



DICTA

Urban History and the Takings Clause



Professor Molly Brady
Associate Professor of Law

Since deciding to become a law professor, I've been intrigued by bits of lost urban history and what that history can teach us about law. Studying a city and its development can reveal failed legal strategies, the political economy of local decisions, or the forgotten novelty of legal rules and doctrines that we take for granted. About four years ago, while reading a book for pleasure, I came across a picture that stopped me in my tracks. It depicted a house on top of what looked like a cliff, accompanied by a short byline noting that people often weren't compensated when the streets in front of their homes were lowered (in some cases by close to one hundred feet). At the time, I was a PhD student, and I was about to go on the academic job market to become a professor. Though many of my advisors were slightly worried about my newfound passion for nineteenth-century roadways, I decided to spend the remainder of my doctoral years investigating "street grading": an era of American infrastructural development in which municipal and state officials leveled streets to reduce the cost of street and train transportation. By raising and lowering the streets to make them level, these officials inflicted devastating injuries on property that the law needed to grow to accommodate. In a series of *Virginia Law Review* articles—one accepted before my arrival here and one forthcoming this spring—I have been exploring what the legal responses to grading teach us about property, land use, and constitutional law.

The first of my articles, "Property's Ceiling: State Courts and the Expansion of Takings Clause Property," explored one set of responses to the crisis posed by street grading. Early on, many jurisdictions did not award the landowners suddenly stranded by grading projects

The Shape of Justice



Kristen Clarke, President and Executive Director of the National Lawyers' Committee for Civil Rights Under Law
Photo courtesy of University of Virginia School of Law

Ryan Snow '18
(he/him/his)
Guest Columnist

It's not always easy to keep in mind why we're in law school. However we plan to use our education, the daily demands associated with getting that education often distract us from our goals and the values that inform them. The law school institution itself, for better and for worse, can feel isolated from the real-world issues that inspired and continue to inspire so many of us to become lawyers.

On Friday and Saturday, February 2 and 3, the second annual Shaping Justice Conference brought together students, attorneys, and advocates from around the country who are dedicated to transforming the law in order to advance justice for all people. This year's conference, titled "Shaping Justice in an Age of Uncertainty," gave attendees a chance to engage with some of the greatest and most pressing challenges facing our nation and legal system today, and to hear from and connect with practitioners working on the front lines of the fight for civil rights and equal justice.

Panels tackled a broad range of issues, including the absence of justice for the Black community; voting rights; the intersection of reproductive and racial justice; environmental racism and climate change; violence against trans people of color; and the use of "big data" analysis in the criminal justice system. Workshops and ple-

nary panels focused on giving students concrete tools for self-care and sustainable lawyering; navigating law school with values and spirit intact; maximizing opportunities to work on justice issues as a firm lawyer; and a legal observer training on safeguarding the constitutional rights of protesters.

A key feature of the Shaping Justice Conference was its emphasis on integrating legal and non-legal perspectives. As a lawyer serving the public, and especially serving vulnerable communities with a variety of needs, it is not sufficient to work only within the legal system. Lawyers must learn to work with organizers and activists within the client community to identify strategies that balance addressing immediate needs with building effective litigation, which can often take years and itself require close coordination with, and balancing interests between, diverse stakeholders.

"For me, one of the most incredible aspects of the conference was the opportunity to hear from practitioners who are really on the front lines of such a diverse array of fields, and to learn about how they envision those fields' futures," said Cameron Duncan '19, one of the main conference organizers. "During the Environmental Racism panel for example, Professor Marilyn Nixon of the University of Pittsburgh School of Law spoke about the increasing importance of environmental lawyers and activists working to address the human re-

percussions of global climate change, in addition to continuing to combat the sources of environmental harms. She noted that, as a result of rising water levels alone, by the year 2100 more than 400 cities and towns in the U.S. will be uninhabitable, no matter what we do now to reduce emission of greenhouse gases. That absolutely blew my mind." Much of that panel's discussion tackled the complex legal, social, and economic challenges associated with relocating entire communities as they are displaced by anthropogenic climate change, which is already being undertaken in coastal regions in Alaska and along the Gulf and Atlantic Coasts.

Another key feature of the conference was its emphasis on issues facing communities underserved by the legal community, and on confronting the ways in which the legal system, its doctrines, and the way they are traditionally taught privilege certain perspectives—particularly wealthy, white, male, and hetero perspectives—over others. "The Shaping Justice Conference is important because it raises the collective consciousness of the law school about social justice issues, and helps set a culture of inclusion," said Toccara Nelson '19, who helped organize two panels co-sponsored by the Black Law Students Association. "I felt our panels were excellent in highlighting legal issues facing the marginalized, such as communities of

around north grounds

Thumbs up to the Super Bowl. ANG still isn't sure who won, but the riots in Philadelphia were pretty good.

Thumbs up to those 1L journal try-outs coming down the pipe. The snakes ANG keeps under the WB floorboards feed off 1L anxiety, and have been growing a little hangry since the break.

Thumbs sideways to ANG being cast in the Libel Show. On the one hand, ANG loves to perform, on the other hand, ANG was counting on getting ANG's own trailer.

Thumbs up to Kylie Jenner announcing the birth of her baby girl during the Super Bowl to avoid extraneous press. However, ANG has a Google alert on all of the Kardashians and was able to 'keep up' at the same pace that the Pats failed to present a defense.

Thumbs down to United Airlines for refusing to allow ANG's emotional support peacock to board ANG's plane. ANG is considering seeking an injunction requiring United to purchase ANG another emotional support peacock. Two emotional support peacocks are better than one.

