



VIRGINIA LAW WEEKLY

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

A Look Inside: Doubling Down on Debt at the JD/MD Mixer2
Find Your Next Netflix Binge Watch.....3
Challenges for Diversity within Academia.....3

Wednesday, 19 February 2020

The Newspaper of the University of Virginia School of Law Since 1948

Volume 72, Number 17

Razzle Dazzle, There Goes Chief Justice Shmazzle

M. Eleanor Schmalzl '20
Deposed Newspaper Tyrant

February of my 1L year, Jenna Goldman '18 published her farewell article as she finished her tenure as Editor-in-Chief of the *Law Weekly*. Last February, Jansen VanderMeulen '19 did the same. At those times, I had no idea how it must have felt to pass along a job that you invested so much time, thought, and energy into. But as I write this article, the feeling is all too real.

I'm not here to exaggerate the importance of the paper—I know lots of people pick it up for the ANGs and the Professor Quotes—but I do believe that what we do really is something special. Every year the *Law Weekly* manages to entice a handful of first-year law students to wander to the depths of Slaughter Hall, normally in search of dinner as their weary souls trudge through the days of 1L, and somehow get them to keep coming back. Liberals, conservatives, softball players, SBA representatives, students who “only do the paper,” people from all different backgrounds come, eat pizza, and consistently put together a paper documenting what life at the Law School looks like on a weekly basis. 1Ls take hours out of their week to write articles, and checked-out upperclassmen still come back every week despite not having class on Monday (the night we produce the paper) at all. And while week-to-week it may not seem like a big deal, over time these weeks have become years, and these years of documentation are something that you just can't create any other way. After three years of Mondays, I can't identify a common thread between the group of people that edit this paper except that we all are there, having a good time, and producing a paper-copy time capsule of UVA Law. And that's a really cool thing.

I feel honored to have been part of such a special group in my three years at this Law School and I am so thankful to everyone who takes an active role with the *Law Weekly*. To all the consistent readers, thank you for picking up our papers—you're the reason we exist, and it wouldn't be much fun to publish if people didn't bother to peruse our pages and get in on all the jokes we

CHIEF SHMAZZLE page 2

Contested SBA Elections:

Candidates State their Positions



From Left to Right: Daniel Seidita '21 and Katharine Janes '21, candidates for SBA President. Photo Courtesy of Eleanor Schmalzl '20.

This year, the Student Bar Association (SBA) is running a contested election for both the President and Treasurer positions. Each of the candidates' arguments are featured below, and voting will be open from Thursday, February 20 until Sunday, February 23. The *Law Weekly* Facebook page and Instagram have more information about the debate, held on Tuesday, February 18. We encourage you to learn more about the debate and the candidates, as well as exercise your right to vote for your upcoming SBA representatives!

These statements are presented unedited so that you may consider the candidates based on their own work.

Candidates for President

Katharine Janes

Hi, UVA Law! My name is Katharine Janes, and I am running for SBA President. Over the past year, I have loved serving as Secretary of SBA. While some of the highlights of my tenure have included organizing memorable events like the NCAA Tournament game watches, what I've appreciated most in my position has been helping to facilitate everyday student activities on a more individualized basis. This has, for me, included aiding in the establishment of new student organizations, coordinating communications amongst student representatives, and (yes) sending bi-weekly emails about everything happening on Grounds. I deeply appreciate the way that working with

SBA has allowed me to connect students to resources and opportunities they may not have known existed, particularly to the extent that it has promoted an inclusive environment at the law school. I hope I can continue this work next year as President, and I appreciate your vote!

Daniel Seidita

UVA is a special place. I have loved every moment of my time here as a member of this community. I am running for SBA President because I want my fellow students to know that they have an institutional advocate—one that will constantly strive to make students feel welcome, included, and capable of thriving while at UVA Law.

