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Winter 2022

### Richmond Law Magazine: Winter 2022

University of Richmond

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# Richmond Law

A-LIST CELEBS, MESSY LEGAL BATTLES, AND BIG STAKES:  
*LESSONS FROM THE HEADLINES*





**GOOD IN EVERY SEASON**  
Autumn light in the courtyard



Photograph by Jamie Betts







DEAN'S LETTER

## A NEW PAGE



Dear friends,

Fresh starts. New beginnings. A new year brings with it an injection of excitement, resolve, and energy.

That's particularly true this year at Richmond Law as we continue to emerge from pandemic times and see the return of student gatherings, group study sessions, and casual lunches on the patio with faculty. Our community is reengaging — and that's a sight for sore eyes.

We have all learned a lot in the past two years. One lesson in particular that stands out to me is that being in physical proximity improves the quality of our interactions. Being together gives us better opportunities to learn from one another, to build new connections, and to shape our identity as a community of engaged learners.

And now that we have the opportunity to be back in proximity, we have been reassessing the quality and functionality of our law school spaces with an eye toward making them even more welcoming and conducive to community engagement.

As it happens, we have a unique opportunity to rethink and redesign portions of our building as we undertake a major renovation prompted by the need to upgrade our HVAC systems. Since these renovations entail tearing up much of the building, it is a great opportunity to rethink what we want from the space when we put it back together. Our plans call for enhancements to the study spaces for students in the library; bringing our clinics back into our building in a well-equipped suite; and creating a town square space where students, alumni, and community members can gather.

All of that is no small feat, as we'll continue to use our space for classes and study throughout the anticipated two-and-a-half-year process. Disruptions and logistical challenges are a given when it comes to a renovation. But along with those challenges come opportunities: to build a space that best supports and reflects our vibrant community; to create study areas that are better suited for how our students engage and spend their time; and to make the entire building more accessible and welcoming to all who enter.

I look forward to keeping you updated along this journey — and to plenty of opportunities for alumni, students, faculty, and staff to come together again as a community. I'm excited to turn a new page in an exciting chapter in our law school's history.

Best,

A handwritten signature in black ink that reads "Wendy C. Perdue". The signature is fluid and cursive.

Wendy C. Perdue  
Dean and Professor of Law



## Richmond Law

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*Richmond Law*, of which this is Volume 34, Number 2, is produced by the Division of University Communications in partnership with Richmond Law. It is published biannually for alumni and friends of the University of Richmond School of Law, University of Richmond, VA 23173.

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Photograph by Kevin Dietsch/Getty Images

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# For the Record



Photograph by Tiago Fernandez/ISTOCK

## Keeping roofs over heads

In August 2021, after the U.S. Supreme Court removed federal eviction protections created in response to the COVID-19 pandemic, Attorney General Merrick Garland urged the entire legal community — including law schools — to take immediate action to help address the “looming housing and eviction crisis.”

Richmond Law was already a step ahead of Garland. For the past year, law students have volunteered their time and expertise on an eviction-prevention project in collaboration with the Legal Aid Justice Center. It’s part of a pro bono housing program on which the law school and LAJC have partnered since 2008.

“There are over 100 families that face eviction each week in Richmond, Henrico, Charlottesville, and Albemarle,” said Louisa Rich, a housing attorney with the LAJC. “It would be impossible to represent every single family.”

Instead, law students are analyzing the upcoming eviction docket, looking for trends. “They’re looking at, ‘What are the eviction cases? Who are the landlords? When are they happening? Where are they happening?’” said professor Tara Casey, who oversees the docket review as director of the Carrico Center for Pro Bono and Public Service. The data help LAJC to know which dates have the most eviction hearings scheduled so that its legal staff can maximize the number of tenants they can help. LAJC also uses the information for policy advocacy, both in the

media and in the general assembly.

Eviction has long been an outsized problem in the Richmond area. According to research by the Eviction Lab at Princeton University, Richmond had the second-highest rate of eviction judgments among cities in 2016. While statewide legislative changes since then have offered more protections to tenants, the pandemic has exacerbated an already difficult situation for many local residents.

In response, Richmond Law students are helping with several eviction-related programs, including an eviction help line run by the Virginia Poverty Law Center and an eviction diversion program with the Greater Richmond Bar Foundation. The help line provides tenants facing eviction with legal information and referrals, including specific legal advice from an attorney. The diversion program connects tenants to financial assistance and arranges payment plans to keep people in their homes.

Meanwhile, the LAJC docket review, an entirely student-staffed project, continues to have enthusiastic and consistent participation, filling up quickly each semester. Among the frequent volunteers is Charmaine Nyman, L’22. The volunteer work is “one small piece I can contribute to the eviction crisis affecting our community,” Nyman said. She takes pride in the fact that the LAJC can use her work to — as she puts it — help Virginians keep a roof over their head.

—Kristin Baird Rattini



### PUBLIC SERVICE

Richmond Law created the Harry L. Carrico Center for Pro Bono and Public Service to educate students on the need for pro bono legal services and prepare them to meet attorneys’ professional obligation to serve their communities.

For more information about the center, go to [law.richmond.edu/public-service](http://law.richmond.edu/public-service).



COMMUNITY

# A memorable night



Students and faculty nibbled on foods from around the world. Zhue Azuaje, L'23, played the cuatro, a Latin American instrument. Anna Gobin, L'23, did a Bollywood dance. It was all part of a student-organized Multicultural Night, spearheaded by SALSA — the South Asian Law Students Association.

Gobin and Bushra Haque, L'23, started SALSA last year. “In law school, you have so many groups that focus on professional development, which is very important,” Haque said, “but not as many on creating a sense of community, having fun, getting to know your peers.”

Multicultural Night was SALSA's

biggest event to date. The Black Law Students Association, Jewish Law Students Association, and Muslim Law Students Association, as well as Latin American students (who don't yet have a formal organization) partnered on the event.

Each group ordered food from a favorite local restaurant; the menu included chicken tikka masala, matzo ball soup, jollof, lo mein, and empanadas, among other dishes. The Muslim students gave out treats with food mentioned in the Quran: honey, dates, pomegranate juice, and Arabic coffee. Many students wore cultural clothing, including Nasiba Sabirova, L'24, who came in a traditional Uzbek atlas print dress. The law school's multimedia specialist, Carl Hamm, served as DJ, working from a playlist compiled by the students.

“It was about getting to know the people you go to school with, embracing the backgrounds they come from, celebrating their cultures,” said Haque. Added Gobin: “We've already had requests to do it again next year.”

PRO BONO

# Help for Afghan refugees

Afghan refugees arriving in the U.S. need more than supplies and a place to live — some of them need legal services as well. Richmond Law students and alumni were quick to respond in the fall of 2021, with the Student Bar Association and the Veterans & Military Law Association organizing supply drives and the Carico Center for Pro Bono and Public Service reaching out to community partners to assess needs and identify ways to help.

Working with the International Rescue Committee and ReEstablish Richmond, student volunteers

helped Afghan families file requests for humanitarian parole for at-risk family members. Meanwhile, students who partnered with Lakshmi Challa, L'95, of Challa Law Group, worked with pro bono attorneys to support refugees who sought protected status under U visas and Violence Against Women Act petitions.

The law school also launched a webpage ([law.richmond.edu/public-service/afghanistan.html](http://law.richmond.edu/public-service/afghanistan.html)) to connect those who wanted to help with opportunities for service — as well as connect those in need with service providers.

AROUND THE SCHOOL



Photograph by Deneka Pentison

## EXAMINING RACE & LAW

The fall semester brought two new events in the law school's Law, Race, and Power speaker series. Civil rights advocate Desmond Meade joined students, faculty, and staff in a discussion on voting rights and criminal justice reform. Meade, president of the Florida Rights Restoration Coalition, is a 2021 MacArthur Fellow and was named one of *Time* magazine's 100 Most Influential People in the World in 2019.

Richmond Law also welcomed three panelists — Ofelia L. Calderón (founding partner of the immigration law firm Calderón Seguin), Luis Oyola (director of organizing at the Legal Aid Justice Center in Charlottesville, Virginia), and Sirine Shebaya (executive director of the National Immigration Project) — for a discussion on immigration law. The planning team closed the semester with an open conversation on the dynamics of law, race, and power both inside and outside the law school building.

## CROWDFUNDING

A patented invention isn't more likely to have a successful crowdfunding campaign than an unpatented one — but an invention with a patent pending is.

That's one finding from a pair of studies by Chris Cotropia, director of Richmond Law's Intellectual Property Institute. One study examined 9,200 Kickstarter campaigns; the other entailed a series of laboratory experiments on the crowdsourcing website MTurk.com. Cotropia details his research in a January 2021 article in the *Illinois Law Review*.

## AROUND THE SCHOOL



### SUMMER SUPPORT

What started in 2008 as a program to support law students interested in public service has grown into a fellowship fund with an immense impact. Today, Richmond Law guarantees every student a summer of funding to pursue an unpaid government or public sector internship through the Summer Public Service Fellowship. More than 1,000 students have benefited from the program, and in 2020, Dean Wendy Perdue increased the fellowship stipend to provide more competitive support to students.

Today's awards of \$4,000 ensure that every student has a meaningful and substantive summer experience in a professional legal setting. Students with a demonstrated interest in pursuing a public interest career can also apply for a second fellowship.

### CLEAN SWEEP

Richmond Law grads swept the table at the Richmond Bar Association's awards luncheon in November.

Lindsay Pickral, L'09, and Carolyn White, L'93, both of ThompsonMcMullan, received the John C. Kenny Pro Bono Award for their work with the Medical Legal Partnership at VCU Health. Lindsey Strachan, L'12, of IslerDare was named the Young Lawyer of the Year. And John Anderson, L'77, who died in February 2021, was honored posthumously with the Hunter W. Martin Professionalism Award. A longtime shareholder at Spotts Fain, Anderson had been scheduled to be installed as president of the Richmond Bar Association in 2021.

## LEADERSHIP

# The 10-year mark

Wendy Collins Perdue has devoted her career — 23 years to date — to law school teaching and administration, including a full decade at the helm of Richmond Law. Ten years is a long time in the world of deanships — Perdue is the 11th-longest-serving dean among the 200 law schools in the U.S. Here's a look back at the impact she's made so far on the Richmond Law community.

- Under Perdue's leadership, Richmond Law has seen an unprecedented 33-place rise in its *U.S. News & World Report* ranking.
- Perdue revamped Richmond's approach to legal writing, adding five full-time legal writing professors to the faculty. She also launched two new programs — Professional Identity Formation and the Legal Design

Business Hub — to equip students with additional skills for navigating the modern legal profession.

- Perdue and her husband, David Perdue, established the Dean's Opportunity Scholarship Fund with a \$100,000 gift in 2019. The goal is to help make a Richmond Law education accessible and affordable to students with great need and great potential.
- In addition to guaranteeing every student a meaningful summer of legal employment through the Summer Public Interest Fellowships, Perdue launched the Bridge to Practice Fellowship program for recent graduates pursuing careers in the public sector.

Perdue's next big project? A renovation of the law school building, launched in January.

## EQUITY

# An enduring wealth gap

In 1865, Black Americans owned just 0.5% of the nation's total wealth. More than 150 years later, the number is almost as dismal: between 1% and 2%, according to Mehrsa Baradaran, author of *The Color of Money: Black Banks and the Racial Wealth Gap*.

