
<td>Susan A. Evans</td>
<td>Richard Y. Atlee</td>
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<tr>
<td>W. Reilly Marchant</td>
<td>Gerald F. Dalton</td>
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<tr>
<td>Steven K. Webb</td>
<td>D. Patrick Lacy Jr.</td>
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<td>Kenneth T. Whitescarver</td>
<td>Philip S. Marstiller</td>
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<td>Michael L. Rigsby</td>
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<td>Edward H. Bryant</td>
<td>Richard W. Davis</td>
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<td>John F. Daffron</td>
<td>J. Peyton Farmer</td>
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<td>James D. Davis</td>
<td>John S. Smart</td>
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<td>Ralph M. Goldstein</td>
<td>Thomas Stark III</td>
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<tr>
<td>W. Park Lemmond</td>
<td>Edgar L. Turlington Jr.</td>
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<td>O. Leland Mahan</td>
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<tr>
<td>James C. Roberson</td>
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<td>Boyce C. Wornom</td>
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Placement Office Plans Video Interviews

By Beverly D. Boone

Our law school will become the first in the nation to offer video interviews of its students to law firms this fall. Twenty-one rising second year students are participating in this pilot program which consists of a short videotape describing the law school followed by one minute clips of individual students answering a typical interview question and arguing a moot court problem. Each tape will contain four to six student clips; and each student will have the opportunity to select the firms receiving his or her clip.

The Placement Office will send the videotapes to over 200 medium-sized law firms (those with 15-40 attorneys) in Maryland, New Jersey, and North Carolina and the cities of Atlanta, Philadelphia, and Washington. These locations were targeted because a number of our students have either school or hometown ties to the areas. Also, medium-sized firms do not usually recruit outside their immediate geographic areas. The videotapes will be mailed in early September along with the students individual resumes and other materials about the law school and its program.

This project will supplement the law school's on-campus interview program in several ways. Since the firms targeted are from areas that do not send recruiters to our campus on a regular basis, it will expand the law school's influence on the out-of-state employment market as well as assist our students in getting out-of-state jobs. The videotape affords students the opportunity to be seen in action and judged on that performance immediately instead of waiting for an interview invitation based solely on a resume and cover letter.

Dean Hosts "Welcome Back" Reception for Tom and Martha Edmonds

On March 28 Dean Harbaugh hosted a reception honoring Tom and Martha Edmonds upon their return to Richmond. Tom Edmonds served as dean of T.C. Williams from 1977 until 1987. He left the University of Richmond to become the dean of the University of Mississippi Law School. In February, he returned to Richmond to become the Executive Director and Chief Operating Officer of the Virginia State Bar. Many alumni, faculty, and staff attended this event to welcome Tom and Martha Edmonds back to Richmond. During the reception, Dean Harbaugh recognized Tom Edmonds for his many contributions to the Law School and to legal education. Dean Harbaugh also announced that The Thomas A. Edmonds Scholarship has been fully endowed at T.C. Williams.
END NOTES


