GETTING PAST THE IMPASSE:
CAN LAW SAVE CIVIL DISCOURSE?
The admissions office traveled more than 102,000 miles — by land, rail, and air — to find them, the Richmond Law class of 2020. This year’s first-year students come from 63 American and six international universities. The youngest is 20; the eldest, 68. Five served in the military (including one you can read about on Page 8). Others previously worked as a teacher, a rancher, a political reporter, and a music coordinator. There’s an Irish folk singer, a professional ballet dancer, a strongwoman, and a few chefs and bakers. No matter what brought them to Richmond, they’re all Spiders now.

Photograph by Chris Ijams
The view from the other side

Dear friends,

A recent survey by the Pew Research Center found that political polarization is more extreme than at any point in recent history. It is not that people strongly disagree about important social and policy issues. That has always been true. But we’ve seen politics become increasingly personal, with fewer people crossing party lines on the issues.

As we as a society struggle with this problem of deep polarization, I see a clear role for both lawyers and law schools to play. Lawyers are, after all, in the dispute resolution business. Lawyers understand how to structure decision-making and dispute resolution processes. We understand the importance of the opportunity to be heard and that fundamental fairness matters.

Lawyers bring a skill set that is particularly valuable in a world of conflict. Whether trying cases or negotiating deals, the best lawyers are careful and attentive listeners who understand both the need for and the limits of analytic precision. They understand the importance of facts as well as the persuasive power of narrative.

As lawyers we are not only comfortable navigating a world of conflict and disagreement; we approach these challenges with a methodology built on recognizing the strength of the opposing views. Legal pedagogy — like good lawyering — emphasizes the importance of developing a deep, empathetic, and balanced understanding of the arguments of the other side. Our case books include dissents that force students to see that there were arguments to be made on the other side. It is commonplace in a law class for us to ask our students to construct the argument for an opposing position.

Our everyday life at Richmond Law bears witness to the value we place as a community on the ability to navigate disagreement with thoughtfulness and respect. You’ll see it in the daily interactions of our students, in our classroom environments, and in our programming. In our new Civil Discourse debate series — which you’ll read about in this issue — our own faculty take part in a structured and civil debate on a topical issue. The student audience votes not on whom they agree with, but who presents the best argument. And both sides join in a friendly discussion and reception to follow. This debate is one way we can model a productive way to disagree.

This process of seeing that there is an opposing view — that there is something on the other side — is an essential first step in building connections and in building bridges. “Is there something over there that we should try to connect to?” That is what the bridge builder asks. And lawyers have been trained to look for what might be on the other side. Lawyers are not social workers, but they are, as the legal philosopher Lon Fuller put it, architects of social structure. And in that role as architects, we can be enormously helpful to those building bridges.

Wendy C. Perdue
Dean and Professor of Law
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NEW COURSES REFLECT NATIONAL DISCOURSE

Richmond Law professors respond to current issues with courses exploring racism, sexual violence, and the intersection of criminal law and immigration law.

Turn on the news today, and you’re likely to hear stories involving racism, sexual assault, and immigration. Step into a classroom at Richmond Law, and you’ll probably hear conversations about the same.

Three new courses are digging into the legal landscape of topics currently dominating news cycles: Paul Crane’s Law and Sexual Violence; Crimmigration, developed by Erin Collins; and Kimberly Robinson’s Race and American Law.

Crane’s course explores criminal sex offenses and prosecution procedures; regulation of sex offenders and civil commitment laws; sexual harassment in the workplace; and Title IX sexual assault regimes on college campuses. Most of the time, he says, these subjects might get only a passing discussion in a broader course — say one day on sexual harassment in an employment law class. He aims to spend a month on each and show how the four areas interconnect.

“There’s an exciting newness to this, that maybe there’s a different way we can educate and talk about these issues with students and have them become better lawyers and better citizens for it,” Crane says. “But there isn’t a textbook. There aren’t other courses that I have been able to find.”

That lack of a model is part of the challenge in creating courses like these. They also require a nimbleness, an ability to respond to what happens in the hours before class begins.

Crane has been planning his Law and Sexual Violence course since early 2017. In that time, there have been crowds of pink hats, Harvey Weinstein, and the #MeToo movement.

Collins faced the same challenge while teaching Crimmigration, a course exploring the growing confluence of criminal and immigration law. Collins covers everything from the immigration consequences of criminal convictions to issues of border policy and sanctuary cities.

“A lot of our sessions would end with me saying, ‘And this issue is getting decided right now,’ or ‘Just to update you, last week this happened,’” Collins says.

Robinson’s Race and American Law course might be a standard at many law schools, but it’s also being shaped by the current climate. After covering a history of slavery and colonialism, Robinson challenges students to look for legal reforms that can eradicate modern forms of institutionalized racism, like changing the legal standards for what constitutes discriminatory policing.

“We’ve come a long way since segregation, and we’ll come a long way from where we are today if there are engaged reformers who work on these issues,” she says. “I challenge students to think, ‘You can make a difference on these issues, and here is the huge array of tools that you have to do that.’”

While equipping future lawyers with the tools to tackle complex issues is key to each new course, Collins, Crane, and Robinson also say they’ll be happy to see citizens who have a critical ear for news and can engage in meaningful and constructive conversations.

“We’re talking about things that a large segment of the American population is also talking about,” Crane says. “I hope that will make the class feel even more alive, important, and accessible.”
“Jud Campbell ... has just produced what might well be the most illuminating work on the original understanding of free speech in a generation.”

Liberal legal scholar Cass Sunstein in an opinion article for Bloomberg on Richmond Law professor **Jud Campbell**’s recent article, “Natural Rights and the First Amendment,” for *The Yale Law Journal*.

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**UNDER NEW LEADERSHIP**

In January, Wendy Collins Perdue, dean of Richmond Law, began a one-year term as president of the Association of American Law Schools. The AALS is a nonprofit association that works to uphold and advance excellence in legal education.

“I look forward to working with my colleagues to further strengthen legal education and the foundations of our system of justice,” Perdue said. “Our primary focus centers around providing the excellent education our students expect and our democratic society needs.”

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**GIFT PERMANENTLY ENDOWS CLINIC FOR FAMILIES AND CHILDREN**

A recent $2.4 million gift from the Lipman Foundation will establish a permanent endowment at the University of Richmond School of Law to support the Jeanette Lipman Legal Clinic for Families and Children.

“This generous gift will have a lasting impact, not only on our students but on the local community as well,” said Wendy Perdue, dean. The Jeanette Lipman Legal Clinic for Families and Children provides pro bono services to families who might not otherwise be able to afford legal representation. Students in the clinic represent clients, under the supervision of a faculty attorney, in domestic relations matters such as custody, adoption, domestic violence, and child dependency cases.

“The students are making a real difference for their clients,” Perdue said. “At the same time, they’re receiving an exceptional hands-on education while developing and practicing their legal skills with their clients.”

Jeanette Lipman was a local philanthropist and longtime supporter of the law school. Earlier gifts established and sustained the Jeanette Lipman Family Law Clinic, which has successfully served families in need since 2007. She died on Jan. 10, 2017.

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**RETHINKING MANDATORY LIFE SENTENCES**

With its 2012 decision in the landmark *Miller v. Alabama* case, the U.S. Supreme Court declared mandatory life sentences without the possibility of parole unconstitutional for minors. The decision sent many states into a flurry of action as they worked to resentence past cases. But others — including Virginia — applied the ruling only moving forward. It wasn’t until *Montgomery v. Louisiana* in 2016 that the Supreme Court clarified the ruling applies retroactively and any juveniles sentenced to life in prison must be resentenced.

Azeem Majeed was the first defendant in Virginia to be resentenced following *Montgomery* — and his case was argued with the help of Julie McConnell, clinical professor of law, and Richmond Law’s Children’s Defense Clinic.

Majeed was sentenced to two life sentences for a 1995 murder in Norfolk, Va. His guilt wasn’t disputed, but during the 20 years Majeed spent in prison, much of the thinking around mandatory life sentences has been.

In the late 1980s and early ’90s,

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**CROWDLobby**

**Power to the people**

Lobbyists can get a bad rap. Many see them as a way for wealthy donors to further their own interests. But a group of Richmond Law students is working to rethink the industry and get average citizens a seat at the table.

Heidi Drauschak, L’18 and GB’18, Dillon Clair, L’18, Samantha Fleming Biggio, L’18, and Sam Garrison, L’18, founded CrowdLobby on the premise that it shouldn’t take deep pockets to influence the government. Instead, donors give small contributions — no more than $500 — to an issue they care about and collectively fund a lobbyist to advocate on their behalf.

Think of it as Kickstarter for politics. “People demonize the lobbying industry, but at the end of the day, it’s not necessarily a bad system,” Drauschak says. “The government has to go through an enormous amount of material, and professional, educated people are advocating for certain things. The difference is, if corporate and special interests have this type of access, we want everyday people to be right there with them.”

CrowdLobby launched with a beta test in Virginia. Users could pick among pre-selected issues — education, clean energy, and more — with clear goals and a history of progress. Now they’re focusing on building the infrastructure for a national crowdfunding platform and a mechanism for keeping interested citizens informed about legislative developments.
For the Record

many states aggressively prosecuted juveniles in adult court systems under the notion of “adult time for adult crime.” However, more recent psychological research has led to a new understanding of brain development and impulse control in teenagers, leading many to reconsider the appropriateness of mandatory life sentences.

“A 17-year-old is a work in progress,” McConnell says. “A judge needs to be able to consider context and exercise discretion. Mandatory sentences don’t allow for that nuanced approach.” McConnell also says more reasonable sentences on the front end prevent lengthy litigation and, as a result, reduce ongoing stress on the families of victims.

