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TROUBLED WATERS
The most dangerous aspect of flooding isn’t always the water
“Do or do not do. There is no try.”

Jane Baber, L’19, celebrated her graduation from Richmond Law with one of her dogs, Yoda. According to Baber, Yoda “had a lot to do with me finishing law school intact.”

Photographs by Laura Slater (left) and Kim Lee Schmidt
Our special community

Dear friends,

Law schools are in the people business. From the University of Richmond School of Law’s collegial and hard-working students, to our supportive and insightful faculty and staff, to our loyal and engaged alumni, it is our people who make us the exceptional community that we are.

In this issue, you’ll learn about a few of the people who have shaped not only the Richmond Law community, but also the wider legal landscape. You’ll read about alumni who have stood up for justice, advocated for mental wellness in the profession, and pioneered new legal fields. And you’ll read about the work of faculty who are having an impact in areas ranging from climate change to criminal justice. In other words, our people are a major source of Spider Pride.

Over the last several years, we have been joined by a number of new faces — and not just the newest class of 1L students who come to us each year. Since 2016, we have hired 10 faculty members with expertise in everything from constitutional law and criminal procedure to corporate governance and law and technology. We have also welcomed terrific staff in communications, digital marketing, development, and alumni relations. Other new additions are filling big holes left by retirements. Each brings a wealth of expertise to further enhance the Richmond Law team — and stands on the shoulders of the amazing faculty and staff who have made this school thrive for the past 150 years.

When it comes to our people and the contributions they bring to the law school, our goal is to maintain our unique traditions of a strong community and a commitment to the success of each person — traditions that we’re known for — while looking toward the future, adapting to change, and innovating along the way.

Thanks to this community, I know we’re up for the challenge!

Best,

Wendy C. Perdue
Dean and Professor of Law
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The threats posed by toxic floodwaters are often ignored. Through his advocacy and scholarship, a Richmond Law professor hopes to change that.

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EXAMINING THE ISSUES

When it comes to addressing mental health issues in legal education and the profession, the consensus is clear: Progress has been made, but there is more work to be done. A 2017 report by the National Task Force on Lawyer Well-Being outlined nine recommendations for positive changes in law schools, such as empowering students to help their peers in need or facilitating a recovery network.

In 2018, an American Bar Association survey found that law schools are taking substantive action toward fulfilling these recommendations and increasing resources to support mental health. That’s certainly true at Richmond Law.

Richmond Law will partner with the school’s first on-site counselor, available exclusively for law students, beginning in the fall 2019 semester. Hilary Delman, a University of Richmond Counseling and Psychological Services counselor, will be accessible to students from an office in the law school building on a part-time basis throughout the academic year.

“We are excited to offer our students in need easier access to counseling services,” said Alex Sklut, Richmond Law associate dean of students. “Our community encourages students to seek help when they need it, and bringing counseling services inside the law school building is another way to support our students and reduce the stigma surrounding mental health issues.”

Outside of Richmond Law, the legal community is also witnessing a changing landscape — most recently in a development from the Virginia State Bar, which will no longer ask bar exam applicants to disclose mental health treatment.

Gray O’Dwyer, L’18, helped spearhead an initiative to urge the VSB to make this change, collaborating with fellow students on letter-writing campaigns, reaching out to the media to raise awareness,
RICHMOND LAW TO HOST PULITZER PRIZE-WINNING AUTHOR

The University of Richmond School of Law will be one of three law schools to host the 2019 Order of the Coif Distinguished Visitor, Yale Law School professor James Forman Jr.

Forman's research and scholarship focus on the intersection of race and class in schools, prisons, and law enforcement. His first book, Locking Up Our Own: Crime and Punishment in Black America, won the 2018 Pulitzer Prize for general nonfiction. Before joining the faculty at Yale, he was a public defender and cofounded a public charter school in Washington, D.C., with a mission of helping dropouts and those who had been previously arrested.

“We’re honored to bring Professor Forman to the University of Richmond School of Law,” said Richmond Law Dean Wendy Perdue. “His insights on race, class, schools, and prisons and his passion for justice are informed by a unique combination of careful scholarship and real-world experience. We all have much to learn from Professor Forman.”

The Order of the Coif is an honorary scholastic society that encourages excellence in legal education. Forman will visit Richmond Law Sept. 12–13. For more information, visit law.richmond.edu as the event approaches.

SUMMARY JUDGMENT

You’re probably quite familiar with the in-depth knowledge Richmond Law professors possess in their respective areas of expertise. But how do they fare when they’re put on the spot and asked to concisely explain timely legal issues outside of a classroom’s friendly confines?

In “The Synopsis” video series, faculty experts share their insights on topical subjects — everything from Ashley Dobbs on hip-hop artist Cardi B.’s trademark application to Hayes Holderness breaking down the Supreme Court’s Dawson v. Steager opinion — in short clips typically filmed in their offices.

Visit Richmond Law’s YouTube channel to see how your favorite professors bring clarity to issues that shape the legal landscape and our society — without a captive audience of students.
Early settlers

Settlements are a way of life for civil trial attorneys. In the Eastern District of Virginia, for instance, parties are required to take part in a settlement conference before going to trial. But for those who choose to represent themselves — known as pro se litigants — the learning curve can be steep.

That’s where the Pro Se Mediation project — a Richmond Law program that gives students hands-on experience with pretrial processes, practices, and preparation at the federal level — comes in.

“The magistrate and district court judges were recognizing that, in some cases, these litigants were definitely being disadvantaged by not having an attorney,” said Tara Casey, director of the Carrico Center for Pro Bono & Public Service.

Launched in 2017 as a partnership of the U.S. District Court for the Eastern District of Virginia, the Federal Bar Association, and the Richmond Bar Association, the program pairs pro bono attorneys with civil litigants who’ve chosen to represent themselves. Casey serves as the liaison between the U.S. magistrate judges and the pool of volunteer attorneys who work with their clients.

In addition to better preparing pro se litigants to settle cases, the program offers law students the opportunity to observe federal lawsuits and get a feel for settlement conferences.

“Settlements can go bad very quickly,” said Abigail Parsons, L’20, who was assigned a case in which a state prisoner had filed a Religious Land Use and Institutionalized Persons Act claim. “So it’s a process where you’re always on your toes.”

LEADERSHIP SUMMIT

Before they begin their tenures in the fall semester, the incoming editors-in-chief of the three Richmond Law student-run journals discussed their respective journeys to law school, the benefits of journal membership, and their roles as student leaders. A brief excerpt is below; Richmond Law’s YouTube channel has the full conversation.

Scottie Fralin, editor of Journal of Law & Technology: I realized at one point that not being afraid to be our own biggest advocate — especially in [pursuing] a position like this or any leadership role — that there’s no shame in wanting that for ourselves.

Lizzie Patrick, editor of Public Interest Law Review: How people perceive us as leaders is one thing, and how we conduct ourselves is another. You can be politely candid and tough when you need to be and assertive when you need to be, and as long as you’re doing...
your job in good faith, we shouldn’t be viewed any differently from anybody else who’s doing that, too.

Ashley Phillips, editor of Richmond Law Review: With all of the female leadership around us all the time and getting to see role models — not only the editors-in-chief that came before us, but also women like Dean Perdue doing the amazing things that they do — I just think it’s about more representation. Not being the exception but just being another leader, not a female leader.

‘THE MERITS OF APPLAUSE’

When Dorie Arthur and her 1L peers in Richmond Law’s Class of 2021 walked into their first contracts course with David Epstein, they received a surprising directive: At the close of the lecture, instead of packing up their books and rushing out the door, the professor asked the students to applaud. The scene would repeat itself at the end of every class.

That special request became the focal point of “The Merits of Applause,” Arthur’s entry in Brigham Young University’s new LawStories program, a competition that invites law students from across the country to participate in a storytelling initiative. Arthur was one of nine students selected to take part in this year’s program.

The task was to write a short nonfiction narrative that tied together students’ lives and the law. Arthur and the other participants traveled to BYU’s campus in Provo, Utah, in March for a storytelling workshop and live reading. During that trip, she was able to share a message about the bonds that form in law school.

“Something more than the clapping of hands happens in a section B classroom at the University of Richmond, and it’s something you cannot find at many law schools in this country,” Arthur said. “We are actually friends. Classrooms are deafeningly loud with laughter and conversation before and after class.

“We share correct outlines, we whiteboard concepts for each other, and when someone CALIs a class (the highest-scoring student in a course), he or she is a champion for all of us. The world is complex, ferocious, and cruel, but the world is also warm, kind, and full of opportunities for camaraderie (even in law school),” she added. “We want to live in a world where people with different opinions, backgrounds, and expertise work together for a common goal and common good while still appreciating the nuances of humanity and behaving with respect and acceptance.

“To that end, we applaud.”

VIEW FROM THE TOP

When Bob Carlson, president of the American Bar Association, visited Richmond Law in February, he was about halfway through his one-year term — but still had an impressive list of goals to work toward.

“We’re going to continue to talk about attorney wellness,” said Carlson. “We’re also going to continue to speak out in favor of an independent, impartial judiciary, here and around the world, and work on issues related to access of justice.”

Carlson also spoke to the value of being an active and involved member of the legal profession.

“It’s important for you to get involved in your communities, to get involved in the organized bar,” he told the students who gathered for the town hall-style session.

“It’s a great way to make a living; it’s a great profession to be in,” Carlson added. “Have fun doing it; take care of yourself; and remember to give back.”

Busy break

The term sabbatical — shorthand for time away that professors take to conduct other teaching or research — has its etymological roots in sabbath, a recurring period of rest in Hebrew scriptures. But rest is not a good description for how Richmond Law professor and anticorruption expert Andy Spalding spent his spring semester.