Thumbs up to the tax cut. Sure, the Dow's down ten percent and ANG can't pay for ANG's health insurance anymore, but the \$1.50-and-a-box-of-Twinkies per week raise ANG gets now are pretty sweet.

Thumbs down to the recent spate of Amtrak crashes and derailments throughout the region. ANG was supposed to have a monopoly on trainwrecks.

Thumbs up to the "ice pellets" this past weekend. ANG always wanted weather that both sounds like a gourmet dog food and causes physical pain.

Thumbs down to the groundhog seeing his shadow. Again. Couldn't you just close your eyes or something, Phil? ANG does it all the time in morning classes.

Thumbs up to Rep. Devin Nunes (R-CA) and #TheMemo! ANG sent a copy to Joe Fore to show him that ANG's memo wasn't "the worst memo in the history of memos."

Comparative Studies in the City of Love

The wonderful Audrey Hepburn once said, “Paris is always a good idea.” As a 1L

Briana Echols
(she/her/hers) '20
Guest Columnist



with no real insight, admittedly this was the biggest piece of advice I relied on when signing up for the French Public and Private Law course—otherwise known as “the Paris J-Term.” Granted, I had heard a few times previously that many legal systems in Europe varied greatly from the U.S.: an inquisitorial versus adversarial system. What that meant exactly or rather what an inquisitorial system “looked like,” was a bit beyond me. Therefore, I figured it would be a good chance to do a little traveling and find out first hand.

The first night in Paris, I was joined by ten students from my UVa cohort and our professor, Madame Goré, for dinner. While I didn't brave up and finally try escargot (something I've been trying to convince myself to do for a while), I can confirm French onion soup is even better in France—go figure! What I enjoyed more than the food, however, was getting to know my fellow classmates and instructor in a more intimate and authentic setting. The restaurant, La Petite Chaise, was founded in 1680, making it the oldest restaurant in Paris. Madame Goré

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any damages or compensation. In fact, these abutting owners were often charged money in the form of assessments to finance the grading projects that essentially forced them to abandon their homes. In that article, I discuss an interesting judicial response to the perceived injustice of giving affected owners nothing: several courts, beginning with Ohio, began recognizing a “right of access” that they treated as a property interest. By recognizing access rights as property, grading projects that eliminated a property owner's ability to conveniently access their homes and stores took property for public use, rendering the property owners entitled to compensation under the state and federal constitutions. This development is interesting for a lot of reasons, but—as any student of mine will know—I love questions about institutional capacity. Most scholars who study property think that the definition of property rights is a good subject for legislatures, who have informational and logistical advantages over courts. But the invention of the “right of access” is an outlier: a new property right formed by a court, ostensibly because legislatures could not be trusted to do the right thing. For decades, legislatures behaved badly by foreclosing avenues for property owners to obtain compensation. It is particularly troubling that several grading projects were instrumentally used to clear neighborhoods of “undesirable” people: rather than use eminent domain to

also informed us we were the smallest class in her ten years of teaching the course—most years consisted of about twenty or so students.

For the next eight days, my

The curriculum could best be described as an introduction to comparative studies, where the similarities and differences between the French and U.S. legal sys-

development of the EU from France's perspective and predictions of how the EU's relationship with its various countries is expected to progress.

loosely be likened to our Supreme Court and Congress. Simply put, the Conseil d'Etat presides over public matters (which *does not* include the criminal system), giving advice on policies to the government and parliament while also settling disputes involving public agencies. The Conseil Constitutionnel, on the other hand, supervises elections and determines if passed laws and bills fall in line with the French constitution.

On days when there were no field trips, we were left to our own devices and able to explore the city. This was the first time I had traveled to Paris, so of course I did all of the very obnoxious and “touristy” things, e.g. the Louvre, the Eiffel Tower and the Palace of Versailles. I also explored several restaurants with my classmates, which made for great bonding time. It is a given that Paris is a beautiful city with centuries of history behind it. All I have to offer on that notion is it does indeed live up to its reputation. On my flight home, I reflected with surprise on the amount of information I had garnered in just a few days, and how fun it was to learn it all. For anyone who enjoys interactive learning, and having a bit of fun while doing it, I'd highly recommend the French Public and Private Law J-Term course.

be5at@virginia.edu



Briana Echols in front of the Eiffel Tower

Photo courtesy of Briana Echols

classmates and I attended our “small section” lectures, went on field trips, and had more than ample time to independently explore the city. For five of the nine days, Madame Goré gave traditional two-hour lectures.

tems were examined. The course offered insight into some unique features of French law and government that had evolved from cultural and historical facets of the French state over time. We also briefly discussed the

Occasionally after our lectures, the class would go on field trips. We were given private tours at the Conseil d'Etat (state council) and Conseil Constitutionnel (constitutional council). These entities could *very*

condemn a low-income or immigrant neighborhood, which would be expensive, legislators could just initiate a regrade in the area, forcing people out of their homes with no payment and clearing the way for more desirable development. In such circumstances, I argue, courts are actually institutionally well

I explore a second response to grading issues: twenty-seven states amended or drafted constitutional provisions meant to address the types of consequential damages caused by these activities. In most cases, this involved adding language to the standard takings clause: these states often prohibit property

argued that it was unfair that someone suffering a *de minimis* appropriation of land would get compensation, but someone who lost 90% of their property value because of a non-appropriative activity (like a nearby regrade) would receive nothing. The language was remarkably popular. Strikingly, every

provisions was lost over time through judicial interpretation, and I argue that the language should be given more meaning than it currently has. The article is getting some interesting buzz—I was recently presenting at the ALI-CLE conference for eminent domain practitioners in Charleston, South Carolina, where it was discussed at several panels and where several attorneys told me they plan to cite it in upcoming briefs. More excitingly, I think that judges seem receptive to revisiting this forgotten language. Last fall, a Georgia Supreme Court justice wrote a concurrence in which he suggested revisiting the differences between Georgia's damagings clause and the federal takings clause in light of the linguistic difference. Here in Virginia, at an oral argument last summer, one of the state Supreme Court justices noted “the big difference [between the federal and the Virginia state takings provisions] is the word ‘damage.’ That's a huge conceptual difference.” I am excited to see if the idea gets picked up and causes courts to revisit their state constitutional interpretations.