After two semesters of work — with McConnell and clinic students preparing Community in conversation

Jessica Erickson, associate dean of faculty development, spends a lot of time thinking about Richmond Law’s intellectual community — the faculty, the students, and how the two intersect. One forum for such community is the Emroch Faculty Colloquy Series, which invites legal scholars from around the country to speak at the law school.

“We could learn about what other people are doing by reading their articles,” Erickson says, “but colloquy is a chance to really dig into the ideas in a deeper way. That exchange of ideas is what a colloquy is all about.”

This year, Richmond Law played host to legal experts like Erwin Chemerinsky from University of California, Berkeley and Judith Resnick from Yale. Discussions ranged from free speech on campus to access to justice to DACA. Faculty also heard from a few of their own colleagues, including two from other University schools: Susan Cohen from Robins School of Business talked about startup accelerators, while leadership studies professor Crystal Hoyt led a discussion about gender and identity in leadership.

While Erickson says colloquy is typically seen as faculty-focused, a few students are invited to each session.

“Students can see the normative side of law by watching people engage with ideas,” she says. “They learn that the law isn’t something that’s just handed to us in a book, but that it’s something that evolves over time.”

Majeed for an in-court statement, conducting sentencing research, and working on a re-entry plan — Majeed was resentenced in May 2017. In his statement, he described his growth and development in prison, emphasizing his deep commitment to Islam and his work with fellow inmates on nonviolent responses to conflict. His sentence was reduced dramatically, and Majeed will be eligible for release in four to five years.

McConnell says the decision “sets the tone for future resentencing cases.” But his case is also a model for lawyers working on similar cases. There are about 2,500 people in the U.S. who are now eligible for resentencing. McConnell shared her experience during a multi-day workshop for the National Institute for Trial Advocacy and the Youth Law Center. The program included sessions on direct and cross-examination of witnesses, developing client narratives, and crafting re-entry plans — sometimes working with participants on active cases.

McConnell’s work isn’t finished, either. The Children’s Defense Clinic will consult on two new resentencing cases: a murder case from Bedford, Virginia, and Lee Boyd Malvo, one of the 2002 D.C. snipers.

“While it’s a challenging and existential time, the Constitution can’t be put on a pedestal. ... You can’t claim more for it in 1787 than you should. However, they did predict the moment we’re living through and they did put checks in place to deal with the moment we’re living through.”

Virginia senator and part-time continuing law professor TIM KAINE speaking at Richmond Law on “The Constitution at 230: Signs of Stress and Resilience.” Read more about Kaine’s lecture on page 22.
HONORING A LEGACY

In September, University of Richmond Law Review celebrated the 50th anniversary of the appointment of the Honorable Robert J. Merhige Jr., L’42, to the federal bench. Merhige, who served on the U.S. District Court for the Eastern District of Virginia from 1967 to 1986, is remembered for his work on desegregation cases in the 1970s and ordering the University of Virginia to admit women. A panel of former clerks shared stories from their years working with Judge Merhige.

Michael Smith
Partner, Christian and Barton
“For you that want to try cases, if you asked him what one characteristic does a trial lawyer have to have, he would no doubt say to you, ‘If you assume the young lawyer is willing to work hard and if you assume they have a modicum of good sense, then the one thing a young trial lawyer has to be is resilient. You’ve got to be able to pick up a file and go into a courtroom and lose, and not lose your confidence. You have to pick up a file the next day and go back.’”

J.G. Ritter II
Partner, Hunton and Williams
“He wasn’t concerned about what people thought about him, but he had a huge interest in the way people perceived the court.”

Anne B. Holton
Visiting professor of education policy, George Mason University
“Courage just came so naturally to him. He didn’t see fear.”

Rita Ruby
Partner, Hunton and Williams
“I think he would be worried about a lot of things that he sees right now and some mistakes that seem to be repeated that you would have thought would have been gone decades ago. But at the same time, I think he would be hopeful because he knew he lived in the greatest country in the world and that we have the greatest legal system in the world and he had faith in all of that. I think he’d give us hope.”

Gregory Golden
Corporate counsel, international, Northrop Grumman
“I learned a lot just watching the judge interact with the best lawyers in town and the unrepresented in town. Everyone got the same treatment.”

POLITICAL SCIENCE

Up for debate

Before Virginians went to the polls last fall, they had a chance to get to know some of their candidates thanks to two debates at the University of Richmond. University President Ronald Crutcher led conversations with gubernatorial candidates Ralph Northam and Ed Gillespie as part of the Sharp Viewpoint Series. And Justin Fairfax and Jill Holtzman Vogel, candidates for lieutenant governor of Virginia, participated in a debate at Richmond Law sponsored by the Virginia Bar Association’s Young Lawyers Division.

Vogel and Fairfax faced off on such topics as universal background checks, minimum wage, transportation, women’s health care, sexual assault, and the environment.

On the economy, Vogel, a Republican, said, “Virginia is at a crossroads. We used to be the No. 1 best place to start a family, best tax bracket. We are not anymore.”

Fairfax, a Democrat, argued that a higher minimum wage would bring more economic mobility.

“What we know is that in an economy that is driven by consumer spending and consumer demand, is that when people have more money in their pockets to spend, that helps economic growth overall.”

Bill Fitzgerald, evening anchor at television station WTVR, served as moderator. Longtime Virginia political analyst Bob Holsworth assisted.

To see more from the lieutenant governor debate, visit law.richmond.edu/ig_townhall.
Ian Hutter, L’20, is driven by a sense of duty. It led him to become a strike fighter aviator, to fly a jet escorting Osama bin Laden’s remains, and now, to attend Richmond Law.

By Kim Catley

As pilots prepare for takeoff, they go through a preflight checklist.
Fuel? Check.
Windows and doors? Closed.
Beacon? On.
Controls? Checked.

With every flight, the steps become ingrained, routine. A roughly 15-minute process that verifies all switches, buttons, and levers are in position. That all necessary equipment is at the ready. That the flight will arrive safely at its destination, with no surprises along the way.

But let’s say it’s a military flight along the border between Pakistan and Iran during the Arab Spring, when demonstrations and riots are taking place throughout the Middle East and Northern Africa.

Flying along the “boulevard,” the nickname for the path across the border, comes with its own routine. Aviators have to stick to a specific altitude and stay to the right — just like a driver on a road. They travel for about an hour down the path with a hostile Iran just a few miles away. They talk to the “eye in the sky,” a contingent of U.S., Italian, and British forces deciding who needs air support and which pilots are being sent where.

Military aviators must pay attention to the troops on the ground and try not to get in the way of other potentially more important missions. Sometimes their presence is all that’s needed to support the troops below. Other times further engagement might be necessary.

That was the checklist going through Navy Lt. Ian Hutter’s mind in the early hours of May 2, 2011, as he stepped into an F/A-18 combat jet. It was on that flight that he unknowingly escorted al-Qaida leader Osama bin Laden’s remains as SEAL Team 6 made its way to the North Arabian Sea.

... 

Ian Hutter was just a few weeks into his first year of college when he watched two planes fly into the World Trade Center. With the brash bravado of an 18-year-old, Hutter was ready to enlist in the military and ship out to Afghanistan right then.

His response didn’t come from left field. Hutter was already in ROTC at the University of Virginia. His father, Paul, served in the Army for years, both on active duty and as a reservist. He had posts with the Department of Defense and the Department of Veterans Affairs before President George W. Bush named him the VA’s general counsel.

So when Hutter called to tell his father, “I’m quitting school. I’m enlisting. I’ve got to go get these guys,” Hutter listened when his father tried to talk him out of it.

“My dad, very calm, very cool, said, ‘I respect your opinion, and I respect your feelings. [But] think about how valuable you could be as an officer in the military,’” Hutter says. “He told me, ‘You just have to wait three years, and you can do all of these things. And you’ll more quickly have an opportunity to lead.’ So I did.”

PHOTOGRAPH BY JAMIE BETTS
Hutter stayed the course, graduated, and was commissioned into the Navy. He was selected as a naval flight officer — “That would be Goose, not Maverick,” he says, referring to the film Top Gun — and spent two-and-a-half years in flight school in Pensacola, Florida.

Flight school felt different from college, he says. “It felt a little bit more real,” he says. “This is my job. This is my profession. It’s not something that’s leading up to it.”

He first flew a Cessna 172, the four-seater, single-engine plane that most pilots learn on. From there, the students are grouped by skill and preference to train on specific aircraft. Some might be assigned to a P-3 Orion, a large maritime surveillance aircraft. Others might land in an E-2 Hawkeye, an airborne early warning aircraft. Hutter’s sights were set on the F/A-18 Hornet, a combat jet frequently used for escort, close air support, and reconnaissance. The F/A-18 is an aerodynamic twin-engine supersonic jet capable of hitting Mach 1.8, or 1,190 mph. It was designed as both a fighter and an attack aircraft and can carry a variety of bombs and missiles.

“At that point, I wanted to be the best at my job, and F/A-18s were considered by most the hardest thing to do,” he says. “Of course jets seem sexy and cool, but for me, it was like, ‘If I’m going to be the best at this, then this is the route I want to take.’”

In 2010, Hutter received his first deployment orders. He was sent on the USS Enterprise from Oceana Naval Air Station in Virginia Beach, Virginia, in the early days of Arab Spring, a particularly volatile time in the Middle East.

He was excited about putting his training to the test in a real environment.

“At first I thought, ‘I really want to drop a bomb’ … then you have to grow up a bit …’

I want to legitimize all this training I’ve done,” he says. “And then you have to grow up a bit, to realize that the goal is not to drop a bomb. The goal is to be there in case someone needs help.”

That help was frequently supporting soldiers on the ground. If they landed in a challenging situation or had trouble moving or holding their location, they called for air support. That could mean a show of force, flying low to the ground to run off anyone shooting at U.S. troops.

If that didn’t work, Hutter says they might escalate and drop a small bomb on a pinpoint location below, intending to make a statement while limiting collateral damage.