"To say that our public policy efforts to eradicate the wealth gap have been a total failure is an understatement," Baradaran said in Richmond Law's annual Emroch Lecture in September. "In each historical moment where wealth was being created through legislation — the Homestead Act, FHA mortgage credit, GI Bill loans — Black communities were shut out of land and wealth accumulation, specifically through legal mechanisms, racial covenants, and other such things."

Baradaran, professor of law at the University of California, Irvine, argued for "meaningful reforms that get to the root of the problem." The



full lecture is available on Richmond Law's YouTube channel.

The Emroch Lecture Series is funded by the family of Emanuel Emroch, R'28 and L'31, founder of the Virginia Trial Lawyers Association. This year's lecture was particularly appropriate, according to Dean Wendy Perdue, "given Mr. Emroch's commitment to justice and equality."



# Back for more

**Q & A** It's not the first rodeo for Bob Gehringer, L'97. He is back at Richmond Law 24 years after graduation for what he calls a "refresher" year. Gehringer actually didn't spend much time working in law after graduation. Not long after earning his J.D., he went to medical school and became a critical care physician. He's on campus taking classes again with an eye on yet another career change.

**WHAT MADE YOU DECIDE ON THE DUAL PATHS OF LAW AND MEDICINE?**

My plan since I was a little boy was to be a doctor. I started down that path beginning as an undergraduate at Hampden-Sydney College. I majored in cell and molecular biology and modern languages with a French focus. I ended up winning a scholarship to study linguistics and language in Europe. When I got back, I got a temporary job with a circuit court judge, and I just became fascinated by it. I knew after a few months that I would love to go to law school.

One small

regret I had was leaving the science behind. But it turns out that at the time, Richmond had a dual-degree program with the department of biology. After my first year of purely law courses, I split my remaining time between the science center and the law school. I was like a kid in a candy store. But I still had that draw to be a physician.

**WHAT'S DIFFERENT THIS TIME AROUND?**

Sometimes, when I'm in class or I walk through the building, it's almost as if I forget that it was 20 years ago. But it's much expanded now. The faculty has expanded; the course offerings have expanded; the opportunities for students have really

**“One thing that hasn't changed is the personal investment that the faculty have. Their doors are always open. They want to get to know you. They want to help you achieve your goals.”**

expanded. The career development office is much more proactive.

**HAS ANYTHING STAYED THE SAME?**

One thing that hasn't changed is the personal investment that the faculty have. Their doors are always open. They want to get to know you. They want to help you achieve your goals. And there's a personal touch here, which really appeals to me.

But the more things have changed, the more they stayed the same. I take civil procedure with professor Clark Williams. I took it before, and I'm sitting in the same room in the same seat, looking at the same professor. When I was here before, I never walked through those doors without feeling a sense of privilege and awe that you're entering a legacy, not just a school. And I still feel that it's a special place.



« **NEXT STEPS**  
Gehringer is exploring new opportunities in law, including perhaps medical malpractice, although his immediate goal is to clerk for a state or federal judge.

*“It would be a remarkable capstone to what I'm doing at UR now,” he said, “and it may illuminate career paths that I hadn't considered.”*





Photograph courtesy of Amanda Short

# Internship for justice

Amanda Short's passion for justice is rooted in personal experience: When she was 9, visiting the Philippines with her family, she came close to being a victim of human trafficking.

A couple claiming to be Christian missionaries befriended Short's father. The wife asked to take the young girl shopping, and Short soon found herself being whisked toward a curtain at the back of the store. "In that exact moment, my mom came into the store and yelled my name," Short said. "That threw the wife off, and she let go of my arm, and I ran to my mom." Short's parents followed up with the local authorities, who confirmed that there had been reports of young girls being smuggled into the Middle East.

After the incident, Short became interested in human trafficking. "And I was completely shocked when I learned that human trafficking occurred in the United States," she said.

As a volunteer victim advocate with the Northern Virginia Human Trafficking Initiative — now Reset180 — Short, L'22, received in-depth training about what trafficking looks like. "Human trafficking isn't a white van pulling up and snatching women and children," she said. "Human trafficking is a pimp preying on the vulnerabilities of a victim, promising her love, gifts, etc., and then abusing her emotionally and perhaps also physically into selling her body."

Short had a brush with another kind of trafficking —

labor trafficking — when she discovered that a family member who was working as a live-in maid and nanny in Virginia was a victim. She had been brought to the U.S. from the Philippines and told she would make \$250 a week; the family she worked for withheld her passport and paid her only \$50 a month.

"Labor trafficking is often harder to catch, as victims are often noncitizens and afraid to come forward, or the victim simply doesn't know they're being trafficked," Short said. The woman eventually was able to get out of the situation; it wasn't until years later, when Short asked her how she had come to the U.S., that the woman realized she had been a victim of trafficking.

Last summer, Short landed an internship in the Department of Justice's Human Trafficking Prosecution Unit. It involved conducting research on a variety of trafficking issues, preparing memoranda used by trial attorneys, and helping to streamline investigations. Short worked primarily on domestic sex trafficking and labor trafficking cases as well as one international case. She credits her Richmond Law classes, especially in legal writing and research, for preparing her for the internship.

"It solidified my passion for anti-trafficking work," she said. "Working hands-on at the federal level was everything I could have dreamed of. It was an honor to work with and learn from the best in the field."

—Debbie Juniewicz



PUBLIC SERVICE

# Kudos for collaborating

The university honored law professor Tara Casey, her students, and the Virginia Poverty Law Center in the fall of 2021 for work they did together on housing equity. Students in Casey’s public policy course partnered with VPLC executive director Jay Speer a year earlier on research and legislative proposals; the result of their work was the Preserving the American Dream Act, which proposed changes to Virginia’s foreclosure laws and offered more protections for manufactured homes. The bill passed the General Assembly and went into effect in October.

The university’s Center for Civic Engagement presented Casey, her students, and the VPLC with its Collaboration for Change Award, which recognizes “a collaborative community-based partnership between campus and community stakeholders.”

“The VPLC is an amazing advocate for low-income and historically marginalized communities, and we were honored to partner with them,” said Casey. “It’s wonderful to see the fruits of this partnership — and the work of our fantastic students — recognized in this special way.”

STUDENTS

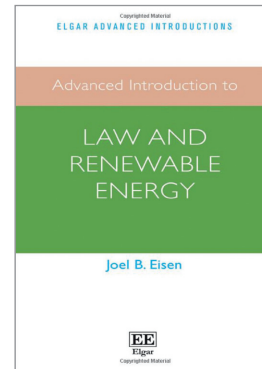


# Holistic well-being

When the university opened its Well-Being Center (above) in 2020 — complete with a meditation garden, sleep pods, and a demonstration kitchen — it was an important step in the university’s commitment to creating an environment that allows students to thrive in all aspects of their academic experience. At the same time, the focus on student well-being has grown at the law school — culminating in October 2021 in its first-ever Well-Being Week.

Programs offered throughout the week focused on the six dimensions of lawyer well-being as identified by the American Bar Association: emotional, intellectual, occupational, social, physical, and spiritual. Students could sign up for midday campus walks or Ultimate Frisbee games with faculty; learn about mindfulness or healthy eating through custom workshops; or join in a meditation and self-care yoga session.

AROUND THE SCHOOL



## BOOK ON RENEWABLES

Richmond Law professor Joel Eisen’s new book offers a comprehensive overview of the laws that regulate — and accelerate — the growth of renewable energy. *Advanced Introduction to Law and Renewable Energy* (Edward Elgar, 2021) explains and analyzes the ways in which laws and policies are guiding countries in their transitions to renewable energy.

The book is targeted not just at students and academics, but also policymakers — as well as citizens interested in learning more about solar, wind, and geothermal, and other renewable energies. “This is a first in the field,” said Eisen, who set out to create a guide that was both in-depth and accessible in its approach. “It’s a clear, concise, soup-to-nuts reference about renewable energy with something for everyone.”

## JAB PROOF

When Rick Klau, L’96, got his first COVID-19 vaccine shot, he quickly realized how easy it would be to lose his vaccination card: “It appeared obvious that the paper CDC card was likely to get lost, left at home, or destroyed in the laundry,” Klau said. His next thought: “I can fix that.”

Klau, chief technology innovation officer for the state of California, and his team soon launched a Digital COVID-19 Vaccine Record portal, a voluntary system that allows Californians to carry digital proof of their vaccination status.

Klau is no stranger to technology: Earlier in his career, he spent 13 years with Google, and while a student at Richmond Law, he founded the *Journal of Law & Technology*.



## AROUND THE SCHOOL



### DAY OF REMEMBRANCE

The law school's Veterans & Military Law Association joined with the Carrico Center for Pro Bono and Public Service in September to commemorate the 20th anniversary of the 9/11 terrorist attacks. The multiday event included a tour of the Virginia War Memorial as well as beautification efforts at the Amelia Veterans Cemetery. The VMLA invited members of the law school community to paint memorial stones with symbols of gratitude or compassion to place at the gravesites of 10 post-9/11 veterans.

Charmaine Nyman, L'22, spearheaded the project. For many law school students, Nyman pointed out, the attacks are a distant childhood memory. "9/11 was a tragic day in the history of our country, and we don't want to forget that," she said, adding that she hoped the project would help participants "remember why our service members died for our freedom."

### SPECIAL OPS SUPPORT

James Giudice, L'17, has been spreading the word about Operation Healing Forces (OHF), a national nonprofit that provides legal and other services for members of the U.S. Special Operations Forces — those who carry out specialized and confidential military missions.

Giudice presented a CLE program on OHF for the Carrico Center for Pro Bono and Public Service in March 2021 and wrote an article about OHF for the June 2021 issue of *Virginia Lawyer*. Giudice, who is chief legal officer and general counsel for Credova, is a major in the Marine Corps Reserve and a former Marine reconnaissance platoon commander.

## PRACTICE

# Lessons in advocacy

In her role as an attorney and lobbyist with Reed Smith LLP, one lesson in particular stands out to Samantha Sedivy, L'16: "Everybody's a lobbyist." That's her message for students in her legislative advocacy course in her role as adjunct professor.

"The General Assembly is such a bubble," said Sedivy, who unpacks the intricacies of the legislature for students and gives them the basic tools on how to effect change. Guest speakers — including lobbyists and representatives from the Division of Legislative Services — discuss such topics as legislation drafting and coalition building, as well as other

techniques needed to "cross the finish line," as she puts it, when it comes to legislative advocacy.

Students put their persuasive skills into action by creating succinct one-page arguments to persuade legislators. Among the topics they've picked: voter pre-registration, school meal debt, and animal abuse laws.

Sedivy is also a coach and mentor for students on the Trial Advocacy Board. She remains involved with Richmond Law, she explains, because "I had some amazing adjuncts when I was at UR, and I want to make sure that students have that same experience."

