



VIRGINIA LAW WEEKLY

2017, 2018, & 2019 ABA Law Student Division Best Newspaper Award-Winner

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Community Responses to ICE Enforcement

Maria Luevano '21
Staff Editor

On Thursday, November 14, the National Lawyers Guild at UVA Law, Women of Color, IRAP at UVA Law, and LALO sponsored an event to help students learn more about immigrant rights and U.S. Immigration and Customs Enforcement (ICE) practices. Activists from FUEGO Coalition of Harrisonburg, Charlottesville Immigrant Freedom Fund, ICE Out of Cville, and Charlottesville Immigrant Resource and Advocacy Coalition spoke about their work and the greater movement to counter ICE enforcement in immigrant communities. The event was a moving opportunity to explore the experiences of immigrants here in our very own Charlottesville, and to see how their lives have been impacted by our country's immigration policy. All of the speakers shared sobering stories about their work with the immigrant population in Virginia, but the event was also focused around activism and how we, as law students, could join their efforts.

First up was Gail Hyder Wiley from Charlottesville Immigrant Resource and Advocacy Coalition (CIRAC). Wiley coordinates volunteers for the organization, mainly providing transportation to ICE appointments and hearings in Northern Virginia and Richmond as well as to vital local appointments. CIRAC also works to assist with legal screenings at the Farmville and Caroline County detention centers; participates in the regional rapid response network; and advocates for protective policies, including an end to ICE notifications by the Albemarle-Charlottesville Regional Jail. Wiley described heartwarming moments between volunteers and the people they serve, groups that may never interact were it not for the opportunities that CIRAC provided.

The group next heard from Priscilla Mendenhall, who spoke about

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VELJ Symposium: Business and the Green New Deal



Avi Garbow '92, left, and Professor Jonathan Cannon, right, discuss the role of business in addressing climate change. Photo credit Kolleen Gladden '21.

Billy Hupp '20
Guest Writer

"Businesses must take action on climate change," urged Patagonia's Environmental Advocate Avi Garbow '92 at the Virginia Environmental Law Journal's annual symposium this past Wednesday. Businesses are "not susceptible to the vagaries of political winds," Garbow said. They are therefore better positioned to address the causes of climate change than the federal government, which has pinballed between action and inaction on the issue over the last two decades.

VELJ's symposium, "The Green New Deal: Examining Climate Change in the Business Context," drew leaders from the private sector, advocacy organizations, and academia to discuss the hottest topic in environmental policy and what private actors can do about climate change, with or without government action. "We wanted to engage a variety of perspectives on the Green New Deal," said Rebecca Robinson '20, VELJ's Projects Director who spearheaded the symposium. The event was divided into two panels and concluded with Garbow's keynote address.

The Green New Deal, which contextualized the symposium, is a Congressional Resolution authored by Rep. Alexandria Ocasio-Cortez (D-NY) and Sen. Ed Markey (D-MA). The resolution discusses the threats posed by climate change and sketches several broad goals

to address those threats, including net-zero greenhouse gas emissions by 2050, a jobs guarantee, modernizing American infrastructure, and promoting justice for historically underserved and vulnerable communities.

The first panel, moderated by UVA Law's Cale Jaffe '01, addressed the link between climate change and business. The panelists discussed the obligations that businesses have to their shareholders and stakeholders. Professor Andrew Wicks of the Darden School began by discussing two distinct views of corporate theory. On the one hand is Milton Friedman's conception that corporations owe a duty to their shareholders to generate as much profit as possible. But on the other hand is a more holistic approach—recently adopted by the Business Roundtable and advanced by Darden Professor Ed Freeman—that business entities owe a duty to all stakeholders.

This latter theory regards business as a collective enterprise to make people better off. In the context of climate change, stakeholder theory can guide businesses to consider the impacts of their decisions on their consumers, the communities in which they operate, and even future generations. Hana Vizcarra, a staff attorney with the Environmental and Energy Law Program at Harvard Law, also noted that the law can't unilaterally cause shifts in business approaches to climate change.

Rather, the arrow may point the other way: Voluntary commitments from the private sector can help lay the groundwork for regulatory action and legislation.

The second panel, co-sponsored by BLSA, focused on business opportunities in addressing climate change. Darden Professor Michael Lenox moderated the panel, which opened on an optimistic note. "History is on our side," said panelist Steve Bowers, Apex Clean Energy's Vice President for Marketing and Communications. Indeed, Professor Lenox began the discussion with a historical parallel: In the mid-19th Century, the whaling industry was the dominant provider of fuel for lamps, but kerosene quickly eclipsed the industry over a period of only 8-10 years. Likewise, clean energy has the potential to rapidly replace so-called "dirty" energy sources.

But the focus needs to be broader than just improvements in infrastructure and technology. Dawone Robinson, regional co-director of the Energy Efficiency for All program at the Natural Resources Defense Council, emphasized the importance of intersectional solutions to climate change which include transportation, jobs, and affordable housing. One failure of the original New Deal of the 1930s was that institutional redlining and discriminatory lending prevented people of color from

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around north grounds



Thumbs down to the snacks in the snack office. First the chips are removed, and now there haven't been granola bars in weeks. It's like Student Affairs assumes ANG doesn't depend on the snack office for sustenance/actually goes grocery shopping.



Thumbs up to Lisa still though. ANG blames people who take two spicy chicken Chick-fil-A sandwiches at FedSoc events for the reduction in snack office options.



Thumbs down to the people who feel compelled to park across two spaces in the D3 lot. If ANG can fit ANG's party bus in a single stall, you can too.



Thumbs up to UPenn Law School changing its name to Carey Law after

The Carey Foundation made a \$125 million donation. It's not as catchy as Princess Consuela Banana-Hammock or—ANG's favorite—Crap Bag, but ANG appreciates the dedication to selling out and causing chaos in the process.



Thumbs down to all of the pending questions about law school and life over Thanksgiving dinner. ANG already knows ANG is somewhat of a disappointment, and ANG's family doesn't need to reinforce it.



Thumbs down to people who post the rankings of UVA on their Instagram accounts. ANG wants you to know that you don't need the approval and adulation of others to be confident in yourself. On the other hand, ANG recognizes how shallow the legal profession is and that you do, in fact, kinda need the approval and adulation of others.



Thumbs up to Professor Schauer's rousing use of the phrase "tire fondling" during what was seemingly a routine evidence lecture. ANG is intrigued, but ANG has safe search (™) installed on Google.



Thumbs down to finals. ANG doesn't know what they are but they seem stressful.