“It’s tough because we’re looking from 20,000 feet,” he says. “We’re looking at the camera, and we’ve got a lot of checks we have to go through to make sure that we know who’s who. It’s a very serious thing, and it’s a lot of responsibility. But it should be hard, and there should be guys who are making tough decisions and doing everything they can to minimize the negative impacts of those decisions.”

Hutter logged thousands of hours in the air completing such missions. While a typical aviator training for deployment might spend 20 or 30 hours in the air each month, that number doubles on deployment. In his busiest month, Hutter says he logged nearly 100 hours in an F/A-18.

That repetition teaches aviators to react quickly when met with repeated circumstances. It’s not quite muscle memory, when motor skills kick in without attention or conscious effort. Rather, it’s about finding familiarity in a high-stakes environment — and having the experience to know how to respond.

So when Hutter received an assignment in May 2011, it registered as routine. He was leaving Afghanistan, flying along the boulevard, when he was told to escort an MV-22 Osprey, an assault support aircraft. He had no way of knowing that SEAL Team 6 had just raided a compound in Abbottabad, Pakistan, killing bin Laden.

“For good reason, those guys were not advertising what had just happened,” he says.

Hutter and the members of his team were ordered to conduct armed overwatch, essentially supporting the MV-22 so that nothing interfered with its movements. Hutter and the other F/A-18s escorted the
Osprey to the USS Carl Vinson and returned to their own aircraft carrier. “That’s when I figured out what I had just been a part of,” Hutter says.

Hutter is quick to say that his role in the operation was very small. “I absolutely do not take credit for the guys that did so much great work,” he says. He was more excited to share the news with soldiers in remote areas of Afghanistan.

“I think the best part was the day afterward when I was able to tell these guys that had been in the ditches what had gone on, that Osama bin Laden had been killed,” he says. “These soldiers are in the Hindu Kush and have no way of getting current news. They’d been living pretty rough lives, and to know that a goal of the campaign was accomplished was motivating.

“It almost sounds terrible that a dead person instills a sense of patriotism. I think it’s more that we’ve been doing this for a long time, and it’s easy to lose sight of what the end goal is.”

A mentor once gave Hutter a piece of advice: You have to take care of your people, those who report to you. And you take care of your family. And you take care of yourself.

“You don’t at any point let any of those falter,” he says. “It’s just the order in which you approach your work.”

As an ROTC student and a newly commissioned officer, Hutter’s focus was on his military development — learning to fly, lead, and understand how his decisions impact others. With each flight and deployment, he became more focused on supporting his crew and, later, as an instructor at Topgun’s satellite school in Virginia Beach, teaching the next generation of strike fighter aviators.

“I’d spent over three years only worrying about my own progression,” he says. “I wasn’t responsible for anyone else. The leadership responsibility was a real change of perspective for me.”

When Hutter met his wife, though, his attention began to shift to family and back to himself. Together, they started to picture a life outside the military, one that soon included Richmond Law. With only a semester behind him, he’s not sure where he’ll land (maybe a law firm, maybe criminal prosecution). Behind all his options is a sense of duty and service to others.

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Kim Catley is the editor of Richmond Law magazine.

A PLACE TO LAND

Many winding paths bring students to law school and to the University of Richmond. But the transition from the military to civilian life — from an aircraft hangar in Afghanistan to an intimate law school on the outskirts of Richmond — is something you can truly understand only if you’ve lived it.

For those making that transition — as well as their families and those interested in a military career after law school — the Veterans and Military Law Association provides a place to land. Before the semester begins, the group invites admitted veterans for a casual meet-and-greet. The new students meet 2Ls and 3Ls with a connection to or interest in the military, as well as their families, establishing a support network that extends to all areas of school and life.

Throughout the year, networking events introduce members to potential legal careers in the military, as well as fellow veterans and lawyers working in the Richmond area.

The VMLA also supports veterans in the community. For example, members of the VMLA partner with local firms and Richmond’s Veterans Affairs hospital to offer free assistance with wills, power of attorney, and advance medical directives. The group also organized its first Veterans Day 5K last fall to raise money and awareness for veterans’ issues.

“Every law school in Virginia could have a veterans’ law clinic that takes pro bono cases, and there would still be an infinite amount of opportunities to help resolve conflicts and give back to the veterans’ community,” says Wes Cochrane, L’18, president of the VMLA.

Former service members are particularly attuned to the needs of fellow veterans. They know what questions to ask and have likely seen or experienced the kinds of challenges that veterans frequently encounter, such as military housing or filing benefits claims with the VA.

“There’s this small percentage of the country that has served or is connected to service members, so there is a disconnect between the civilian population and those who’ve served,” Cochrane says. “It’s not anybody’s fault, but a military veteran understands what another veteran’s going through, and it’s easier to plug in.”
Quarreling over the Orange: Can Law Save Civil Discourse?

With polarization and the decline of civil discourse, some in the legal profession are stepping into the breach.

By Sarah Vogelsong
Illustrations by Robert Meganck

In a classic tale, two sisters find themselves at odds over a single orange. Both want it. There are no other oranges in the house, and there is no option for one sister to obtain an orange from elsewhere. Who gets the fruit?

If the sisters were animals in the wild, perhaps they would fight each other to the death for the orange. But in a modern society, where it is unacceptable to commit sororicide over citrus, most disputes are settled by conversation — often more than one.

In the classic example, conversation reveals that one sister wants only the orange peel to make a cake, while the other wants only its juice to drink with her breakfast. The sisters get a knife, remove the peel, and squeeze the orange. Problem solved.

But how do they get to that mutually pleasing resolution when talking can be just as fraught as physical conflict? What if Sister No. 1 began by declaring that Sister No. 2 had the last three oranges that crossed the house’s threshold and that surely it is fair for her to finally have her turn? Or perhaps Sister No. 2 contended that she was battling a nasty case of scurvy — hence her desire for juice every morning — and therefore Sister No. 1 would be selfish not to yield the life-giving fruit to her. Perhaps the sisters reached an impasse and took to Twitter to make their cases, hauling up old grievances from years past, appealing to scientists for best treatments for scurvy, and catapulting #orangegate onto the platform’s list of trending topics. At that point, would it even have been possible to get back to the basic, highly relevant facts of the uses each sister intended for the orange — uses that could be reconciled?

Of course, the orange here is just a device for illustrating how conflict (or, in the original conception, legal negotiation) operates. In public discourse today, the orange might just as easily stand in for gun control, abortion, gerrymandering, or a host of
other issues. Quarreling over the orange — whatever it might be — is an American tradition. But many today fear that the increasingly angry tone of this quarreling and the growing tendency of American society toward polarization are endangering this tradition of civil discourse.

“It’s not just that people disagree, because people have always disagreed,” says Wendy Perdue, dean of Richmond Law. “But what they’ve found is that disagreements have taken a different cast, where politics and disagreements have become increasingly personal, where we simply don’t think the other side could be rational or caring. We assume the worst, as it were, about those who disagree with us.”

Perdue has in mind specifically an October 2017 study by the Pew Research Center that shows a striking increase in partisanship in the United States over the past 20 years.

“The level of antipathy that members of each party feel toward the opposing party has surged over the past two decades,” the Pew study reports. “Not only do greater numbers of those in both parties have negative views of the other side, those negative views are increasingly intense. And today, many go so far as to say that the opposing party’s policies threaten the nation’s well-being.” Those partisan views don’t stay within the political sphere; they trickle down into many areas of daily life: where we live, whom we marry, whom we talk with, and whom we avoid.

Even academics aren’t exempt from this tendency. Richmond Law professor Corinna Lain describes “intellectual bubbles” throughout the academy and society, where conversation among people who already agree with each other reinforces perceptions of the correctness of their beliefs. And Perdue, drawing from the research of Berkeley Law School Dean Erwin Chemerinsky, who spoke on campus in October as part of the Emroch Faculty Colloquy Series, observes that students today are more comfortable than their predecessors with “squelching free speech” when they find its content offensive, preferring silence to the discord and pain that such speech might cause.

To many nationwide, this movement away from civil discourse — the notion that people can “disagree without being disagreeable” — is a problem. American democracy is built on discourse. Legislative bodies are fundamentally structured around the concept of political discussion, while freedom of speech and the press, two of the most significant organs of debate, are enshrined in the First Amendment. The argumentation of the American court system, too, is fundamentally a form of public conversation: “We are necessarily dealing with folks who are on two different sides of issues, who are clashing in order to come to hopefully a better understanding of the issue and how the issue’s going to be resolved,” notes Richmond Law professor Henry Chambers. So important did former U.S. Chief Justice Warren Burger find civility to the practice of law that he declared that without it, “no private discussion, no public debate, no legislative process, no political campaign, no trial of any case, can serve its purpose or achieve its objective.” Law schools, he went on to say, were perhaps the best institutions to inculcate this value in the next generation: “Someone must teach that good manners, disciplined behavior, and civility — by whatever name — are the lubricants that prevent lawsuits from turning into combat. More than that, it is really the very glue that keeps an organized society from falling apart.”

**‘A CONTEMPTIBLE HYPOCRITE’**

The Pew studies of polarization offer unusual evidence for what Americans have long believed: that civility and, more importantly, its democratic expression in the form of civil discourse, is deteriorating. The usual narrative charts a long fall from the high-minded debate of the Federalist Papers to the welter of misinformation and hysteria that characterizes so many political discussions that unfold on Facebook and in newspapers’ online comment sections today.

But even a brief survey of American history reveals that, to the contrary, the nation’s discourse has often been markedly uncivil. The presidential election of 1800, which would come to be revered for the peaceful transfer of power it effected, was marked by the extraordinary abuses the partisans of the four candidates — all of them lawyers — hurled at each other. Thomas Jefferson’s supporters declared that opponent John Adams had “a hideous hermaphroditical character,” while Adams’ supporters labeled Jefferson “a contemptible hypocrite” who would transform the country into a place where “murder, robbery, rape, adultery, and incest, will openly be taught and practiced, the air will be rent with the cries of distress, the soil soaked with blood, and the nation black with crimes.” So fierce was the conflict between the Democratic-Republicans and Federalists that two congressmen attacked each other on the floor of Congress with a cane and fire-place tongs.