I continue to be fascinated by questions of urban history and infrastructure; my current projects involve seventeenth-century roadways, eighteenth-century boundary markers, and nineteenth-century railroads. And I am always on the lookout for pictures and examples that suggest there is property history to be explored. If you have any, you know where to find me!

mbrady@law.virginia.edu



An example of the practice of “grading.”

Photo courtesy of The City of Seattle, Office of the City Clerk

positioned to step in and create new forms of property to protect landowners from political failures—even though legislatures may be the best creators of property rights in other instances.

The second article, currently titled “The Damagings Clauses,” is forthcoming this May in the *Law Review*. In this article,

from being “taken or damaged” for public use without just compensation. I have unearthed hundreds of pages of state constitutional convention debates indicating the hopes of the drafters and the concerns of those opposed to the new language. By and large, the language won out when introduced: drafters of these damagings provisions

single state that entered the Union after 1870 adopted the language, with the exception of Idaho. But in the article, I discuss a surprising fact: in most states, the language has nearly no meaning, adding no protection for property owners above the protection of the standard, federal Takings Clause. I explore how the meaning of these

The Kennedy Bust: What We Know

The beginning of this semester saw the conclusion of the law library's most perplexing

Greg Ranzini '18
(he/him/his)
News Editor



mystery: what happened to the Kennedy Bust? With the installation of a replacement, the alcove near the Gunner Pit once again has its intended centerpiece. Still, questions linger for the 3Ls and faculty who remember the original. In a series of interviews conducted over the last two weeks, the *Law Weekly* set out to answer them.

What bust, again?

For years the alcove to the right of the front entrance to the Caplin Reading Room has contained a small bronze bust of the late Sen. Robert F. Kennedy '51. The glass plate in the back of the alcove is etched with an excerpt from RFK's celebrated "Ripple of Hope" speech, which he delivered to the National Union of South African Students in 1966. The original bust and its replacement are replicas of a statue of RFK made by sculptor Robert Berks, known for the monumental statue of John F. Kennedy that stands outside the Kennedy Center, the Albert Einstein Memorial at the National Academy of Sciences, and the Fred Rogers Memorial in Pittsburgh. Both statues were donated to the law school by Ethel S. Kennedy, RFK's widow. Taylor Fitchett, who retired as director of the law library this past

Wednesday, recalls that she was asked by then-Dean Robert E. Scott to find a suitable place in the library to display the statue as a new employee, some time around the year 2000.

What happened to the origi-

Streit tells the *Law Weekly*, the University filed a police report on the same day. Fmr. Director Fitchett gives the same account, expressing consternation that the thieves would go to the trouble of stealing a bronze that

Where did the replacement come from?

Joby Ryan '05 described procuring the replacement in an interview with the *Law Weekly* last week. According to Mr. Ryan, the process was

logues with alumni who might be interested in replacing the piece.

The team working on the project ultimately included Mr. Ryan, Mr. Vincent, Director Fitchett, Greg Henning '05 Law School Foundation CEO Lou Alvarez, and Prof. Emeritus David A. Martin. Mr. Henning, in turn, reached out to one of his childhood friends, Rep. Joe Kennedy III. Ultimately, Ethel S. Kennedy and the Robert F. Kennedy Human Rights Foundation donated the replacement.

Says Mr. Ryan, "We're grateful to Peter Vincent for pushing it along, and also to Greg Henning, Class of '05, for keeping it in the front of our mind. This was a team effort inspired by our alumni."

How is the new bust different from the old one?

According to Director Fitchett, the replacement bust, contrary to some 3Ls' perceptions, is slightly larger than the old one. It is displayed on a black stone base with a prominent chip in one corner—not a mistake, as it turns out, but a designed-in feature of that production run. In all other respects, it is identical. A pair of small plaques on its base provide more information on its provenance and donation.

That's a pretty cool bust. Where can I get one?

Please don't steal the Kennedy bust in the library. If you want your own, replicas of the bust can occasionally be found at auction. Purists, however,

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Bust and no bust
Photo courtesy of Law Weekly

nal? By all indications, somebody stole it late on the night of March 27 or in the early morning of March 28, 2016. The administration did not announce the theft as such to the student body at that time; still, Assistant Dean for Building Services Gregory

was literally nailed to its pedestal. Although the bust's theft has been treated as established fact by the student body for nearly two years, this is, to the best of the *Law Weekly's* knowledge, the first official confirmation that the University regards the statue as stolen.

instigated by Peter Vincent '95 who learned that the statue was missing this past spring and asked Mr. Ryan to investigate. Mr. Ryan set about trying to find the statue on the open market—entertaining the possibility that the thieves might still be trying to fence it. He also opened dia-

JUSTICE

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color and the LGBTQIA communities, and that is what this conference is about."

Many students expressed the importance of the law school hosting a conference dedicated to public service. "Shaping Justice was an incredible experience, and I am very grateful that the University of Virginia School of Law makes it clear that they support public interest students by hosting this conference," said Molly Cain '20. "To me, the 1L curriculum can often feel very removed from what I want to work on, and Shaping Justice was the exact energizing force I needed to remind myself why I am in law school. It was awesome to hear firsthand about the work public interest lawyers actually get to do, and to remember that I'm in law school so that I too can do that very needed work." This sentiment was echoed by Halima Nguyen '18, who helped organize a panel co-sponsored by If/When/How. "It was a humbling experience to be surrounded by so many people who have done such awe-inspiring work, and to get the opportunity to learn from their experiences in the field. I left the conference with a renewed sense of purpose and passion for my advocacy work."