Law Students Share Their Holiday Traditions

Ah, holiday traditions. We all have them; at least, that's

Kolleen Gladden '21
Photographer



what those who have them seem to believe. For me, seasonal traditions can be chalked up to "things I didn't realize weren't only from movies until I saw them in real life" (a truly lengthy and admittedly bizarre list). I'll never forget visiting another family on Christmas and being utterly baffled by how coordinated the entire event was. There was a communal breakfast, stocking time, present time, obligatory nondescript dialogue on gratefulness, and the entire rest of

the of the day was dedicated to "family time," which apparently just means that you can't leave the house or use electronics. After several more years of being an adult and witnessing multiple versions of these traditions, I began to think about my own family and our take on the festive season. So, here you have it, the Gladden holiday traditions:

First thing to note about the Gladden holidays; we don't operate on a timeline. Nothing has to be done on a certain day. Dedicating time for three people to celebrate together is difficult (forget about gathering up the other scattered members of the brood, that's well near impossible), and we're not too concerned about

it either. We've celebrated Christmas in March, Thanksgiving in June, and we usually have some combined day dedicated to all of our birthdays in August. We'll get there when we get there. As for the actual holidays themselves...

Thanksgiving: For starters, we don't actually celebrate Thanksgiving. For context, many moons ago, my dad proposed to my mom after their third date (they are, by all definitions, highly efficient people). Neither of them could afford to take off of work, so they eloped on Thanksgiving Day. They don't remember the specific day and they've never cared enough to calculate, so we celebrate their anniversary on Thanksgiving, unless, of course, we're busy. When the time does come, we pack up the car and drive to Branson, Missouri, or as the locals refer to it, "the Evangelical Las Vegas." Branson has many things, but perhaps its best feature is Silver Dollar City, an 1800s themed park. A season pass costs less than 75 cents a day, and Thanksgiving Day is the prime time to go. Nothing quite says "happy anniversary" like no line for the wooden Outlaw Run roller coaster.

Christmas: Christmas is a fun one. Our celebration plan is simple. We read the Christmas story from the gospel of Luke, go on a ten-mile run together, and then go to IHOP (a particularly fun rarity, as my family almost never eats

out). Sometimes we do gifts, and by that, I mean my father does gifts. His strategy is to box up items that my mother and I have either misplaced or forgotten about throughout the year and present them to us with glee. "You always get something you wanted at some point," he once explained. Over the years, I have been reminded of the existence of many hoodies, hats, and scarves, but my favorite gift came in December 2018. On Christmas Day, I opened a tenderly wrapped box to reveal a blanket bearing a smiling picture of me and my first serious (ex)boyfriend, a gift that same boy had presented to me years ago. "How did you even find this?!"

"I bet you'd forgotten all about that blanket!" my dad beamed with pride. He wasn't wrong.

Days later, things again took a turn as I was relaying this story to my second serious ex (who had, for context, known my first boyfriend), who I'd ended things with several months prior. His eyes widened with interest. "Obviously, you don't want the blanket, right? Can I have it??" I'm not sure what should concern me more—that he quite seriously wanted this blanket, or that the request didn't surprise me in the slightest. Either way, if you see a bearded man strolling through Oklahoma City proudly wearing a blanket with my face on it, mind your

business.

Anna Bobrow '20
Guest Writer



My immediate family and I are practicing Jews, but my mom's extended family is Christian. Every year, my holidays are filled with celebration and family time from both the Jewish and Christian traditions.

Growing up, we (my mom, dad, and identical twin brothers) would celebrate Hanukkah at our home in Charlotte, NC, by lighting the Menorah, eating homemade latkes cooked on an electric fryer on the back porch, and exchanging small gifts each night. At our peak, we lit twelve Menorahs at once (definitely a fire hazard). On Christmas Eve, we would either attend a traditional Christmas dinner with a mix of Jews and non-Jews that was hosted by a Rabbi friend, or we would go out for Chinese food and a movie, a tradition of many American Jews. On Christmas Day, we would pile into our minivan, play Christmas CDs, and drive from Charlotte to Northern Virginia to see my mom's family. I am one of six cousins on my mom's side, including Christian Knoble (UVA Law '20), and we all were born within 2.5 years of each other. By virtue of being

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Kolleen Gladden '21 says of this picture: "This is my fam bam, look at 'em." Photo credit Kolleen Gladden '21.

Tweedledee and Tweedledum: Christmas Music in November

Last Tweedle, we talked about squirrels. The very next Tweedle, we fought about songs.

Turn on the Music

I took this girl on a date once. I picked her up, walked her to my car, and got the

Nate Wunderli '22
Staff Editor



door for her like any gentleman would do. It was mid-November, it had just snowed, and I had some Christmas tunes playing in my car. Less than five minutes into the drive, to my great dismay, she pushed the radio button, thwarting my

Christmas music playlist with a swift stroke of her pointer finger. It was in that moment I realized: People don't joke around about when they start listening to Christmas music.

Admittedly, listening to the occasional Mariah Carey, Justin Bieber, or Bing Crosby Christmas songs in the middle of July puts me in a rare class of individuals who simply do not care about any arbitrary rules regarding when someone should or should not listen to Christmas tunes. But mid-November? What kind of heart of unwashed

socks, appalling dump-heap of a soul, full of gunk, with the tender sweetness of a seasick crocodile¹ kind of person refuses to listen to Christmas music in mid-November? Turns out, a lot of people, and this article is about why they are wrong.

The Christmas season is a time for family, a time for giving, peace, joy, and love. Buddy the Elf² put it best when he said, "The best way to spread Christmas cheer is singing loud for all to hear." It was Christmas music that first led the Grinch to reconsider his original belief that Christmas is a commercial enterprise-centered hoax; for when he stole all the gifts from Whoville, he expected the Whos to be sad and miserable. Instead, he found them singing with joy and happiness. Indeed, nothing warms the soul much more than a stirring rendition of *Hark! The Herald Angels Sing*, or brings peace and calm more than *Silent Night*.

Andy Williams was on to something when he sang that the Christmas season is *The Most Wonderful Time of the Year*. Now, if you want to put rules around when you can or cannot celebrate the most wonderful time of the year,

¹ Borrowed these lines from *The Grinch*.

² What's your favorite color?

then go ahead. But for me, I'd like to celebrate it when and wherever I would like, for as long as I can, whether that means November, January, or even June. Sometime this year, on a cold early/mid-November day, when contracts class got me down, I will have myself a Merry Little Christmas, pretend I'm Rocking Around a Christmas tree, hear those sweet Silver Bells, smell the Chestnuts Roasting on the Open Fire,³ and think to myself: It's Beginning to Look a Lot Like Christmas. And all you can do is watch, and painfully wait, until November 28 when you can join in on the fun. But it doesn't have to be this way. You can ditch your preconceived misconceptions, throw away the shackles that bind you, and let your heart grow three sizes to where, like the Grinch himself, you can capture the true spirit of Christmas.