It would not be the last such incident: Almost 60 years later, as the nation teetered on the brink
of civil war, South Carolina Rep. Preston Brooks nearly killed Massachusetts Sen. Charles Sumner by beating him in the Senate chamber with a metal-tipped cane in response to unflattering remarks Sumner had made about Brooks’s cousin.

Virginia throughout the 19th century was so plagued by dueling that a provision was added to the state constitution preventing anyone who had ever fought or assisted in a duel from voting or holding political office. More than a handful of these duelers were lawyers: One of the earliest recorded, Peter Vivian Daniel, after killing his opponent, rose to be an associate justice of the U.S. Supreme Court, where he defended the status of African Americans as property in the infamous Dred Scott case. In the 1830s, a courtroom remark led to another duel between two Virginia lawyers, Arthur Morson and Richard Randolph, both of whom luckily survived.

The 20th and 21st centuries haven’t fared much better. The post-World War II Red Scare’s proponents turned their backs on civil discourse, branding any opposition as the creeping tentacles of communism; it wasn’t until Army lawyer Joseph Welch poignantly asked Sen. Joseph McCarthy during televised hearings, “Have you no sense of decency?” that the country began to claw its way back to clearer air and cooler heads. The civil rights movement, however, challenged many people’s belief that civil discourse had prevailed, marked as the era was by the killing and brutalization of thousands and the rigid opposition to the inclusion of African-Americans in any kind of public conversation. To much of a generation, the assassination of Martin Luther King Jr. signaled the failure of civility and civil discourse to effect meaningful change.

It was perhaps not surprising, then, that the civil rights movement gave rise to a persistent analysis of civil discourse as a central American ideal. Such arguments, in the words of lawyer and Amherst College professor Austin Sarat in a recent volume on civil discourse, contend that “all too often we hear the call for civility made with no reference to the background conditions that bring forth breaches of decency.” A narrow-minded focus on civility can lead the public “to ignore the limited cases where injustice, not lack of civility, is the problem that needs to be addressed and to act as if civility uniformly was aligned with justice and advanced the cause of human dignity,” he wrote.

Disruptions to civility, after all, were one of the arguments white supremacists marshaled during the civil rights movement to oppose efforts by African-Americans to gain equality. Thurman Sensing, executive vice president of the Southern States Industrial Council and a widely published columnist, for example, “deplored” the sit-downs being conducted across the nation, declaring that “the colored person who forces his way into a social situation where he is not wanted displays a peculiar lack of understanding of the civility common to

Richard Randolph, both of whom luckily survived.

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Such problems remain troubling, with few evident solutions. Still to paraphrase Winston Churchill on democracy, while civil discourse may be the worst form of public discourse — masking malignant power relations and privileging political correctness to the detriment of the true expression of belief — it seems better than all the other forms of discourse that have been tried. Without it, it’s hard to imagine what kind of public conversations could take place at all.

‘THE STRONGEST BARRIERS AGAINST THE FAULTS OF DEMOCRACY’

As polarization has increased and fears about the decline of civil discourse have multiplied, some members of the legal profession have sought to step into the breach. Today, says Lain, “people are looking to lawyers again in ways that they haven’t been, as serving this critical function of being able to get

‘Someone must teach that good manners, disciplined behavior, and civility — by whatever name — are the lubricants that prevent lawsuits from turning into combat. More than that, it is really the very glue that keeps an organized society from falling apart.’
‘Part of being a good lawyer and a good advocate is to develop a sympathetic understanding of what the other argument might be.’

To Richmond associate professor Laura Webb, who specializes in legal writing and analysis, cognitive science and psychology are key to argumentation, whether it takes place in the courtroom, on the street, or at the dinner table.

“People do not want to give up on ideas that they already have,” she says. “If you already feel a certain way about gun control or about abortion or about whatever, everything that I say to you is going to be viewed through that lens, and you will not want to move from that — even though you may feel you are open-minded.”

That doesn’t mean that discourse among people who disagree is futile, however. Since Aristotle and Plato, conversation has been examined as a way to change minds and hearts. Aristotle pointed to three main modes of persuasion: ethos, or the credibility of the speaker; logos, or the appeal to logic; and pathos, or the appeal to emotion. All three continue to be relevant to civil discourse. The third prong, pathos, has maintained perhaps the uneasiest relationship with civility over the years, contradicting as it does the widely held belief that rational thought is emotionless thought — a difficult idea to apply to such controversial and inherently emotional topics as sexual assault and discrimination.

In fact, says Webb, emotion is a key part of the law — and perhaps by extension civil discourse — but one that must be balanced by other factors.

“It’s not enough to just have a logical appeal to the law,” she says. “You also have to have a story and a narrative and an appeal that speaks to how people feel because the truth is, as much as we like to think we are able to think in very logical ways, much of the thinking that we do is not particularly logical and not as reasonable as we think.” Too, while logic can never be ignored in meaningful conversation, emotion can offer necessary grounding to an argument, keeping debate from becoming too abstract and ignoring real-world implications of ideas and policies.

Lain agrees that while emotion need not be anathema to civil discourse, it does need to be balanced. “If you fervently believe in a view, your emotion’s going to be in there,” she says, “but the question is, is there intelligent, merits-based argument in there too?”

But in an era of “fake news,” intelligent, merits-based argument is also increasingly viewed by many Americans with suspicion. Universities can, by virtue of their mission, be a catalyst in fostering civil discourse, says Chambers — despite the belief of many that higher education is a bastion of biased liberalism.
“If you take [an] assertion to a university, we’ll try to put it through a rigorous analysis,” he says. “We’re trying to make sure that what people claim to be true is in fact true.” But such testing takes time, he acknowledges, and time may not always be available in a 24-hour news cycle. Instead of transforming civil discourse into a war of studies, then, it may be important to dig deeper to underlying convictions and philosophies while simultaneously tackling what can be addressed in the short term. “We don’t have to solve every problem before we can solve any problem,” he points out.

Chambers strives to practice what he preaches. This academic year, his proposal that the School of Law host a series of civil discourse debates has produced a sort of local testing ground for the idea that even in this contentious day and age, people can disagree on controversial topics without being disagreeable. The first debate, on gerrymandering, was so successful that he and Lain reprised it in modified form on election night at the Valentine museum in downtown Richmond.

In a nation of 320 million, these debates may be a drop in the bucket, but they are nevertheless a contribution to what University President Ronald Crutcher, late last summer, only weeks after violence broke out at a white supremacist demonstration in Charlottesville, described as the University’s responsibility “to model substantive and civil disagreement within a larger framework of common values.”

Common values are a matter of contention within the larger electorate, but in our daily lives, civil discourse may rest on three pillars that Chambers, evoking a speech by Barack Obama at the University of Notre Dame in 2009, is putting his confidence in: “Open hearts, open minds, and a belief that at the end of the day, everyone is coming in good faith.” Whether those values will sustain civility within the law and the nation at large remains to be seen.

Sarah Vogelsong is a Richmond-based newspaper journalist and nonfiction editor. See more of her work at sarahvogelsong.com.
‘THE EXECUTIVE POWER SHALL BE VESTED IN A PRESIDENT’

IN OCTOBER, UNIVERSITY OF RICHMOND LAW REVIEW PRESENTED A SYMPOSIUM focused on the president’s executive powers. Defining the Constitution’s President Through Legal and Political Conflict drew public servants and scholars from across the country to examine the laws, practices, and safeguards that enable and frustrate presidents today.

Didn’t make it to the symposium? Here are four takeaways from the day.

By Matthew Dewald
TAKEAWAY 1: The state attorney general’s office is one of the most powerful spots from which to check executive power.

Multiple speakers made the case that state attorneys general wielding the power of lawsuits have been the strongest check on executive power in recent years. Sometimes, these lawsuits are designed to overturn a federal policy — take the Washington attorney general’s suit against the Trump administration’s first travel ban. Other times, they’re designed to force the federal government into action. Either way, attorneys general of the states are filling a vacuum left by an ineffective Congress and cautious judiciary.

“It wasn’t this way 40 years ago,” Trevor Cox, the acting solicitor general of Virginia, said during panel remarks, “and we don’t know where it’s going to go next.”

In a morning talk, former Virginia attorney general Mark Earley pointed to the 1998 tobacco settlement, growing money in attorney general races, and increased partisanship among attorneys general as contributors to their rising influence over the last three decades. Over this period, attorney general candidates increasingly began “coming to office with a national agenda,” he said.

The states’ power to challenge federal policy increased dramatically with a 2007 Supreme Court decision that gave states broad standing to sue the federal government. The case was about whether 12 states, led by Massachusetts, could force the Environmental Protection Agency to consider carbon dioxide a pollutant for purposes of emission standards under the Clean Air Act. But first, the court had to rule on standing. When it did, it ruled very broadly, writing that states, as “quasi-sovereign” petitioners, are “entitled to special solicitude in our standing analysis.” The floodgates were open.

During the Obama era, Republican attorneys general used this “special solicitude” to sue the administration over everything from EPA regulations, immigration, and the Affordable Care Act. When Donald Trump took office, “we move to the Indy 500,” Earley said, with suits from Democratic attorneys general over policy changes in these very same areas, but with different arguments for different resolutions reflecting different political positions. Perhaps no one captured this new breed of attorney general better than Texas attorney general Greg Abbott when he described a typical workday during a 2013 speech: “I go into the office, I sue the federal government, and I go home.”