The annual conference is sponsored by the Public Interest Law Association, Program in Law and Public Service, and Mortimer Caplin Public Service Center, with

individual panels and workshops organized primarily by student groups. The conference is part of a broader move to increase investment in the public service community and opportunities available at the law school, with the goal of making UVa Law the nation's premier destination for students interested in public service.

"I was inspired and rejuvenated by the Shaping Justice Conference—from the energy and dedication of our students to the passionate and zealous advocacy of our panelists, alumni, and keynote speaker," said Crystal Shin '10, Assistant Professor of Law, Director of the Program in Law and Public Service, and one of the main organizers of the conference. "It is my hope that everyone who attended our conference was inspired and encouraged to continue to fight the good fight in order to advance justice for all."

This year's keynote speaker was Kristen Clarke, President and Executive Director of the National Lawyers' Committee for Civil Rights Under Law, one of the nation's oldest and most successful civil rights organizations. Clarke's address highlighted the myriad challenges now facing civil rights advocates and the communities they serve, including a renewed assault on voting rights; a resurgence of white supremacist groups; crises of discrimination in the criminal justice system from policing to mass incarceration; and the current administration's retreat from

civil rights enforcement and pattern of appointing federal judges who are openly hostile to civil rights. Clarke described in detail some of the

gaged attendees in thinking creatively about how to meet these challenges.

The conference also honored UVa Law alumni who



From left to right: 2018 Shaping Justice Award recipients Jeff Kerr '87, Jeree Thomas '11, and Kim Rolla '13. Photo courtesy of Ryan Snow

efforts of the Lawyers' Committee and other groups to safeguard civil rights, and en-

have dedicated their careers to public service. Jeff Kerr '87 was honored with the

Shaping Justice Award for Extraordinary Achievement for his 25 years of service as General Counsel to People for the Ethical Treatment of Animals (PETA). Kerr described his passion for animal rights as stemming from the knowledge that non-human animals share many of the same experiences, feelings, and social behaviors as humans, and paired his promise to continue working for animal rights with a plea to treat non-human animals as we would want to be treated ourselves.

This year's Shaping Justice Rising Star Award was given to two outstanding recipients, Jeree Thomas '11, Policy Director of the Campaign for Youth Justice, and Kim Rolla '13, Housing Team Coordinator/Attorney at the Legal Aid Justice Center and a Lecturer at the Law School. Thomas brought the room to tears with a stirring acceptance speech in which she described her perspective on life as a daily gift in having the opportunity to serve others, and service to others as the ultimate expression of love. Rolla followed with her similarly inspiring frame of public service as a gift of personal growth—that you cannot do this work without being changed by it, and that by doing it honestly and consistent with our values, we become better people.

The complete conference program with panel and speaker details is available at pilaatuvawebly.com/program.html

rres5sb@virginia.edu

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there!**

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Halfway There, Living on a Prayer: 2L Midway Toast

On Wednesday evening, Dean Risa Golubuff gathered with the UVa Law Faculty to

Kim Hopkin '19
(she/her/hers)
Columns Editor



toast the Class of 2019 class for their past success and future accomplishments during the Midway Toast. After enjoying some light hors d'oeuvres, the champagne started flowing, and students began to mingle with professors and catch up with old section mates. For many, it was a chance to reconnect with old 1L small-section friends with whom they no longer shared an identical class schedule.

A few minutes into the function, the crowd went quiet as Dean Golubuff started a short speech. She told the crowd that she was delighted by the amount of people that came to celebrate the third annual Midway Toast before remarking on the importance of celebrating how far we've come. Since the beginning and end of law school are shrouded in customs and ceremony, she thought it was only fitting that we have a little ceremony celebrating 'the middle.' "Just think," she reminded the class, "the time you've spent here is the same amount of time you have left."

Then, Dean Golubuff observed that 2L year seems to be a year where students

were constantly "looking out[side]" the school. Between finding jobs and looking for clerkships, students don't often get to spend time with their section mates from 1L and can feel isolated. She then reminded the 2L class how much they've

students really do learn to "think like a lawyer."

Dean Golubuff encouraged the 2Ls to take stock of how they feel they've developed. If you feel like you want to broaden your legal horizons, deepen your understanding of a specific type of law, or

true lawyer. "This is what the outside world thinks a lawyer is," she said, holding her hands about six inches apart. Spreading her arms wide she said, "This is what a lawyer actually is."

Ending with a short but generous charge from the

nity to gather and take a short break from the brisk start of the new spring semester. Carly Crist, 2L, said, "It was nice to acknowledge the halfway point of our law school career." Alicia Penn, 2L, agreed, "It's flown by!" Professors were also buoyant following the mid-week celebration. Professor Kim Ferzan remarked that, "It's so wonderful to get to celebrate the fact that my little 1Ls are now halfway through their law school career."

Other students focused on their future. Alison Malkowski, 2L, said, "Dean Golubuff told us to use this time to check out all of the places in Charlottesville that we've been meaning to get to for a year and half, and she's right. Frankly, I would really like to go wherever they got the sauce for the chicken." No matter what your focus, the future seems bright (and close) for UVa School of Law Class of 2019.

knh3zd@virginia.edu



2Ls join Queen Golubuff for a memorable photo opportunity
Photo courtesy of Law Weekly

grown since first arriving at law school barely more than a year and a half ago, recalling a 2L who recently admitted to her that they'd been surprised to find that law

change entirely, then, according to the Dean, now is the time to make the change and to try new things. She thinks two years simply isn't enough time to become a

Dean, the Class of 2019 toasted and cheered each other, taking quick sips from their champagne flutes.