## COMPETITION



# A deep dive into tax law

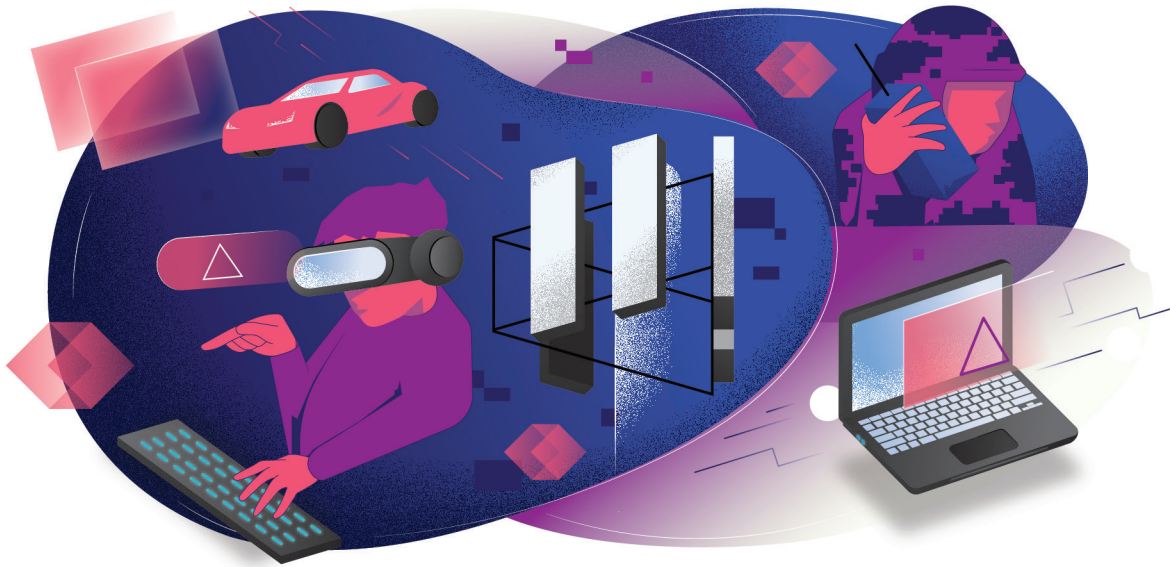
In a newly offered course this past fall, 10 Richmond Law students dug into a messy hypothetical case, a bank-financed business deal complicated by cryptocurrency trading, Schedule C losses, and unreported income. The task: Research the relevant tax law, write a memorandum and client letter with recommendations, and submit the work product to the American Bar Association's annual Law Student Tax Challenge to be judged against other law students nationwide.

Law professor Hayes Holderness, who specializes in tax law, taught

the tax lab. He divided the students into two-person teams, brought in colleague Joyce Manna Janto to talk about research skills, and invited local tax attorneys and accountants to describe how they approach real-life tax problems.

None of the Richmond teams advanced to the ABA's semifinal round, but the students still benefited, said Holderness: "They got a deeper dive into tax law, had a chance to develop their research and writing skills, and added some quality writing samples to their portfolio."





# A tenuous time for 5G

**IN BRIEF** In this excerpted op-ed for InsideSources, Kristen Jakobsen Osenga, Austin E. Owen Research Scholar and professor of law, argues that the U.S. must protect domestic companies that seek to develop 5G technology.

Most Americans associate 5G technology with self-driving cars, virtual reality headsets, or super-fast internet. While all of these applications are exciting, they aren't as critical as the national security implications of 5G. Winning the race to 5G will help ensure that our military communications are secure and that bad actors can't hack or manipulate these communications.

The Chinese Communist Party understands very well the importance of 5G and is working hard to develop 5G technology before we do. China's aggressive actions "threaten not only the U.S. economy but also the global innovation system as a whole," according to the White House Office of Trade and Manufacturing Policy.

One of the biggest barriers to American development of 5G is aggressive antitrust enforcement, which threatens innovation by forc-

ing American companies to engage in expensive litigation. As a result, these companies often are unable to exercise their legally granted intellectual property rights. Qualcomm — one of the most active companies in the 5G space — was embroiled in a years-long legal battle that jeopardized its business model and could have forced it to sell its groundbreaking wireless chips at a steep discount.

The problems American companies face overseas are even more extensive, as foreign governments like China prioritize technological supremacy over the rule of law. American companies often face pressure to settle out of court because they know the process is rigged. And, according to research by the Office of the United States Trade Representative, the laws that China chooses to enforce are often overly broad and essentially allow Chinese companies to seize intellectual property if American companies won't hand it over cheaply.

Historically, American companies have been the forerunners of innovation, and America has reaped the benefits. That may not occur with 5G because only a handful of American

companies, like Qualcomm, are heavily investing in 5G — and they may be forced out of the market by expensive litigation costs or the outright theft of their products.

The U.S. government must use existing mechanisms and diplomatic solutions to thwart China, South Korea, and other countries that take advantage of America's support of free trade to steal our technology. One promising approach is the Protecting American Innovation and Development Act, which would authorize the Secretary of Commerce to curate a list of foreign "bad actors" who engage in patent infringement in technologies like 5G. If an American company can show that a foreign company is illegally using its patent, that foreign company will be moved to the list for one year and will have to negotiate with the U.S. patent owner.

The race to 5G is too vital for America to be caught sleeping. We need to protect our domestic innovators from overseas antitrust harassment and ensure that innovation triumphs over theft and abusive legal practices.

## [INSIDESOURCES]

« **SOURCE**  
Professor Kristen Jakobsen Osenga teaches and writes about intellectual property, patent law, law and language, and legislation and regulation. This text is excerpted with permission from InsideSources.com.





# ***FREE BRITNEY*** (AND OTHER LEGAL LESSONS FROM THE HEADLINES)

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By Amy Downey | Illustrations by Katie McBride





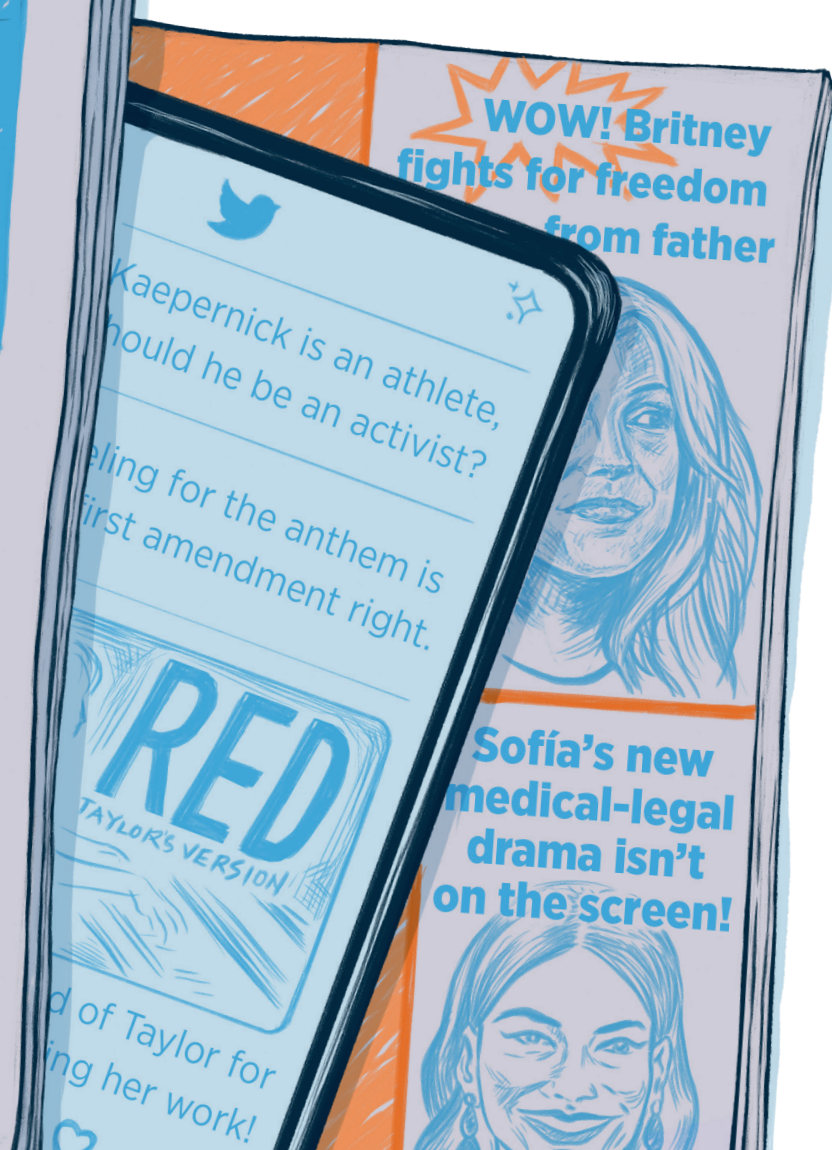
### ON A FRIDAY IN NOVEMBER, TAYLOR SWIFT

fans squealed at the release of her album *Red (Taylor's Version)*. "Swifties" fell in love all over again with this remake of her 2012 album, featuring extended versions of her original songs, plus new bonus tracks. Even sweeter? Unlike her first six studio albums, Swift owns the rights to this one.

That same day, singer Britney Spears, 39, finally got out of a longtime conservatorship overseen by her father. For nearly 14 years, he controlled all of Spears' personal and business affairs — to the extent that she wasn't even allowed to change the color of her kitchen cabinets. Earlier in the year, a judge ruled on the future of actress Sofía Vergara's frozen embryos; before that, quarterback Colin Kaepernick settled a collusion case with the NFL related to his national anthem protests.

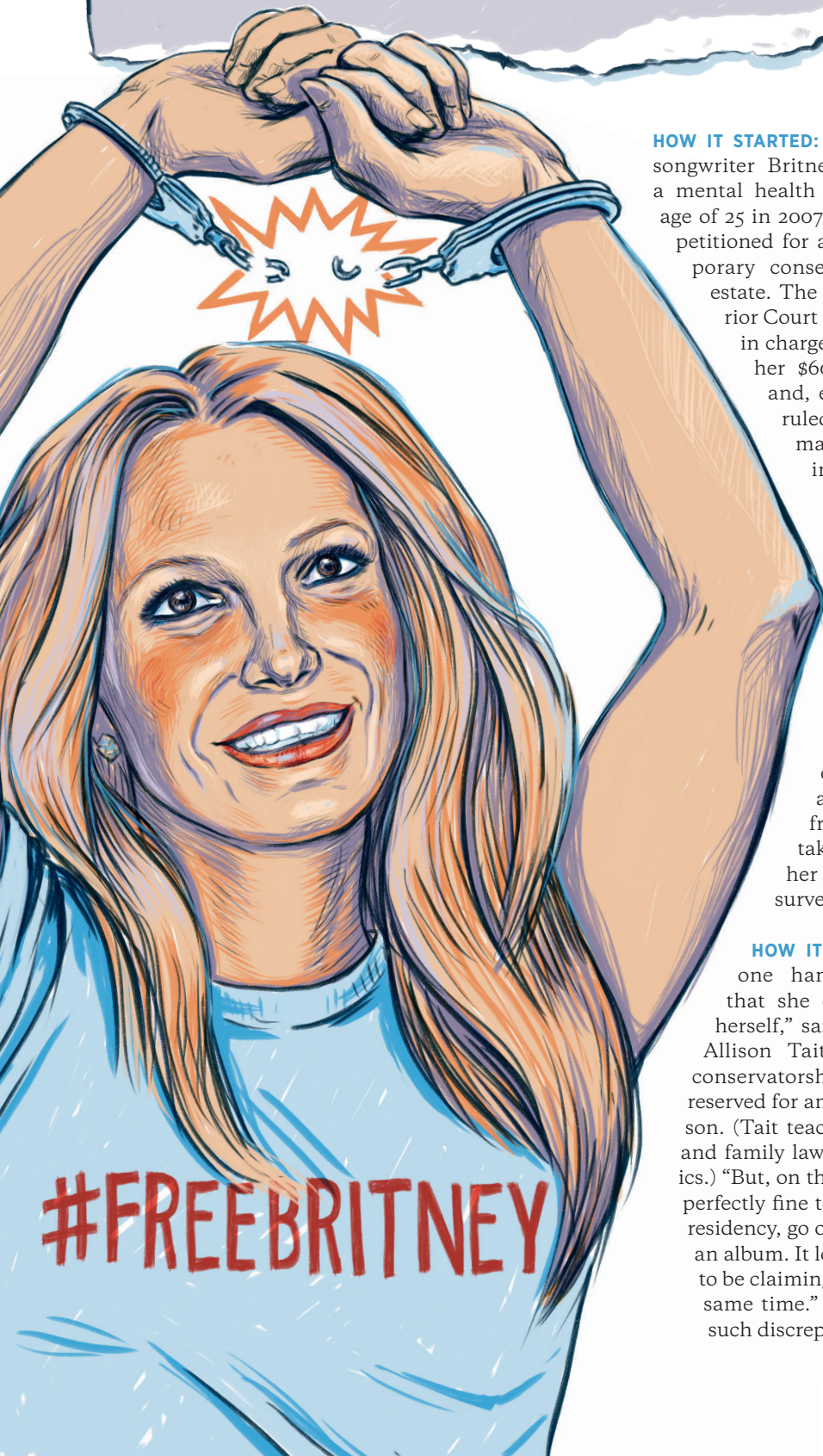
With so much legal wrangling going on, we asked four Richmond Law professors to break down the biggest take-aways from each case.