The president is often not the only one perturbed by the actions of state attorneys general, said Jonathan D. Shaub, one of the panelists with Cox. He pointed out that in Tennessee, where he is an assistant solicitor general, the state legislature recently instructed the attorney general to file suit against the federal government, and the attorney general refused. In response, the legislature went around the attorney general and hired a private firm to sue on behalf of the state.

Elbert Lin, a former solicitor general of West Virginia and also a panelist, described the states’
The Executive Power Shall be Vested in a President

Richmond Law

TAKEAWAY 2: We’re still arguing over what the framers of the Constitution would think about the modern presidency’s powers — and over whether it even matters.

A panel on the constitutional definition of executive powers focused on the merits of originalism as a strategy for deciding cases. This approach to legal interpretation focuses on strict adherence to the text of a law as it was understood at its time of passage, a philosophy associated with Justice Antonin Scalia. The panel was moderated by one of his former clerks, Richmond Law professor Kevin Walsh.

Originalism “has played almost no role” in the court’s decisions since the middle of the 20th century, “and that’s good,” argued Eric Segall, a law professor at Georgia State University. “We don’t care what happened in 1787, and we shouldn’t care.”

He argued that the views of the Constitution’s framers are today not only irrelevant, but unknowable. “What was the original meaning of liberty in a society where women couldn’t vote?” he asked. “I don’t know; we don’t know; we can’t know; and we shouldn’t pretend we can know. The executive branch today is something the founding fathers wouldn’t recognize.”

Tuan Samahon, a law professor at Villanova University, dug into modern examples that blur the lines between the executive, legislative, and judicial branches of government in ways that the framers did not foresee. He pointed to the 1991 Freytag case, which turned on the question of whether the U.S. tax court was an exercise of executive, legislative, or judicial powers. He also pointed to other ways in which the executive branch exercises quasi-judicial and quasi-legislative powers, such as Obama’s circumvention of Congress with his executive order on Deferred Action for Childhood Arrivals, or DACA.

“How should courts interpret administrative law?” Segall asked. “I don’t know, but I know going back to 1787 isn’t the answer.”

TAKEAWAY 3: Limits on the president’s ability to control or fire subordinates checks his power as the nation’s chief executive.

The Constitution grants the president the power to appoint high-level officials, but it is silent on the power to remove them. This asymmetry sometimes leads to disagreements. When President Andrew Johnson defied congressional objections and fired a Lincoln-appointed cabinet secretary, the House of Representatives responded with articles of impeachment. More recently, President Donald Trump’s dismissal of an FBI director prompted the Justice Department to appoint a special counsel that is reportedly looking into, among other issues, the legality of the dismissal.

During a panel talk, Aditya Bamzai, a professor at University of Virginia’s law school, gave a single-word answer to explain why the president’s ability to remove subordinates is important: control.

Congress, the courts, and the executive branch have tangled throughout our history over the president’s ability to fire, he said, pointing to debates over the Foreign Affairs Act of 1789 and court decisions in the 1930s that limited the president’s ability to remove executive officers with quasi-legislative or quasi-judicial functions.

Bamzai also mentioned a 2010 case involving a board created by Congress as part of the Sarbanes-Oxley Act, which regulates the accounting industry. Plaintiffs argued that the creation of the board and the appointment of its officers were illegal because members of the Securities and Exchange Commission, not the president, made the appointments. The court ruled unanimously on the board’s legality and method of making appointments, but it split 5-4 on whether the president could remove board members. Chief Justice John Roberts, writing for the majority, referred to Harry Truman’s line, “The buck stops here.” If the president were
denied the power to remove subordinates, he “could not be held fully accountable for discharging his own responsibilities; the buck would stop somewhere else.” Justice Stephen Breyer read his dissent from the bench, arguing the holding was far too broad, “sweeping hundreds, perhaps thousands of high-level government officials within the scope of the court’s holding, putting their job security and their administrative actions and decisions constitutionally at risk.”

Breyer had in mind administrative law judges, military courts, and other courts not established under Article III of the Constitution, which establishes and defines the judicial branch. Hank Chambers, a Richmond Law professor who spoke on the panel with Bamzai, added the president’s supervision of the Justice Department to the list of concerns.

“So what do we do with prosecutorial discretion?” he asked. “Can a president engage in prosecutorial discretion — for example, [can he] decline to pursue marijuana cases? If so, can a president exercise granular decision-making in particular cases, as he does with pardons? If a president wants to end an investigation, can he?”

During the question-and-answer period, the discussion got even more specific and nuanced.

“Suppose the president said, ‘I’m going to pardon myself or tell prosecutors not to prosecute the sitting president under any circumstances?’” asked Jonathan Stubbs, another Richmond Law professor.

For the panelists, these were uncertain waters. “Whether a president can pardon himself or herself is a fundamentally interesting question,” Chambers observed.

‘How should courts interpret administrative law? I don’t know, but I know going back to 1787 isn’t the answer.’

TAKEAWAY 4: Congress isn’t well-positioned to restrain presidents.

“Congress is not up to checking the president,” Neal Devins, a law professor at William and Mary, declared at the beginning of the day’s final panel.

The reasons he gave were largely structural. “By virtue of pursuing policy, the president is always pushing,” he said. “With Congress, there’s a prisoner’s dilemma. They all might benefit from collective action, but each individual has reasons [to pursue individual agendas]. There’s not much in it for them to assert congressional power.”

Polarization exacerbates these tendencies, he added, making Congress “unable to assert itself. ... This creates opportunities for the president to fill the void.”

Fellow panelist Michael Gerhardt, a law professor at the University of North Carolina, offered his view that some constitutional structural features inherently impede presidential power: the separation of powers, for example, which he described as designed to make things difficult.

“Usually, what you get from the lawmaking process is nothing,” he said — inaction that frustrates presidents as much as members of Congress.

“If you think of Congress as weak and ineffective, ask yourself why the president is so annoyed,” he said.

Impeachment is another process that “is supposed to be very hard,” Gerhardt said, pointing out that the House of Representatives has impeached only 19 people in its history, including three presidents. Bill Clinton, who was impeached but not removed from office, and Richard Nixon, who resigned when his impeachment was imminent, both faced charges of obstruction of justice. Based on publicly known facts, President Trump’s conduct in the Comey affair likely falls “between them,” he speculated. “The question is, which is he closer to?”
A SENATOR’S VIEW

A few days after the symposium, Virginia Sen. Tim Kaine came to campus to offer his thoughts on the Constitution. Kaine, who has taught intermittently at the law school since 2010, described Richmond Law as familiar turf and said some of his “most intense memories” were formed where he was speaking, in the moot courtroom. He recalled renting it during his years as a civil rights attorney to prepare for a nationally significant redlining case against Nationwide Insurance.

“Every time I turn into the parking lot, it feels good to be back here with friends,” he said.

Kaine has rare credentials for discussing our constitutional system. A former Richmond mayor and Virginia governor, he is one of just 30 Americans to have served at the local, state, and federal levels, he said. In his talk, billed as “The Constitution at 230,” Kaine focused his remarks on his impression that the current political landscape is testing the resiliency of our constitutional system.

He said that the founding fathers abandoned the Articles of Confederation for the Constitution at a time when kings, emperors, sultans, and other strong executives ruled much of the global population.

“The chief thing they worried about was the prospect of an overreaching executive,” he said. “Today, we’re living through what the framers hoped they wouldn’t see.” He called the Trump presidency “basically a stress test to see if what they did worked.”

He began by highlighting checks built into the Constitution’s various articles, specifically Article 4, “which gives states and governors a lot of power” and the Bill of Rights, “which protected American citizens from abuse,” particularly freedoms the press is exercising under the First Amendment.

“The most exciting thing is what citizens are doing,” Kaine said, pointing to public protests like the Women’s March on Washington in January 2017 and the sharp increase in calls, letters, emails, and other messages to legislators as the very kinds of restraint mechanisms the founders envisioned.

“My favorite example was the airport protests,” he said, referring to demonstrations that arose after the president issued his first immigration-related executive order, which immediately barred entry to the U.S. of all people with immigrant and non-immigrant visas from seven countries for 90 days. “Those were spontaneous. That’s James Madison. That’s the right to peaceably assemble.”

His view of Congress was more mixed. Calling it “first among equals” because its powers are established in Article 1, he said, “We do more than you think, but, I have to acknowledge, less than we should, especially on the tough things.”

He argued that Congress spends too much time reacting to presidents rather than driving the legislative agenda.

“When was the last time Congress did something big and meaningful that was not driven by the president?” he asked. He cited the Americans with Disabilities Act of 1990 as the most recent example.

He also focused on the long-term sidelining of the legislative branch in matters of war. He criticized Presidents Obama and Trump for straining the meaning of the 2001 Authorization for the Use of Military Force, which approved military force “against those responsible for the recent attacks launched against the United States,” referring to the 9/11 attacks. Sixteen years later, “we’re using this authorization against groups that didn’t exist” at the time of the attacks, he said, adding that Congress shares the blame for not acting to assert its power.

The special counsel’s Russia investigation is raising more troubling questions, he said.

“We don’t know where it’s going to go,” he said, adding that it could raise “issues that only Congress can address.” If so, “it will pose existential questions of whether Congress is up to its constitutional duties.”

He described these responses, both strong and tepid, as a test of the mechanisms of checks and balances that the framers built into the Constitution when they adopted it in 1788.

“They did predict the moment we’re living through,” he said.

Matthew Dewald is editor of University of Richmond Magazine.
Hamilton Bryson’s book *Bryson on Virginia Civil Procedure* was published by LexisNexis in its fifth edition.

*Virginia Business* named Tara Casey to its Legal Elite 2017 in the category of Legal Services/Pro Bono.

Dale Cecka is the co-author of the 2018 edition of *Family Law: Theory, Practice, and Forms*, part of the Virginia Practice Series. Her article on improper delegation of judicial authority in child custody cases was published by *Richmond Law Review*.