Overall, the 2Ls seemed to appreciate the opportu-



HOT BENCH



Shruthi Prabhu '19
(she/her/hers)

1. Have you ever had a nickname? What?

A lot of my friends call me "Shruth." But when I was in fifth grade, my teacher kept saying "speak the shruth," which was the handle for my first email address and now pretty much all of my social media.

2. What is your favorite word?

I don't think I really have a favorite word, because it really depends on how I'm feeling that day. Sometimes my favorite word of the day is "substantive," another day it's "exponential," and sometimes, just to make people mad, it's "moist."

3. Where did you grow up?

I have lived in a lot of places growing up. I was born in India, moved to the Bay Area in California when I was one year old, lived there for about elev-

en years, then moved to Plano, Texas (a suburb of Dallas) and spent the other half of my life there!

4. If you could meet one celebrity, who would it be and why?

I would love to meet Demi Lovato. I recently watched her documentary on Netflix, and I love how candid she is about her troubles and the less romanticized aspects about being a celebrity. Plus, she just seems really fun to be around.

5. If you owned a sports team, what/who would be the mascot?

It would be a golden retriever for sure. We probably wouldn't win anything, but at least we'd be loved.

6. If you were a superhero, what would your superpower be?

Time control, so that I would never make any bad decisions, I could try anything and if it turned out badly, I would just rewind and do over. I could experience EVERYTHING in life.

7. What's something you wish you'd known about law school before coming to UVa?

I wish I had known that people become different people once they're 2Ls (different in a good way). A lot of people tend to redeem themselves once the stresses of 1L are a thing of the past.

8. What's your most interesting two-truths-and-a-lie? (And what's the lie?)

My grandpa was the first man

in South India to receive his PhD in English Literature and is a professor at a rural college for women because he had four daughters and believes in women's right to an education. My family almost went bankrupt many years ago, so I know what it's like to be afraid about money every day. If I could pick between a dog and a cat, I would pick a cat every time (the biggest lie in the world).

9. If you could live anywhere, where would it be?

I would pick Prague. I just visited it a few weeks ago and absolutely fell in love. I also saw an office for Weil there, so maybe that'll be my future plan.

10. What's the best (or worst!) PG-rated pick-up line you've ever heard?

I once heard a guy at a bar say, "Do you like raisins? How do you feel about a date?" I really hope the girl said yes.

11. If the Law School had yearbook awards, what would you want to win?

If the Law School had yearbook awards, I would want to win "most likely to stay in touch with her close friends from school."

12. If you could make one law that everyone had to follow, what would it be?

If I could make one law, I would tell people they're required to think before they said anything potentially offensive/racist/malicious, to make sure the receiving person wouldn't take it the wrong way.

BUST

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may wish to receive the bust as a gift from the RFK Foundation. This, too, is possible! Recipients of the Robert F. Kennedy Book Award receive the same bust as the one on display in the library, chipped pedestal and all, as well as a \$2,500 cash prize. Interested parties can also apply for the Robert F. Kennedy Journalism Award, which carries a \$1,000 prize, but does not come with the bust.

On an entirely unrelated

note, the *Law Weekly* accepts student-written letters, articles, and columns on a weekly basis. Submissions are due by Sunday night each week for publication on Wednesday, and entitle writers to free pizza at that week's meeting, held on Monday at 5 p.m. in the *Law Weekly's* offices in Slaughter Hall 279. You can also join the paper as an editor and get free pizza every week in exchange for proofreading a few articles.

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How the Health Law Association is Changing the Game at UVa Law

This past year, no student organization has generated more discussion on campus

Virginia Health Law Association (they/them/theirs)

than Health Law Association (HLA), which went from relative obscurity to becoming the campus' hottest student org. Keep reading for more on this popular and sometimes controversial organization and their plans for this semester.

How long has Health Law Association been around?

Some say that HLA existed before the Law School, but we don't think that's important. Chicken/egg, egg/chicken? What matters is that HLA is still here and stronger than ever. We're continuing to generate buzz on campus. For example, in September we had a general interest meeting where we offered free pizza and a free side salad. Who does that, just give away free food like that to the masses? It's crazy, but it's what we're all about: inclusion and acceptance. It's our cornerstone, really. Yeah, we draw an inevitable contrast to UVa charging \$65 to go to Barrister's. Does that make us more inclusive than UVa? Hey, you said it, not us.

What are the goals of the organization?

We want to be the best—it's that simple, really. Consider Law Review. We all know how badly 1Ls hope to make Law Review; our goal is that in the next few years, people will want to join HLA with that same sort of fervor. And to be honest, we're practically there already. We understand that we dominate the social scene here at UVa, and it's not lost on us that we throw the most impressive career panels and talks. So going forward, we just want the recognition amongst the Charlottesville community of today's reality: we are the top dog.