The grinchers among you will lie and tell you that if you start listening too early then you will get sick of Christmas songs, or that one month is plenty of time to listen to them. Now I'm not suggesting you listen to solely Christmas music starting in November, or even December for that matter. But mixing in some Christmas music, no matter what time of year—especially

³ Has anyone ever actually roasted chestnuts on an open fire?

when the days grow dark and cold—and cuddling up with a warm cup of hot chocolate and staring at a fire is something you don't have to wait to enjoy. So, all you grinchers out there, join us, because the warmth, light, and pure giddiness that comes from a good Christmas song is coming to town earlier than expected this year, will make your days merry and bright, and who knows, may even find you under the mistletoe.⁴

Wait Until December

"It's an abomination." "It's like getting a new dog before your old dog dies." What has

Michael Schmid '21
Production Editor

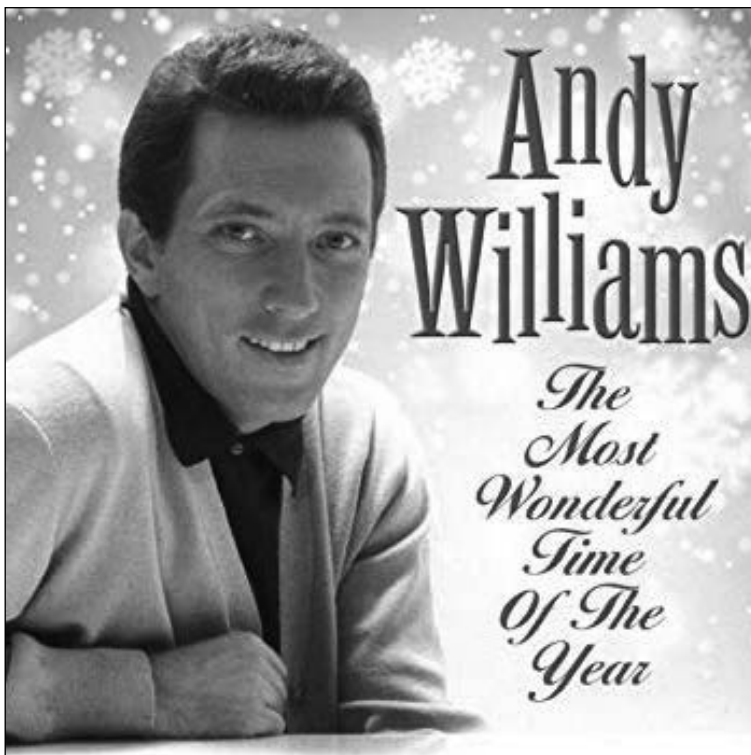


provoked this level of histrionics (coupled with an unnecessarily sad analogy)? The scourge of the sensible and the prudent: Christmas music before Thanksgiving.

So far, there has been a one-sided battle for end-of-the-year holiday hegemony. Christmas season creeps ever earlier in the year, blending with Halloween season for a blurry, disorienting mix

⁴ The *Law Weekly* will not be held liable if love doesn't jingle bell rock your world this Christmas.

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We all agree with Andy Williams that Christmas is the most wonderful time of the year, but nobody can agree when it starts. Photo credit amazon.com.

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the Cville Immigrant Bond Fund. Established in 2018, the Cville Immigrant Freedom Fund is a 501(c)(3) organization that works to raise and distribute funds to provide grants for legal representation and no-interest loans for ICE bonds. The Fund was started after a local attorney reached out to CIRAC on behalf of her client, who had lived and worked in Charlottesville for a decade. He had been stopped on Route 20 South and arrested for driving without a license. Upon completing his sentence, he was picked up by ICE when staff at the Albemarle Charlottesville Regional Jail notified them of his release. He was taken to the Farmville Detention Center and then moved to Texas. His bond was set at \$10,000. CIRAC was able to pay his bond, allowing him to return to his family in Virginia and to his immigration lawyer, who has been able to help him prepare for his next immigration hearing, which was set for this year. Following this incident, CIRAC realized the need for a bond fund for others in this situation. Mendenhall invited law students to consider volunteering with the Fund, specifically assisting with posting bond on behalf of clients. She explains that the process, like many aspects of the immigration system, involved complex paperwork

and often took a full day to complete at the ICE office in Richmond. In fact, each ICE Center has the autonomy to determine their own procedures, which increases complexity if the individual receiving the bond is being held outside Virginia. Law students could provide valuable assistance in navigating this process on behalf of the Fund.

Boris Ozuna, from Fuego Coalition, and Angeline Conn, from ICE out of Cville, then spoke about their experiences as activists and some of the methods that they have employed in fighting for immigrant rights. Friends United for Equity and Grassroots Organizing (FUEGO) is a growing local coalition to end immigration detention, criminalization, mass incarceration and family separation by ending local collaboration with ICE. Ozuna explained how they are working to educate the community in Harrisonburg, VA about the presence of ICE and to disrupt this presence through protest and advocacy to the city council. He urged the group that as lawyers, we must work to defend a person's dignity as much as their rights, because not everyone (like the immigrant populations he serves) has legal rights in the U.S., but they still have and deserve dignity in the way they are treated. Conn works similarly to protest the treatment of immigrants in detention centers and helps provide the means to

pursue safety and comfort by sponsoring refugees living in Virginia. She also provided some advice to those looking to volunteer with these communities, that they should not see this as "helping" but rather as *working with* the people that they serve. Changing one's mindset like this can help to extinguish the "white-savior" aspect of working with different populations and allow for a more dignified approach, for both parties.

The speakers added that if you are looking to volunteer or would like to learn more about local organizations working with immigrant populations, some other organizations include: Afro-Latinx Student Organization (ALSO), Central Americans for Empowerment at UVA, Charlottesville Immigrant Transit Assistance (CHITA), Creciendo Juntos, DREAMers on Grounds, Hands off Maria, LAJC Immigrant Advocacy Program, Latino Health Initiative, Latinx Student Alliance, Political Latinxs United for Movement & Action in Society (PLUMAS) at UVA, and Welcoming Greater C'ville.



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accessing New Deal programs. Today, the solution to climate change must put justice "front and center," Robinson said.

Garbow delivered the keynote address to cap off the symposium. He began by reflecting on the past 20 years of climate change policy in the federal government. In 1998, Professor Jon Cannon, then general counsel for the EPA in the Clinton administration, authored an influential memorandum concluding that the EPA had the authority to regulate greenhouse gases. But the Bush administration had a decidedly less progressive environmental policy, even after the Supreme Court's decision in *Massachusetts v. EPA*, 549 U.S. 497 (2007), which held that the EPA is authorized to regulate CO2 under the Clean Air Act's definition of "air pollutant." Recently, the Obama administration's actions on climate change—such as the Clean Power Plan and the Paris Agreement—have been largely undone by the Trump Administration.