Our time here is short, and I have too often heard murmurs of apathy as students begrudgingly accept that they will not have time to affect change before they leave Charlottesville. I want to correct this misconception. I want to be an SBA President who is accessible; one who actively listens to each member of our community. I am running for SBA president because students should have confidence that their voice will not only be heard, but encouraged. I envision an SBA that is active and open; one in which no opinion on any matter goes without note.

I have loved UVA because of the people—because every day I walk through the halls and know I have a community that supports me. I want to ensure that the SBA is an active part of each of our lives. I want an

SBA that is more inclusive. I want an SBA that places student groups and their missions at the forefront of the student experience. I want an SBA that is adaptive and responsive. I want an SBA that is open and transparent. And I want an SBA that is not just an office in WB, but rather an organization in which each student feels like they serve an important role. I want an SBA that is a bridge to change.

UVA is a very special place—but unfortunately it doesn't always feel that way. I am running because I hope the SBA can be a more active force at enabling members of UVA Law to express their voices. Indeed, I am running simply because UVA isn't perfect, and the SBA is a brilliant platform that has the ability to be a catalyst for change.

Humbly your servant in service,
Daniel V. Seidita

Candidates for Treasurer

Chance Maginness

As Treasurer, I want to make sure that we're directing funds towards events that benefit a majority of students—such as Fauxfield, Barristers, and SBA socials—and doing so in a way that keeps costs low for students that want to attend. Having served on SBA for a year, I've seen how we allocate our funds and create our budgets, and I want to make sure that we're prioritizing our budgets in a way that maximizes the

SBA page 2

around north grounds



Thumbs up to Building Services for updating the soap and toilet paper dispensers to be more “modern.” While ANG only uses these for a weekly shower, the sentiment is nonetheless appreciated. Still waiting for the three-ply though, that tuition money has to go somewhere useful.



Thumbs down to all three coffee machines in MyLab being down at the same time on a Monday morning. While ANG is a strong supporter of striving for new lows, ANG cannot possibly do so without fueling ANG's crippling caffeine addiction.



Thumbs up to Papa John Schantter for “having” (apparently not the same as “eating”) forty Papa John's pizzas in thirty days to criticize the lack of quality since his departure. ANG appreciates anything that involves that profound level of pettiness and excessive pizza eating.



Thumbs down to the entire history of the NBA All-Star Game. Changing the rules of the 4th quarter this year to crown the winner as the first to score 24 points showed that NBA players actually know how to play defense. ANG's legal defense skills are nowhere as close, to the detriment of future clients.



Thumbs sideways to Student Affairs for the Valentine's Day goodies. ANG greatly appreciated the sweets, even though ANG didn't need more excuses to eat cupcakes alone and in sorrow. However, despite the decisive ruling by the Court of Petty Appeals in favor of ANG's love of cookies, there were no actual cookies provided.



Thumbs up to the overthrow of the *Law Weekly's* old leaders. ANG loves a good coup, now and again. All hail EIC ANG!



Thumbs down to presidential candidates Amy Klobuchar and Tom Steyer for being unable to name the Mexican president during an interview. But don't worry, everyone has totally forgotten about your blown cold call already.

CHIEF SHMAZZLE

continued from page 1

sprinkle in throughout every week. And to the professors who put up with us quoting (and, let's be real, likely sometimes misquoting) them on a weekly basis, thank you for going along with the fun and giving us such good material to work with.¹ Finally, thanks to all the editors who come every week to SL 279. From the 1Ls who I was a PA for and encouraged² to attend, to the 2Ls and 3Ls who made me feel so welcome when I was a 1L, to the new crop of 1Ls who show up every week, you all are nothing short of incredible. It may not always feel like we're writing about the most hard-hitting topics,³ but every week I think we manage to engage people, make them laugh,⁴ and contribute to making this school more than just a place to study. I hope others get half the joy out of reading this thing as we do making it every week, and I can't wait to see where the new board takes the

1 We know some of you do it just to humor us, and we eat it up. @Professor Doran and @Professor Mitchell, please join your faculty peers!