In February, he was the Parsons Fellow at the University of Sydney in Australia, where he convened a group of human rights experts who are part of the Olympics Compliance Task Force, which is looking at ways the International Olympic Committee can use its influence to reduce corruption and promote host-country governance. The group is drafting a white paper on the human rights due diligence obligations under the new IOC host-city contract.

In March, he flew to Bhutan and visited Jigme Singye Wangchuck School of Law, the nation’s first law school. Though it opened just two years ago, it has already become, to Spalding’s knowledge, the world’s first to require an anticorruption course. While there, Spalding mentored an anticorruption professor, helped negotiate a memorandum of understanding with the nation’s anticorruption commission, and researched “the fascinatingly unique anticorruption approach of a country with deep Buddhist intellectual origins and whose public policy is focused on maximizing gross national happiness,” he said.

He spent June in France, where he researched how preparations for the 2024 Paris Summer Olympics are becoming a catalyst to the adoption of human rights and anticorruption reforms across the country.
CAPT. DANIEL VS. THE PRESIDENT
Aubrey Daniel, L’66, should have been feeling great at the beginning of April 1971. During those early spring days, new possibilities blossomed for him both professionally and personally. Only a few years out of Richmond Law, he had just secured a historic and career-defining court-martial conviction as a young captain in the U.S. Army JAG Corps. At home in Fort Benning, Georgia, he and his wife, Shirley Williams Daniel, W’64, were expecting their second child.

But on the first weekend of April 1971, he was holed up in his office, alternately despondent and furious. Over nearly three days, he meticulously explained why through the careful composition of a message to President Richard Nixon.

“Sir: It is very difficult for me to know where to begin this letter as I am not accustomed to writing letters of protest,” he wrote in its opening. Within days, the full text would end up on the desk of President Nixon, in the offices of six senators, and on the pages of newspapers across the country.

The seeds of Daniel’s fury were sown three years earlier during the infamous massacre of unarmed civilians in a village called My Lai during the Vietnam War. Over five hours on March 16, 1968, members of a company of U.S. soldiers killed more than 500 women, children, and old men during an operation meant to ferret out enemy guerrillas. Victims were shot after being herded into ditches or while running away; women were raped; livestock were destroyed; and huts were set ablaze. The massacre ended only when a helicopter pilot and crew intervened, holding off their fellow Americans at gunpoint as they evacuated survivors and reported what was happening up the chain of command, which eventually led to an order that stopped the killing.

For a time, the massacre was one of the war’s footnotes, even characterized as a successful engagement. However, word of a massacre began to trickle out as more soldiers heard about it.

One of them, Ron Ridenhour, was concerned enough that he began tracking down participants and eventually wrote detailed letters relaying what he learned from them to the White House, members of Congress, and Pentagon officials. His letters sparked further investigation and the indictment of 1st Lt. William “Rusty” Calley Jr., a platoon leader during the attack. The story exploded into public view after reporter Seymour Hersh got a tip about the indictment and went to Fort Benning, where Calley was being held. Hersh’s visit resulted in a story outlining the breadth of the accusations and was published on Nov. 12, 1969.

Amid the fallout from the publicity and Army investigations, multiple soldiers faced scrutiny and charges relating to the killings and their cover-up. Nearly all of the cases came to nothing, ending before trial or with acquittals, although some of the officers were punished with censure, demotion, and similar penalties. Daniel was the only prosecutor to secure an officer’s criminal conviction related to My Lai.

“I was eager” to lead the Calley prosecution, Daniel said recently via phone. “It was a job I wanted because I was a trial lawyer, and I was the senior trial counsel in the office. I felt like I deserved it, but I never said that to my boss. ... It was something I really wanted, and I got it.”

His work on the case began in September 1969 and included a request, which was granted, to visit My Lai with Calley’s lead military defense attorney, even as the war was in progress around them. The evidence that emerged would show, among other things, that Calley had personally tossed a baby in a ditch and shot it, rifle-butted an elderly man in the face before shooting him, and other crimes. He was charged with more than 100 premeditated murders, but it would be impossible to say exactly how many victims there were, Daniel said.

“I was personally morally outraged by what had happened there and what he had done,” said Daniel, who lives in retirement in Tuscany, Italy. “But I never let my personal outrage interfere with my duties as a prosecutor to see that justice was done. I bent over backwards through every phase of the case to make sure [Calley] got everything he was entitled to and more.”

Daniel knew going into the trial that the jury would require a very high bar for conviction. All six members of the panel were combat veterans, five of them with service in Vietnam.

“They knew what Vietnam was like,” Daniel said. “They lost soldiers themselves in combat. ... If there was ever going to be a group [to whom] I was going to have to prove a case beyond a reasonable doubt,” it would be this group.
In court, Daniel overcame obstacles that hampered an earlier prosecution. For example, he subpoenaed Congress for testimony given by witnesses during hearings held in executive session, which are not public, knowing he would not get it. The unsuccessful subpoenas allowed him to demonstrate to the court that he’d made every effort to secure them on the defense’s behalf and should not be prejudiced for his failure to produce them.

Daniel’s closing argument, which was largely extemporaneous and the longest he ever gave, has gained widespread attention over the years for its persuasive force, earning a spot alongside Justice Robert Jackson’s closing argument in the Nuremberg trials in the 1989 collection *Ladies and Gentlemen of the Jury: Greatest Closing Arguments in Modern Law*, for example. In his closing argument, he carefully refuted Calley’s claim that he was following orders when he committed and ordered killings, and he forcefully rejected the premise of Calley’s defense that such an order would have been lawful anyway.

Echoing Justice Jackson’s Nuremberg reasoning, Daniel told the jury, “You’re not absolved of your responsibility by the order [had one ever been given]. There are just two men guilty as opposed to one. The responsibility is joint.”

Although the evidence — and Daniel’s powers to present it — proved enough to convict Calley in the court-martial, a parallel trial was taking place in American dining rooms, in public squares, on editorial pages, and in the halls of Congress.

For many liberal opponents of the war, Calley was “an unwitting victim of an evil machine,” as the Very Rev. Francis B. Sayre, dean of the Washington Cathedral, put it — a scapegoat being used to shield his superiors from responsibility. For many pro-military conservatives, Calley’s actions in My Lai reflected the grave truth that war is indeed hell, and his prosecution provided more shameful evidence of the nation’s unwillingness to support its military.

National and international press outlets covered every step of the trial, even securing interviews with Calley, other defendants, witnesses, and counsel. But never Daniel, whose refusal to do interviews or answer questions on his way in and out of court earned him the nickname “No-Comment Daniel” among the press, he said.

“You don’t find the rule of law in the courts of public opinion,” he said from Tuscany this spring. “If you want to provide protection for those liberties, the only place you can do it is with lawyers and judges who will follow the rule of law.”

Public opinion was not on the prosecution’s side. A reporter who covered the trial for *Time*, writing on the 50th anniversary of the massacre, recalled Calley being “treated as a hero wherever he went.” During an airport layover, the reporter recalled, an airline agent walked up to Calley and handed him a first-class boarding pass. When Calley cashed a check in a Tennessee bank, the bank president came out to shake his hand.

Daniel, meanwhile, was being vilified. He received mountains of hate mail — “horrible stuff like nothing I’ve ever seen before; it was quite upsetting, to be honest.” Years later, Daniel would be reminded that when his wife went to the hospital to give birth during this period, she required a security escort.

Just after the announcement of Calley’s conviction, a Gallup poll showed that nearly 80 percent of the public disapproved of the guilty verdict. Other polls put the figure as high as 91 percent. The outrage heightened when, two days later, on March 31, 1971, Calley was sentenced to life at hard labor at Fort Leavenworth, Kansas.

Among those paying close attention was President Richard Nixon. Researchers would later discover that the White House even quietly commissioned a poll to gauge whether Nixon should intervene to reduce Calley’s life sentence. He never did that, but he did tip the scales of military justice quickly after the verdict, ordering that Calley be held in house arrest at Fort Benning, pending appeal, and asserting his authority as president to review the court-martial and make the final determination in the case — a move widely interpreted as a signal that Calley should be treated favorably.

Nixon made his announcement on Saturday, April 3, 1971, and Daniel was indignant. He and the jury knew better than anyone the details of Calley’s actions at My Lai, details the general public — and perhaps, Daniel suspected, Nixon himself — were not well-educated about. Over the weekend, he sat in his office writing a letter to President Nixon that then and today would define moral courage.

“How shocking it is if so many people across the nation have failed to see the moral issue which was...
involved in the trial of Lieutenant Calley — that it is unlawful for an American soldier to summarily execute unarmed and unresisting old men, women, children, and babies,” he wrote.

“But how much more appalling it is to see so many of the political leaders of the nation who have failed to see the moral issue, or, having seen it, to compromise it for political motive in the face of apparent public displeasure with the verdict.”

By the end of the following week, The Washington Post, The New York Times, and other newspapers had printed front-page stories about the letter, reprinted its entire text, and praised it on their editorial pages. The Times said the letter “ought to be read in every schoolroom of America as a courageous statement of what this country is really all about: respect for human freedom, for individual rights and for impartial justice under the law.” A letter to the editor in the Post stated that Daniel “had the courage to remind his commander in chief that in our country the rule of law must be beyond political intervention.”

The letter remains powerful today. In 2018, the Army’s top lawyer, Judge Advocate General Lt. Gen. Charles N. Pede, honored Daniel by declaring him a Distinguished Member of the Regiment and inviting him to address JAG officers in Vincenza, Italy, where he was presented with the award.

“It was the principled stand of Mr. Daniel that I’ve always admired,” Pede said at the ceremony, according to Stars and Stripes. “What’s the right thing? Not what’s convenient or what will avoid criticism.”

Navy JAG veteran and Richmond Law adjunct professor Donna Price teaches students in her military law about the Calley case and Daniel’s letter.