**A-LIST CELEBS, MESSY LEGAL BATTLES, AND BIG STAKES:** Richmond Law profs look at four recent high-profile court cases — and the legal lessons they offer.





# BRITNEY VS. JAMIE SPEARS



**HOW IT STARTED:** When singer and songwriter Britney Spears suffered a mental health breakdown at the age of 25 in 2007, her father, Jamie, petitioned for an emergency temporary conservatorship of her estate. The Los Angeles Superior Court approved him to be in charge of her affairs (and her \$60 million fortune) and, eight months later, ruled his position permanent. But, according to Britney, the legal arrangement was abusive and exploitative: She was forced to work, receiving only a modest weekly allowance in return, and endured oppressive restrictions on her medical care and personal life, from being forced to take lithium to having her bedroom secretly surveilled.

**HOW IT'S GOING:** "On the one hand, he's claiming that she can't take care of herself," said professor of law Allison Tait, explaining that conservatorships are typically reserved for an incapacitated person. (Tait teaches trusts, estates, and family law, among other topics.) "But, on the other hand, she's perfectly fine to have a Las Vegas residency, go on tour, and put out an album. It looks a little suspect to be claiming both things at the same time." Instead, says Tait, such discrepancies suggest that

Spears was being manipulated as a cultural product for financial gain.

Despite objections and petitions, her father remained in control — earning a salary plus a cut of profits — for nearly 14 years. Britney was finally heard in 2021: At a hearing in June, she testified in detail about the financial abuse and physical control exerted over her, and in November, the conservatorship was terminated.

**THE TAKEAWAY:** All decisions, financial and otherwise, were supposed to be in Spears' best interest — conservatorships are put in place to *protect* the conservatee, after all — but the conservator's decisions were far from it. Tait adds that the definition of "good faith" has received a lot of attention in this case: "The fact that the father was basically living off her and controlling her should make us a little nervous that this was a tolerated legal situation," she said. "It's highly unusual for someone her age to have a conservator. You have to be a little skeptical when there's this much money at stake."

The conservatorship also brings up questions about fundamental freedoms that women have with regard to their bodies. Spears wanted to get married and have children but testified that she wasn't allowed to have a birth control device removed. Says Tait: "That a conservator could, in fact, mandate forms of birth control and make these reproductive decisions for somebody else — and that a court would uphold that — is pretty shocking in terms of limiting somebody's rights."



# SOFÍA VERGARA VS. NICK LOEB

**HOW IT STARTED:** When Sofía Vergara, star of TV's *Modern Family*, and then-fiance Nick Loeb struggled with infertility, they created embryos through in vitro fertilization. The embryos were ultimately unsuccessful, so two additional embryos were created in 2013, and the couple froze them — only to break up the following year. Shortly after, Loeb filed multiple lawsuits in an effort to gain custody of the embryos. He later moved the case to Louisiana, where unique state laws protect the constitutional rights of the unborn, and filed a “right-to-live” lawsuit on behalf of the embryos, whom he named Emma and Isabella. (That case was eventually dismissed with prejudice.)

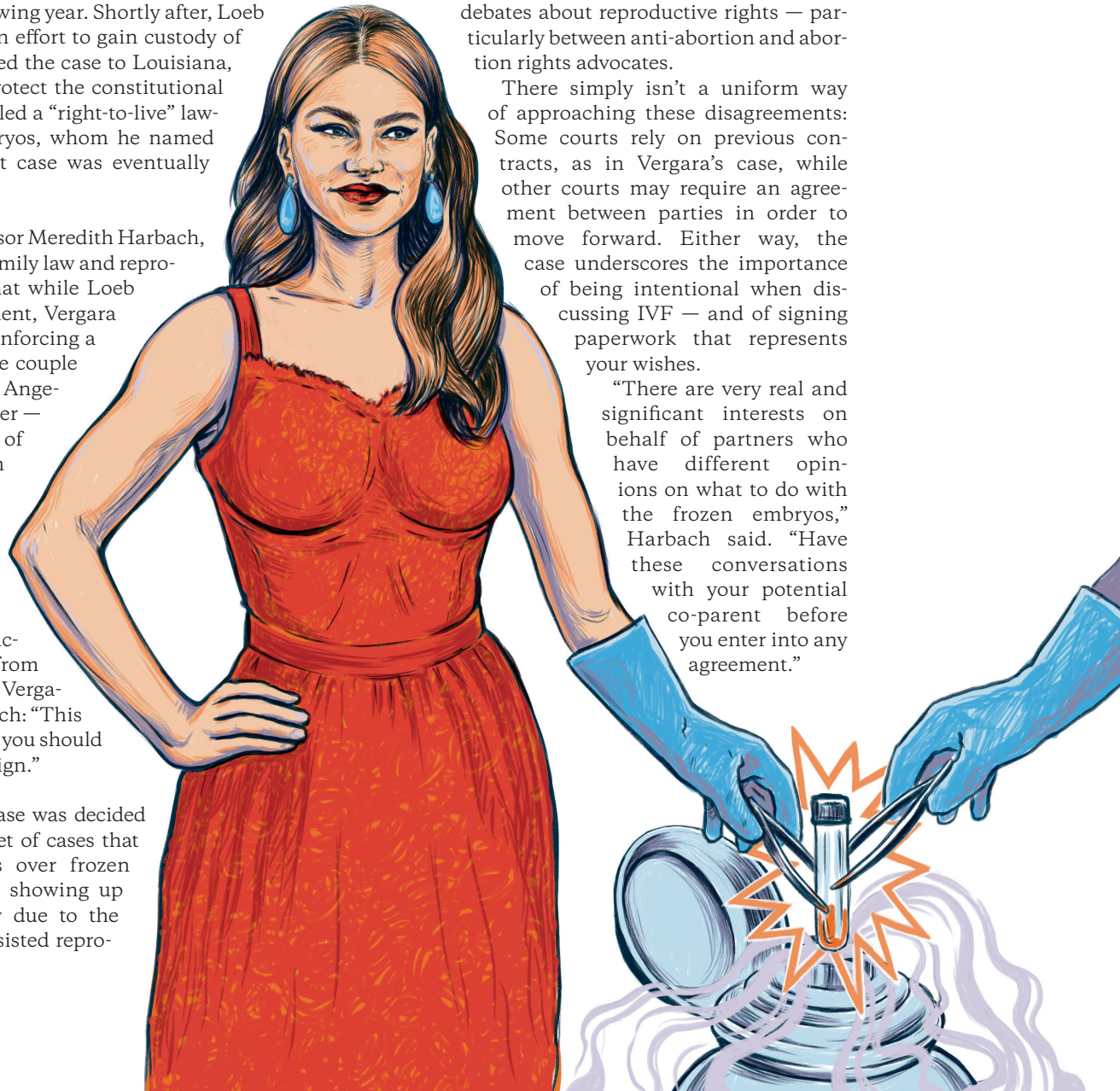
**HOW IT'S GOING:** Law professor Meredith Harbach, whose expertise includes family law and reproductive justice, explains that while Loeb is making a custody argument, Vergara says this is actually about enforcing a contractual agreement. The couple signed directives at the Los Angeles ART Reproductive Center — twice, one for each round of IVF — stating that written consent from each partner is required in order to transfer the embryos for uterine implant. The Los Angeles courts sided with Vergara and in March granted a permanent injunction, which bans Loeb from using the embryos without Vergara's permission. Said Harbach: “This ruling sends a message that you should pay attention to what you sign.”

**THE TAKEAWAY:** Vergara's case was decided in the context of a larger set of cases that involve custody questions over frozen embryos — cases that are showing up with increasing frequency due to the number of couples using assisted reproductive technology.

“This has been, for a while, an area that we would characterize as the Wild West of family law,” said Harbach, explaining that advances in technology have led to embryos that historically wouldn't have been accorded personhood status. This, in turn, raises larger debates about reproductive rights — particularly between anti-abortion and abortion rights advocates.

There simply isn't a uniform way of approaching these disagreements: Some courts rely on previous contracts, as in Vergara's case, while other courts may require an agreement between parties in order to move forward. Either way, the case underscores the importance of being intentional when discussing IVF — and of signing paperwork that represents your wishes.

“There are very real and significant interests on behalf of partners who have different opinions on what to do with the frozen embryos,” Harbach said. “Have these conversations with your potential co-parent before you enter into any agreement.”





# COLIN KAEPERNICK VS. THE NFL

**HOW IT STARTED:** Throughout the 2016 NFL season, San Francisco 49er Colin Kaepernick knelt during the national anthem before each game to protest police brutality and racial inequality. The following year, 2017, the quarterback became a free agent but went unsigned. Kaepernick, believing that teams were retaliating against him, filed a collusion grievance against the league. Because NFL players are unionized, Kaepernick filed the grievance under the collective bargaining agreement.