2 Read: arguably forced.

3 See <https://www.law-weekly.org/features/2020/2/12/tweedledee-and-tweedledum-high-school-musical> from our February 12, 2020 edition.

4 Even if it is just ourselves, see all the titles this year that end with "The results will *literally* shock you!"

paper next.

My charge as I finish my tenure is the same as the charge I had the first week of the school year: No matter what you do at this Law School, do something. Despite how busy class and studying get, you are missing out on so much more if you don't dive into all that this place has to offer. Most of my best memories from this school come from late Monday nights, hours on the softball field, and time hanging out with 1Ls I mentor.⁵ The *Law Weekly* is a special organization, and I (in my biased opinion) think it is one of the best groups at this school. But find your fit, whether Law Weekly or otherwise, and lean into it—the paper can't wait to document all that's to come.

mes5hf@virginia.edu

5 And, of course, every class and interaction I ever had with Michael Collins, but that doesn't fit the theme of "out of class memories/don't be a gunner" so I am dropping it in a footnote.



SBA

continued from page 1

money that we have. Furthermore, as an undergraduate, I served as our student government's finance committee chair, which allocated a \$24 million dollar budget across the university—which gave me valuable insight into how we can cut out unnecessary costs while directing funds to programs that students enjoy the most.

Josh Short

I believe that next term's SBA has an opportunity to further the excellent work of our predecessors. As an active member of the law school community, I look forward to bringing the same energy and enthusiasm to the SBA Executive Board. Having truly enjoyed my first two years at UVA, I would relish an opportunity to give back to the community that has given me so much.

kmj4vg@virginia.edu

dvs9qz@virginia.edu

clm7hk@virginia.edu

jbs9bb@virginia.edu



Top: Chance Maginness, '22, candidate for SBA Treasurer.

Bottom: Josh Short, '21, candidate for SBA Treasurer.



Malpractice in the Making: JD/MD Mixer

In the darkness of a cold February night, law students seeking refuge from the Hall-

Jacob Jones '21
Features Editor



mark tirade of Valentine's Day reminders found some (but not much) in the warm glow of a packed downtown bar. Around 10 p.m., the lonely heartthrobs of UVA's most prestigious graduate schools¹ trickled like an intravenous drip into the Fitzroy, a bar of classy standards. On a Feb Club weekend featuring two big events, it was the "business in the front" part of the Law School week-

end mullet.² The Health Law Association's Safe Sex Med School Mixer provided a thoroughly strange opportunity for everyone to enjoy slightly discounted beer and tonics at the Fitzroy, all in the presence of drunk classmates, strangers, and a pile of condoms that was awkwardly sitting at the end of the bar.

The description for this event was "[b]ecause half of y'all went to abstinence-only boarding schools in Connecticut."³ This is probably fair, but I didn't get a whole lot of learning at

2 The Libel event on Saturday night being the party in the back.

3 Is there another kind of boarding school?

1 Sorry Darden, sort of.



Picture: Unsoggy, unchewed, pre-remnant Smartie necklace. Photo Courtesy pinterest.com.

this particular event. So, I shall continue on the path of abstinence. Perhaps they should've done the banana demonstration from middle school health class.

The night proved that, for the most part, law students avoid talking to non-law students, even at an event branded as a "mixer," and revealed that we're not yet scared enough of coronavirus to make any attempt to avoid ridiculously crowded spaces. It was very packed. I thought about asking a med student about the transmission of diseases in such a cramped room, but that would have required (1) standing up from my cozy table in the corner and (2) talking to someone who was not a law student. Astute readers of my *Law Weekly* articles⁴ will remember that the last time I wrote about law students and med students mixing, harsh words were traded, with me calling a med student Dr. Pepper and him calling me Suits.⁵

4 Shoutout to my mom. This is also a great time to mention our website, www.lawweekly.org, which is a great place for you to keep up with the paper after you graduate. Again, that's www.lawweekly.org. Or you can live in the 21st century and just Google "uva law weekly".