“Here was a case where somebody was being held accountable, and the commander in chief was undermining that,” she said. “Calley permitted gross, horrendous, criminal conduct to take place, and if it hadn’t been for that helicopter pilot who landed and got out and told his gunner, ‘Shoot them if they shoot me,’ it would have continued. That’s another brave person that we need to talk about. But Nixon was simply playing to the base, and this prosecutor stood up and said, ‘You can’t do that.’”

Price calls Daniel’s letter an act of deep patriotism, contrasting the public service motivation of his letter with Nixon, who, she said, intervened in the Calley case “for base political reasons.”

“The biggest flag in town is not at the local car dealership because they’re the most patriotic people in town. It’s because it sells cars,” she said. “To me the patriot is not just the person who shouts, ‘USA! USA!’ but the person who truly believes in the principles of the Constitution. ... When he wrote that letter to Nixon, to me that is about the most patriotic thing you can do.”

The Calley case continued to play out in the press in the years after the 1971 conviction. The U.S. Court of Appeals for the Fifth Circuit upheld his conviction at the end of the year — later, the Supreme Court declined to review it — but the following spring, Calley’s sentence was reduced to 10 years. He was released on bond in 1974 and then paroled in 1975 after having served three and a half years of house arrest. For years, he managed his father-in-law’s jewelry store and lives in Florida today, according to press accounts.

Daniel himself has not been one to look back, preferring to let his letter speak for itself over the years. He closely examined one of the issues at the heart of the case in an article for Richmond Law Review in 1973, tracing the legal history of the defense of obedience to superior orders, but otherwise stayed publicly silent. He was discharged from the Army as a captain at the end of April 1971 and took a job with Washington, D.C., firm Williams & Connolly. There, he built a successful career doing what he loved, being a trial lawyer. His cases occasionally made the news — most notably, he represented global conglomerate Archer Daniels Midland in the case immortalized by the film The Informant — but he kept true to his practice of never speaking with the press. He turned down potentially lucrative book deals and speaking tours.

“I didn’t want to profit from something that I considered a national tragedy,” he said.

One gets the sense talking with Daniel that he has no regrets about challenging the commander in chief over the intervention in the Calley case.

“The thing that was so outrageous to me — and really was the tipping point for me, I think — was that I’d been a prosecutor,” Daniel said. “I had prosecuted many young men for AWOL and other offenses. The strict procedure was always that they were brought to the stockade. If they were found guilty, the MPs waited for them and took them back to the stockade.

“When I saw a man and an officer, and he had been convicted of premeditated murder of victims including babies — that he was ordered out of the stockade and put into privileged circumstances — that was more that I could tolerate. I just thought it was so unjust and unfair to the other soldiers who had not been given that, particularly given the offenses for which he had been convicted.”

Matthew Dewald is editor of University of Richmond Magazine.
A TOXIC
RELATIONSHIP

Flooding’s greatest danger might not come from the water — but what’s in it.

By Brian Ivasauskas
Photograph by Jamie Betts
owned trees and splintered branches floating among debris-cluttered floodwaters. City streets cloaked under feet of pooled water. Makeshift boats and kayaks captured by survivors paddling through the floodwaters in search of lost belongings.

We’re familiar with the aftermath of a hurricane or severe storm. However, few stop to think about what’s actually contained in those waters.

When a severe weather event like a hurricane tears through an industrial area, flooding introduces a slew of new health risks and other problems. Industrial zones contain a variety of facilities, stored materials, and chemical storage tanks — and storms are undiscerning in what they destroy.

The waters left from the wreckage are referred to as “toxic floodwaters,” storm-induced flooding that contains myriad contaminants — including oil, industrial waste, solvents, toxic metals, and more.

Noah Sachs, Richmond Law professor and director of the Robert R. Merhige Jr. Center for Environmental Studies, focuses his scholarly pursuits on the threats posed by toxic floodwaters. Through his work, Sachs hopes to glean a more holistic understanding of these threats as he advocates for the changes needed to prepare for climate-driven disasters and protect communities.

CHEMICAL COLLISION
Sachs’ focus on toxic chemicals began in law school when he wrote an article published by the Columbia Journal of Environmental Law. His research focused on endocrine disruptors — chemicals that get into human bodies and mimic organic hormones, causing birth defects and developmental abnormalities. With something so significant subject to such limited regulation, Sachs saw the opportunity to propel change.

In 2014, Sachs wrote a report about Virginia’s regulation of toxic chemicals, detailing its weaknesses in comparison to other states. His research found that while states have broad authority over the methods used to store and dispose of hazardous chemicals, Virginia defers much of this autonomy to federal regulations.

A significant takeaway from the report was information about the lack of state standards for chemical storage tanks. Sachs found that these tanks are often located within a few feet of major rivers because of historic patterns of industrial development. Virginia has a multitude of regulations in place for oil storage tanks to prevent spills, but Sachs noted an absence of oversight for chemical storage tanks, even though many chemicals are far more hazardous to human health than oil.

“There are no standards for these tanks, how often they’re inspected, or where they can be located,” Sachs said.

Whether a small agricultural supply center or a huge chemical plant, there are no formal storage regulations in place. Pesticides and chemicals can be stored with no more oversight or caution taken than with the storage of grain in a silo.

The 2014 report’s publication coincided with a major chemical spill in Charleston, West Virginia. A private company owned chemical storage tanks on a bank just above the Kanawha River, the city’s major waterway. The tanks stored toxic chemicals used in the coal mining industry and unbeknownst to local officials, one of them corroded.

“Essentially, 7,500 gallons of a toxic chemical leaked into the river before anyone noticed — right upstream of the city’s drinking water intake,” Sachs said.

Unprepared for this catastrophe and suddenly without clean water, the city and surrounding counties were forced to shut down for a week. Then-West Virginia Gov. Earl Ray Tomblin declared a state of emergency and Charleston skidded to a standstill as emergency cleanup measures began.

Just three months after the spill, West Virginia passed major legislation addressing the regulation of chemical storage. The law required tank owners to regularly take inventory and report contents to the state and imposed standards for the placement and construction of storage tanks.

Though West Virginia enacted legislation at a whirlwind pace, Virginia lawmakers failed to see the incident as a warning sign. Sachs met with legislators and argued for new legislation within the commonwealth, beginning with an inventory of all chemical storage tanks in Virginia.

“Our neighboring states were so quick to pass comprehensive legislation, and we need to do the same,” he said. “Charleston is just one example of
what could happen due to lax regulation of chemical storage.

“But the response I got was: ‘Yeah, but that was West Virginia.’”

PRESSING THE ISSUE

The Charleston chemical spill crippled an entire region without the impetus of a natural disaster. A few years later, the nation learned that the destructive forces of nature could make things even worse.

In 2017, Hurricane Harvey tore through a significant portion of the Gulf Coast, making landfall in Louisiana, ripping through Texas, and dumping around 19 trillion gallons of water in its wake. Devastation from high winds and debris was immediately apparent. But long after the hurricane passed, the toxic contaminants in the floodwaters remained, presenting lingering and significant health risks.

Health complications resulting from exposure to toxic floodwaters vary from acute and chronic illness to death. The outcome depends on many factors, including the contaminants themselves, their concentration in the water, and the vulnerability of the individuals affected.

Once hazardous substances enter the storm-induced floodwaters, however, very little time passes before they pose a serious public health threat.

“Houston and Galveston are really the heart of the chemical industrial complex in the United States,” Sachs said. “As a result, Hurricane Harvey caused a toxic soup of floodwaters.”

A year later, Hurricane Florence hit the eastern corridor of the country. It swept through North Carolina, and while the areas affected were not heavily industrialized, they faced another concern.

“The big problem there is animal manure from factory farming,” Sachs said. “These are huge outdoor lagoons full of animal manure — the size of football fields. When hurricanes come through, the waste gets out of these pits and into the water.”

Hurricane Florence’s initial projected path had Virginia squarely in its sights, but the storm missed the commonwealth. Sachs doesn’t see the state’s good fortune as a reason to postpone preparing for disaster.

“We’ve been overconfident in our ability to respond to these storms,” Sachs said. “In Virginia, there has been no legislative response to the floodwater incidents from Hurricanes Florence or Harvey.”
A Toxic Relationship

“...and managing projects connecting both water quality monitoring and Clean Water Act compliance.

With this research, “We set out to trigger a public dialogue about the risks facing Virginians, especially those already most vulnerable to disaster and disproportionately harmed by industrial pollution,” Flores said.

OPENING THE FLOODGATES

In early 2019, Sachs and Flores published their findings in the report Toxic Floodwaters: The Threat of Climate-Driven Chemical Disaster in Virginia’s James River Watershed.

Sachs’ and Flores’ analysis of the James River watershed unearthed some alarming results. Of the more than 2,700 industrial facilities regulated under federal and state laws for toxic chemicals, they found 1,095 were flood-exposed from rainfall, hurricane storm surge, or sea-level rise. More than 473,000 Virginians live in the census tracts that contain the facilities, with concentrations in the Richmond and Hampton Roads metropolitan areas.

Sachs and Flores also found that 234 facilities would be flooded by future sea-level rise between 1 and 5 feet. Nearly 100 of those would be flooded by 1 foot, which climate scientists anticipate will occur no later than 2050.

The pair identified myriad hazardous substances stored within these facilities, including toxic metals, cars floating in deep water in Portsmouth, Virginia, after heavy rains and high tides in the wake of Hurricane Matthew in 2016. A lot of these chemical exposure issues have to be addressed at the global level ... Ignoring the problem will threaten lives, livelihoods, and entire communities.”

PUTTING IT IN WRITING

In late 2017, the Center for Progressive Reform (CPR) approached Sachs about partnering to conduct follow-up research on Florence, Harvey, and toxic floodwaters.

Based in Washington, D.C., the small nonprofit uses expansive partnerships to work toward sophisticated change within environmental law. CPR works with 60 member scholars — professors of environmental law throughout the country — who leverage this partnership to amplify their messages and get their research in front of policymakers on Capitol Hill and in federal and state agencies.