4. Id. at 495.

5. Id. at 473 U.S. 479 (1985).

6. Civil RICO has been used more often in recent years in commercial fraud cases as well as in other contexts such as copyright infringement of a fictitious character, Coman Properties, Inc. v. Mattel, Inc., 619 F. Supp. 1167 (S.D.N.Y. 1985) (court allowed RICO in case involving several corporations in the manufacture and distribution of action figures based on the character Conan the Barbarian); sex discrimination and sexual harassment, Hunt v. Weatherbee, 626 F. Supp. 1097 (D. Mass. 1986) (female carpenter states a cause of action for civil damages under RICO where she alleges that union officers conformed numerous acts of sex discrimination and sexual harassment); spousal challenge on division of marital property in divorce, Erthal v. Erthal [1982 Transfer Binder] Fed. Sec. L. Rep. (CCH) ¶ 98, 772 F.E.D. Pa. 1982) and securities fraud, Moss v. Morgan Stanley Inc., 719 F.2d 5 (2d Cir. 1983). Given the significant increase in RICO litigation where a variety of actions are transmitted into treble damage federal cases, there have been several bills before Congress to curtail or clarify the reach of this statute. Two bills which were introduced in the House of Representatives during the 106th Congress were H.R. 4920, Antitrust Cong., 2d Sess., 134 Cong. Rec. 4832 (1988) (introduced by Rep. Conyers) and H.R. 4923, 100th Cong., 2d Sess., 134 Cong. Rec. 4833 (1988) (by Rep. Boucher) (both bills were referred to the Judiciary Committee). Also see Civil RICO: Is Substantial Reform Necessary?, 74 A.B.A. J. 42 (1988) (discussing about implications of changes to RICO in the bills sponsored by Boucher and Conyers). Currently, the Senate Judiciary Committee is conducting hearings on S. 438 (known as the RICO Reform Act of 1989) The House counterpart is H.R. 1046 which is the Boucher (D.Va.) Gekas (R.Pa.) bill. See 5 Civil RICO Report No. 3 (June 13, 1989) for a summary of different views submitted in testimony before the Senate Judiciary Committee on S. 438.

9. The Court held that RICO does not require a district "racketeering enterprise injury" and that prior criminal conviction on the predicate acts is not necessary. Sedima, 473 U.S. at 493-95.


13. 785 F.2d 252 (8th Cir. 1986).

14. Id. at 257.

15. Id.

16. Id. Also see Holmberg v. Morrisette, 800 F.2d 205 (8th Cir. 1986) (evidence of several acts of wire fraud or mail fraud insufficient to establish pattern because "there was no evidence that the defendants engaged in some of the activities in the past or that they engaged in criminal activities.") International Data Bank, Ltd. v. Zepkin, 812 F.2d 149 (4th Cir. 1987) ("we believe that a single, isolated fraudulent scheme, such as the misleading prospectus in this case, is not of itself sufficient to satisfy RICO pattern requirement")


19. Id. at 1296.

20. 825 F.2d 187 (9th Cir. 1987).

21. United States v. Lannuzzi, 808 F.2d 204, 190 n.10 (2d Cir. 1986).

22. Id. Also see R.A.G.S. Couture Inc. v. Hayes, 774 F.2d 1350 (5th Cir. 1986) (two related acts of mail fraud are sufficient to form a pattern).

23. 838 F.2d 184 at 192.

25. See, McArthur & Sussman, supra at note 10, 4 Civil RICO Report No. 17 at 5 (September 27, 1988) (more detailed analysis of Second, Fifth, Ninth and Eleventh Circuits progression from the two-predicate act test to moderate position. The authors argue that this approach does not exist today).

26. 804 F.2d 970 (7th Cir. 1986).

27. 804 F.2d at 975; Bortnick v. Fidelity Union Bank, 832 F.2d 36 (3d Cir. 1987) (court applied a multi-factor test similar to Seventh Circuit).

28. No. 87-1252 was argued before United States Supreme Court on November 8, 1988.


30. 629 F.2d 648, 650 (8th Cir. 1987).

31. E.g., Chicago Board of Trade v. United States, 246 U.S. 231 (1919), (Set forth rule of reason for Sherman Act violations).

32. Morgan, 804 F.2d at 977.

*After this article went to press, the Supreme Court overturned the Eighth Circuit’s multiple schemes approach. Supreme Court De­cisions to Limit Use of RICO Statute, The Wash­ington Post, June 27, 1989 at Cl, col. 4.
Second Annual Authors Reception Attracts Legal Community

By Susan B. English

Dean Joseph Harbaugh and Susan English, Director of the Law Library, hosted a reception on April 3, 1989, to honor those members of the law school faculty whose works were published during the past year. This was the second annual reception to recognize the contribution made by our faculty authors to the intellectual life of the scholarly community as well as the practicing bar. Fourteen members of the law faculty and four members of the library faculty were honored at the reception. Their publications included topics ranging from theoretical works on public health, special education, religion and politics to practice-oriented works on criminal justice, courts, litigation, drafting and legal research.