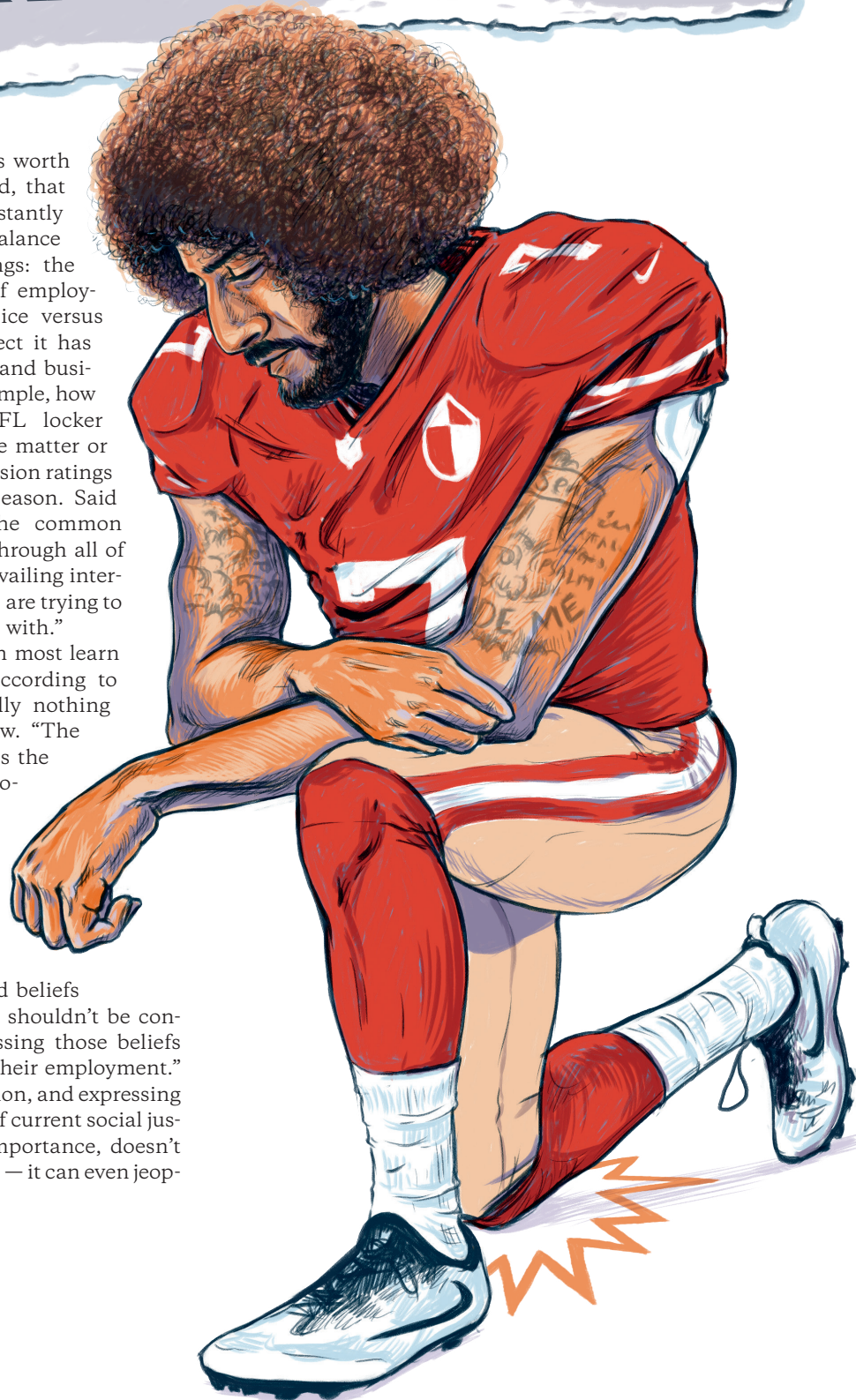
“He had an avenue open to him that most employees in America don’t have,” said law professor and employment law expert Steve Allred, explaining that only a small percentage of the private sector workforce is covered by a CBA.

**HOW IT’S GOING:** Kaepernick, who filed his grievance alongside teammate Eric Reid, settled with the NFL in 2019, reportedly for less than \$10 million. While Reid went on to play for the Carolina Panthers, Kaepernick never returned to football. Meanwhile, the anthem is still a hot-button issue: The NFL implemented a policy in 2018 requiring personnel to stand on the field (and protest only inside the locker room). In response, the players’ union filed a grievance claiming it infringes on players’ rights.

“Employees want to have a right to be heard or a right to individual expression,” Allred said. “The problem, under the law, is that people have varying degrees of latitude to do that.”

**THE TAKEAWAY:** It’s worth noting, says Allred, that the courts are constantly trying to strike a balance between two things: the important right of employees to have a voice versus the disruptive effect it has on the workplace and business. Take, for example, how divided some NFL locker rooms grew on the matter or the fallout in television ratings during the 2017 season. Said Allred: “That’s the common thread that runs through all of this — the countervailing interests that the courts are trying to recognize and deal with.”

But what we can most learn from this case, according to Allred, has actually nothing to do with the law. “The biggest takeaway is the willingness of professional athletes to present themselves as something other than professional athletes,” he said. “They are people with sincerely held beliefs and feel that they shouldn’t be constrained in expressing those beliefs as a condition of their employment.” But taking this action, and expressing views on matters of current social justice or political importance, doesn’t come without risks — it can even jeopardize careers.





# TAYLOR SWIFT VS. RECORD LABELS

**HOW IT STARTED:** When Taylor Swift was 14 years old, she was discovered in Nashville by music executive Scott Borchetta. She signed with his label, Big Machine Records, in 2006; over time, she delivered six albums and solidified her spot in music history. When that contract expired in 2018, Swift signed a new deal with Universal Music Group. The following year, Borchetta sold his label (including Swift's catalog) to music manager and entrepreneur Scooter Braun for \$300 million. And, 17 months after *that* acquisition, Braun sold Swift's master recordings to Shamrock Holdings for at least the same amount — likely much more. Without the chance to buy back her masters, Swift declared her intent to rerecord the music.

**HOW IT'S GOING:** "Swift has very cleverly figured out a way to essentially reclaim her original recordings without having to go through the label that got them from her in the first place," said law professor Jim Gibson, an intellectual property expert. Just last year, Swift was allowed to start rerecording her first five albums from the contract. She didn't waste time: *Fearless (Taylor's Version)* and *Red (Taylor's Version)* both dropped in 2021 — and broke all sorts of streaming records.

Gibson notes that all of this attention to her classics could actually increase the sales of her old versions — benefiting Braun and Shamrock Holdings — at least in the beginning. But, over time, it'll be her new versions that forge her legacy, not just on the radio, but in movies, television commercials, and beyond.

**THE TAKEAWAY:** There's long been a power imbalance in the music industry, explains Gibson, where new artists are subject to unfair contract deals from record labels — including someone else owning the copyrights to the songs.

"That's obviously a complicating factor when the artist later becomes powerful, as Taylor Swift has, and has the ability to assert ownership of her own music," said Gibson. "Some of her earliest songs and biggest hits are water under the bridge, and it's difficult for her to get them back." Another factor here? Music copyright is complicated. "It's a very intricate area of the law, with lots of ins and outs, some of which Taylor Swift is actually taking advantage of in this situation."

This makes it important to have legal details ironed out within the band as well. After Soundgarden lead singer Chris Cornell died in 2017, several lawsuits ensued between the living members of the band and Cornell's widow, including over rights to unreleased recordings. Although some disputes are still ongoing, the parties did settle one issue — control of the band's social media accounts — in June, giving access back to Soundgarden.

"Be really careful about the ownership of things that we don't tend to think of as assets," said Gibson. "That's a lesson that goes beyond the music industry." ■

*Amy Downey is a freelance writer based in Allentown, Pennsylvania.*





# HARPER'S WEEKLY.



A JOURNAL OF CIVILIZATION.

Vol. IX.—No. 425.]

NEW YORK, SATURDAY, FEBRUARY 18, 1865.

[SINGLE COPIES TEN CENTS.  
\$4.00 PER YEAR IN ADVANCE.]

Entered according to Act of Congress, in the Year 1855, by Harper & Brothers, in the Clerk's Office of the District Court for the Southern District of New York.

# THE MAKING OF A MORE PERFECT UNION



SCENE IN THE HOUSE ON THE PASSAGE OF THE PROPOSITION TO AMEND THE CONSTITUTION, JANUARY 31, 1865.

Feb 21, 1865  
575

Image courtesy of the Library of Congress



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## Richmond Law’s Kurt Lash has produced an authoritative collection of documents related to the passage of the 13th, 14th, and 15th Amendments.

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By Kim Catley

**I**n the years leading up to the passage of the 13th Amendment, which abolished slavery in the United States, a coalition formed among Black civil rights advocates, white abolitionists, and the women’s rights movement. It was a supergroup of activists — Frederick Douglass, William Lloyd Garrison, Wendell Phillips, Elizabeth Cady Stanton, Susan B. Anthony, Lucy Stone — all aligned and working together toward freedom and abolition.

After the 13th Amendment was ratified in 1865, however, the coalition began to crack.

Douglass had long believed that there would never be equality in the South, that Black Americans would never be treated as equal citizens or receive equal protection, until they had the right to vote. Then, they could establish political power centers to negotiate economic rights, education, and more.

At the same time, women’s suffrage advocates were also calling for the right to vote, but they began to see momentum shift toward giving Black males the right first. The arguments between the two factions intensified. Suffragists Anthony and Stanton drew criticism for accepting funding from George Francis Train, a wealthy philanthropist who saw women’s suffrage as a way to contain the political power of Blacks. Meanwhile, Douglass, who supported universal rights for women, argued that the right to vote was more crucial for Black men.

The disagreement came to a head at the annual meeting of the American Equal Rights Association on May 12, 1869. After Stanton and Anthony made their case that educated white women deserved the right to vote before Black men did, Douglass stood up to address the crowd.

“I must say that I do not see how any one can pretend that there is the same urgency in giving the ballot to women as to [Black men],” he said. “With us, the matter is a question of life and death. It is a matter of existence, at least, in fifteen States of the Union. When women, because they are women, are hunted down through the streets of New York and New Orleans; when they are dragged from their houses and hung upon lamp-posts; when their children are torn from their arms, and their brains dashed out upon the pavement; when they are objects of insult and outrage at every turn; when they are in danger of having their homes burnt down over their heads; when their children are not allowed to enter schools; then they will have an urgency to obtain the ballot equal to our own.”

Anthony countered: “I want to say a single word. The old anti-slavery school and others have said that the women must stand back and wait while the other class shall be recognized. But we say that if you will give the whole loaf of justice and suffrage to an entire people, give it to the most intelligent first.”

Soon after the confrontation, the coalition split. Lucy Stone stayed with Douglass to support the 15th Amendment, which would guarantee the right to vote to any male citizen, regardless of “race, color, or previous condition of servitude.” Stone also formed the American Woman Suffrage Association, which concentrated its efforts at the state and local level; meanwhile, Stanton and Anthony formed the National Woman Suffrage Association and continued to pursue a constitutional amendment. The rift continued until 1890, when the two organizations merged, ultimately working together toward ratification of the 19th Amendment.





Before coming to Richmond Law in 2017, Kurt Lash, the E. Claiborne Robins Distinguished Chair in Law, served on the faculties of the law schools of Loyola Marymount, Pepperdine, Northwestern, and the University of Illinois.

The transcript of that 1869 argument between Douglass and Anthony is part of a new two-volume collection called *The Reconstruction Amendments: Essential Documents*, collected and curated by Kurt Lash, E. Claiborne Robins Distinguished Chair in Law. The books, totaling more than 1,300 pages, were published in 2021 by the University of Chicago Press; they include original speeches, debates, newspaper articles, and state ratification documents. For Lash, they represent the culmination of a decade of research on the 13th, 14th, and 15th Amendments — the amendments that abolished slavery, safeguarded basic national liberties, and expanded the right to vote.