Following Florence and Harvey, the organization decided to focus its research on facilities along the James River. Although the area was unaffected by the recent hurricanes, examining a single watershed would give the team insight into other locations with chemical facilities and risk of flooding.

This research investigated industrial facilities along the James River, examining three key areas: the facilities’ tolerance for heavy rainfall events; their exposure to storm surge from a hurricane; and their elevation. While rainfall events and hurricane risk are near-term, the potential rise in sea level looks many years into the future.

Sachs partnered with David Flores, a CPR policy analyst, to research and prepare the report. Flores specializes in environmental law, having spent years working for a local watershed nonprofit and...
carcinogenic and flammable petroleum products, corrosive acids, and pesticides.

“One thing that surprised us was the sheer number of flood-exposed hazardous chemical facilities located in socially vulnerable communities,” Flores said. “One in six residents of the watershed live in communities threatened by chemical hazards. The lack of spill prevention controls for some of the facilities was striking, as was the fact that many chemical storage tanks are totally unregulated and unregistered by the commonwealth.

“We’re allowing industry to place great quantities of toxic chemicals in the path of possible flooding,” he added. “That’s a disaster waiting to happen, and climate change is making the disaster all the more likely.”

According to Sachs, we’ve already begun to see the fallout, and we needn’t look further than the aftermath of Hurricane Harvey.

“In Houston, there’s still contamination in people’s homes, even as the floodwater receded over a year ago,” he said. “An entire city could be flooded, and those floodwaters pose a huge threat to human health. The first priority should be preventing chemical disasters in waters used for drinking by our cities and towns.”

Sachs reports weather disasters are on the rise and will likely only continue to escalate as hotter temperatures bring more moisture into the air. Over the last 30 years, the world has begun to experience the accelerated consequences of climate change. There’s been a documented rise in sea level, more and more summer-day temperatures exceeding 90 degrees, and heavier rainfall events. In Richmond, 2018 was the wettest year since the 1880s as measured by rainfall and snow.

“Because of climate change, extreme storms and floods are becoming more likely,” Sachs said. “By 2050, we’re going to see many more catastrophic effects of climate change.

“We’re going to see hurricanes of more intensity, and we’re going to see rising seas,” he added. “That’s why this work is so important.”

LOOKING UPSTREAM
Sachs and Flores ultimately found that Virginia is “simply not prepared to prevent or respond to toxic floodwaters.”

Their report concluded that chemical handling and storage in Virginia are controlled by a patchwork of laws, both federal and state. Toxic floodwaters and the harmful consequences of afterstorm flooding have never risen high enough on policymakers’ collective priority list, so Virginia’s governing standards remain quite weak. There is no law that specifically addresses toxic floodwaters prevention and cleanup.

It’s not all bad news, though.

“I have to give credit to Gov. [Ralph] Northam for establishing an executive order on climate change adaptation and appointing a chief resilience officer,” Sachs said. “Both of these are firsts for Virginia. I think it’s fair to see them as Virginia’s response to the issues of adapting to sea-level rise and severe storms.

“We’ve asked for more transparency on the issue,” he continued. “The public has a right to know about the chemical risks in their communities. In some cases, we’re talking about contamination risks from a warehouse or small manufacturing plant only 20 or 30 feet away from homes.”

Sachs and Flores are not only working with government officials and policymakers in their efforts. The pair is receiving grassroots support from partners and advocates lobbying for collaborative change.

“We hope to build on this report by working directly with allies and the communities in Virginia challenged by climate risks and industrial pollution to design and advocate for local and statewide policy solutions,” Flores said.

Sachs is committed to instilling in the public a more comprehensive understanding of this problem. In addition to the Toxic Floodwaters report, which is aimed at policymakers, he works to inform his peers within academia about toxic chemicals, which can travel through air, water, or the food supply. His forthcoming chapter in the Oxford Handbook of International Environmental Law, for example, explores several treaties that govern the production and disposal of toxic chemicals. And through his work as the director of the Robert R. Merhige Jr. Center for Environmental Studies, he organizes conferences, hosts fellow environmental scholars and guest speakers, and travels to spread the word.

“A lot of these chemical exposure issues have to be addressed at the global level,” Sachs said. “Here in the United States, it will be challenging to prevent all toxic floodwaters incidents, given the sheer quantity of facilities that pose a threat.

“But ignoring the problem will threaten lives, livelihoods, and entire communities.”

Brian Ivasauskas is the assistant director of marketing in University Communications at the University of Richmond.
NUMBERS GAME

ILLUSTRATION BY KATIE MCBRIDE

NUMBERS GAME
If you were convicted of a crime, would you be comfortable with a judge using an algorithm to determine your sentence?
For better or for worse, big data has made its way to the criminal justice system.

By Aggrey Sam

Two people with identical criminal records — or lack thereof — are convicted of the same crime. A judge sentences one to probation, while the other is incarcerated because that person is determined to have a higher risk of recidivism.

Judicial discretion is a tenet of the American justice system, giving the judge in this hypothetical situation the right to impose whatever sentence she deems appropriate. But what if the judge’s decision-making process was informed by an algorithm? And what if the algorithm wasn’t intended to be used for sentencing in the first place? What if the situation wasn’t hypothetical? It’s not.

Richmond Law professor Erin Collins understands the inherent logic in actuarial sentencing, as the practice is called. In theory, the data provided through risk assessment instruments can help judges curb their own biases, benefiting low-risk offenders.

“As a country, I think we’re coming to a reckoning with mass incarceration across the political spectrum, agreeing that we need to change the way we’ve been administering our criminal justice system, the way we’ve been punishing people,” Collins said. “Increasingly we’re looking to data-driven, evidence-based approaches to help us solve these tricky dilemmas.

“I think it’s attractive for a lot of reasons,” she added. “It seems to be objective. It seems to be kind of unassailable if it’s based on an empirical analysis. How could that be wrong?”

For Collins, that question isn’t rhetorical. As she notes in “Punishing Risk,” her 2018 article in Georgetown Law Journal, statistical predictions of the likelihood of future criminal behavior are far more complicated than simply running the numbers.

Take the 2016 case of State v. Loomis, in which Eric Loomis of La Crosse, Wisconsin, was arrested for driving a stolen car and accused of being the driver in a drive-by shooting. While he denied being involved in the shooting, Loomis pleaded guilty to operating a motor vehicle without consent and eluding a police officer. He was sentenced to six years in prison.

The judge in his case divulged that Loomis’ algorithm-driven risk assessment, which indicated he had a high risk of recidivism, factored into the sentencing decision. Loomis’ appeal to the Wisconsin Supreme Court was denied.

Some risk-assessment instruments consider a wide variety of factors, such as socioeconomic status, that wouldn’t otherwise be seen as a legitimate part of the sentencing equation. Those factors can be used against people who share traits with groups of past reoffenders.

“What these tools are really saying is, ‘Other people who have characteristics like you have or have not offended at a high, moderate, or low rate,”
Collins said. “Then, they juxtapose what people generally in the aggregate have done who have these characteristics onto this one person to make a prediction about this person’s likelihood of recidivism.”

Increasingly used in jurisdictions around the country, actuarial sentencing informed by risk assessment instruments — typically surveys — doesn’t consider the fact that the tools themselves can have some of the same biases that judges would likely face criticism for harboring. There’s also the fact that the instruments were initially designed to be used for programming and classification purposes in correctional facilities, meaning that using them as recidivism predictors for sentencing purposes is a non-prescribed (or as Collins refers to it, “off-label”) usage.

“If the argument is, ‘Judges should be doing this anyway,’ I think we should be saying, ‘Really? Are you sure about that?’” Collins said. “My concern — this is not an empirical claim — is that this is going to lead us to keep replicating the same disadvantages and disparities that we already have in our current system.

“The way risk assessment is talked about is it’s only going to lead to good consequences for people,” she continued. “My concern is that it could work that way, but it could also work the other way, which is to keep people who are deemed high risk in prison for longer or to send them to prison or jail instead of letting them serve their sentences in the community. It’s not necessarily just a one-way tool that will just lead to one result.”

The issues surrounding actuarial sentencing are complex, but Collins and other legal scholars are addressing them now, before they become a commonplace, widely accepted part of the justice system. The following essay provides some insight into why there is apprehension about its increasing adoption.

THE PERILS OF ‘OFF-LABEL SENTENCING’

By Erin R. Collins

Current criminal justice reform efforts are risk-obsessed. Actuarial risk assessment tools, which claim to predict the risk that an individual will commit, or be arrested for, criminal activity, dominate discussions about how to reform policing, bail, and corrections decisions.

And recently, risk-based reforms have entered a new arena: sentencing.

Through the practice of “actuarial sentencing” (also called “evidence-based sentencing”), jurisdictions across the country are allowing or requiring sentencing judges to consider the recidivism predictions of actuarial risk assessment tools.

An actuarial risk assessment tool is essentially a structured survey that inquires whether an individual has certain “recidivism risk factors,” or characteristics that statistically correlate with recidivism. The individual is scored points for the presence or absence of these factors, and based on the individual’s total score, he or she is deemed to pose a low, medium, or high risk of recidivism.

Actuarial sentencing has gained the support of many practitioners, academics, and prominent organizations, including the National Center for State Courts and the American Law Institute.

This enthusiasm is, at first blush, understandable: actuarial sentencing seems to have only promise and no peril. It allows judges to identify those who pose a low risk of recidivism and divert them from prison. Society thus avoids the financial cost of unnecessarily incarcerating low-risk individuals.

And yet, this enthusiasm for actuarial sentencing ignores a seemingly crucial point: Actuarial risk assessment tools were not developed for sentencing purposes.

In fact, the social scientists who developed the most popular risk assessment tools specified that they were not designed to determine the severity of a sentence, including whether or not to incarcerate someone. Actuarial sentencing is, in short, an “off-label” application of actuarial risk assessment information.