Members of the legal community joined the law school faculty in honoring their colleagues. In attendance were representatives from local law firms, bar associations, courts, and officers of the University and law school student associations. The honored guests and others in attendance were treated to refreshments and entertainment. Ed Mendenhall, an adjunct faculty member in the Music Department, and Julie Ferrigno, a senior from Westhampton College, played a selection of contemporary and classical music on guitar and flute.

The publications for which our faculty members were honored are currently on display in the library. Anyone wishing to have a list of these publications may obtain one by contacting the library.

Reception Honors Third Year Students

The Third Year Reception was held on April 5 in Alumni Center. This event is held each year to recognize the third year law students. This year's reception was made possible through the generosity of David N. Jones, President of Dave Jones & Associates, Ltd. During the reception, Leland Mahan '64, president of the Law School Association, addressed the soon-to-be alumni and emphasized the importance of alumni involvement. More than 150 students, faculty, staff, and alumni, including members of the Law School Association Board of Directors, attended the reception.
Minority Law Day—Striving For Diversity

By Ann S. Gibbs '83

On April 15, 1989, the Law School, hosted its 2nd Annual Minority Law Day. In spite of the torrential rains that day, the program was a great success and drew a crowd of about 40 perspective law students. Participants travelled from as far as Pittsburgh, Pennsylvania to tour the Law School and observe a program which was highlighted with an inspiring address by Alma F. Jackson '84, Assistant Attorney General. Ms. Jackson's speech was followed by candid panel presentations from current minority law students and from minority alums practicing throughout Virginia. Both groups emphasized the hard work and dedication necessary to become a successful law student and lawyer. In addition, current students and alums were encouraging about the law school experience for a minority student and stressed the desperate need for more minorities within the profession. The program ended with a mock Torts class conducted by Professor Okianer Christian Dark. With the help of law student "plants" within the class, the prospective students were exposed to their first taste of law school.

The response to this program has been overwhelmingly positive. We hope this event is inspirational to those students who are contemplating joining our profession and will aid us in our efforts to strive for diversity within our classes at UR Law School and within the profession.

Admissions Office to Use Video

By Ann S. Gibbs '83

Take 1, Cameras, Ready, Action! These were words which echoed throughout the hallways of The University of Richmond Law School for one week this April. Our students, faculty and staff were transformed from their everyday roles into movie stars. Life at the Law School has now been captured on film for the upcoming production "Where Quality Meets Opportunity", otherwise known as the Law School Video.

Although this project was fun and entertaining, it really has a very serious purpose. For several years, the Law School has been receiving applications from many prospective students who do not live nearby and have not had the opportunity to visit our beautiful campus. Using today's video technology we can send applicants visual information which gives them a true picture of our law school and its academic strengths.

Our video begins with three pre-law students contemplating law school and imagining all of the horror stories which one hears about first-year law. The film then opens up into our classrooms at UR and attempts to portray the supportive and close knit environment which we work so hard to foster. Scenes of classrooms, Moot Court, Law Review, and the Downunder are shown, as well as scenes of clinical locations around Richmond. The video emphasizes the educational opportunities within the school and within the community.

Applicants will be notified of the availability of this video and may request it by mail. The video will be manufactured on an inexpensive tape which may be passed along by the applicant to friends and other interested persons after viewing. Pre-law advisors throughout the country will also receive copies.

Video technology has already been used successfully to "advertise" opportunities at undergraduate institutions and should benefit graduate schools as well. The University of Richmond Law School is a place where students do have the opportunity to receive a quality legal education and the Law School video will allow us to demonstrate this quality throughout the country.
1924

FELIX E. EDMUNDS celebrated his 90th birthday April 25, 1989. Mr. Edmunds was honored by several of his most beloved affiliations—the First Baptist Church of Waynesboro, the Waynesboro Family YMCA, the Fishburne-Hudgins Educational Foundation and the Museum of American Frontier Culture. More than 300 friends, family members and admirers turned out to honor the city’s “elder statesman.”