Early in his career as a constitutional scholar, Lash had worked to ferret out primary sources, such as congressional debates and public speeches; in addition, he often reached out to other scholars around the country asking what documents they had found. Out of those conversations, he realized that many scholars wanted a standard set of materials to study and argue about.

“We should all have a common basis of historical knowledge that we can then debate,” Lash said. “That’s how knowledge is furthered. That’s how understanding of history is furthered. Eventually I decided, if only for my own sake, that I would try to put something like this together.”

“I realized soon enough why no one had done it.”

Lash began by collecting congressional debates about ending slavery, beginning just after the end of the Civil War. The vote on the 13th Amendment initially failed in the House but passed on a second attempt after much pub-

lic debate. Lash expanded his search accordingly, adding newspaper op-eds and petitions from Susan B. Anthony and others in the women’s and abolitionist movements calling for the end of slavery.

Lash repeated the process for the 14th and 15th amendments, again finding the national debate played out in the pages of newspapers. “I wanted all of that drama of the debate to be included in this collection,” he said. “And so, what started as a simple focus on debates in Congress turned into a collection of American public discussion, and it just got more and more exciting along the way.”

Even as his research expanded, Lash continued to let congressional debates serve as a guide. When congressmen repeatedly mentioned the writings of pro-secessionist and former U.S. Vice President John C. Calhoun, Lash found those essays. When Republican debates frequently referenced a set of pro-freedom materials, Lash knew those documents were necessary for understanding the conversation.

Then, to help narrow the content down to the 1,400-page limit set by his publisher, Lash applied his own theoretical constraint: Materials had to involve a discussion of the Constitution. That meant books like Harriet Beecher Stowe’s *Uncle Tom’s Cabin* and Douglass’ *Narrative of the Life of Frederick Douglass, an American Slave*, while critical to the national debate, didn’t make the cut.

“It had to be a collection that all of us — whether conservative, liberal, libertarian, or whatever — could agree on,” Lash said. “These are the documents that all of us should be working on. So I was constantly consulting with historians and constitutional historians all around the country regarding what documents needed to be in there.”

The final collection is a trove of previously hidden stories, speeches, and critical moments, including one that hits especially close to home for Lash.

After the 13th Amendment initially failed in the House, President Abraham Lincoln was reelected, and he encouraged a second vote. The transcript of the House proceedings includes not just debate remarks, but the gallery’s hisses and cheers as each vote was cast. When the final two Democratic representatives changed their votes to support the amendment, resulting in its passage, the scene was pandemonium. Congressmen leaped on their desks. People in the gallery — men and women, Black and white — cheered and waved their handkerchiefs. Cannon fire erupted across the city.

An illustrator captured the scene — the only image in Lash’s entire publication. And somewhere, deep in the

## “THE PUBLIC’S MIND CHANGED DURING THIS NATIONAL CONVERSATION OVER SLAVERY. THESE DOCUMENTS SHOW THAT.”

crowd, is Lash’s own great-great grandfather, Francisco Perea, the territorial representative for New Mexico.

“It’s really personal to me that my family has roots in that particular moment,” Lash said. “So, some things in this collection are a personal joy to me. And some things are just a joy in terms of our history as a country, to have these phenomenal moments of expansion of freedom.”

After 10 years of researching and collecting, transcribing documents by hand, expanding and contracting his scope, Lash has a deeper understanding of the Reconstruction Amendments and their lasting influence.

At a Constitution Day lecture at the Law Library of Congress in September, he explained how public participation during the passage of the 13th, 14th, and 15th Amendments led to an expanded view of the Bill of Rights. Before the Reconstruction Amendments, the U.S. operated under a federalist understanding of the Constitution — the idea being that a national government was necessary but must be limited. As such, the Bill of Rights applied only to the federal government; state governments at the time were not bound by its restrictions.

But as public debate over slavery and individual rights played out across the nation, the conversation shifted, and citizens began to see an expanded role for the Bill of Rights. Abolitionists and civil rights groups looked to the Fifth Amendment, which guaranteed the right to due process, as an argument against slavery. Northern states then argued that the Bill of Rights should apply to the Southern states and that slavery could not be reconciled with the rights as outlined.

“This was a transformed understanding of the Bill of Rights,” Lash said. “Today, we look at the Bill of Rights as a symbol of American freedom. It wasn’t that way in the beginning; the public’s mind changed during this national conversation over slavery. These documents show that.”

The Reconstruction Amendments also marked a dramatic shift in public participation in congressional debates. While the Constitution had been shaped in secret, with the founders cloistered in Philadelphia to debate how the young nation would be governed, the Reconstruction Amendments were framed on city streets and in the pages of national and local newspapers.

“Before I started my research, I had no idea how involved the entire American public was in the framing of these amendments,” Lash says. “Anyone who wanted to, and who was literate enough to read the newspapers, could

find out what was happening in Washington, what constitutional proposals were being debated. They had the ability to contact their representatives and sometimes actually affect the direction of the debates.”

The involvement of Black Americans was particularly influential. In the span of five years, slavery went from being common practice throughout the South to being abolished with the adoption of the 13th Amendment. But, Lash says, Black Codes — state laws that applied only to Black people — continued to restrict the basic freedoms of former slaves in the South, paving the way for debate over the 14th Amendment to guarantee equal protection for life, liberty, and property. Ratification, however, required the vote of those same Southern states.

In 1867 and 1868, Congress passed the Reconstruction Acts, outlining the terms for Southern states to be readmitted to the Union. Among other requirements, states had to allow all men, regardless of race, to participate in the formation of new state governments and be allowed to vote.

The freed men in the South mobilized. They created new permanent state governments and voted on representation in the state assemblies. In South Carolina, where the Civil War had begun just a few years earlier, freed Black men organized to elect a majority Black legislature. In turn, they revisited the 14th Amendment and voted to ratify, bringing freedom to their own state.

“The freed men, who had so recently been enslaved under the prior constitutional regime, had now become political players,” Lash said.

The ratification of the 15th Amendment in 1870 established the nationwide right of all men to vote (a right women would receive 50 years later). In celebration, Douglass drafted a letter to be read at a meeting in Rochester on April 5, 1870. The letter is also the final document in Lash’s collection.

“The revolution wrought in our condition by the fifteenth amendment to the Constitution of the United States, is almost startling, even to me,” Douglass wrote. “I view it with something like amazement. It is truly vast and wonderful, and when we think through what labors, tears, treasures and precious blood it has come, we may well contemplate it with a solemn joy. Henceforth we live in a new world, breathe a new atmosphere, have a new earth beneath and a new sky above us.” ■

*Kim Catley is a freelance writer in Richmond.*



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# RICHMOND LAW: *a Story in* Seven Objects

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In 2022, the Law School is launching a multiyear renovation of its physical facilities, requiring faculty and staff to pack up their offices for temporary relocation. The process of sorting through the physical items that make the building a law school — textbooks, papers, gavels, and more — inevitably leads to reflection. Here, we spotlight seven modern-day artifacts that evoke the character of Richmond Law.

By Emily Cherry | Photography by Jamie Betts and Gordon Schmidt





## Signs of community

Ask any student or alum what sets Richmond Law apart, and you're bound to hear a common refrain: We're a tight-knit community. From starting out at orientation as 1Ls to networking as alumni, the collegial and supportive community is a hallmark of the Richmond Law experience.

One of the more visible symbols of that community is relatively new: Students signing the **CLASS BANNER** to celebrate the end of orientation, a tradition that began in 2015.

The signed banners hang prominently in the law school atrium during the students' time at the law school —

one banner for each current class year. At commencement, a class representative carries the banner down the aisle. And the banners make an appearance again when the graduates return to campus for their reunion.

The banners are a sign of school spirit and a reminder of our connectedness. Dozens of names, mixed together, reinforce the notion that it's not just academics and studies that go into the experience of legal education — it's the people alongside you all the way.



## Law's human dimension

Professor Tara Casey's office has the usual items you'd expect — diplomas, family photos, awards — but it also has one of the building's most eye-catching and compelling displays. It's a 3-by-5-foot bulletin board, home to notes, pictures — and an 8-by-10-inch oil painting of, oddly enough, a jar of peanut butter.

"I call it my **GRATITUDE BOARD**," said Casey, law professor and director of the Carrico Center for Pro Bono and Public Service. "It's what I use to be inspired."

The notes come from a variety of sources: Judges who are grateful for the partnership of the Carrico Center. Pro bono attorneys who enjoyed working with Richmond Law students. Students who are thankful for support and mentorship. "Working at the Carrico Center has been absolutely invaluable as part of my law school experience," wrote one student. "I can only hope to be like you years from now when I am taking on the role of mentor to future law students."

The gratitude board isn't just a feel-good reminder for Casey. It tells a story. "What these notes represent to me is the importance of human connection in legal education," she said. Beyond that, "these are students who are out there doing good. No matter what path they're taking, they are tremendous human beings spreading goodness in this world."

And as for that jar of peanut butter? Whenever a student organization hosts a community food drive for a local pantry, Casey matches the total number of jars of peanut butter contributed with a one-to-one donation. That adds up to a lot of peanut butter and a whole lot of gratitude.



## A reminder that students come first

An ever-present reminder on Dean Wendy Perdue's desk signals her top professional priority. It's a **SIGN** that reads, "... and this would be good for students because ...?"

Every office, corridor, and classroom could display it, too. Richmond Law faculty prioritize individualized student attention and support. Professors in Andy Spalding's Corruption in International Sports course might partner with him on a book chapter about the governance legacy of the Olympic games — with a research trip to South Korea or Brazil. Students can join professor Erin Collins outside of class for a reading and discussion group on the topic of decarceration. Throughout the year, faculty host small-group dinners at their own homes in partnership with the Richmond Women's Law student organization.

Opportunities like these, pairing dedicated faculty with invested students, reflect the student-first ethos of Richmond Law — and demonstrate legal education at its best.





## *Intellectual engagement*

The list of people who have placed their hands on this **PODIUM** as they spoke is a *Who's Who* of the legal world: Supreme Court Justices Stephen Breyer, Elena Kagan, Antonin Scalia, and Sonia Sotomayor; author and founder of the Equal Justice Initiative Bryan Stevenson; and the Hon. Edwin Cameron of the Constitutional Court of South Africa, among them. The Moot Court Room has hosted hundreds of events, from debates between energy advisors for presidential campaigns to law journal symposia, all with a common goal: to engage students and the community intellectually. That engagement takes different forms — not just guest speakers, but also course lectures, discussion sessions, and mock trials. A student might hear from a legal scholar at the podium one day and the next day step up to it themselves to hone litigation skills in a competition.

When prospective students tour the law school space, it's the Moot Court Room that often makes the most impact, its high ceilings and dark wood walls lending a quiet sense of prestige. The podium is its focal point, helping set the tone for the building as a place where students learn both the knowledge and the skills of their future profession.