As we know from the medical context, the fact that a use is “off-label” does not necessarily mean it is ill-advised or ineffective. And, indeed, many contend that actuarial sentencing is a simple matter of using data gleaned in one area of criminal justice and applying it to another. If we know how to predict recidivism, why not use that information broadly?

Isn’t this a prime example of an approach that is smart — rather than tough — on crime?

As I contend in my article, “Punishing Risk,” which was published in Georgetown Law Journal, the practice of actuarial sentencing is not that simple, nor is it wise. In fact, using actuarial information in this “off-label” way can cause an equally unintended consequence: It can justify more, not less, incarceration — and for reasons that undermine the fairness and integrity of our criminal justice system.

The actuarial risk assessment tools that are being integrated into sentencing decisions, such as the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) tool and the
Level of Services Inventory-Revised (LSI-R), were designed to assist corrections officers with a specific task: how to administer punishment in a way that advances rehabilitation.

They are intended to be used after a judge has announced the sentence. They are based on the Risk-Need-Responsivity principle, according to which recidivism risk is identified so that it can be reduced through programming, treatment, and security classifications that are responsive to the individual’s “criminogenic needs” (recidivism risk factors that can be changed).

Sentencing judges, in contrast, do not administer punishment but rather determine how much punishment is due. In doing so, they may use actuarial risk predictions to advance whatever punishment purpose they deem appropriate. While they may decide to divert a low-risk individual from prison in order to increase their rehabilitative possibilities, they may also decide to sentence a high-risk individual more harshly — not because doing so will increase the prospects for rehabilitation, but because it will increase public safety.

Judges may use risk prediction to incapacitate, not rehabilitate.

This conclusion begs the question: Don’t we want judges to consider an individual’s risk level when determining a sentence? Quite frankly, no — at least not in the way these tools measure and define risk. The tools measure risk based on a range of characteristics that are anathema to a principled sentencing inquiry, such as gender, education and employment history, and family criminality. Perhaps consideration of these factors makes sense if the predictive output is used to administer punishment in a way that is culturally competent and individualized.

But in the sentencing context, it allows the judge to punish someone more harshly based on a compilation of characteristics that are inherently personal and wholly non-culpable and often replicate racial biases that pervade other areas of the criminal justice system. In other words, actuarial sentencing allows judges to defy the well-established tenet that we punish someone for what they did, not who they are.

Moreover, risk assessment tools define recidivism risk broadly. Many define it as the likelihood an individual will be convicted of a crime of unspecified severity in the proceeding years. Others are even less precise, predicting the likelihood that a person will be arrested for any reason (regardless of whether the arrest is justified or results in charges).

Thus, the question these tools answer is: How likely is it that a person with these characteristics will commit or be arrested for any type of criminal activity — including low-level nonviolent activity — in the coming years? Even if we accept that judges should be mindful of public safety in determining a sentence, these tools do not advance that inquiry.

Incorporating these tools into sentencing conflates recidivism risk, broadly defined, with risk to public safety. If we want to reduce our reliance on public safety, we must refine — rather than expand — the risk that counts for sentencing purposes.

Thus, it is not clear that these correctional tools advance a sound sentencing inquiry. But even if they did, it is questionable whether they actually enhance the accuracy of the predictions judges would make in their absence.

Actuarial sentencing allows judges to defy the well-established tenet that we punish someone for what they did, not who they are.

In fact, computer scientists recently found that people with little or no criminal justice expertise were able to predict recidivism at the same level of accuracy — approximately 65 percent — as a popular risk assessment tool.

One thing is clear: Many recidivism risk factors are markers of relative structural disadvantage and reflect historically biased criminal justice practices.

Thus, even if actuarial sentencing benefits people who are sufficiently low-risk to be diverted from prison, that benefit will not be evenly or fairly distributed amongst the defendant population. And those who are deemed a high risk based on these same factors may be more likely to be incarcerated, and perhaps for longer periods.

As I conclude in “Punishing Risk,” as top criminal justice policy makers call for a revival of the war on crime, “[N]ow, more than ever, we [must] carefully scrutinize how data is incorporated into criminal justice decisions, with particular attention to how we label people as ‘risky,’ and the consequences of that label.”

A version of this essay was published in The Crime Report.
Steve Allred was quoted in Bloomberg Law regarding his scholarship on tattoos in the workplace.

The seventh edition of Carol Brown’s co-authored book *Cases and Materials on American Property Law* was published by West Academic.

The 2019 edition of Hamilton Bryson’s *Virginia Circuit Court Opinions* is forthcoming with LexisNexis. His book *Reports of Cases in the Court of Exchequer in the Middle Ages* was published by Dog Ear Publishing, and his chapter “Law Reporting in the Seventeenth Century” was published in *English Legal History and Its Sources: Essays in Honor of Sir John Baker* from Cambridge University Press.

Jud Campbell was promoted to associate professor of law.

Tara Casey was a discussant at the Association of American Law Schools’ annual meeting during a session on empowering the next generation of public interest and pro bono leaders.

Hank Chambers’ interview with Rhodes College professor Timothy Huebner on how Abraham Lincoln changed the Supreme Court was streamed on C-SPAN. He participated in panels on redistricting reform for the University of Virginia’s *Journal of Law & Politics*, on separation of powers at an American University School of Law symposium, and on unconscious bias in the courtroom at “Beyond Diversity: Inclusion 2.0,” an event hosted by the Richmond chapter of the Society for Human Resources Management.

Erin Collins was promoted to associate professor of law and participated on the “Rape, Sexual Assault, and #MeToo” panel at the Association of American Law Schools’ annual meeting.

Christopher Corts was promoted to professor of law, legal practice. He presented “Being a Lawyer: Professional Identity Formation in the 1L Legal Analysis and Writing Course” at the 19th annual Rocky Mountain Legal Writing Conference. He also presented on professional identity at Villanova University School of Law’s “Ethics in Action: Giving Voice to Values in the Law” event.

Chris Cotropia and Jim Gibson’s “Convergence and Conflation in Online Copyright” is forthcoming with the *Iowa Law Review*. NPR and the *Virginia Mercury* cited Cotropia’s scholarship in stories about tampon taxes.

Ashley Dobbs was promoted to associate clinical professor of law. She was elected to a third term on PetSmart Charities’ board.

Joel Eisen was named the 2019 Distinguished Energy Law Scholar for Vermont Law School. He was also offered a book contract with Edward Elgar for *Advanced Introduction to Law & Renewable Energy*. Eisen presented “Clean Energy Justice” at the Texas A&M Annual Energy Symposium and “Capacity Markets: Reliability Tools or Roadblocks to Progress” at an event hosted in Washington, D.C., by the Harvard Electricity Law Initiative and Duke University’s Nicholas Institute for Environmental Policy Solutions.

David Epstein presented “Claims in Bankruptcy” at the Practising Law Institute’s Nuts and Bolts of Corporate Bankruptcy 2018 event in New York. He was reappointed to a five-year term as the George E. Allen Professor of Law.

Jessica Erickson organized the works-in-progress session for the Association of American Law Schools business associations section at the organization’s annual meeting and presented her article “Automating Securities Class Action Settlements” at Vanderbilt Law Review. Her article “Bespoke Discovery” was published by *Vanderbilt Law Review*. In addition, Erickson helped rewrite the Virginia Stock Corporation Act, which was subsequently signed by Gov. Ralph Northam.
Jim Gibson delivered a series of talks in China and South Korea on intellectual property law. He visited China University of Political Science and Law, China Intellectual Property Training Center, China National IP Administration, Yingke law firm, China Ocean University, Dongguk University, Hongik University, and the Daejoen District Prosecutor’s Office. His article with Chris Cotropia, “Convergence and Conflation in Online Copyright,” is forthcoming in Iowa Law Review.

Chiara Giorgetti recorded two lectures for the Audiovisual Library of International Law of the United Nations. She participated in the meeting of the Committee on the Procedure of International Courts and Tribunals of International Law at the Max Planck Institute in Luxembourg and the Academic Forum on Investor-State Dispute Resolution at Pluricourts in Oslo, Norway. Her article “Model Green Investment Treaty: International Investment and Climate Change” was published in the Journal of International Arbitration. Finally, she was nominated chair of the Academic Council of the Institute for Transnational Arbitration and became one of the vice presidents of the American Branch of the International Law Association.

Hayes Holderness’ reviews of Ari Glogower’s “A Constitutional Wealth Tax” and Rifat Azam and Orly Mazur’s “Cloudy with a Chance of Taxation” were featured on TaxProf Blog. He was quoted in Law360 articles on the Dawson v. Steager Supreme Court ruling and on a proposal to deny Illinois film tax credits to the filmmakers who employ actor Jussie Smollett. He presented “Navigating 21st Century Tax Jurisdiction” at the Temple University School of Law faculty colloquium, and his paper on that topic is forthcoming in Maryland Law Review.

Joyce Janto’s column “Avoiding Ethics Complaints: Finding the Rules and LEOs” was published by Virginia Lawyer. Corinna Lain’s “Madison and the Mentally Ill: The Death Penalty for the Weakest of the Worst” is forthcoming in Regent University Law Review, and her chapter “Proffitt v. Florida: Distorting Death” is forthcoming in Painting Constitutional Law: Florida, the Supreme Court, and the Creation of Constitutional Rights in Cortada’s “May It Please the Court.” Kurt Lash’s “The Enumerated Rights Reading of the Privileges or Immunities Clause: A Response to Barnett and Bernick” is forthcoming in Notre Dame Law Review. He was a presenter at the opening of “Civil War and Reconstruction: The Battle for Freedom and Equality,” a permanent exhibit at the National Constitution Center, and on the role of federalism in the drafting of the 13th, 14th, and 15th amendments at an event at Duke University School of Law.