1950

CABELL F. COBBS was elected and installed as the 145th Grand Master of Masons in Virginia on February 14, 1989. Mr. Cobbs is a native of Franklin County, Virginia, and is presently Counsel to the law firm of Vellines, Cobbs, Goodwin & Glass in Staunton, Virginia.

1951

GEORGE F. DOUGLAS JR. is on the Station Development Committee for Station WJTG in Fort Valley, Georgia. WJTG is an educational non-profit inspirational broadcasting station. Mr. Douglas is an Attorney and Counsellor at Law in Bethesda, Maryland and the District of Columbia.

1957

JAMES W. MORRIS III has been elected chairman of the Defense Research Institute (DRI), the nation’s largest association of civil defense trial lawyers. Mr. Morris, a partner with Browder, Russell, Morris & Butcher in Richmond, served most recently as president of DRI.

1960

ROBERT DAVIS GLEASON was re-appointed as Chairman of the Criminal Law Committee of The Cambria County, Pennsylvania Bar Association.

PHILIP B. MORRIS will serve as the 1989-90 President of the Virginia State Bar. He took office June 16, 1989 and presently is a partner in the law firm of Browder, Russell, Morris and Butcher.

1962

FRANK W. SMITH JR. is the acting dean at the University of Washington Law School in Seattle, Washington.

1963

DONALD HALL KENT received the Alumni Distinguished Service Award on May 5, 1989. This award is presented to alumni who have demonstrated strong loyalty and devotion to the University. Judge Kent has served as President of the Law School Association and has been very involved in alumni activities. His daughter, Lisa, will be a first year law student at T.C. Williams this Fall.

1966

JEFFREY L. GORDY is a partner in the law firm of Glasscock, Gardy & Savage in Suffolk, Virginia. His wife, Toni, is a preschool teacher in Suffolk; his daughter, Beth, will be a sophomore at William and Mary, and his son, David, is in the 7th grade.

1969

EMANUEL A. BERTIN is the recipient of the Pennsylvania Bar Association Special Achievement Award for Enactment of Pennsylvania Divorce Code Amendments of 1988.

D. PATRICK LACY JR. ‘69 and KATHLEEN S. MEHFOUD ‘78 joined the law firm of Hazel, Thomas, Fiske, Beckhorn & Hanes May 1, 1989. As Lacy & Mehfoud, P.C., the lawyers had an extensive practice specializing in the regulatory and administrative processes of local governments throughout the Commonwealth. Mr. Lacy is President of the Council of School Attorneys, a member of the Virginia American Bar Associations and a member of the VBA’s Committee on Labor Relations and Employment Law. He is also a member of the Local Government Attorneys Association and the Board of Visitors of Longwood College. Ms. Mehfoud is a member of the Virginia and American Bar Associations, the Virginia State Bar, and the Bar Association of the City of Richmond where she is a member and immediate past chairman of the Continuing Legal Education Committee. She is also a member of the Richmond Metropolitan Women’s Bar and Local Government Attorneys of Virginia.

PHILIP S. MARSTILLER is now working at the law firm of Parker, Pollard & Brown.

1970

DONALD K. BUTLER has been named in the 1989 edition of “The Best Lawyers in America”. Mr. Butler is listed in his specialty of family law. He practices in Richmond.

1972

WALTER L. HOOKER ’72 and JUDSON W. COLLIER ’76 have formed a new law firm; Hooker, Collier & Bates.

1973

JAMES CARNEY HAWKS and his wife, Claudia, have had their third child, a daughter, Lindsay Warren Hawks born November 24, 1987. Mr. Hawks was recently elected to the City Council of Portsmouth, Virginia, to serve a 4 year term which began July 1, 1988.