However, even with the political uncertainty at the federal level, Garbow came out in favor of the Green New Deal. He stressed that significant action is necessary now. But government alone is not the answer. Rather, the government, private sector, and individuals all have roles to play in solving the climate crisis.

Indeed, the private sector has a direct interest in climate action. Garbow observed that outdoor sporting goods companies like Patagonia and Nike will be less profitable if climate change and pollution make it infeasible to go outside for months at a time. To that end, Patagonia reorganized itself as a benefit corporation and has set a goal of carbon neutrality throughout its supply chain by 2025.

Climate change is a daunting issue, but the symposium overall was pragmatic and perhaps optimistic. "I hope that the audience took away from the symposium the importance of engaging cross-disciplinary discussion for this type of problem," said Robinson, who herself is pursuing both a JD and an MA in legal history.

Garbow also reflected this interdisciplinary approach. Since graduating from UVA Law, he has been a prosecutor at DOJ, the longest-serving EPA general counsel, partner at Gibson Dunn, and now Environmental Advocate at Patagonia.

Drawing on this experience, Garbow concluded with some advice to current law students: Follow your passion. Lucky for us, Garbow's own passion just happens to involve saving the planet.

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The Six Best Relationship-Destroying Pranks to Pull on Your Friends and Loved Ones

So, I kind of wrote myself into a corner with the Road Trip series, and need to take a little

Will Palmer '21
Resident
Homewrecker



while to figure out how to move the plot along without some sort of annoyingly arbitrary time jump. Fear not—Dennis, Fawkes, Anthony/Carlos, and the rest of the cast will return... but, in the meantime, I have an article to write, and everybody likes listicles, so here's this. As with most of the things I suggest, don't try them at home. Try them at someone else's.¹

1) "The Parrot Pretext." This is a classic gag. Use a birthday as an excuse to purchase a parrot and train said parrot to repeat problematic phrases at inopportune times. This is one of my favorites because it's an intergenerational method of trolling: your friend and their descendants will have to deal with an ornery, mangy, obnoxiously-flapping bird that squawks "Help! Murder!" every time they answer the phone. Truly a timeless prank.

2) "The Plagues of Egypt Prank Series." This one is a multi-step operation, but, if you do it right, your friend or family member will truly believe

they have stepped into the Old Testament. You know, the really metal one, with the pillars of salt and gnarly sacrifices and in-depth instructions on how to construct a tabernacle. Here's how you do it:

Step One: Water to Blood. This one's pretty simple. Just buy yourself a LOT of dark red food coloring, get your tool kit, find a way to (legally) enter your friend's domicile, and insert dye packs into the plumbing, particularly in the sinks and shower.

Step Two: Frogs. The animal ones are easy, because we have the internet. You can buy 150 frogs for, like, \$200. They probably even give you a discount if you use Bitcoin.

Step Three: Lice/Gnats. See above. If you can't find someone to provide you with a bucket of gnats, let me know. I've got a guy.

Step Four: Flies. Internet. Duh. If you buy the flies and frogs at the same time, you can get the frogs nice and fat before you unleash them upon your unsuspecting friend or loved one.

Step Five: Pestilence of the Livestock. Take an inventory of the meat in your target's refrigerator. Later, surreptitiously replace the meat products with long-expired meats in identical packaging.

Step Six: Boils. Well, now my Google history has "how to give someone boils" in it, so that's pretty gross. Most of the results were images of medieval scrolls, though, and I don't read any-

thing written before the invention of not dying of the plague, so you're kind of on your own here.

Step Seven: Thunderstorm of Hail. You'll need to recruit some assistants for this step. Have them stand on your friend's roof at night smashing thundersticks together and throwing gravel at the windows. Run frantically to the front door and inform your dumbstruck target that it is, in fact, "thunderstorming hail" and that you should both take cover with all deliberate speed.

Step Eight: Locusts. Unfortunately, you can't get these on the internet—oh wait, you totally can. Now, I'm not saying that it's a good idea, but you can do it. Just try to avoid areas with lots of crops.

Step Nine: Darkness for Three Days. You'll want to get this set up during Step Seven—while your friend is cowering in mortal terror of the "hail" outdoors, have a helper run around and tape black tarps over all the windows and doors, and padlock the entrances shut from the outside. Hope you remembered to bring three days' worth of Hot Pockets.

Step Ten: The Super Morbid One. ...you should just skip step ten. Your friend/family member will be reduced to a blubbery mess by step four, anyway. It would be annoying if I didn't finish the list, though, wouldn't it? I hate it when that happens.

3) "The Group Gaslighting Gag." Meet up with some of

your favorite accomplices and decide on a target for the prank. Then, every time you are with the target and they briefly leave the room, move a piece of furniture three to four feet into a new position. When they return (and are understandably confused by the newly-ambulatory furniture), act surprised at their bewilderment and say that nothing was moved. The next time the target leaves the room, move the furniture back to its original position. There's no real "endgame" or "point" to this prank, besides turning your ostensible "friend" into a paranoid, trembling shell of their former self, but hey, some people are into that.

PRO TIP: This prank is even more fun if you use mannequins, because mannequins are insanely creepy. Not sure why you're hanging out in a place with a bunch of mannequins on hand, but who am I to judge?

4) "The Fatwa Follies." This one is easy. All you need to do is write an award-winning fourth novel that uses magical realism and dream sequences to explore the immigrant experience in Britain, and publish it under your friend's name. Next thing you know, the Supreme Leader of Iran is pounding his fist on a table and shouting on TV, and your pal is going into a very niche analogue to Witness Protection. You'll probably have some explaining to do, but hey, all you did was write the book.

And put their name on it without permission, knowing full well what would happen. But you're still a good person. Trust me.

5) "The Taxidermy Trick." For this, you'll need two things: (1) a weird dedication to pranking your friends from beyond the grave and (2) a taxidermist with low moral standards and creative methods (good bedside manner is unnecessary). Organize things so that, once you merrily shuffle off this mortal coil, your body is delivered to the individual mentioned in item (2). Have them taxidermy your corpse into a fun position, preferably with fingers situated so that you can hold various props (such as a parasol or drinking horn). Ask one of the folks you involved in the Biblical Plagues Series from earlier to enter the target of the prank's house and place your taxidermied remains in a good spot for a jump scare, like a closet or shower. For extra frights, consider asking your co-conspirator to dress you up as a plague doctor or sad clown before drop-off.