Hank Chambers was named an Austin E. Owen Research Scholar. He participated in the law school’s inaugural Civil Discourse debate series event on gerrymandering. Chambers presented before the Old Dominion Bar Association on voting rights; before the Hill Tucker Bar Association on permits, protests, and public safety; at the Richmond Bar Association Bench-Bar Conference on jury research, selection, and misconduct; at the Valentine Museum on voting rights and redistricting; and at a Penn State Dickinson Law School symposium on “Balancing the First Amendment with Diversity and Inclusion in Higher Education.”

Christopher Cotropia’s article on gender disparity in law review citation rates is forthcoming in the *William & Mary Law Review*, and his article on patent case progression is forthcoming in the *Journal of Empirical Legal Studies*. He was interviewed by Bloomberg for a story on Muhammad Ali suing Fox for use of his image in a Super Bowl ad.

Paul Crane was quoted by the *Richmond Times-Dispatch* in an article about Riverside Regional Jail’s work release program practices.

Ashley Dobbs presented “Law and Ethics in Business” for RVAWorks and partnered with the organization to host a clinic on trademarks through the Intellectual Property and Transactional Law Clinic.

Joel Eisen was quoted by Bloomberg, Law360, and GreenWire, and numerous other outlets on Energy Secretary Rick Perry’s plan to provide subsidies to coal and nuclear plants. He was also quoted by Utility Dive on the Federal Energy Regulatory Commission chairman’s plan to save coal and nuclear generators. Eisen participated remotely in Energy Day at Bucerius Law School in Hamburg, Germany, with a presentation on electric vehicles as grid services.

Bill Fisher’s article “To Thine Own CEO Be True: Tailoring CEO Compensation to Individual Personality and Circumstances” was published by *Columbia Business Law Review*.

Jessica Erickson presented her paper “The Market for Corporate Procedure” at the Corporate & Securities Litigation Workshop at the UCLA School of Law, an event that she organized. She also presented “Bespoke Discovery” at the *Vanderbilt Law Review* symposium on the future of discovery. Her article “The Gatekeepers of Shareholder Litigation” was published in *Oklahoma Law Review*, and another article, “Piling On,” was published in *Journal of Legal Empirical Studies*.

Ann Hodges was elected a fellow of the College of Labor and Employment Lawyers.

Hayes Holderness and Danny Schaffa were two of 37 lawyers who filed an amicus brief with the Supreme Court supporting the petitioner in *South Dakota v. Wayfair*, urging the Court to overrule its decision in *Quill v. North Dakota* prohibiting states from collecting taxes from out-of-state retailers.

Chiara Giorgetti presented at the American Society of International Law’s International Law Weekend on the state’s control over judges and arbitrators; at the meeting of the Advisory Committee on Private International Law on codes of conduct for arbitrators; and at the American University College of Law on ethical prob-
lems for arbitrators. Giorgetti’s book *International Claims Commissions: Righting Wrongs After Conflict* was published by Edward Elgar. She taught a course for United Nations Fellows at The Hague on international investment law and dispute resolution.

Joyce Janto was honored with the American Association of Law Libraries’ Hall of Fame Award, which recognizes members “who have made significant, substantial, and long-standing contributions to the profession of legal information management.”

Corinna Lain was named the S.D. Roberts & Sandra Moore Professor of Law. She presented at the Valentine museum’s Controversy/History event on voting rights and redistricting and participated in the law school’s inaugural Civil Discourse debate series event on gerrymandering.

Julie McConnell presented on excellence in juvenile defense at the Virginia Indigent Defense Commission Annual Conference and on criminal best practices at the Chesterfield/Colonial Heights Juvenile and Domestic Relations District Court Bench-Bar Conference.

Kristen Osenga authored an op-ed for *The Hill* on *Oil States v. Greene’s Energy*, a Supreme Court case on the Patent Trial and Appeal Board’s ability to cancel patents. “The inventions that have come from U.S. inventors have changed the course of the world,” Osenga writes. “Rather than strengthening this system, the board is ruining the patent system.” Her op-ed on “exclusive rights” and innovation was published by *The Washington Times*, and she was quoted by *Forbes* regarding a patent case before the International Trade Commission. Osenga was a panelist at Chicago-Kent College of Law on the Patent Trial and Appeal Board’s effect on patent law.

Wendy Perdue’s 2004 *Northwestern Law Review* article on Fifth Amendment limits on personal jurisdiction was cited in a brief filed by the U.S. House of Representatives as amicus curiae in the Supreme Court case of Sokolow *v.* Palestine Liberation Organization.

Jack Preis’ article “Jurisdictional Idealism and Positivism” is forthcoming in *William & Mary Law Review*.

Kimberly Robinson was named an Austin E. Owen Research Scholar. She was a panelist at the 47th annual Legislative Conference of the Congressional Black Caucus Foundation on increasing racial diversity to improve educational equity. She was also a speaker on a federal right to education at a national conference of state legislators on strategies for equitable school resourcing. Robinson was named a senior research fellow at the Learning Policy Institute in Washington, D.C.

Andy Spalding traveled to Bhutan to mentor an anti-corruption faculty member at the country’s only law school. He was featured in an article in *The Wall Street Journal* on the debut of Olympic anti-corruption compliance. His chapter “Freedom from Corruption as a Human Right” is forthcoming in *New Human Rights for the 21st Century*, and he has two forthcoming symposium contributions, “Bringing Compliance Back to FCPA Enforcement” with the *University of Toledo Law Review* and “The Four Pillars of Brazil’s Anti-Corruption Reforms” with *Maryland Law Review*.

Allison Tait presented on “Trusting Marriage” at William & Mary Law School; on marital trusts at Tulane Law School; and on “Keeping Up Appearances” at the American Society for Legal History annual conference.


Daniel Schaffa presented at the Canadian Law and Economics Association annual meeting and at the University of Oxford on the welfare impact of corporate tax privacy; at the National Tax Association annual meeting on Pigouvian taxation; and at the University of Michigan Public Finance Seminar on consumer surplus.

Rachel Suddarth was a panelist at Washington & Lee School of Law, speaking on the impact of unfunded regulatory mandates on healthcare providers.

Mary Kelly Tate was featured in The Washington Post for her work advocating for the exoneration of Jens Soering in a 1985 double-murder case.

Washington & Lee Law Review Online published Carl Tobias’s article “Nominating Judge Koh to the Ninth Circuit Again.” Media outlets consulted Tobias on many subjects, including the federal judge blocking President Trump’s transgender military ban (The Washington Post), the leadership of the Consumer Financial Protection Bureau (The New York Times), and Robert Mueller’s Russia probe (Business Insider).

Kevin Walsh offered Supreme Court review and preview sessions for the Chesterfield County Republican Committee and the West Richmond Rotary Club. He made presentations on John Marshall’s legacy for the I’Anson Hoffman Inn of Court and the John Marshall Foundation. His article “The Limits of Reading Law in the Affordable Care Act Cases” was published by Notre Dame Law Review.

Laura Webb’s “Why Legal Writers Should Think Like Teachers” was published in the Journal of Legal Education. She was a panelist on curriculum design at the Carolinas Colloquium at the University of North Carolina School of Law.

NEW IN THE LIBRARY
The Muse Law Library welcomed three new librarians.

Molly Lenz-Meyer joined as digital and archival collections librarian after serving as collections inventory assistant at the Center for Sacramento History. She earned a Juris Doctor from the Pacific McGeorge School of Law, a master’s in library and information science from San Jose State University, a master’s degree from California State University, Chico, and a bachelor’s degree from the University of California, Santa Cruz.

Maureen Moran, reference and research services librarian, comes from Pacific McGeorge School of Law, where she was an instructional services and legal research librarian and assistant professor of lawyering skills. She earned a Juris Doctor from University of Michigan Law School, a master’s in library science from the Pratt Institute School of Information and Library Science, and a bachelor’s degree from the University of Connecticut.

Elizabeth Schiller, the law school’s new reference librarian, formerly served as a law librarian for the Congressional Research Service in Washington, D.C. She earned a Juris Doctor from Georgetown University Law Center, a master’s in library and information science from the Catholic University, and master’s and bachelor’s degrees from Seton Hall University.

Editor’s note: In the summer 2017 issue, we incorrectly stated that Mary Kelly Tate and Julie McConnell were promoted to associate clinical law professor. Both were promoted to clinical law professor.

Cracking the books
Joyce Janto

Joyce Janto can recall the moment she knew she wanted to be a librarian. She was 12 years old, watching The Name of the Game, a late-1960s TV show about a magazine publishing company. Susan St. James, as editorial assistant Peggy Maxwell, caught Janto’s eye.

“She was the researcher back at the office,” Janto says. “They would have to call her for information. I thought, ‘That is the coolest job in the world, being a librarian and finding out stuff for people.’”

These days, as deputy director of the William Taylor Muse Law Library, Janto isn’t just looking up information. Her work is often about training law students in the research process — a process that’s seen dramatic changes over the years.

The Internet is one obvious shift. It’s been a “godsend,” she says, for people trying to access government information, particularly since the E-Government Act of 2002, which requires government information to be shared online.

Still, Janto is a stickler for learning to use the books — a skill that many graduates are grateful to have when they hit the workforce.

“A small firm of five to 10 lawyers is probably going to have the Virginia Code in print,” Janto says. “And some things are easier to do in the books. Print still has a place.”

The constantly evolving nature of the field helps keep Janto’s job fresh (she’s worked in Richmond Law’s library for 35 years), as does her involvement in professional organizations like the American Association of Law Libraries (AALL). She was president of the organization in 2010–11 and was recently given the Hall of Fame award for “significant, substantial, and long-standing contributions to the profession of legal information management.”

The recognition was flattering, she says, but the valuable parts of the job are the relationships with colleagues, both near and far, and the opportunities to expand her work.