1974

ALBERT H. JACOBY JR. is now the sole practitioner in his office located in Stafford County, Virginia.

SUSAN G. MOENSSENS is owner and president of Caldwell Banker Lighthouse Real Estate specializing in the sale of waterfront properties, home building sites and land in the Northern Neck. Their main office is in Kilmarnock, Virginia.

1977

GEORGE C. CHERRY has joined Signet Bank as a senior trust officer. Mr. Cherry will be in the Business Development for Personal Trust. He previously was an attorney with Purcell, Cherry, Kerns & Abady and with Southern States Cooperative.

PHOTO: Felix E. Edmunds ‘24

PHOTO: Steven and Lynn Stone pose with their family, Marcia Evelyn and George Mason.

PHOTO: Steven D. Stone and his wife, Lynn, announced the birth of their son, George Mason Stone, on March 2, 1989.

HARRIS FRANK TRESTMAN has become a partner in the law firm of Goldblatt, Lipkin, Cohen, Anderson, Jenkins, & Legum, P.C.
1978

JOSEPH M. CLARKE II was appointed in February to serve as judge of the Juvenile and Domestic Relations District Court in the 23rd District.

PHILIP C. COULTER is pleased to announce the formation of a new partnership, Coulter & Hambrick with emphasis on plaintiff's trial practice in Roanoke, Virginia.

BURTON F. DODD has become a partner in the firm of Fisher & Phillips in Atlanta, Georgia. Fisher & Phillips is a national law firm engaged exclusively in the practice of labor relations and employment law, representing management.

LINDA AREY SKLADANY has been appointed by the President to be Acting Chairman of the Occupational Safety and Health Review Commission. Ms. Skladany has served as Commissioner for the Occupational Safety and Health Review Commission. She has served as the Republican candidate for Congress for the 5th District of Virginia, 1987-88. She has served on the Advisory Committee on Trade Negotiation, 1988-89; and Special Assistant to the President and Deputy Director for Public Liaison at the White House, 1985-87. She was Director of the Executive Secretariat at the Department of Transportation, 1984-85; Special Assistant to the Deputy Secretary at the Department of Transportation, 1983-84; Special Assistant at the Department of Justice, 1982-83; and a Special Assistant to the Executive Secretary at the Department of Education, 1981-82.

ROBIN ROBERTSON STARR has joined the Richmond law firm of Williams, Mullens, Christian & Dobbins as an associate. She previously worked at A.H. Robins Company. Her general area of practice will be corporate law.

1979

MICHAEL C. ALLEN and his wife Jody announce the birth of their second child, John Coghan Allen, on March 20, 1988. Jody Allen was honored as the Virginia Pharmacist of the Year 1988 by the Virginia Society of Hospital Pharmacists. She is Associate Director of Clinical Pharmacy Services at Richmond Memorial Hospital and Adjunct Professor of Pharmacy at MCV School of Pharmacy.

BROADDUS FITZPATRICK, assistant vice president with Dominion Trust Company, was named Outstanding Young Man by the Roanoke Jaycees.

JOHN COLE GAYLE JR. became a partner in the Richmond law firm of Hubard, Marshall, Samuels & Gayle. Mr. Gayle is the primary author of amendments to Virginia's Motor Vehicle Warranty Enforcement Act (Virginia's Lemon Law II).

THOMAS L. ROWE has been appointed as assistant counsel-claims at Lawyers Title Insurance Corporation. He is assigned to the company's national headquarters in Richmond, Virginia. Mr. Rowe joined Lawyers Title at its national headquarters in 1986 as a senior claims attorney. He is a member of the Virginia Bar Association.

DOUGLAS B. WESSEL has opened the law offices of Douglas B. Wessel Limited to trial practice of plaintiff's personal injury and criminal defense actions.

1980

MARK H. BODNER formerly Staff Attorney with Fairfax Legal Aid announced the opening of his office for the general practice of law in Fairfax, Virginia, February 1, 1989.