We also hope to reach one million likes on Facebook in 2019. Currently, we have 140 likes, so we are not quite there yet. But with our #road-toonemillion campaign, we

anticipate reaching one million likes by December. Who

board barren, standing in solidarity with all those who lack

news: we have so much more for our haters to be mad at—

ple could be so committed to a cult to the point where they would drink the Kool-Aid and kill themselves for it. And now, after being part of HLA, I finally get it." – Alana Broe, Vice President of Social Events and Interdisciplinary Activities

"Being in HLA is like being hugged by an angel." – Anonymous 1L HLA Member

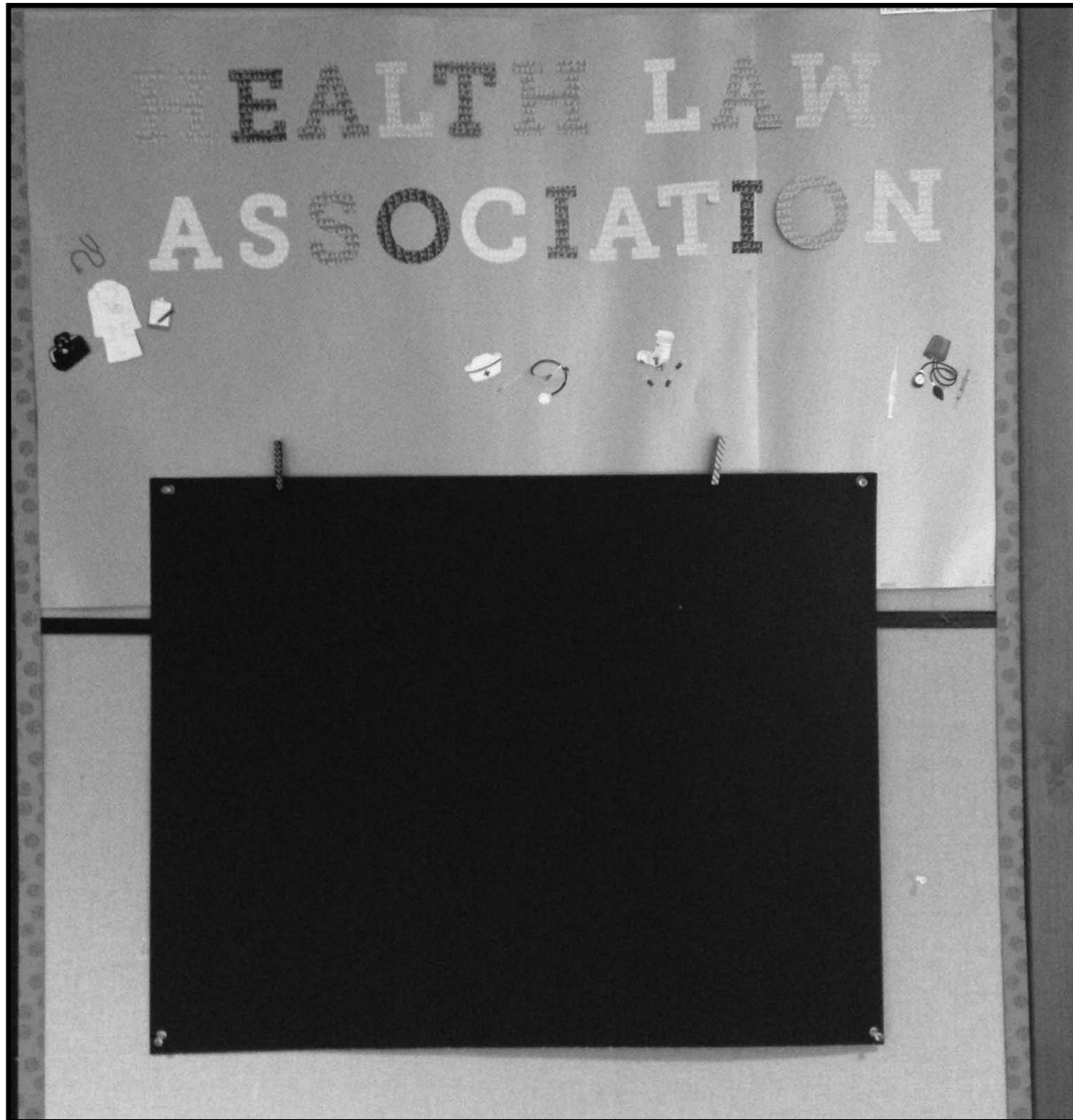
"The instructions in my will are simple. Leave all my earthly belongings to my fiancé, Sanders. Except my HLA t-shirt—bury me in that." – Caroline Kessler, President

What events have been held in the past?

Well, in October, we had our first annual Health Law & Business Mixer. It was a true rager, so much so that Pav security got called on us. 2L partygoer Angela Dunay described it as a "huge success." "I don't socialize when my boyfriend Andrew is out of town, but I made an exception for the HLA party that evening. It was that sort of night, if you know what I mean," Dunay said.

Then in November, we held our annual Fall Career Panel. Organized by 2L celebrity and Vice President of Academic and Career Events Will Hall, our panel featured exclusively women. This was our stance against the patriarchy. We received a lot of positive press about it, and we've quickly outpaced Virginia Law Women when it comes to advocating for women in the field of law.

Speaking of your career panel, would you care to comment on the controversy HLA found itself embroiled in last semes-



The barren HLA bulletin board. Nothing will be posted on it until there is no longer a lack of suitable drinking water in this world. Photo courtesy of HLA

knows—the sky is our limit at HLA. Like us at facebook.com/HLAatUVA.

Lastly, we hope to eradicate the problem of a lack of suitable drinking water in this world. There has been a lot of conversation on campus about why the HLA bulletin board is blank. It's not out of laziness; we're making a statement here. There are currently 844 million people without suitable drinking water in this world. Safe water should not be a privilege of only those who are rich or live in urban metropolises. Thus, until that number hits zero, we at HLA will continue keeping our

access.

Why should people join?

To be part of something truly elite. HLA is greater than any one person. We provide a forum in which students, academics, professionals, and community partners with an interest in health law can collaborate to enhance our understanding of the health law practice and advance the health and wellness of our communities.