“It’s kept me from getting stale,” she says. “I’ve been able to do things that I would not do here at Richmond. And I would not have been able to accomplish any of it without the support of the people here.”

—Kim Catley
A MEETING IN THE JUDGE'S CHAMBERS

After reading about the hiring of Su-Jin Hong, Richmond Law's director of international programs, Virginia Supreme Court Justice Stephen McCullough, L'97, reached out to Hong with an offer. McCullough, who was born and raised in France, wanted to offer his support to the school's international programs.

At the time, Hong was planning a field trip to conclude a two-week intensive course designed to introduce international students to U.S. culture. She had arranged to meet with the U.S. attorney's office, talk to a professor about pro bono opportunities, hear from a practicing attorney about international transactions and immigration law, and visit City Hall.

But she was on the hunt for one more stop on the trip. McCullough was the perfect fit.

"Students love the idea of meeting with judges, justices, and prosecutors, federal- or state-level practicing attorneys," Hong says. "So we tried to arrange those types of meetings as much as we could. Meeting with a justice in the Supreme Court of Virginia was a perfect fit for that."

McCullough agreed and invited the nine students — who came from Kuwait, Saudi Arabia, Kazakhstan, Colombia, Nigeria, and Sierra Leone — to a meeting in his chambers in August. He talked about the variety of cases before the court and what justices are working on. He also had plenty of professional advice to share.

"People were blown away having a meeting with one of the justices, in and of itself," Hong says. "But the hospitality he showed every one of us — that was phenomenal."

YOUTH ON THEIR SIDES

When Holly Rasheed was in the fourth grade, she told her parents that she wanted to go to law school. In 2016, Rasheed became the youngest lawyer in Virginia. Across the world in Russia, Elizabeth Ross was conveying a similar idea when she decided at age 10 that she wanted to focus on law. Eight years later, Ross became the youngest person in northwestern Russia to pass the bar.

Their paths to practice law both include Richmond Law. Rasheed, L'16, graduated when she was 22, while Ross, L'19, now 31, is in the two-year Juris Doctor program for lawyers with a degree from outside the U.S.

Originally, Rasheed made a point to not disclose her age to fellow Richmond Law students. She also remembers not being allowed to go to the Barrister’s Ball her first year because she was the only person under the age of 21.

Now an assistant Augusta County Commonwealth’s Attorney, Rasheed says that her age doesn’t really affect her career.

"I have definitely felt conscious of my age, especially when it became public knowledge that I was the youngest prosecutor,"
Rasheed said in an article in *UVA Today*. “But most people don’t treat me differently.”

In contrast, Ross — who started working as a legal assistant at her university at age 15 and passed the bar at age 18 — used her age to her advantage when facing lawyers who underestimated her.

Still, it was a challenge when clients would second-guess her ability to win a case.

“Clients would walk in and see my young age and think to choose another lawyer who was older and more experienced,” Ross says. “It was my job to make sure that clients would believe in me and my work.”

Despite this, Ross said she would not do anything differently, claiming the energy and desire she had helped her to win cases.

Rasheed, however, said she might have tried to get more experience between her undergraduate degree and law school.

“It’s a benefit to people who take at least a year or a few years to get some experience,” Rasheed said in *UVA Today*. “I think it would have made more sense if I had seen it in practice a little more.”

OFF THE FORCE AND INTO THE COURTROOM

Andre Keels, L’18, started his career in the legal field — but not in the way you might expect.

It was always his plan to go to law school, but after a nine-week training course to become a deputy sheriff, Keels joined the force as a full-time deputy in 2013.

As he prepared to apply to law school, he realized the Sheriff’s Office had exposed him to a different part of the legal system.

“One thing that all the lawyers tell us is that you have to be a good listener; you have to deal with people and ... take the temperature of a room,” Keels said.

“As a deputy sheriff, I worked inside the jail. In that capacity, you very much have to be aware of all of those things.”

Once at Richmond, Keels wanted to broaden his legal experience, so he focused on courses in anything but criminal law. He enjoyed civil procedure and business and landed a summer 2017 internship with McGuireWoods, where he was immersed in labor and employment law.

The variety of work — ranging from regulatory affairs to administrative work to litigation — resonated with Keels.

“I want very much to not necessarily doing the exact same thing every day but also have the opportunity to develop a specialty,” Keels said.

He’ll have the chance to do just that. After a year clerking for Virginia Supreme Court Justice Stephen McCullough, L’97, Keels will return to McGuireWoods for a position with its New York office.

PROFESSIONAL SKILLS

Janet Hutchinson, associate dean for career development, resists the term “soft skills” when talking about interpersonal skills.

“The name underestimates their value and implies they are easy to learn,” she says. “In fact, these skills are difficult to master.”

That’s why Richmond Law teaches these skills early, beginning with orientation workshops for incoming 1Ls.

At a luncheon about business and social interactions, for example, former attorney, lobbyist, and assistant White House chef Mary Crane explained that proper etiquette can put others at ease.

“Mary has seen and heard about these issues from every vantage point,” Hutchinson says. “She knows what the etiquette rule says and why, whether that particular rule is important to clients, and whether the rule varies in different parts of the world.”

Another session is aimed to shift students’ perspective from developing an elevator pitch to developing an elevator conversation. That means skipping the three-minute monologue and giving others space to talk about themselves.

Former attorney and assistant White House chef Mary Crane teaches students how to navigate business and social interactions.

“For first-year students begin interacting with members of the legal community from the moment they enter law school,” Hutchinson says. “Because every interaction students have with others impacts their reputation in some way, the sooner they are able to positively shape those interactions, the further they will go professionally.”
FROM THE MOUNTAINS, TO THE OCEANS
As a child growing up in the Shenandoah Valley, Sarah Francisco, L’02, could often be found exploring George Washington National Forest. She developed a deep connection to her family’s farm and the surrounding woods and fields — and a strong desire to protect them.

At Richmond Law, in a first-year environmental law class, she began to recognize the power of the law to protect these spaces. She also discovered the Southern Environmental Law Center.

“Professor [Joel] Eisen said, ‘There’s an organization right down the road in Charlottesville that is bringing the kinds of cases you’re reading about in your case book,’” she says. “I left class, looked at SELC’s website, and said, ‘Oh my goodness. This is exactly what I want to do.’”

Francisco interned with the organization the next summer and landed an associate attorney position after law school. Today, she’s the director of its Virginia office.

Before stepping into the director role, Francisco focused on national forest protection. She worked on cases involving logging in Tennessee’s Cherokee National Forest and gas drilling and fracking in George Washington National Forest.

Francisco says the SELC’s success on these fronts often comes from the strength of established standards and legislation.

“When you go to court, facts are what matter,” she says. “The political debate and rhetoric being tossed around by different sides — all that falls away. The law gives us a chance to provide that clarity and accountability and say, ‘We will not allow degradation of our natural resources to fall below a certain level.’”

ACHIEVING BALANCE
The summer 2016 issue included a feature about Amandeep Sidhu, L’05, and the Sikh Coalition, the civil rights organization he co-founded. The coalition and McDermott Will and Emery — the international law firm where Sidhu is now a partner — had helped a handful of Sikhs win accommodations to wear turbans and beards while serving in the military. Last year, the coalition landed a historic win when the restriction was removed for any religious person.

Sidhu has earned several other big wins for his corporate clients. The full-service litigator’s work ranges from compliance counseling to government investigations to litigation involving the Federal False Claims Act.

Recently named to Washington Business Journal’s 40 Under 40 List, Sidhu has received recognition for both his corporate work and pro bono service.

“I work with very exciting and large companies that are facing tremendous challenges,” he says. “But I think I’m a better lawyer, a better advocate, and a better person for having had the opportunity to do this pro bono work as well.”
We want to hear from you. Send us your note via the “Submit a Class Note” link at lawmagazine.richmond.edu; email us at lawalumni@richmond.edu; contact us by mail at Law Alumni, University of Richmond School of Law, University of Richmond, VA 23173; or call 804-289-8028.

1960s
John Maston Davis, L’67, retired in 2008 as Juvenile and Domestic Relations District Court judge for the 15th District. Earlier in his career, he was an assistant commonwealth’s attorney in Newport News, Virginia, and a practicing attorney in the Northern Neck of Virginia.

1970s
Glenn W. Pulley, R’73 and L’76, was included in 2017 Virginia Super Lawyers for his work in civil litigation and defense. He is an attorney with Gentry Locke.

Sandy Carnegie, L’77, and Robbie live in Davidson, North Carolina, and work at a local firm about a block from their house. Sandy still practices, concentrating on business and commercial real estate. “I am now at a point where I am enjoying slowing down. I do miss my law school friends, and it does seem our law school days were only a short time ago. I wish you all the best, my friends.”

Rick Chess, L’77, retired after 20 years on the board of trustees of First Potomac Realty Trust and chair of its audit committee. “While I lift free weights and ride my bicycle, my hair is white, and my Marine body has seriously aged. Maybe I needed to pass appropriate legislation to stop aging when I served as state legislator back in the 1970s,” he says.

The bar association in Harrisonburg-Rockingham County, Virginia, presented a portrait of retired judge Richard A. Claybrook, L’77, to the General District Court. Rick presided from 2009 to 2015. In the portrait, he is holding his copy of UR law professor Ronald J. Bacigal’s Virginia Criminal Procedure treatise.

Vice President Mike Pence hired Richard Cullen, L’77, to represent him in probes into the Trump campaign’s contacts with Russia. Richard recently retired as chair of McGuireWoods.

The National Trial Advocacy College presented Karen A. Henenberg, L’77, the 2017 William J. Brennan Jr. Award. Karen retired in 2013 as an Arlington County General District Court judge and now is an adjunct law professor at Marymount University and at George Mason. “The students have a thirst for knowledge and aren’t shy about questioning things,” she says.