PRO TIP: If you find a taxidermist that also works with eerily realistic animatronics for some reason, well, you know what to do. I really, sincerely hope you don't know someone like that, though.

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1 Obligatory "This is all satire" notification.

LAW WEEKLY FEATURE: Court of Petty Appeals

The Court of Petty Appeals is the highest appellate jurisdiction court at UVA Law. The Court has the power to review any and all decisions, conflicts, and disputes that arise involving, either directly, indirectly, or tangentially, the Law School or its students. The Court comprises four associate justices and one Chief Justice. Opinions shall be released periodically and only in the official court reporter: the Virginia Law Weekly. Please email a brief summary of any and all conflicts to mes5hf@virginia.edu

Law Weekly v. CoPA Copiers
369 U.Va 96 (2019)

SHMAZZLE, C. J., delivered the opinion of the Court, in which RANZINI, ELICEGUI, and WELCH, JJ., joined.

CHIEF JUSTICE SHMAZZLE delivered the opinion of the Court.

The Facts

A short time ago, the *Law Weekly* received an email from a seemingly innocent group of 1Ls at another law school. “Dear Editor,” they began, “we are 1L students at [a law school you can guess the law school]. We recently came across an edition of your Virginia Law Review Weekly¹ and were inspired by your ‘Court of Petty Appeals’ column.”

“Inspired?” this Court thought. We read on:

“We do not have anything similar at [seriously, \$10 if you guess which law school this is from] and we would love to get something started! Given your long and successful history, we were hoping that you could answer a few questions and give us some advice as we take the first steps to develop our own version.”

The Court read the rest of these starry-eyed, confused 1Ls’ questions, which included questions about the constitution this Court follows,² how we develop our common-law system and when a case is established as binding precedent,³ as well as how parties argue their cases. This Court was extremely flattered that someone thought we have an actual process for how we

1 Their name, not ours; like we’d want anything to do with Law Review gross.

2 Lol, wut.

3 Complex process, lots of vodka, some coin-flipping. We won’t bore you.

do things here, but this Court also couldn’t believe someone thought we have an actual process for how we do things here. Therefore, the *Law Weekly* did what any attorney would do: We sued them.

The Complaint

The *Law Weekly* members sue on two main counts. First, plaintiffs complain of an attempted copyright infringement since defendants are

style because it likes being a monopoly.” While I appreciate the long-standing exclusive power that this Court has,⁴ plaintiffs have failed to provide any documentation that they do, in fact, actually have a defensible copyright claim that defendants can infringe upon.

Tbh we don’t really get copyright law but let’s have a go at this. Defendants argue that no copyright actually exists and further argue that

On the other hand, the majority here is all composed of 3Ls. We’re gettin’ preeeeetty close to graduation here and can’t really be bothered to care about, like, our posterity. Or whatever. See *Class of 2016 v. Mahoney*, 712 U.Va. 110 (2016) (handoff of student orgs moved up to February from April because 3Ls are useless).⁷ Plus, as Sporky from *Toy Story 4* would say, the plaintiffs’ arguments are straight up “trash.” And, while

about the health and prosperity of this Court, yada yada yada, we also can’t be expected to care that much anymore. We’re just trying to get to graduation. That being the case, we flipped a coin and hereby decide to allow defendants to pursue their own version of the Court of Petty Appeals. However, should this Court ever feel threatened that their CoPAs are better than ours, we reserve the right to send ANG to egg their houses and thumbs down them for beating us at our own game.

Negligent Gullibility

The second claim plaintiffs allege, and really the more important one in the Court’s eyes, is negligent gullibility by defendants for believing this Court actually has a meritorious system for deciding cases. The elements of negligent gullibility are well-established by our case law: (1) negligence and (2) gullibility. See *Class of 2019 v. Their PAs*, 878 U.Va. 1 (2019) (“Lol you guys seriously bought that whole ‘no one remembers your cold-call screwup’ bullshit?”)

It’s clear here there was some serious gullibility. We think we’re pretty obviously not doing anything real with these opinions. Most of our decisions are outcome-based, jurisprudentially aggressive, and devoid of any reference to precedent. If you’re thinking to yourself, “So are the Ninth Circuit’s,”⁹ lol @ you for think-

9 That one’s for you, Pro-

“This Court was extremely flattered that someone thought we have an actual process for how we do things here, but this Court also couldn’t believe someone thought we have an actual process for how we do things here.” - C.J. Shmazzle

trying to take their idea and replicate it in a different market; they seek an injunction barring the new wannabe-CoPA. Second, plaintiffs allege negligent gullibility in believing that the CoPA justices actually have any reasonable method to how they (aka we) write opinions, and that this Court provides any type of “due process” in allowing people to argue for themselves; on this claim, plaintiffs seek damages to punish defendants for their senselessness. The Court addresses each issue in turn.

Attempted Copyright Infringement

First, the claim that defendants are infringing on a *Law Weekly* copyright by trying to create their own version of the Court of Petty Appeals. Plaintiffs claim that having another Court of Petty Appeals would infringe on this Court’s “exclusive jurisdiction as provided in its copyright documentation” and that it would “cramp its

this Court cannot act in such an anti-competitive way as to rule against defendants, allowing this monopolization of the market to continue. Plaintiffs rebut this claim, arguing this “isn’t about antitrust law” and, even if it is, they “deserve an exemption because this Court has been around since your grandparents were learning to walk.”⁵

The Court is in a tricky position here. On the one hand, allowing a competitor to enter the market could be the beginning of our destruction, a return to the bad old days of the early teens when the *Law Weekly* ran super-annoying frat articles about what people wore. See, e.g., *Any Law Weekly Issue From 2014*.⁶

- 4 It’s good to be queen.
- 5 The Court would like to clarify that we have only been around since approximately 2015 as far as we know.
- 6 But actually please don’t,

trash arguments may fly in a real courtroom, we like to mix things up a bit.

After some thought,⁸ us burnt out 3Ls have come to this: While we care deeply

they’re horrible.

7 For those concerned about the Court violating the Judicial Code of Ethics by choosing to rule on a case in which it has a personal interest, the Court points you to Petty Rule of Civil Procedure 1: We do what we want.

8 And a few glasses of wine.

Faculty Quotes

G. Rutherglen: “I’m a little doubtful myself, having served as an expert witness, that you really want to haul in an expert witness for anything.”


J. Johnston: “Get the prize, baby! When’s the race stop? Race doesn’t stop!”

M. Schwartzman: “I was traumatized. Maybe that’s why I don’t remember middle school graduation.”

M. Gilbert: “Have you all seen Superbad? I watched it recently, and it kind of makes me cringe now. I guess I’m a real adult. But the guy I had for Corporations and Bankruptcy looked exactly like McLovin. It was unusual.”