Moreover, if you're not with us, you're against us. And believe us when we say HLA is not an enemy you want to have. We know we have haters (we're not dumb). But bad

just be patient. A wolf doesn't lose sleep over the opinion of sheep.

Just read what our members have to say:

"It's funny—you read about Jonestown and you can't begin to grasp how a group of peo-

HEALTH LAW page 8

Faculty Quotes

K. Kordana: "Next time someone says that to you, yell 'it's a fallacy!' Don't start by explaining – first just condemn them."

J. Setear: "In Sherwood v. Walker, one has to wonder if the cow was pregnant before and gave three calves up for adoption so the farmer never knew."


A. Coughlin: "The Law Weekly may tell, but I won't."

N. Woolhandler: "Is that Ms. [Toccare] Nelson?? I get so many emails from you! I finally get to meet you!"

K. Abraham: "I have explanations for everything"

A. Bamzai: "It's kind of a stupid question, so I'll just answer it"

Heard a good professor quote?
Email editor@lawweekly.org!



Virginia Law Weekly

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Virginia Law Weekly
580 Massie Road
University of Virginia School of Law
Charlottesville, Virginia 22903-1789

Phone: 443.812.3229
editor@lawweekly.org
www.lawweekly.org

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HEALTH LAW
continued from page 6

ter?
Ah, the elephant in the room: Laura Dern. Our Fyre Festival, if you will. Look, for that Fall

Career Panel, we had a host of great speakers share their rich experiences in the field of health law, ranging from an associate working on FDA regulatory matters to a trial attorney working in the DOJ's vaccine litigation group. But no, we didn't have any insights from Big Little Lies' Laura Dern, whom many people showed up to hear from after widespread rumors of her appearance at the event. Indeed, rumors ran rampant that Ms. Dern would be making an appearance to discuss a career in health law, and we know there were a lot of faces in that crowd who were feeling the Dern, so to speak. Well, we at HLA failed to quash these rumors. But let us be clear here. We learned a lesson, we have moved forward in the face of

significant backlash, and we choose to live in the present. Our past does not define us.

What events are coming up this semester?

HLA has loaded the docket this semester, as we are officially the most active student organization on Grounds.

First, we have our annual Spring Career Panel on February 22 from 4 to 5 in Purcell Reading Room. This is an excellent opportunity to network ahead of OGI and learn more about law firm careers in health law. We have the hottest names in the field of law.

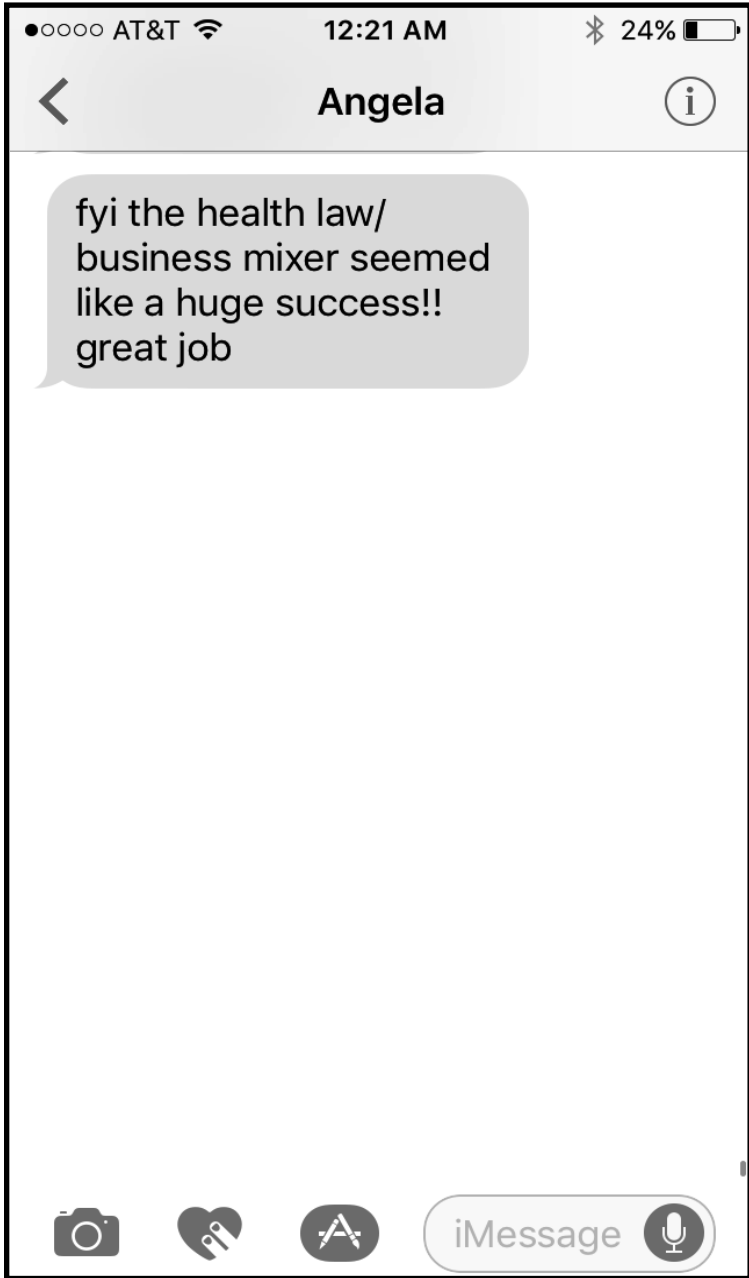
We're also having a President's Day party on February 16 to celebrate the new HLA board after elections take place this month. Should be pretty belligerent.