N. RANDOLPH BRYANT and his wife, Nan Keller Bryant, had a daughter, Anne Randolph Bryant, on February 23, 1988.

STEPHEN D. BUSCH was elected to the post of chairman-elect for the young lawyers section of the Virginia Bar Association. Mr. Busch is a partner in the Richmond-based law firm of McGuire, Woods, Battle & Boothe.

W. STEPHEN COLEMAN and his wife, Susan, welcomed the arrival of Stephen Bryan Coleman, on June 2, 1988.

LAURA DERVISHIAN has joined the Virginia Housing Development Authority in Richmond as associate counsel. Ms. Dervishian formerly worked as in-house counsel for a group of long-term health care facilities.

DALE S. LEE of Fredericksburg has a son, Trevor Richmond Lee, born October 29, 1988.

ROBERT CHAMBLOSS LIGHT JR. and his wife, Edith, announce the birth of their second child and first daughter, Paige Leftwich Light on June 18, 1989. Cham is a claims attorney and district manager for Nationwide Mutual Insurance.

JOHN P. ROWLEY III left the firm of Miles & Stockbridge in Fairfax, Virginia, in early March to accept a position as Assistant United States Attorney for the Southern District of West Virginia in Charleston, West Virginia. The recently enacted drug bill creates several new positions which should last 2 years and then we will probably see Mr. Rowley return to Virginia.

1981

JANINE SNEAD HILLER has a new daughter, Erin Eleanor Hiller, born December 7, 1988. Erin's sister, Shannon was 3 years old this past May.

MAJOR ROBERT B. LLOYD JR. is a litigation attorney for the Department of the Army, Procurement Fraud Division, Office of the Judge Advocate General. He was promoted to Major in December, 1988.

CAPTAIN LISA ANDERSON-LLOYD is also at the Department of the Army in the Administrative Law Division, Office of the Judge Advocate General.

STEPHEN H. MORIARTY and his wife, Marie Louise, recently moved to Sterling, Virginia, and joined two former fellow Assistant Commonwealth Attorneys in the general practice of law.

DAVID E. NAGLE has joined the firm of Hazel, Thomas, Fiske, Beckhorn & Hanes as an Associate in their Business/Tax Section.

1982

KURT J. POMRENKE recently was elected president of the board of directors of Main Street Bristol, Inc., which was organized to revitalize downtown Bristol, Virginia, by concentrating in the areas of economic restructuring, promotion and design.

1983

STEVEN L. HIGGS and his wife are pleased to announce the birth of their daughter, Lydia Katherine, on July 29, 1988. The couple lives in Roanoke, Virginia, where Steve is an attorney with Magee & Associates and Diane is a buyer with CMT Sporting Goods.

JOHN E. MILLER married the former Cynthia Ribeiro in September, 1988 and the couple purchased a new home.

G. BRADSTREET PEASELEY and his wife Cynthia Lee Peaseley (WC '82) announce the birth of their son and first child, Gabriel Bradstreet Peaseley VII, on October 9, 1988.

WAYNE A. STAHLmann and his wife Donna are proud to announce the birth of their son, Christopher Frederick Stahlmann, March 4, 1989.

1984

BENJAMIN W. EMERSON, an attorney with Sands, Anderson, Marks and Miller, has been appointed to the Executive Committee of the Real Estate Section of the Richmond Bar Association.

J. DAVID FAULDERS has been promoted to associate corporate counsel for Signet Bank. Mr. Faulders will handle real estate and real estate finance matters in the Corporate Counsel Department. He joined Signet as assistant corporate counsel in 1987 after working as an associate attorney for Hunton & Williams.

ANITA R. SCHNEIDER, her husband Robert, and their two children will be spending the 1989-90 academic year in Haifa, Israel where her husband will be serving as a Fulbright-Hays Senior Lecturer at the University of Haifa.
ROBERT E. SPICER JR. and Becky Brabham Spicer have become the proud parents of a baby girl, Suzanne Elizabeth, born August 11, 1988.