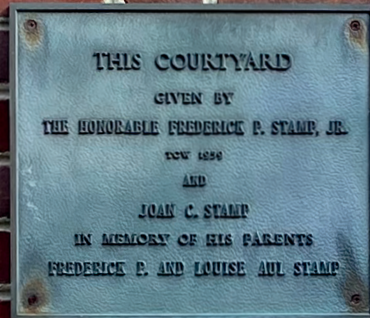


## *Alumni with heart and commitment*

The legal career of the Hon. Frederick P. Stamp Jr., L'59, spans more than 60 years. In addition to serving as a U.S. district judge for the Northern District of West Virginia, he also served in the West Virginia House of Delegates. As Stamp told *West Virginia Executive* in 2018, "I have always been a strong believer in public service by lawyers in their communities because I think it makes us better lawyers and better citizens."

Stamp's service also extends to his alma mater: In 1990, Stamp and his wife, Joan C. Stamp, established the **STAMP COURTYARD** at Richmond Law — a quiet space for students amidst the hustle and bustle of law school life. Beyond serving as a visual reminder of Stamp's generosity to the law school, the naming of the plaza for a federal judge is appropriate given Richmond Law's strong tradition of alumni who serve on the bench. In fact, Richmond Law has more alumni judges in Virginia than any other law school.

"Judge Stamp represents so many of those qualities that set our alumni apart," said Allie Carter, assistant dean for development. "The plaza — and the plaque — are a constant reminder of commitment to public service, to professional excellence, and to community. And that commitment is one that resonates with students and alumni alike."







## An enduring technological marvel

When it comes to legal research, digital innovation abounds: At the Muse Law Library, students have immediate access to hundreds of online databases. The library blog, MuseNews, keeps students posted on newly acquired e-books, resources that go beyond Westlaw and Lexis, and even tips on making DIY stress balls. Custom online study guides bring together digital research on wide-ranging topics.

But amidst the library’s modern offerings sits a seeming anachronism: the **MICROFICHE READER**. Traditionally it was the point of access for primary source material from across the globe. While the internet has made today’s students less reliant on it, it still has its uses. In particular, students on the law journals often use the microfiche for “spading” — checking citations in draft journal articles. The process is much more efficient on microfiche.

“In libraries, very little becomes completely obsolete,” said Molly Lentz-Meyer, director of bibliographic services for the law library. “The innovative piece of doing legal research is recognizing what format is best for you — and that is not always going to be the newest, fanciest thing.”

## A focus on the whole person

Carlos Ruiz, L’22, came to Richmond Law in 2019 by way of North Dakota. As a captain in the U.S. Air Force, Ruiz was stationed at Minot Air Force Base when he decided to pursue a career in the Judge Advocate General’s Corps. Ruiz, a native of Fredericksburg, Virginia, had Richmond at the top of his list.

Ruiz’s first visit to Richmond Law came after he was admitted to the waitlist. Among the people he met was Rosanne Ibanez, associate director of admissions. After a tour and more than a few questions, he left thinking, “I could really see myself here at this school,” he said.

When he returned to campus for a second visit, he came as an admitted student and brought something for Ibanez, with whom he had stayed in touch: a **CHALLENGE COIN**.

“It’s a heritage thing,” Ruiz explained, something that military officers can share for a number of reasons — to forge a connection, to offer thanks, to deliver a congratulatory message. Each coin is unique and specific to the service member’s base or unit. Ruiz gave the coin to Ibanez as a token of his appreciation.

Law school admissions can be “a scary process,” he said, and Ibanez “made that process a little bit more bearable for me.” That personal connection “was actually what convinced me that this school was where I needed to be.”

“I was more touched than I think Carlos could have imagined,” Ibanez said. “We always tell people that admissions is a ‘holistic’ process. The coin serves as a constant reminder that Carlos and all of our students have led these rich, meaningful lives before they set foot through our doors or sit in our classrooms.”

As an active-duty military service member, Ruiz quickly found his place at Richmond Law, joining the Veterans & Military Law Association. In the military, he explains, “you have a family wherever you go.” The sentiment resonates inside the walls of Richmond Law, too.





# Faculty Notes



Photograph by Kim Schmidt

## Taking initiative(s)

There's an equal thrill and challenge in taking on a newly created position. Without any precedent to follow, you set your own course. When she accepted the new role of associate dean for strategic initiatives, Laura Webb saw an opportunity to channel her longtime interest and expertise in legal communication in new ways.

"The job title is flexible enough to encompass a wide variety of projects," said Webb, who also is professor of law, legal practice. "That appealed to me — the chance to serve the law school in different ways than I had before and in ways that could help the school run more smoothly, efficiently, and productively."

Throughout her 15 years at Richmond Law, Webb has worked closely with first-year students to hone their legal writing and analysis skills. "First-year students are really important to me," she said. "In this new role, I'm thinking about how to get them off to a great start, support them, and make sure they're thriving in law school." She has already created training programs and information sessions for peer mentors and section advisors to ensure greater consistency in the information they communicate to first-year students.

In a similar vein, Webb is working with Janice Craft, who heads the law school's new Professional Identity

Formation program, on ways of making the advising program more effective. As Craft encourages students to articulate measurable goals with their advisors, Webb is working with faculty members to ensure the relationships work well. "I'm asking our faculty, 'What are some common questions that students have for you? What do you need from us for those interactions to go more smoothly?'" she said.

Webb is also diving into the data from the school's assessment of student learning outcomes. The American Bar Association requires law schools to articulate specific learning outcomes and to assess those outcomes regularly, Webb explains. "It has been a few years since we looked at those outcomes and asked, 'Are we using the best possible measures to assess them? Are these the precise outcomes we want?' It's an exciting project for me. As a faculty member, I previously focused on my own learning outcomes for my courses, but now I'm evaluating them for the entire school." (Meanwhile, Webb is still teaching two courses: *Mindful Lawyer* and *Art of the Argument*.)

The strategic initiatives Webb is working on are reinforcing what attracted her to legal education in the first place: helping students grow, develop, and learn.

—Kristin Baird Rattini





Justice Samuel Alito cited **JUD CAMPBELL's** 2011 *Stanford Law Review* article, "A New Approach to Nineteenth-Century Religious Exemption Cases," and his 2012 *Regent Law Review* scholarship, "Religious Neutrality in the Early Republic," in his concurring opinion in *Fulton v. Philadelphia*. In the case, the court found that Philadelphia's denial of a contract to a religious foster care agency based on the agency's refusal to serve same-sex couples was in violation of the Free Exercise Clause.



**HANK CHAMBERS** — named the Law School's Distinguished Scholar of the year — was a panelist for a digital session on the anniversary of

Virginia's constitution with the Library of Virginia. He also provided commentary to several news outlets, including News Nation Now, surrounding Virginia's 2021 midterm election. Chambers' article on the Virginia Redistricting Commission is forthcoming in *Richmond Public Interest Law Review*.

**REBECCA CROOTOF's** article for the Duke Lawfire blog explored the International Committee of the Red Cross's stance on autonomous weapon systems. Crootof was a panelist at Duke's National Security Law Conference on the topic of artificial intelligence and the future of warfighting and joined the *Tech Refactored* podcast to discuss autonomous weapon systems.



**ASHLEY DOBBS** was quoted in a Reuters article about Starbucks' recent application to the U.S. Patent and Trademark Office for naming

rights. "Either it is actively looking to make a deal to sponsor a venue, or it wants to protect its right to potentially use its name in that manner," she said.

**JIM GIBSON** presented "Recent Developments in Copyright Liability for Online Service Providers" for the Greater Richmond IP

Law Association and joined the *Bloomberg Law* podcast to discuss a lawsuit against SiriusXM over its promotional rates.

**HAYES HOLDERNESS** hosted a webinar with representatives from the Community Tax Project and Safe Harbor to discuss how tax law can be used to help victims of financial abuse and domestic violence. He also participated in the University of San Diego School of Law's Junior Tax Scholars Workshop.



**JOYCE MANNA JANTO** wrote an article for *Virginia Lawyer* magazine on researching wills, trust, and estate issues. She presented the session "Making Meetings Matter" for the American Association of Law Libraries annual meeting and celebrated 40 years as a member of the AALL organization.

**JULIE MCCONNELL** was a panelist for the YWCA's Courageous Women in Leadership event, and was a presenter on juvenile sentencing for new circuit court judges in Virginia. She also hosted, organized, and presented at the 25th annual Robert Shepherd Jr. Juvenile Law and Education Conference.



**KRISTEN OSENGA** moderated a discussion on *United States v. Arthrex* with the Federalist Society. Her op-ed on the Federal Trade Commission's decision not to appeal its lawsuit against Qualcomm was published by RealClearMarkets, and she was quoted by Bloomberg on the effect of contracts on patent reviews.

**WENDY PERDUE** was named to *Virginia Lawyers Weekly's* 2021 class of Influential Women in the Law and to *Virginia Business'* list of influential leaders, the Virginia 500.

**DORON SAMUEL-SIEGEL** was a presenter at the Council on Legal Education Opportunity's virtual conference on pre-law reading and writing skills.



**DANNY SCHAFFA's** article "The Case for Subsidizing Harm: Constrained and Costly Pigouvian Taxation with Multiple Externalities" is forthcoming in *International Tax and Public Finance*.

He participated in the University of San Diego School of Law's Junior Tax Scholars Workshop.

**ROGER SKALBECK** was a presenter at the Ignite: Legal Tech Innovation event, addressing artificial intelligence and teaching tech competency.



**ANDY SPALDING** was named Distinguished Educator of the year for the law school. His book *A Governance Legacy: The Nascent Ability of Mega Sports*

to *Catalyze Reform* is forthcoming from Oxford University Press.

**ALLISON TAIT's** "Home of the Dispossessed" is forthcoming in *Michigan Journal of Gender & Law*. Her symposium essay "The Queen's Period" was published in the *Columbia Journal of Gender & Law*, and she has a chapter on the private lives of high-wealth families in *House Rules: Changing Families, Evolving Norms, and the Role of Law*, forthcoming from University of British Columbia Press.



**CARL TOBIAS** was named to *Virginia Business'* Virginia 500, an annual list of influential leaders in the state. His article "Filling Judge

Flaum's Vacant Seventh Circuit Seat" was published in *Houston Law Review*, and his blog post "Appoint Candace Jackson-Akiwumi to the Seventh Circuit" was published in *University of Richmond Law Review*.

Justice Neil Gorsuch cited **KEVIN WALSH's** 2010 *New York Law Review* scholarship, "Partial Unconstitutionality," in his opinion in *U.S. v. Arthrex*, a case concerning the Appointments Clause of the U.S. Constitution.



# Class Notes

## *We want to hear from you.*

Send us your note via the “Submit a Class Note” link at [lawmagazine.richmond.edu](http://lawmagazine.richmond.edu); email us at [lawalumni@richmond.edu](mailto: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

**CHARLIE PHILLIPS, L’63**, is the recipient of the Virginia State Bar’s Lewis F. Powell Jr. Pro Bono Award. He is a litigator in Salem, Virginia, and has been involved in pro bono work through the Transition Into Emeritus Status program for attorneys.

**IRV BLANK, L’67**, will be honored by the Virginia Center for Inclusive Communities with the Humanitarian Award. He is a partner with Blank & Marcus in Richmond.

### 1970s

**JOHN ANDERSON, L’77**, was awarded posthumously the Richmond Bar Association’s Hunter W. Martin Professionalism Award. He had practiced real estate law at Spotts Fain in Richmond since 1997.