M. Collins: “This is what we call a pedagogical moment.”

R. Mason: “This isn’t constitutional law, the answers are not totally unexpected.”



Virginia Law Weekly

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PIECE of the PIE REWARDS

JOIN TODAY AND START EARNING POINTS TOWARD FREE PIZZA

1 = 10 POINTS 60 = FREE PIZZA

SIGN UP ORDER POINTS FREE PIZZA

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ing they're a real court.

Defendants offer no defense for this claim, and the Court cannot think of any justifiable defense for believing that members of this Court actually know what we're doing.¹⁰ Seriously, did you see last week's opinion ruling in favor of people who fill up their huge water bottles between classes? Like what the hell is that about? That Bill Re guy, smh.

In line with our well-established precedent, namely that 1Ls always lose,¹¹ we rule in favor of plaintiffs on this claim.

Because plaintiffs' copy-right infringement claim is denied, so is their request for an injunction. But plaintiff's negligent gullibility claim is granted: Defendants are ordered to buy any UVA summer associate at their firm this year a beer to make up for having been so foolish.

It is so ordered.

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fessor/Vice President/Overlord Jeffries.

¹⁰ Except maybe that they're 1Ls who are sweet and credulous and excited to use big new legal words like "constitution"?

¹¹ See 1L Gunners v. Everyone Else, 324 U.Va 22 (2019) (stating this well-established precedent).

TWEEDLE

continued from page 2

of jack-o-lanterns and *Last Christmas* on the radio. Up to this point (in the true spirit of the holiday, bless its heart) Thanksgiving has quietly accepted Christmas music encroaching on its domain. My fellow editor talks of stifling "rules" placed upon him by restricting Christmas music until after Thanksgiving. I draw my response from *The Big Lebowski*: Christmas has gone over the line. This is the holiday season, there are rules! It's time for Thanksgiving to start fighting back.

First of all, it is entirely beyond me how anyone who has worked or currently works in retail could advocate for *more* Christmas music. Hearing the one-hour loop of Christmas songs over and over each shift wasn't enough for you? You want more?! Second, this is Virginia; there are actually four seasons. Unlike warmer climes to our south, Christmastime will have (at least somewhat) Christmas-y weather. This means that hearing *White Christmas* when the leaves have barely changed and some people are still wearing shorts is just downright unnecessary, people.

Thanksgiving has had a bit of an image problem. I admit it and I will offer some of my own solutions.⁵ First of all, any holiday that nobody

⁵ I will bill you for this work later, Turkey Clause.

is quite sure when it will be starts at a bit of a disadvantage. My take: Embrace that element of surprise! You know it will be *sometime* in November, and it'll be on a Thursday, but that's about all you've got. Just go with the flow and enjoy this floating holiday! Second, since Canadian Thanksgiving takes place in October, you can celebrate the same holiday twice in two months! Finally, overshadowed by Christmas as it is, the November holiday's role as an incubator for family conflict has only grown in recent years. My response? Don't focus on the negatives, look to the positives!⁶ Thanksgiving has food, friends, family, and is a bullet-proof justification for why you aren't outlining and instead eating pumpkin roll and watching football.

Maybe Thanksgiving needs its own songs. Think about it: Halloween has its own songs;⁷ Christmas has its own songs. I think it is time for the Thanksgiving-industrial-complex to churn out some bangers to beat back Christmas music. If people want music, give them music! Any song that seamlessly rhymes

⁶ PSA: For real, though, don't ask anyone what they're "planning to do after graduation" or even mention the word "caucuses."

⁷ Ok, all that comes to mind is "Monster Mash" and maybe the Ghostbusters theme song but that's still more than Thanksgiving has got.

the word "cornucopia" is sure to be an instant hit.

Christmas in its purest (read "de-commercialized") form is a decidedly wonderful holiday predicated on kindness, selflessness, and togetherness. But part of what makes Christmas so special, to borrow from a song which should *not* be played right about now, is that it "comes *this time* each year,"⁸ not all year. It is that ephemerality that enhances the allure⁹ of the season. Also, "c'mon on, man."¹⁰ Truly, "the fact of the matter is"¹¹ you're hurting Thanksgiving's feelings by forgetting about it. At least out of deference to a truly underappreciated holiday, give Turkey Day its time, then go all-in on Christmas music. I'll be spending the next week dusting off my synthesizer and recorder to prepare my EP of Thanksgiving Hits.

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⁸ The Beach Boys, *Little Saint Nick* (1964) (emphasis added).

⁹ Thesaurus.com tells me a good synonym for "allure" would be "bedroom eyes" and that's just gross.

¹⁰ Source: Joe Biden in every campaign appearance so far.

¹¹ *Id.*

HOLIDAYS

continued from page 2

close in age and good friends, the cousins would always get up to some sort of adventure or trouble over the holidays. We would open gifts under the tree and enjoy a Christmas meal of roast beef and turkey cooked by my aunt (Christian's mom).

As our family changes, so too do our traditions. Yet, family time has remained constant. My immediate family has started dialing into a conference call line so we can recite the Menorah blessings together each night, even when we are not physically together. We are often joined by Jewish relatives from my Dad's family. Instead of driving up on Christmas Day, we usually arrive in Northern Virginia before the Christmas holiday, where we help my grandparents decorate their Christmas tree with decorations from my mom's childhood and eat Christmas Eve dinner in their apartment. When Hanukah coincides with Christmas, we light the Menorah with my grandparents and bring latkes. Side note: cranberry sauce and latkes is a winning combo. We still look forward to a big Christmas Day celebration at my aunt and uncle's house, although our traditional meal is now enchiladas.

Being part of an interfaith family has taught me not only about differences in belief and practice, but also about the common values that bind us. From my experience, holiday traditions serve an important

Screeching at Pav on a Winter's Day

On Tuesday, November 12, The Pavilion emailed residents to give a super generous two-minute warning about a test of the fire alarm system.

Stan Birch '22
Staff Editor



Whose alarms these are I think I know.

Pav only ever brings me woe.

They think, "Mid-day, the coast is clear,"

To sound alarms and let them blow.

The house pets all must think it queer,

Not a person is filled with fear.

While mid-day naps we try to take

That sound comes screaming in my ear.

A breakfast spread does not quite make

Amends for a repeat mistake.

Two mins. notice does not quite keep,

Peace and calm while outlines I fake.

I only fear, when dark and deep,

Siren sound rips me from my sleep,

A month to go before I sleep,

A month to go before I sleep.

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role in strengthening ties with family and friends. I consider myself lucky to have ties to two religious traditions that bring us together each year.