CLAYTON L. WALTON has joined the firm of Hazel, Thomas, Fiske, Beckhorn & Hanes as an Associate in the firm’s Litigation Section.

1985

DIANE T. ATKINSON recently returned to the Virginia Department of Education as a special Education Consultant following the birth of her son, Robert Francis Atkinson. Diane’s husband, Frank, is a 1979 graduate of Richmond College.


WILLIAM E. PHILLIPS is currently an associate in the litigation section of Edmonds and Williams in Lynchburg, Virginia.

VICTORIA SHELTON ROBERTSON was released from active duty from the Judge Advocate General’s Corps of the United States Navy in December 1988. She has joined the firm of Prettlow, Harry and Eason in Suffolk, Virginia, as an associate and is remaining in the reserve component of the Navy Jag Corps.

NANCY A. TARBEII is now assistant regulatory counsel for Lawyers Title Insurance Corporation. She is assigned to the company’s national headquarters in Richmond, Virginia. Ms. Tarbell joined Lawyers Title in 1986 as regulatory attorney. She was promoted to senior regulatory attorney in 1987.

R. GRIFFITH THOMAS is an engineering/legal assistant with the architectural and engineering firm of Dewberry & Davis in Fairfax, Virginia.

KEVIN J. WHYTE recently joined the new Pittsburgh law firm of Doepken, Keevican & Weiss, P.C.

1986

DAVID C. BOWEN is with the firm of Wilcox & Savage, P.C. in Norfolk, Virginia, where he concentrates on products liability and toxic tort defense litigation. David married Valerie L. Harvard ’86 on April 22, 1989.

VICTORIA A. BUCUR married Gordon F. Willis, Esquire on November 5, 1988. She has moved to Fredericksburg where her husband entered his family firm to practice law and Victoria began private practice as well.

STEVEN R. GRANT opened his own law firm on January 1, 1989 after working with the firm of Wallace & Davis from September, 1987 through December, 1988.

SHARON TERRY LAROE gave birth to Matthew LaRoe on December 29, 1989 and Elizabeth LaRoe on March 25, 1989.

DERRICK E. ROSSER and JANET E. FREED ’87 were married on April 22, 1989. Derrick practices with Spinella, Owings & Shaia and Janet works for the Chief Staff Attorney’s Office of the Virginia Supreme Court.

ROBERT V. TIMMS JR. has joined the Norfolk law firm of Vandeventer, Black, Meredith & Martin as an associate.

1987

DEANNA SAMPSON BYRNE married T. Bryan Byrne on October 15, 1988 in the Cathedral of the Sacred Heart, Richmond, Virginia.

GARY M. COATES formerly of McGuire, Woods, Battle & Boothe, has become associated with the Lynchburg firm of Fralin, Freeman & Kinnier, P.C.

ROBERT N. POLLARD III has joined the law firm of Leclair & Ryan, in Richmond, Virginia, as an associate practicing in the area of corporate and securities law.

STEFANIE E. SANDERS is now working in Old Town, Alexandria, Virginia, practicing bankruptcy law as the Associate of Roy B. Zimmerman.

KYLE ELIZABETH SKOPIC has accepted a position as Assistant Fairfax County Attorney.

FIRST LIEUTENANT ALEXANDER L. TAYLOR JR. graduated from Judge Advocate General’s School on March 24, 1989. He is stationed at Ft. Clayton where he will live with his wife to be, Miss Theresa A. White, after their marriage on August 26, 1989. Miss White is a registered nurse at the Medical College of Virginia Hospitals and a First Lieutenant in the United States Army Reserve.

CHRISTOPHER VAN SON is now practicing with the firm of Smigel & Van Son in Rancho Domingues, California. Chris lives in Manhattan Beach, California and, as he says, is “Workin’ on my surfin’!”