1980s
Douglas D. Callaway, R’77 and L’80, is president of the Richmond Bar Association. He served two terms on the association’s board of directors. Virginia Business magazine named him one of Virginia’s “Legal Elite.”


Paul Kennedy, L’81, received the Colin Jose Media Award, which honors members of the media who specialize in soccer in the United States. Paul is the longtime editor and general manager of Soccer America magazine.

Attorney Gen. Mark Herring, L’90, appointed Stephanie L. Hamlett, L’86, as university counsel to Virginia Commonwealth University. She was associate counsel to VCU in 2012–13.

Christopher A. Stump, L’86, leads the medical device litigation practice of Saxton & Stump in Lancaster County, Pennsylvania, and is COO of the firm.

J. Rawleigh Simmons, L’88, leads Historyland Title & Escrow, a Warsaw, Virginia, firm that he and several partners from Dunton, Simmons and Dunton purchased. The firm specializes in title insurance and real estate settlement services.
Andrea Erard, L’89, is the attorney for Mineral, Virginia, and is an adjunct professor at Richmond Law, teaching school and local government law.

1990s

Rebecca Huss, L’92, is the Richard Duesenberg Chair in Law at Valparaiso University Law School in Indiana. She teaches business law courses and conducts research in animal law.

Brian Joel Small, L’92, married Amy Vine in June 2015. Brian is a partner with Thav Gross in Bingham Farms, Michigan. He specializes in financial crisis management, bankruptcy, debt resolution, and estate planning.

Brian Cary, L’93, joined Holland & Knight as a real estate partner in the Charlotte, North Carolina, office. Brian’s commercial real estate experience spans retail, shopping centers, office, industrial, and other facilities.

Patrice Altongy, L’95, and colleagues at Citigroup received the 2016 U.S. Investment Grade Bond House of the Year.

Bonnie Atwood, L’96, received an award from the National Federation of Press Women. She is owner of Tall Poppies Freelance Writing.

Christina Harris Jackson, L’96, is a deputy director of the Washington Council of Lawyers. She and her husband, Theron Jackson, L’95, live in Alexandria, Virginia.

Harris L. Kay, L’96, joined the securities and financial services group of Chicago-based Greensfelder, Hemker & Gale as an officer. He counsels financial services firms and individuals on registration, compliance, and regulatory and litigation matters.

Wendell Taylor, L’98, is head of the Washington, D.C., office of Hunton & Williams. He is a former federal prosecutor and now specializes in defending companies in antitrust litigation.

Cathryn Le Regulski, L’99, became a partner in the law firm DLA Piper. She works in the Northern Virginia office and is a member of the employment practice, where she counsels management on employment law compliance, hiring and terminating employees, managing difficult employees, proprietary information, trade secret protection, workplace investigations, and developing and implementing personnel practices.

2000s

Brian Schneider, L’00, serves on the board of governors for the litigation section of the Virginia State Bar and is president of the Henrico County Bar Association. He is a shareholder with Moran Reeves & Conn in Richmond.

Molly August Huffman, L’02, is a health care attorney at Hancock, Daniel, Johnson & Nagle in Richmond. She represents hospitals, health systems, and behavioral health providers.

James “Jack” Jebo, L’02, is a partner at Harman Claytor Corrigan & Wellman in Richmond. His practice focuses on the defense of transportation companies, and premises liability and food safety matters for restaurant chains.

Pasquale Mignano, L’02, is a marketing director for Thomson Reuters’ legal business unit and lives in St. Paul, Minnesota. He serves police officers, firefighters, and other first responders and their spouses as a volunteer through the Wills for Heroes program.

Chris Peace, L’02, is an attorney and state delegate for Virginia’s 97th District. He and wife Ashley are opening White Plains Farm & Winery in Hanover County.

James “Matt” Vines, L’02, is co-president of RSource, a revenue cycle management company in Boca Raton, Florida. He formerly worked in operations, fighting insurance denials and identifying strategies for preventing stalled reimbursement.


Ryan Brown, L’05, is a member of Virginia’s Board of Game and Inland Fisheries. He joined KaneJeffries in December 2016 and focuses on environmental law, real estate, governmental relations, and business matters.

The Black Law Students Association brought students, faculty, and alumni together during Reunion Weekend for a night of networking.
Michael William Leedom, L’06, works for the Virginia Department of Professional and Occupational Regulation as a supervisor of the complaint intake section.

Andrew Painter, L’07, published Virginia Wine: Four Centuries of Change, which chronicles Virginia’s wine industry.

Thomas M. Cusick, L’08, joined Blankingship & Keith in Fairfax, Virginia, as counsel.

Matt Hundley, L’08, is a partner at Moran Reeves Conn in Richmond. He focuses on commercial and construction litigation and the defense of product manufacturers.

Kristina Perry Alexander, L’09, is general counsel to Sagamore Spirit, a whiskey distillery in Baltimore.

John O’Herron, L’09, is president of Cardinal Newman Academy, a Catholic preparatory school that opened in fall 2017 in Henrico, Virginia. John said the school is trying to fill a need for an affordable, co-ed Catholic high school. He is a defense attorney at ThompsonMcMullan.

2010s

Justin L. Corder, L’10, opened Corder Law in Harrisonburg, Virginia, working primarily in the Shenandoah Valley in criminal defense.

Rachael Deane, L’10, is legal director of the JustChildren program at the Legal Aid Justice Center in Richmond.

Kelley Hodge, L’96, was elected interim district attorney of Philadelphia on July 20, 2017. Four days later, she was sworn in. Six months later, in January 2018, her term ended.

It was a short amount of time to fit in a good deal of work.

Hodge came to Richmond Law from her native Pennsylvania in 1993, not intending to pursue a career in public service. A turning point came in the form of Richmond Law’s Youth Advocacy Clinic, where she discovered a passion for criminal and juvenile justice.

“That probably was the most pivotal experience that I’ve had that put me on this trajectory for where I am,” Hodge says. Post-graduation, she found a position at the Richmond Public Defender’s office, where she spent six years. From the way the office engaged in complex cases to the way she and her colleagues interacted, the experience was a framework for her approach as a lawyer, Hodge says.

Hodge moved to Philadelphia in 2004 to work in the Philadelphia District Attorney’s office. She started where all attorneys in that office do: the Municipal Court Unit, which sees 70,000 cases a year. She later worked for the Pennsylvania Commission on Crime and Delinquency before landing back at the University of Virginia, where she worked on Title IX issues in the wake of the Rolling Stone controversy.

“What I brought to the table that made this transition a bit more natural than maybe it would seem on paper is that I had done public defender work in Virginia, [and] I had prosecuted,” Hodge says. “What you need to be an effective Title IX coordinator is … the ability to be balanced.”

By 2017, Hodge had shifted to private practice at Elliott Greenleaf when then-district attorney Seth Williams was forced to resign. Philadelphia held a citywide election for an interim replacement, and Hodge threw her hat in the ring. She was elected from a pool of 14 candidates, becoming the first African-American woman to hold the position in Philadelphia.

Hodge’s busy case load reflected the issues facing cities and communities across the country, including the opioid epidemic, gun access, hate crimes, violence, community engagement, and police-involved shootings.

“I’m very proud of the work that we’re doing,” Hodge said before leaving office. “When people are victimized by crime, we in this office advocate for them.” Her only question? “How many of those [issues] can I check off before I leave here in January?”

—Emily Cherry
Rhiannon Hartman, L’10, and husband Chris welcomed a son, Griffin Christopher, in June. Griffin joins big sister Stella, 4. Rhiannon is an associate attorney at Carrell Blanton Ferris & Associates, where she specializes in estate planning.

Jenna Ellis, L’11, has a weekly radio show based in Denver called “Attorney-Client Privilege with Jenna Ellis,” which focuses on political news.

Virginia Gov. Terry McAuliffe appointed Nicholas Surace, L’13, of Reston, Virginia, to the Litter Control and Recycling Fund advisory board. Nick is a construction and government contract attorney.

Garland Gray III, L’15, joined PretlowJackson in Suffolk, Virginia, as an associate attorney. His practice concentrates on residential and commercial real estate and land use.

Josh Lepchitz, L’16, joined Invictus Law, where he focuses on criminal defense and civil litigation. He is also a volunteer for the Society for the Prevention of Cruelty to Animals, a member of the Environmental Law Society, and part of the Trial Advocacy Board.

The legal profession often draws people who want to have a positive effect on their community. Lauren Ritter, L’17, a judicial law clerk in the Arlington, Virginia, Circuit Court is doing just that through the American Bar Association.

In the fall of 2017, she joined the association’s Young Lawyers Division to work on the public service team. The team is working on a two-year national service project, Home Safe Home, that’s focused on four areas of home violence: intimate partner abuse, child abuse, elder abuse, and animal abuse. Their work ranges from community outreach and education for lawyers to advocacy and drafting resolutions for the ABA.

“Home violence is a pervasive, dangerous epidemic,” Ritter says. “It is crucial for lawyers — especially young lawyers — to become involved in their local communities. By conducting outreach projects and working with community members in need, we can hopefully help make home a safe place for everyone.”

Ritter’s involvement isn’t a new endeavor. For two years, she served as a liaison for the ABA’s Legal Assistance for Military Personnel (LAMP) committee. The committee provides legal services to the those who served in the armed forces.

This fall, she was awarded the ABA’s Law Student Division Liaison Award for her contributions organizing a CLE program for more than 100 attendees, as well as her assistance with a business meeting and networking event with law students.

Ritter says her service with the ABA is an exciting way to use her law degree to better the lives of others.

“I want to have a lasting, positive impact on the people around me,” she says. “There are many issues affecting our global community today, so it is important to volunteer to help members of the community who are underserved or being negatively affected.

“A happy, thriving community starts when everyone looks out for the person next to them and we all contribute our special skills and expertise to keep the community moving forward.”

—Kim Catley
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