Julie McConnell was included in Virginia Lawyers Weekly’s inaugural class of “Influential Women of Law.” She presented at the Virginia State

**Faculty Profile**

**Love of labor**

Luke Norris

When Luke Norris prepares to teach a course, the first thing he does is put himself in his students’ shoes. After beginning as a Richmond Law assistant professor in fall 2018, Norris set out to ensure that his classes are engaging and fun, whether that’s creating mock trials or having his students competitively diagram improbable hypothetical situations.

Norris’ specialties are civil procedure, employment law, and arbitration — areas that are vastly changing in the modern U.S. court system.

As a law student during the 2008 recession, he began his ongoing research on how the legal profession supported the United States during the Great Depression and New Deal era.

“My work is really at the intersection of civil procedure and workers’ rights,” said Norris, who came to Richmond from Cardozo School of Law in New York. “Our civil adjudication system is increasingly moving disputes out of courts and into private, arbitral settings, and so there’s a question about the future of courts as the vindicators of rights for parties like workers and consumers.

“In some sense, the extent of the decline of these fields also presents an opportunity to rethink their futures.”

In his recent article for Slate, “Google Employees Are Leading the Way on Sexual Harassment Reform. The Rest of the Country Should Follow,” Norris examines how the practice of mandatory arbitration for sexual harassment claims has recently become more prominent in the workplace, which ultimately forces employees into private agreements that sidestep the court system and the public eye.

Although his current teaching focuses on civil procedure and employment law, he knows that not all of his students will leave his courses remembering every detail of every doctrine.

“I hope what they come away with is an understanding of the logics and rationales that animate this area of law,” said Norris. “Even if they don’t know the answer to a thorny or complex question, they’ll still have a good enough sense that they could probably predict the answer.” —Stacey Dec, ’20
Bar Annual Criminal Law Seminar on decoding juvenile sentencing law and at Regent University Law Review’s symposium on mental health in Virginia’s juvenile justice system. Finally, she led a training session on indigent defense for the Virginia State Bar and was elected co-chair of the Governor’s Advisory Committee on Juvenile Justice and Prevention for the 2018–19 term.

Maureen Moran’s book chapters “Research Strategies” and “Foreign and International Legal Research” were published in Global Lawyering Skills.


Kristen Osenga was the moderator for a Federalist Society teleforum debate on the high-stakes battle between Qualcomm and Apple and published an op-ed in The Washington Times on the topic. She presented “The Realpolitik of IP” and moderated a session on works in progress for the Federalist Society at the Association of American Law Schools’ annual meeting. Her op-ed on public interest in patent law was published by the Federalist Society Review, and she published three white papers with the Regulatory Transparency Project.

Noah Sachs co-authored the recent Center for Progressive Reform report linking climate change and toxic flooding threats to vulnerable Virginia communities, and his op-ed on the topic was published by the Richmond Times-Dispatch. His chapter “Hazardous Substances and Activities” is forthcoming in Oxford Handbook of International Environmental Law.

Doron Samuel-Siegel was promoted to professor of law, legal practice.

Danny Schaffa’s article “The Economic Efficiency Case Against Tax Privacy” is forthcoming in Seton Hall Law Review.

During his sabbatical, Andy Spalding served as a fellow at the University of Sydney Law School, where he conducted a workshop with the human rights group of the Olympics Compliance Task Force. He also traveled to Bhutan to serve as a visiting scholar at the Jigme Singye Wangchuck School of Law.

Rachel Suddarth was promoted to professor of law, legal practice.

Allison Tait presented “Confronting Injustice and Memory in the Public Square” at the Association of American Law Schools’ annual meeting and “Divorce Lending” at the annual meeting of the Association for the Study of Law, Culture, and Humanities in Ottawa, Canada.

Mary Tate’s review of Paul Butler’s Chokehold: Policing Black Men was published on the “Criminal Law and Criminal Justice Books” website, a project hosted by Rutgers University School of Law.

Carl Tobias was quoted in a front-page article in The New York Times about Paul Manafort’s 47-month sentence. He was also quoted by the Huffington Post, the Miami Herald, and USA Today, among other outlets. His article “Filling the California Ninth Circuit Vacancies” was published by the Southern California Law Review.


Laura Webb was promoted to professor of law, legal practice.

NEW FACULTY

Rebecca Crootof joins the Richmond Law faculty as assistant professor of law after serving as executive director of the Information Society Project at Yale Law School. An expert in international law and the intersection of technology and the law, she earned a doctorate in law and a J.D. from Yale and her bachelor’s degree from Pomona College. Her article “The Internet of Torts” is forthcoming in Duke Law Journal.

Da Lin, an expert in corporate law, joins the Richmond Law faculty as assistant professor of law after serving as a Climenko Fellow and lecturer on law at Harvard Law School. She earned a J.D. and bachelor’s and master’s degrees in applied mathematics at Harvard University. Her article “Beyond Beholden” is forthcoming in the Journal of Corporation Law.
A PASSION FOR TAXES

When it comes to taxes, it might be an understatement to say that Sherfon Coles-Williams, L’19, has a particular passion.

“The first time I ever had to do a tax return, I got excited about it,” she said. “I realized that there must be something pretty special about me that I think it’s cool to file a tax return.”

Coles-Williams first encountered tax law through a clinic at Elon Law School before transferring to Richmond Law as a 2L.

“I really enjoyed the fact that [the clinic] helped low-income and elderly people, people who may not know the different benefits and deductions that they can get,” said Coles-Williams. “That’s also one of the reasons that I love tax law: It affects everyone.”

When she started at Richmond Law, Coles-Williams promptly enrolled in Hayes Holderness’ federal income tax course. She went on to earn a CALI award for the highest grade in Holderness’ partnership tax course — known as the hardest of the tax law courses — and serve as his research assistant.

She further enhanced her experience through a clinical placement in the Virginia attorney general’s Financial Law & Government Support section, where she helped review bills going through the state’s general assembly, and at CarMax in Richmond, where she’s worked on a sales and use tax project as an intern.

Coles-Williams plans to dive deeper into the tax law landscape this fall when she begins a year-long LL.M. degree program in taxation at Georgetown University. She’ll also take more specialized tax courses, in addition to hands-on externships because, as Coles-Williams is quick to point out, tax law is “complicated and always changing, so there’s always something new to learn.”

SCHOLARSHIP SAVANT

Even before graduating from Richmond Law, Nikita Bhojani, L’19, demonstrated one of the traits most prized in attorneys — diligence. The first-generation college student defrayed the cost of her legal education by being the recipient of eight third-party scholarships totaling $36,000 — nearly a full year of tuition — for her 3L year.

Bhojani described her litany of awards — the McGuire Woods Diversity Scholarship, Federal Circuit Bar Association Scholarship, Richard J. Banta Civil Justice Scholarship, Phi Delta International Exchange and Minority Balfour Scholarship, Richard Linn American Inn of Court Scholarship, Mike Eidson Scholarship, and a second Richmond Bar Association Scholarship — as “an accomplishment for my entire family.”

The Richmond-area native also served as a judicial intern for the Honorable Jimmie V. Reyna on the U.S. Court of Appeals for the Federal Circuit and took on a host of extracurricular activities as a law student, including the University of Richmond Law Review, Trial Advocacy Board, Virginia Bar Association Law School Council, International Honor Society of Phi Delta Phi, Student Intellectual Property Law Association, and leading Richmond Law’s Legal Aid Food Frenzy, a food and fund-drive competition.

And whenever possible, the daughter of Pakistani immigrants embraced occasions to educate people about her heritage, saying she “found a safe haven in doing community service projects and telling people about my culture.”

“It reaffirms and symbolizes my parents’ hard work, their challenges and adversities, and most of all, their perseverance,” said Bhojani, currently an associate at Venable, a firm in Washington, D.C.
VIDEO GAME LAW: A NEW FRONTIER

Even if you’re not a video game fanatic, you’ve probably heard of Fortnite, a wildly popular phenomenon that, since 2017, has become the highest-grossing free video game ever. The game’s success could be attributed to many factors, including its bright graphics, broad accessibility across different platforms, and catchy animation (and equally catchy dance moves).

But according to video game attorney Noah Downs, L’15, a key component of the game’s success is a parallel industry that’s growing just as quickly: livestreaming entertainment.

The concept is simple: Gaming enthusiasts can watch professional gamers play their favorite games — like Fortnite — live, in real time, and through a host of different platforms, such as Twitch, Mixer, and even YouTube. Viewers can support their favorite players through subscriptions or other interactive incentives, and players can take advantage of paid sponsorships and game-play offers from video game producers.

It’s interactive, addictive, and highly profitable — by some estimates, to the tune of $70 billion by 2021. Downs is helping his clients claim a piece of that pie.

A year after earning Richmond Law’s Intellectual Property Certificate, Downs connected with Ninety9Lives, a music label for gamers. Ninety9Lives was growing — including teaming up with a new project called Pretzel, a music solution exclusively for livestreamers — and it needed an IP attorney who was familiar with the landscape.

Downs accompanied his new clients to his first gaming convention, PAX East, in 2016. What he experienced was “eye-opening”: tens of thousands of video game enthusiasts, vendors, designers, and producers, all energized by a passion for gaming.

“I was like a kid in a candy store,” Downs said. “I had a connection with these people — I wanted to be a part of it.”

Beyond his IP expertise and his existing love of video games, what worked in Downs’ favor was the shortage of knowledgeable lawyers in the niche field. When one of his Ninety9Lives clients told him,
“We want to teach you how to be our lawyer in this space,” Downs jumped at the opportunity.

Downs has immersed himself in the ins and outs of video game law, from the Digital Millennium Copyright Act to social media endorsements for gamers. The business of game-streaming presents a complicated legal challenge because at its core, “the industry is illegal,” Downs said.

Most of the gamers are streaming content without licensing or explicit permission. But because many video game producers benefit from the streaming industry, they don’t just turn a blind eye — they actually encourage the streamers to play. The constantly evolving landscape of the gaming industry makes it ripe territory for IP and entertainment lawyers.