Can you comment further

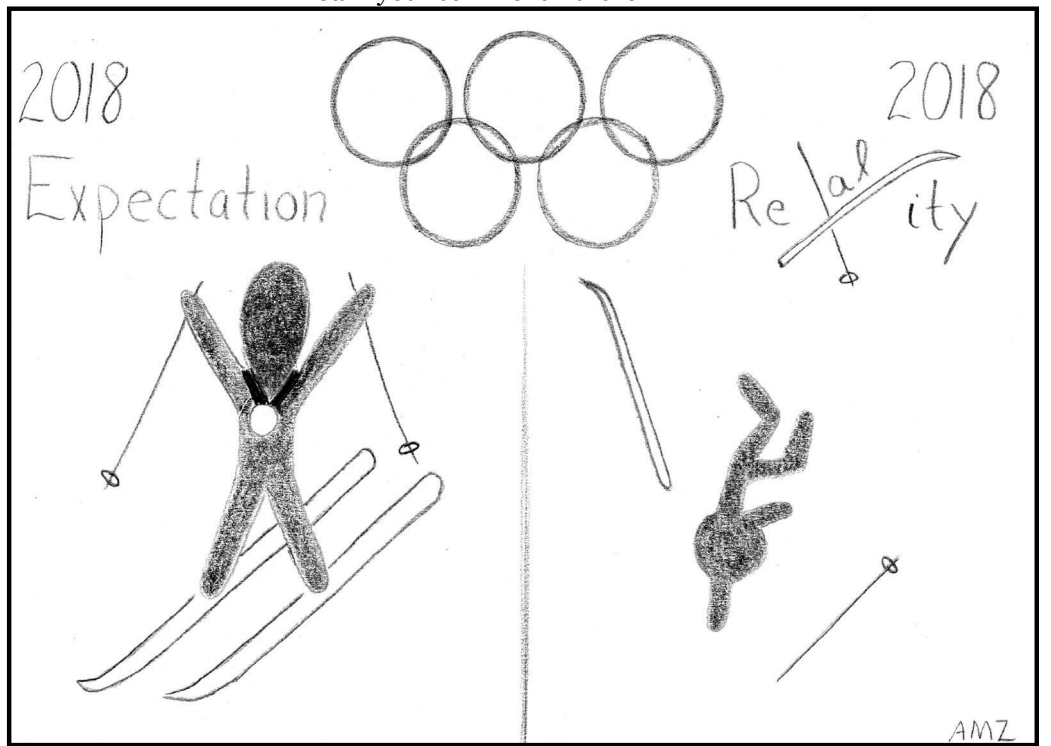
on the elections?

This February, there is about to be a tremendous power vacuum on North Grounds. The current HLA board plans to step down from their positions, and a new host of health law aficionados shall ascend to power. Students can apply for President, Vice President of Academic and Career Events, Vice President of Social Events and Interdisciplinary Activities, Vice President of Communications, Vice President of Finance, and/or Vice President of Pro Bono Activities. It promises to be the most bitterly contested, contentious HLA elections to date.

To learn how to join our movement, contact HLA President Caroline Kessler at cd-k2rh@virginia.edu.



Cartoon By Ali



Party critic Angela Dunay had nothing but positive things to say about HLA's party. Photo courtesy of HLA

THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY – February 7, 2018				
11:30 AM	Civil Forfeiture: Unjust, Indefensible, and (Maybe) Unconstitutional	WB 128	Free	Yes, Firehouse Subs
12:00 PM	VJIL Lunch Series: Professor Pierre-Hugues Verdier	Purcell	Free	It's a "lunch series" so I would assume so
3:45 PM	Peer Advisor Information Session	WB 128	Free	No, but Eric Hall has personally guaranteed Law Weekly that he will take everyone out to drinks on him after
6:00 PM	Diversity Week Event: Unpacking Privilege: An Experience-Based Dialogue on Diversity	Caplin Pavilion	Free	Yes, dinner from Sticks, but seats are limited, so RSVP
THURSDAY – February 8, 2018				
12:00 PM	Food Law at Virginia Association Panel	Purcell	Free	Not sure, but a Food Law Association event without food is like a Professor Kordana lecture without the mention of "jerks"
5:00 PM	Diversity Festival	Spies Garden / Caplin Pavilion (if rain)	Free	Yes, Chipotle
5:30 PM	Advocates for Life Meeting	WB 119	Free	Not sure
FRIDAY – February 9, 2018				
12:00 PM	Street Law General Body Meeting	WB 102	Free	Yes, Chick-fil-A. Shouts out to TSwag Malone for keeping it 100
7:00 PM	I'm Not Racist... Am I?	Paramount Theater	Free	Something tells me the people who should watch this won't
SATURDAY – February 10, 2018				
10:00 PM	No Scrubs '90s Dance Party	Jefferson Theater	\$10	No.
SUNDAY – February 11, 2018				
10:00 PM	Salsa Sunday	The Ante Room	\$8	Learn before you embarrass yourself at Barrister's
MONDAY – February 12, 2018				
12:30 PM	VLBS Presents: The Role of Independent Counsel in Managing Risk for A Global Business	WB 104	Free	Not sure
12:30 PM	Externships Info Session	WB 101	Free	Yes, lunch with RSVP
TUESDAY – February 13, 2018				
11:30 AM	Bracewell Diversity Panel	WB 154	Free	Yes
12:00 PM	Virginia Law Democrats Meet and Greet with Leslie Cockburn	WB 101	Free	Not sure
1:00 PM	Human Trafficking and the Criminal Justice Pipeline	Purcell	Free	Yes
3:45 PM	Panel Discussion: From Law School to Big Law Partner - Tips for a Successful Career	Purcell	Free	Refreshments will be served, how fancy

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