**RICHARD CULLEN, L’77**, was appointed counsel to Gov. Glenn Youngkin. He is a former chair of McGuireWoods.

**GORDON COOLEY, L’78**, was named to the Woodsboro Bank Board of Directors. He formerly served as market president for First United Bank & Trust in Frederick County, Maryland.

**JOHN CLAYTOR, L’79**, was honored with the Virginia Association of Defense Attorneys Award for Excellence in Civil Litigation. He is a partner with Harman Claytor Corrigan & Wellman in Richmond.

**MARGARET IVEY, L’79**, clinical professor emerita of law, was honored with a YWCA Richmond 2021 Outstanding Women Award.

### 1980s

After retiring from a 39-year career as a federal attorney with the Coast Guard, Army, and Navy, **PAUL JANOFF, L’81**, is now the chief of employee relations for the John Stewart Co., a property management company in San Francisco. He was elected a board member of the Coast Guard Foundation in 2020.

**CYNTHIA BAILEY, L’82**, was appointed counsel to former Gov. Ralph Northam. She previously served as deputy attorney general under Mark Herring.

**MALCOLM P. MCCONNELL III, L’87**, was recognized by *Virginia Lawyers Weekly* as a Leader in the Law. He is a partner with Allen, Allen, Allen & Allen in Richmond.

**JOHN APOSTLE, BA’84 AND L’89**, was named general counsel of Ygrene, a financing company for energy-efficient upgrades.

**TISH E. LYNN, L’88**, joined the firm of Hancock Estabrook in Syracuse, New York, as a partner in the labor and employment practice area.

**GEOFF MCDONALD, L’89**, was recognized by *Virginia Lawyers Weekly* as a Leader in the Law. He is CEO and president attorney of Geoff McDonald & Associates in Richmond.

## Classmates

Left, members of the Class of 2020 returned to the Law School for a mini-reunion and celebration after their in-person commencement was canceled due to the pandemic. Right, students show off their well-earned trophy after representing the law school in the university’s intramural flag football championship.





## 1990s

**VICTOR NARRO, L'91**, was honored at UCLA Law's "U. Serve L.A." awards ceremony for his work with the UCLA Labor Center.

**MURIEL-THERESA PITNEY, L'91**, was appointed clerk of the Supreme Court of Virginia. She previously served as chief deputy clerk and a staff attorney for the Court of Appeals of Virginia.

**TRAVIS WILLIAMS, BA'91 AND L'94**, was appointed to the bench in the Chesterfield Juvenile and Domestic Relations Court. He was a partner at Daniels Williams Tuck & Ritter in Chesterfield, Virginia, and was a substitute judge in the Virginia court system.

**WYATT BEAZLEY IV, L'92**, was named chief operating officer of Williams Mullen in Richmond. He is a partner in the firm's health care section.

**RICK KLAU, L'96**, chief technology innovation officer for California, launched a digital COVID-19 vaccine record for the state and was awarded the National Association of State Chief Information Officers' State Technology Innovator Award for that work.

## 2000s

**RITA DAVIS, L'00**, was appointed legal counsel to the Secretary of Defense. She previously was legal counsel to former Virginia Gov. Ralph Northam.

**JAMES KESSEL, L'02**, was named a shareholder of Allen, Allen, Allen & Allen in Richmond.

**CARL ELDRED, L'03**, joined Stearns Weaver Miller in Tallahassee, Florida, as a shareholder in the land development, zoning, and environmental group. He has nearly 20 years of experience counseling clients on solid and hazardous waste management and compliance, waste recycling and cleanup, alternative fuels, and hazardous substance and pollutant release issues.

**JENNIFER ROYER, L'04**, was elected attorney for the Franklin County, Virginia, School Board. She is in private practice in Roanoke, Virginia, with a focus on small business and local government.

**IRENE C. DELCAMP, L'05**, was recognized by *Virginia Lawyers Weekly* as a Leader in the Law. She practices with Barnes & Diehl in Richmond.

**THE HON. DONTAE BUGG, L'06**, offered the keynote address at the Richmond Law orientation for the Class of 2024. A judge in the Fairfax Circuit Court, he covered topics including his career journey, the importance of mental health, and staying true to yourself.

**L. BREE LAUGHRUN, L'09**, has joined the firm of Essex Richards in Charlotte, North Carolina. She practices family law.

## ALUMNI PROFILE



### AN ADVOCATE KEEPING US ALL SAFER

As fear and uncertainty about COVID-19 took hold in 2020, the Center for Biocide Chemistries stepped forward fielding questions, dispelling misinformation, and working tirelessly with federal and state agencies.

"We were front and center," CBC executive director **KOMAL JAIN, L'95**, said, "working with the EPA and CDC, distributing information to the public, being out there and available."

CBC is the leading trade association representing global manufacturers of biocide products and technologies, also known as antimicrobials, which include disinfectants, material preservatives, and water treatment chemistries. CBC addresses a broad range of scientific, regulatory, legislative, legal, and educational issues pertaining to use of antimicrobials in residential, industrial, and public settings and how they contribute to human health and economic and environmental sustainability.

Jain, who initially came on board as assistant general counsel, was promoted to executive director in 2016.

"Quite often I'm mistaken for someone with a science degree," Jain said. "For me, the science of chemistry and chemicals was on-the-job training."

Her passion for the environment has been a guiding force throughout her legal career. As an associate at Keller and Heckman, Jain was part of the environmental team, focusing on compliance and representing Fortune 500 companies. She later worked for the Environmental Protection Agency and the Federal Aviation Administration. Jain also served as vice chairperson of the State Water Control Board of Virginia under governors Mark Warner and Tim Kaine.

"I actually chose University of Richmond because of the environmental law pathway," Jain said.

While the scope of her position has expanded, the legal building blocks remain a solid foundation.

"A great majority of my work is in advocacy, so the ability to orate or write about issues is critical," she said. "I wouldn't be doing what I'm doing if it wasn't for my time at Richmond."

Jain lives in McLean, Virginia, with her husband, Craig Hershberg, G'95, and their children, Reyna and Caden.

—Debbie Juniewicz





## ALUMNI PROFILE



### TECH TRANSLATOR

Throughout her career, **RYAN TRIPLETTE, L'03**, has worked at the intersection of technology and the law.

Early on, she served as chief intellectual property counsel for the Senate Judiciary Committee before transitioning to director of government relations for Intel. Triplette then went to work as a principal for Franklin Square Group, a boutique government relations firm in Washington, D.C., where she advised technology companies facing existential legislative and regulatory issues in the U.S. "I like to think of myself as a translator between technology companies and governments," she said.

Four years ago, Triplette broadened her scope by launching Canary Global Strategic. She now splits her time between Paris and Washington helping technology companies understand the regulatory implications of entering new markets and craft strategic ways of introducing new products and their impact to relevant policymakers.

She also co-founded the Global Brain Data Foundation in January 2020. The nonprofit looks at international regulations related to neurotechnology, from existing products like the Muse meditation and brain-sensing headband to next-generation wearables that will go beyond tracking behaviors and, for instance, provide personalized recommendations for improving overall wellness.

Much as at-home DNA tests raise questions about the privacy of health information, neurotechnology creates potential risks to the safety of brain data. Triplette and the GBDF want to create conditions that further innovation among emerging and disruptive technologies while ensuring that protecting individuals — and their personal data — remains a priority. They're particularly focused on looking beyond traditional legislative processes to help companies identify potential liabilities and on recommending best practices that will likely align with future legislation.

"The legislative process is too slow to handle the development of these technologies — and it should be slow," Triplette said. "You're talking about questions of liability and individual rights, and these are all things you need to have debated and thought through. But at the same time, these technologies need to have greater clarity and guidance for development."

—Kim Catley

**MATT LONG, L'09**, was recognized by *Virginia Lawyers Weekly* as a Leader in the Law. He practices with Bowen Ten in Richmond.

**LINDSAY PICKRAL, L'09**, was awarded the Richmond Bar Association's John C. Kenny Pro Bono Award. She is an associate at ThompsonMcMullan in Richmond.

## 2010s

**RACHAEL DEANE, L'10**, was recognized by *Virginia Lawyers Weekly* as a Leader in the Law. She is legal director of the Legal Aid Justice Center in Richmond.

**NAVEED KALANTAR, L'11**, was elected to the Virginia State Bar Council. He is a partner with Garriott Maurer in Virginia Beach, Virginia.

**LINDSAY STRACHAN, L'12**, was awarded the Richmond Bar Association's Young Lawyer of the Year Award. She is an associate at IslerDare in Richmond.

Business Insurance named **LATOSHA ELLIS, L'14**, a Break Out Award winner for 2021. She is an attorney with Hunton Andrews Kurth in Washington, D.C.

**JIM GIUDICE, L'17**, joined forces with the Carrico Center to develop a pro bono program to support Special Operations Forces. He is chief legal officer and general counsel for Credova.

**TIMOTHY BENJAMIN, L'18**, joined Sugarman Rogers in Boston as an associate in insurance and business litigation.

## 2020s

**ASHLEY PHILLIPS, L'20**, joined Williams Mullen in Richmond as a litigation associate. She completed a clerkship with the Hon. Hannah Lauck of the U.S. District Court for the Eastern District of Virginia.

## In Memoriam

**ROBERT O. GOFF, L'61**, of Luray, Virginia, June 6, 2021

**AUBREY "TOM" WITHERINGTON, L'62**, of Richmond, Virginia, June 10, 2021

**J. DALE BIMSON, L'65**, of Virginia Beach, Virginia, March 26, 2021

**JAMES F. MORANO JR., R'64 AND L'67**, of Richmond, Virginia, Aug. 5, 2021

**JAMES A. CALES JR., R'65 AND L'68**, of Portsmouth, Virginia, April 23, 2021

**RICHARD E. LEWIS JR., L'68**, of Dinwiddie, Virginia, June 17, 2021

**MICHAEL L. RIGSBY, L'69**, of Richmond, Virginia, June 13, 2021

**JOHN J. O'KEEFE III, L'71**, of Norfolk, Virginia, April 7, 2021

**MICHAEL J. CONROY, L'76**, of Weems, Virginia, May 26, 2021

**ROBERT B. BROWN, R'70 AND L'77**, of Richmond, Virginia, July 13, 2021

**NEIL "RANDY" BRYANT, R'77 AND L'80**, of Winchester, Virginia, Aug. 21, 2021

**JOSEPH A. BURNETT, L'95**, of Henrico, Virginia, Aug. 15, 2021

**JENNIFER "JT" MATTHES MCKAY, L'95**, of Wilmington, Delaware, Oct. 30, 2020

**JASON R. CASPER, L'06**, of Virginia Beach, Virginia, Dec. 2, 2020

**WILLIAM C. SANDEL III, L'11**, of Richmond, Virginia, June 24, 2021

**JENNIFER M. COLEMAN, L'16**, of Richmond, Virginia, Aug. 30, 2021





*“My Richmond Law experience has been rich with educational and personal opportunity. What I value most is our small community and the feeling that I am cared for as a student and as an individual. I am grateful to the university and donors for their financial support that enables me to more freely take advantage of my opportunities here at Richmond.”*

*– Caleb Briggs, L'24  
Dean's Opportunity Scholar*

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