“This is the Wild West when it comes to entertainment because there’s almost no case law whatsoever,” Downs said. “We’re pioneering law.”

Most professional streamers are new to business and struggle to understand the legal issues that come with their industry, Downs explained. “They need more information,” he said.

Downs is excited about being a source of that information — which is in high demand. For example, his article for Pretzel, “Let’s take a minute to talk about the DMCA,” got more than 17,000 views on the online publishing platform Medium in the year since it was published.

Today, Downs finds himself presenting at the same conferences that he was attending as a wide-eyed newbie not long ago. At TwitchCon, he was a panelist in sessions ranging from “Essential Business and Legal Advice for Every Stream” to fair use and fan content.

And he’s starting to make a national name for himself in the industry — including when a columnist from Forbes turned to him for expert insight on Twitch.

“It’s fun educating people about it,” Downs said. “It’s an underserved industry.”

CROSSING THE LINE
It’s every parent’s greatest fear — being separated from his or her children. For some asylum seekers coming to the United States, that fear has become a reality. For families fleeing civil unrest, political persecution, violence, and other hardships, the dream of a better life in the United States can become their worst nightmare.

Clayton LaForge, L’12, has seen their anguish firsthand. Since early 2018, LaForge — who works for the firm Latham & Watkins and is based in Washington, D.C. — has dedicated his time and pro bono legal services to the reunification of asylum-seeking families separated at the border.

LaForge began his family reunification work when a colleague working as a federal public defender in Arizona contacted him for assistance in a civil case of a mother who was separated from her children prior to her credible fear interview for her claim for asylum — an act that LaForge claimed was a violation of her due process rights. Since that time, he has successfully represented several families in similar situations.

“The problem is that you’re dealing with people who don’t have the means or the access to representation [against the U.S. Department of Justice], which is why it’s important for the Bar to step up and say, ‘No more,’” LaForge said.

At Latham & Watkins, LaForge handles complex commercial litigation, securities litigation, and white-collar investigations. His background includes two federal clerkships, one with a U.S. District Court in San Juan, Puerto Rico, and another with the U.S. Court of Appeals for the Fifth Circuit in Jackson, Mississippi. Prior to attending law school, he was on staff at the White House and interned in the clerk’s office of the U.S. Supreme Court. While his legal experience and pro bono practice — which also includes work with the Emmett Till Legacy Foundation in Mississippi and a trial and appeal on behalf of a tenants’ association in Washington, D.C. — is extensive, LaForge finds helping to reunite families to be most rewarding.

“I’m proud of my law firm for giving me the platform to do this type of work,” he said. “I don’t think I’ll ever do anything that will be as personally meaningful to me as these cases. Having the ability to be a helping hand at a time when there is a lot of confusion and a lot of anger is something that I’ll always be grateful for.”
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

S.D. Roberts Moore, L’61, was inducted into the Virginia Lawyers Hall of Fame.

Ebb H. Williams III, R’61 and L’64, has been named to the “America’s Top 100 Personal Injury Attorneys for 2019” list.

1970s

Best Lawyers named Davis S. Mercer, L’73, and Lucia Anna “Pia” Trigiani, L’83, to its 2019 “Best Lawyers in Real Estate Law” list. This is the 15th consecutive year the two lawyers received this designation.

Terrance Batzli, R’73 and L’75, was inducted into the Virginia Lawyers Hall of Fame.

Harold Kestenbaum, L’75, was named one of the top 100 franchise attorneys in North America by Franchise Times and was added to its Hall of Fame.

1980s

Participation in debate at the Fuqua School in Farmville, Virginia, was a passion for Donald Blessing, R’77 and L’80. His “debate prowess” brought numerous awards to the program and earned him a place in the school’s Forensics Hall of Fame. After earning bachelor’s and law degrees from the University of Richmond, he returned to Farmville to practice law, including a stint as town attorney. In 2014, the General Assembly elected him a circuit court judge in the 10th Judicial Circuit.

Jennie Waering, L’81, was the first woman to receive the Bo Rogers Lifetime Achievement Award from the Roanoke Bar Association.

Dale Pittman, L’76, was inducted into the Virginia Lawyers Hall of Fame.

Ted Chandler, L’77, and Laura Lee Hankins Chandler, W’74, took their annual adult family vacation to the Brazilian Amazon in the fall. They spent time swimming in the Amazon River and hiking through the jungle.

Richard Cullen, L’77, was inducted into the Virginia Lawyers Hall of Fame.

Grant S. Grayson, L’77, joined the firm of Whiteford, Taylor & Preston in Richmond as senior counsel.

Michael HuYoung, L’82, of Barnes & Diehl was recently awarded the Virginia State Bar Diversity Conference’s 2019 Dunnaville Award, which honors a Virginia lawyer for promoting diversity and inclusion in the bar, the judiciary, and the legal profession.

Maria Graff Decker, L’83, is chief judge of the Virginia Court of Appeals. Elected by a majority of the court’s judges, she began her term Jan. 1. Before becoming a judge, she served as Virginia’s secretary of public safety. She began her legal career in 1983 in the criminal litigation section of Virginia’s Office of the Attorney General, handling criminal appeals and habeas corpus litigation. She later served as section chief of the special prosecutions section and then as deputy attorney general of the public safety and enforcement division. She also is an adjunct professor at Richmond Law.

Sterling Rives, R’73 and L’83, retired in February as county attorney for Hanover County, Virginia. He writes, “One of the first things I’m looking forward to after I retire is going to Ecuador for an off-road motorcycle trip through the Andes Mountains with son Henry.” He was county attorney since 1987 and worked in civil litigation, zoning law, land acquisition, environmental law, construction, public safety, and municipal finance. He and
wife Nancy plan on traveling, camping, and boating.

*Virginia Lawyers Weekly* named Nancy Grace Parr, L’83, to its “Leaders in the Law” list for 2018. Nancy is the elected commonwealth’s attorney for the city of Chesapeake, Virginia. Attending the reception from her law school class were Janice Murphy Lorenz, L’83, a publisher who previously had a private practice in professional liability defense litigation and in-house insurance coverage, and Jim McCauley, L’83, who was there supporting his stepson, who was named to the publication’s “Up-and-Coming Lawyers” list.

*Best Lawyers* named Lucia Anna “Pia” Trigiani, L’83, along with her law partner Davis S. Mercer, L’73, to its 2019 “Best Lawyers in Real Estate Law” list for the 15th consecutive year. She also recently concluded 10 years as chair of the Virginia Common Interest Community Board, a governor-appointed board charged with licensing and certifying common interest community managers statewide.

Maryse Allen, L’85, was a member of *Virginia Lawyers Weekly’s* inaugural class of Influential Women in the Law.

The Honorable Teresa Chafin, L’87, was elected by the Virginia General Assembly to the Supreme Court of Virginia.

Kurt Winstead, L’88, is a brigadier general and director of the joint staff of the Tennessee National Guard. The military “teaches honor, sacrifice, teamwork, obedience; less about self and more about others,” he told the

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**ALUMNI PROFILE**

Serving ‘a court for the people’

Marla Graff Decker, L’83

In an article for the *Richmond Law Review* celebrating the 30th anniversary of the Court of Appeals of Virginia, the Honorable Marla Graff Decker, L’83, and her co-author, the Honorable Stephen McCullough, L’97, emphasized one key point in particular: that the institution strives to be “efficient, collegial, accessible,” and, in short, “a court for the people.”

Today, Decker upholds those ideals in a different role: Her term as newly elected chief judge of Virginia’s Court of Appeals started on Jan. 1.

Decker’s public service career launched in law school during an internship with the U.S. Attorney’s Office for the Eastern District of Virginia, where she had plenty of hands-on experience in federal court.

“I had such a wonderful experience,” Decker said. “I just knew I wanted to stay in Virginia and do something in public service.”

Right out of law school, she went on to work for Virginia’s Office of the Attorney General, where she handled criminal appeals and other criminal matters. Decker was eventually tapped by Gov. Bob McDonnell to be Virginia’s secretary of public safety.

“In that capacity, I stepped out of the role of a lawyer for the commonwealth and into operational management and public policy,” she said.

Decker was appointed to the Court of Appeals in November 2013, then elected to an eight-year term in January 2014.

“I had argued for 20 years in front of that court, and I really enjoyed appellate practice,” she said. “This was quite an honor and a tremendous opportunity for me.”

In her new role, Decker is responsible for administrative, operational, and ceremonial responsibilities, in addition to her day-to-day duties as an appellate judge.

When she’s not serving on the bench, Decker can often be found back on the campus of Richmond Law. She teaches an evening course in lawyering skills for upperclass students and is a frequent judge of moot court competitions. She volunteers with mock interviews and co-chairs the Law School Alumni Board.

“I wouldn’t be where I am without having the law school experience that I had at the University of Richmond,” Decker said, “and so my effort to give back is to participate and provide access to the students so that they might benefit from where I’ve been and what I’ve done.”

—Emily Cherry
Personalizing policy

Marium Durrani, L’13

Upon entering college, Marium Durrani, L’13, was focused on the arts. But an internship working with a wraparound services program for victims of domestic violence ignited an interest in that area of the law instead.

“I saw the need for effective advocacy and how, for victims of domestic violence in particular, just having someone there was so valuable,” she said.

“I think the court accompaniment made me realize, ‘Wow, I could be that lawyer that helps in things like that.’”

Now, as the director of policy for the National Resource Center on Domestic Violence, Durrani is that lawyer — and more. With the guidance of her legal mentors, Durrani has put herself in position to play an important role in helping survivors heal and thrive.

“I truly believe that my successes and a lot of my career wins and transitions have been due to my female mentors that have believed in me, that have helped me make connections, that have always lifted me up and been there as support systems,” she said. “All of them have gone out of their way to connect me to people in D.C., in the domestic violence area, in the social justice space, or to a litigation position. That’s how I really found my way.”