Meg McKinley '21
Guest Writer



Every Christmas Eve, my family gathers around the table

to eat the same meal we've shared for years—a Panda Feast from Panda Express. After crying together over the hot peppers and false hope in our fortune cookies, we move to the living room to open our first presents of the holiday. Every year, mom gets us all pajamas in the spirit of *The Santa Clause* (minus the monogram) and new Christmas ornaments. Mine tend to be law themed, e.g., a ceramic orb with a charming Christmas dinner scene that declares "Law School: the weak are killed and eaten."

On Christmas morning, we're all up at the crack of dawn to glare at Dad as he slowly reads the longest version of the nativity story in the gospel of Luke. At long last, the family opens presents and shares a breakfast of monkey brains (bread & molasses). Later in the day, we'll watch a couple of TNT's 24 hours of *A Christmas Story* while snacking on the graham cracker "ginger bread" houses we built around old cartons earlier in the month.

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HOT BENCH



Ben Hawkins '20

Where are you from?
Richmond, VA.

Where did you go to undergrad?
Virginia Commonwealth University.

What did you do between undergrad and law school?

I did a series of environmental fieldwork jobs, including a wolf study in the Canadian Rockies—I howled and collected hair and scat samples from dens. I also got an M.S. studying with pastoral herders in Kenya and worked at an environmental non-profit, the James River Association, in Richmond, VA.

What is your favorite kind of wolf? What makes a good wolf call?

A black Grey Wolf with golden eyes. The key to a good wolf call is really believing in your howl.

Do you have any pets?

I just got a hound puppy

named Henri! Also, R.I.P. Oz 11/5/2017.

What are you involved in at school?

I play bass in a band called "The Gunners."

What song would play in the background of your life?

You Can Have the Crown by Sturgill Simpson.

What is your favorite part of being in The Gunners?

Being in The Gunners has deepened my connection to the Law School culture, Charlottesville, and, most importantly, with my fellow band members Leah Deskins '21 (trumpet), Katherine Janes '21 (vocals), Will Tucker '20 (sax), Ben Bhamdeo '20 (drums), Read Mills '20 (guitar/vocals), and Ben Lucy '20 (guitar/management).

What has been your favorite show thus far?

Every show at Crozet is fun, but especially Fauxfield with Special Guest Professor Kimberly Ferzan.

What is your relationship status?

I am engaged to 3L Jane Riddle.

Tell us a little bit about your love story and proposal!

We met in our 1L section (A!), became best friends, I became her tenant/landscape technician, we dated, then broke up, then I asked her to marry me on the beach in Sandbridge,

VA during a full moon rise. She agreed.

What are you doing after graduation?

I will be in the Technology Transactions Group at Wilson, Sonsini, Goodrich & Rosati in Washington, D.C. and starting a band with UVA Law grads to play all of your weddings and corporate events!

Let's do a lightning round!

Favorite food?
Broccoli.

Favorite place in Charlottesville?

Salvation Army on Cherry Ave.

Pet peeve?

Events with "Welcome & Introductions" on the program.

Catch phrase?

"I'm not a smart man, but I know what love is."

If you could live anywhere, where would it be?

Petersburg, VA.

What's one movie that left an impression on you?

Parasite.

If you won the lottery, what would you do with it?

Buy a bunch of ridiculous bass gear.

What is something at which you're elite?

Dog sitting.

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CROSSWORD PUZZLE

Mr. President

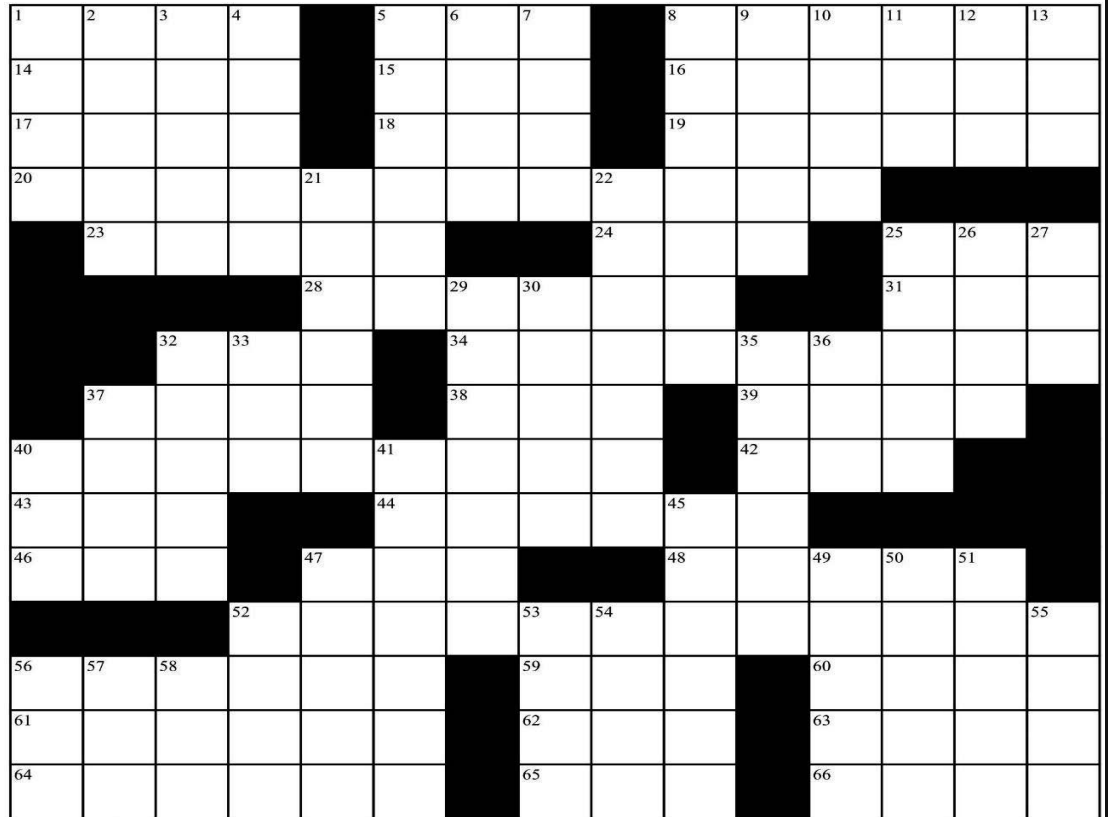
By Marc Petrine

- ACROSS**
- 1 Thailand's former name
 - 5 Two thousand pounds
 - 8 41st President sneak attack?
 - 14 Gov. org. providing exact time service and the location of the Vice President's residence
 - 15 Prefix meaning even or equal
 - 16 Slim
 - 17 Small dot on a radar
 - 18 Army of the PRC
 - 19 Title character of 2012 Tarantino film
 - 20 Former Deacon, current player for the Miami Heat, and perhaps favorite player of the 36th president?