1988

NANCY L. MINOR has accepted a commission from the U.S. Navy to practice law, and she is an officer in the grade of Lieutenant. She has had 4 months training in Newport, Rhode Island, and is now in San Diego for a 3 year tour. Lt. Minor is a defense lawyer handling a wide range of criminal and military offenses.

KAREN MINTER recently became employed as an Assistant Commonwealth’s Attorney for the City of Richmond.

DANA SCHRAD heads up a drug trafficking research for the Virginia Crime Commission. The results of the study will be presented to the Virginia General Assembly along with proposed legislation aimed at drug-related crime and supporting drug education efforts.

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In Memoriam

<table>
<thead>
<tr>
<th>Year</th>
<th>Name</th>
<th>Office</th>
<th>Location</th>
<th>Date</th>
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<tbody>
<tr>
<td>1932</td>
<td>H. Branch Wood</td>
<td>University Park, Maryland</td>
<td>June 2, 1989</td>
<td></td>
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<tr>
<td>1936</td>
<td>John T. Grigsby</td>
<td>Richmond, Virginia</td>
<td>June 8, 1989</td>
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<tr>
<td>1939</td>
<td>Samuel James Tilden Moore, Jr.</td>
<td>Palm Beach, Florida</td>
<td>February 5, 1989</td>
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<tr>
<td>1940</td>
<td>Books P. Shetter</td>
<td>Richmond</td>
<td>June 19, 1989</td>
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<tr>
<td>1946</td>
<td>Charles E. O’Connell</td>
<td>Bethesda, Maryland</td>
<td>December 23, 1988</td>
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LAW WEEKEND '89

Tentative Schedule

Friday, October 27th

THE BARNETT MEMORIAL GOLF TOURNAMENT

Tee Times begin at 8:00 a.m.
The Hermitage Country Club
The cost is $40 per player
This includes greens fee and cart rental

THE ANNUAL FALL GATHERING

6:00 p.m.-8:00 p.m.
The Jefferson Hotel
All members of the Law School
Association will be given 2 complimentary drink tickets

Saturday, October 28th

MOCK LAW CLASS
AND MOOT COURT PRESENTATION

9:30 a.m.-11:30 a.m.
Room #109 in the Law School
Law students' parents, spouses and other family members are invited to learn more about law school

LAW SCHOOL ASSOCIATION MEETING

10:00 a.m.-11:30 a.m.
Moot Courtroom
All alumni are encouraged to attend this important meeting
O. Leland Mahan, Presiding

THE BRUNCH

11:00 a.m.-1:30 p.m.
Student Lounge
All alumni, faculty, students and friends are invited to attend
Sponsored by the SBA

UR vs. CONNECTICUT

Kickoff is at 1:00 p.m.
UR Stadium
Reserved tickets may be purchased in advance at $10.00 each

POST GAME PARTY

4:00 p.m.
Millhiser Gym
Come join all alumni at a post game celebration
Music by The Fabulous Cruisers
Beverages available

Class Reunions

If you are a member of one of these classes you will receive information concerning the details.

Accommodations

A block of rooms has been reserved at the Jefferson Hotel. These rooms have been made available to T.C. Williams alumni at a special rate of $79 for a double or single. To make your reservations call 1-800-325-3535.
### Schedule of Events

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>August 27</td>
<td>Classes Begin</td>
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<tr>
<td>September 7</td>
<td>Merhige Center Program</td>
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<tr>
<td>September 18-21</td>
<td>Richmond Telethon</td>
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<tr>
<td>September 26</td>
<td>Hampton Roads Telethon</td>
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<tr>
<td>September 28</td>
<td>Breakfast Lecture</td>
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<tr>
<td>October 3</td>
<td>Roanoke/Salem Telethon</td>
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<td>October 10</td>
<td>Scholarship Dinner</td>
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<tr>
<td>October 17</td>
<td>Northern Va. Telethon</td>
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<tr>
<td>October 27-28</td>
<td>Law Weekend/Homecoming</td>
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<tr>
<td>November 30</td>
<td>Breakfast Lecture</td>
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