While at Richmond Law, Durrani had a series of formative experiences that helped shape her young career, including a clinical placement at the Virginia Poverty Law Center, joining Karamah: Muslim Women Lawyers for Human Rights — an organization founded by Azizah al-Hibri, Richmond Law professor emerita — and later working on the House Judiciary Committee through a Bridge to Practice Fellowship. Opportunities to work in litigation on behalf of women from immigrant communities and to provide direct services have sharpened her perspective for policy that supports the needs of survivors.

Durrani’s varied experiences give her the versatility she needs for her role, which can vary on a weekly and even daily basis. Anything from developing materials and resources and providing training and technical assistance to broader work like bringing to light how survivors of domestic violence interact with the economic and housing systems can fall under her purview.

“When I was thinking about career transitions, I was really thinking about all the things that survivors need that we don’t necessarily talk about,” she said. “There’s a lot of people and a lot of organizations talking about these things, but I want them to come to fruition.”

—Aggrey Sam
Organization, Policy and Movement for a New Economic Age, which was released in January.

Lisa Frisina, L’92, was a member of Virginia Lawyers Weekly’s inaugural class of Influential Women in the Law.

Stephanie Bemberis, L’93, was a member of Virginia Lawyers Weekly’s inaugural class of Influential Women in the Law.

Mark F. Leep, L’93 and GB’93, assumed leadership of the Research Participant Protection Program for Bon Secours Mercy Health, providing regulatory and ethical approval and oversight of the health system’s human research studies and operations in 43 hospitals, point-of-care facilities, and physician practices across seven states.

Celebrating turning 50 was fun for Anthony Vittone Sr., R’90 and L’93, and Elizabeth Salley Vittone, B’91. They went to Paris and had a private tour of the Louvre guided by Amanda Herold-Marme, ’01, through a group called Paris Muse.

Jason Konvicka, R’91 and L’94, is among 500 lawyers worldwide inducted into the International Academy of Trial Lawyers. A partner with Allen, Allen, Allen & Allen in Richmond, he was named 2018 Richmond Personal Injury Litigation Plaintiffs Lawyer of the Year by Best Lawyers. He is the 2019 president of the Virginia Trial Lawyers Association and lives with his wife and twin sons in Richmond.

The Richmond Times-Dispatch hosted a “Strong Voices” luncheon to recognize women including Lakshmi Challa, L’95, who are committed to making an impact and serving Virginia.

Richard Garriott, R’91 and L’96, of Pender & Coward in Virginia Beach, Virginia, was installed as the 131st president of the Virginia Bar Association.

Kelley Hodge, L’96, was named a 2019 Strong, Smart, and Bold honoree by Girls Inc. of Greater Philadelphia and Southern New Jersey.

Carrie O’Malley, L’96, was a member of Virginia Lawyers Weekly’s inaugural class of Influential Women in the Law.

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The Honorable Frederick Watson, L’96, was elected to preside over Nelson Circuit Court in Nelson County, Virginia.

Steve Faraci, L’98, joined the law firm Whiteford, Taylor & Preston in Richmond after practicing with LeClair Ryan in Richmond.

Nancy Kirkpatrick, L’99, is the executive director of OhioNET, a membership organization of more than 300 libraries and information centers that provides technological solutions, products, training, and consulting. She was formerly an associate director of the Midwest Collaborative for Library Services.

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2000s

Vicki Horst, L’00, is a partner at Hairfield Morton in Richmond. Her practice focuses on real estate, business law, and estate planning. She is president of the board of directors for Chesterfield/Colonial Heights CASA (court-appointed special advocates). She lives in Prince George County, Virginia, with her husband, Glenn.

Ramona Taylor, L’00, was a winner in the 2018 Virginia Screenwriting Competition. She says her script, “Blind Justice,” was inspired by the 1912 case Christian v. Commonwealth. The Roanoke chapter of the Southern Christian Leadership Conference awarded her its Drum Major for Justice award, and she spoke at its Martin Luther King Jr. banquet. She also received the Star Award from the city of Roanoke, Virginia. She is a university legal counsel for Virginia State University.

Buddy Omohundro, L’02, was honored for outstanding leadership in the Top Workplaces program for his work as chief services officer for Apex Systems in Richmond.

Erin Torrey Ranney, ’02 and L’05, and Paul T. Ranney, L’05, announce the birth of son Timothy in July 2018. He joins sister Kaitlyn and brother Michael at home in Chesterfield, Virginia, where the couple also runs a law practice.

The Honorable Dontaé Bugg, L’06, was appointed a Fairfax County, Virginia, Circuit Court judge. He is the first African American appointed to this position in nearly 25 years.
Thomas Cusick, L’08, was elected a principal of the law firm Blakingship & Keith in Fairfax, Virginia.

Christine Walchuk, L’08, has joined the law firm DLA Piper’s corporate practice as a partner in Northern Virginia. She focuses her practice on the representation of public and private life sciences companies in a broad range of commercial and intellectual property transactions. Previously at Goodwin Proctor, she is experienced in counseling clients in strategic partnering and licensing transactions in various sectors of the agricultural biotechnology and plant sciences space, as well as clients in high-tech, software, and internet industries.

2010s

After a distinguished career in the U.S. Navy, Meredith Adkins, L’12, is an assistant commonwealth’s attorney in Mecklenburg County, Virginia. She received an undergraduate degree from the U.S. Naval Academy and served on the USS Bataan, one of many vessels patrolling in the Middle East at the beginning of the Iraq War in 2003. The ship provided relief to victims of Hurricane Katrina in 2005, transporting more than 1,500 people and serving as a medical facility. After leaving the ship, she worked on shore with the Expeditionary Strike Group and the public affairs office of the Navy. During her junior and senior years at the academy, she was the only female platoon commander in her company. “It’s never too soon to start preparing, and if you want a job where you serve your country with a lot of good people, then enlist in the service,” she advises young women considering a military career.

Alex Cuff, L’12, of McGuireWoods in Richmond was named Young Lawyer of the Year by the Richmond Bar Association.

Paul Holdsworth, L’15, joined the Richmond law office of IslerDare, where he practices labor and employment law.

Steven W. Lippman, L’16, is now an associate at Christian & Barton in Richmond. He focuses his practice on corporate and health care matters.

Reilly Moore, ’11 and L’16, and Samantha Quig Moore, ’11, married April 7, 2018, in Richmond. They met in Spanish class during their sophomore year as UR undergraduates. Many Spiders joined them for the celebration. The couple lives in Richmond.

Charles “Clay” Clifton, L’18, joined the workers’ compensation team of the law firm Swift, Currie, McGhee & Hiers in its Atlanta office. He practices primarily in workers’ compensation defense. Before joining the firm full time, he was a summer associate for Swift Currie.

Hedrick Gardner hired Nick Inchaustegui, L’18, in its Wilmington, Delaware, office. He practices civil litigation, focusing on general liability matters.

Andrew Toney, L’18, joined Lenhart Pettit’s Charlottesville, Virginia, office. He focuses his practice on general business counseling, including entity formation, business disputes, asset and stock sales, and trademark protection.

Bodman hired Samantha K. Wiesner, L’18, as an associate. She is a member of the employee benefits and executive compensation practice group in the firm’s Detroit office. She represents employers and benefit plan service providers on Employee Retirement Income Security Act issues, benefit plan arrangements, and related civil litigation. She was a federal judicial intern with U.S. Court of Appeals Judge David W. McKeague, Sixth Circuit, and with U.S. District Court Judge Henry E. Hudson, Eastern District of Virginia. She also served as a legal intern with the Henrico County, Virginia, attorney’s office.

In Memoriam

Willard Moody, L’52, of Portsmouth, Virginia
March 27, 2019

Frederick Haden Sr., L’53, of Locust Grove, Virginia
June 29, 2018

Nettie Draper, L’55, of Richmond
Feb. 18, 2019

Roger Hopper, L’62, of Urbanna, Virginia
April 13, 2019

Jerry R. Tiller, L’62, of Castlewood, Virginia
April 23, 2019

Ralph L. “Bill” Axelle Jr., L’68, of Goochland, Virginia
Jan. 24, 2019

Edwin C. Gillenwater, L’68, of Falls Church, Virginia
Jan. 23, 2019

Richard N. Levin, R’65 and L’68, of Portsmouth, Virginia
Dec. 8, 2018

George F. Cridlin, L’74, of Jonesville, Virginia
Dec. 14, 2018

Paul C. “Chris” Stamm, R’73 and L’78, of Kilmarnock, Virginia
Dec. 28, 2018

Herman C. “Dan” Daniel III, L’79, of Richmond
Jan. 18, 2019

Heath D. Bradford, L’06, of Williamsburg, Virginia
Dec. 3, 2018

Kathryn “Kaity” Matta Kransdorf Kasper, L’06, of Richmond
Oct. 23, 2018
Thank you for making an impact.

Tuition covers only 65 percent of the actual cost for a student to attend law school. Past and current gifts make up the difference — which means that every gift has a direct impact on students. Want to see what we mean? Here are five examples of how gifts can help shape the opportunities for a Richmond Law student.

$100 purchases one library book.  
$300 funds a prospective student’s visit to campus.  
$1,000 supports a team to travel to a moot court competition.  
$3,500 funds one Summer Public Interest Fellowship.  
$8,000 covers a Bridge to Practice Fellowship for a recent graduate.

Learn more about recurring gifts, matching opportunities, and bequests. Call 804-289-8029 or give online at uronline.net/GivetoURLaw.
FAMILIAR FACES

Elizabeth Cherkis and Joan Mielke, both L’99, reminisce over their law school days via the class “face book” (no, not that one) at Law Reunion Weekend. It’s never too early to plan for next year’s event — May 30, 2020.

Photograph by Kevin Schindler