- 23 Greek tragedy by Euripides
- 24 Common legal research resource, for short
- 25 Peace, to a Bolivian
- 28 Singer, songwriter Franklin
- 31 ___ carte
- 32 Will Ferrell holiday movie
- 34 Invented or falsified, to the 45th President?
- 37 Black and white cookie
- 38 Common Chinese surname
- 39 Mad Men lead actor
- 40 Gift of real property to the 18th President?
- 42 There you ___!
- 43 Firework watcher noises
- 44 Connectors of feet and legs
- 46 Belly, stomach
- 47 ___ heads are better than one.

- 48 Competitor to AMC and Carmike
- 52 1995 Adam Sandler film. Perhaps a favorite of the 4th President?
- 56 Washington state port city
- 59 More, to a Salamancan
- 60 Covered in foliage
- 61 Illegally obtained, pinched
- 62 That's my ___.
- 63 "The ___ of Glory" by Lady Gaga
- 64 To be able to pay, according to the 38th President?
- 65 Hopefully it's fresh
- 66 A place to lay eggs

- DOWN**
- 1 Opposite of obj.
 - 2 Faith with around 1.9 billion followers
 - 3 Japanese cartoon art style
 - 4 Light scooter
 - 5 A cashier or barista's best friend
 - 6 Scandanavian capital
 - 7 Big, biblical boat builder
 - 8 "Come on ____, and welcome to the jam!"
 - 9 Golden oak leaf rank
 - 10 2nd youngest son of Eddard
 - 11 Receptacle for ashes
 - 12 Soak (more commonly found as an adjective)
 - 13 NWS warning for incoming bad storms or flooding
 - 21 Mist over the ocean
 - 22 Language spoken by some Aztecs

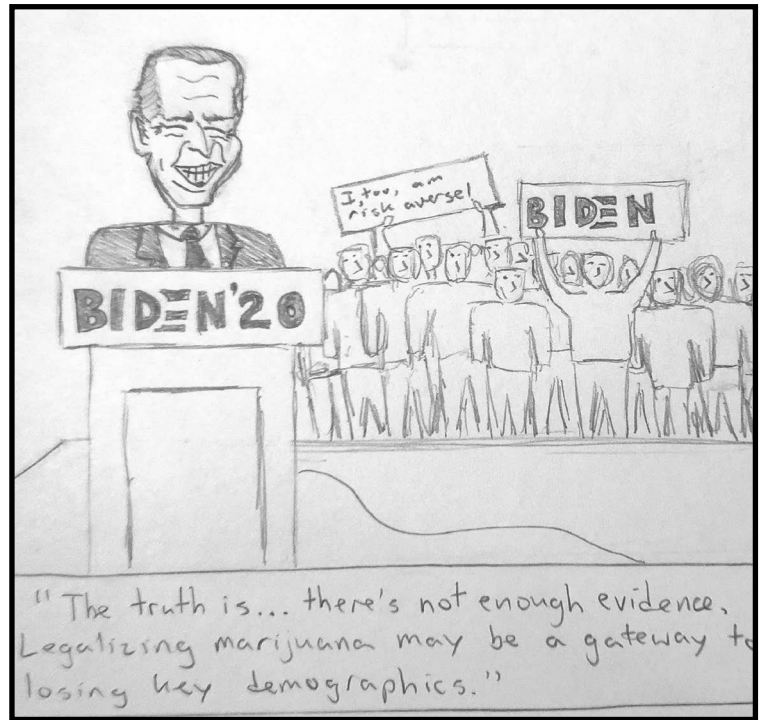


- 25 Mother of Luke and Leia
- 26 Former UVA student
- 27 Taser's sound effect
- 29 Makes up 10% of your gas at the pump
- 30 The back of a car but the front of an elephant
- 32 ___ & Young
- 33 Governed, presided
- 35 Hit by a type of laser gun?
- 36 Grinning from ___ to ___
- 37 Pearl Harbor island
- 40 Fall behind
- 41 Untouched earth
- 45 One end of a pencil
- 47 Kitchen gadget used to make sure you don't burn the cookies
- 49 A provided assumption, an accepted fact
- 50 A digression, an unrelated point
- 51 Desires (usually with for)
- 52 Necktie for a cowboy
- 53 Org. featured in a Village People song
- 54 Island in same chain as 37 down
- 55 No, to Boris
- 56 Airport delay causing Gov. Org.
- 57 Cousin to the DEA or FBI
- 58 Ticker symbol of credit card Co. HQ'd in Tysons Corner, Va.

THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY – November 20				
12:00 – 13:00	ACS: A Progressive Guide to Clerkships	Caplin Pavilion	Free	Provided
18:00 – 20:00	Law Dems: Democratic Debate Watch Party	WB 278	Free	Provided
20:00 – 22:00	She Kills Monsters	Ruth Caplin Theatre	Free with student ID	---
THURSDAY – November 21				
12:00 – 13:00	Common Law Grounds: Free for All?	Purcell	Free	---
18:00 – 20:00	FLAVA Thanksgiving Dinner	Stone Dining Room	RSVP requested	Provided, please bring a dish/drink to pass
20:00 – 22:00	She Kills Monsters	Ruth Caplin Theatre	Free with student ID	---
FRIDAY – November 22				
18:30	Women's Volleyball: Virginia vs. Boston College	Memorial Gym	Free	---
19:00	Women's Soccer: Virginia vs. Washington State	Klöckner Stadium	\$5	---
20:00 – 22:00	She Kills Monsters	Ruth Caplin Theatre	Free with student ID	---
20:00 – 21:30	Chamber Singers	Old Cabell Hall	Free for students who reserve in advance	---
SATURDAY – November 23				
8:00 – 11:00	28th Annual Fourth Year 5K	South Lawn	\$17.50, register in advance	---
10:00 – 11:00	Census 2020: A Question of Citizenship?	Alumni Hall	Free, RSVP in advance	---
12:00	Football: Virginia vs. Liberty	Scott Stadium	Free with student ID	---
SUNDAY – November 24				
14:00	Women's Basketball: Virginia vs. Old Dominion	JPJ	Free with student ID	---
MONDAY – November 25				
20:00 – 21:00	Baroque Ensemble	Old Cabell Hall	Free for students who reserve in advance	---
TUESDAY – November 26				
12:30 – 14:00	Conversation with Innocence Project Client Darnell Phillips	Purcell	Free	Provided
19:30	Julius Caesar	American Shakespeare Center, Staunton	Starts at \$21	---

Cartoon By Raphael



The crossword solution can be found at: <https://tinyurl.com/misterpresidentsolution>.