5 *Suits* isn't even hurtful, have you seen Meghan Markle?

Perhaps the reason that many law students decided not to talk to the med students was our bitterness about their constant presence in the law library. Although med students are at least slightly better than undergrads, we like to practice continual and unabating exclusion here on North Grounds.

My favorite part of the night was the pile of free smartie necklaces next to the condoms (no one else was brave enough to go near the condoms, at least not while I was watching). Eating a smartie necklace is one of the least sexy things anyone can do, since it requires crunching into multiple smarties at once to get them off the string, then sucking the remnants off the soggy elastic. This might explain why none of the med students seemed interesting in mixing with me. As an adult, you really start viewing candy necklaces differently: instead of a fun new way to eat candy, it makes you feel like you're both a child (in a bad way) and like you're wearing one of those necklaces that people who think they look like surfers wear.

Try as we might to escape Valentine's Day, law students couldn't fully get away from awkward reminders of their single-ness. For example, the Fitzroy rebranded their signature tonic drinks as "love tonics." Some law students

refused to order them because they did not want to say those two words in sequence. Who can blame them? But, the tonics themselves were quite good, even if they were sickeningly sweet.

Truth be told, the turn-out that night was impressive: because of the combined effects of the evening's basketball game and the many couples Ubering to their dates (Valentine's Day is always better with a healthy helping of liquor), some attendees of the Safe Sex Mixer reported seeing Lyft and Uber prices rise to \$50 for a simple ride out from North Grounds to the Downtown Mall. That price was unacceptable. Many Law School adventurers decided to appoint a designated driver to chauffeur them to the event and recognized the virtue of not needing to pay for an Uber and instead relying on someone else. Others were even cooler and took the bus. In the end, I think going to a bar is an appropriate event for singles to go to on Valentine's. As a doctor might say, you can treat outside boo-boos with alcohol, so maybe inside boo-boos can benefit from alcohol as well.

jmj3vq@virginia.edu

To All the Boys: P.S. I Still Love You

Well, I had just applied a face-mask and turned on my electric blanket when new Editor-in-

Lena Welch '20
Teen Romance Editor



Chief Christina "Big Tuna" Luk sent me a text. "The *Law Weekly* needs a *P.S. I Still Love You* (*PSISLY*) review. Stat!" Don't you worry, readers, I have been training all of my life for this. What are my qualifications? I've already watched *PSISLY* three times, including during a 7 a.m. viewing party I threw Wednesday, and I've seen *To All the Boys I've Loved Before* (*TATBILB*) approximately thirty times. I've also seen every Noah Centineo Netflix movie and every Jordan Fisher live TV musical, and I had a real-life crush on Ross Butler when he was in high school because he was friends with my sister and would sometimes come over to go swimming in our pool. So, it's Lena Welch, reporting for duty!

Let's begin with Jordan Fisher because the biggest tragedy of the whole film is that my boy is behind a piano for 2:47, and he didn't sing! Y'all, I know a version exists where he's singing. Release the Snyder cut! He has the voice of an angel.¹ Also, word on the street (a.k.a. BuzzFeed) is that he improvised this whole

¹ <https://www.youtube.com/watch?v=KsRi-Aj9fQs>.

piano piece.² The sound guys were probably annoyed, but the viewers were probably smitten with John Ambrose.

Although I doubt you're reading this if you haven't seen *TATBILB*, let me quickly get you up to speed. The story, which is based on a 2014 novel of the same name by Jenny Han, centers on Lara Jean Covey. She is a voracious reader of romance novels and has never had a boyfriend. She has, however, written five love letters. After older sister Margot breaks up with her boyfriend Josh and goes to college, younger sister Kitty sends the letters in the hope of finding LJ a boyfriend. Enter Peter Kavinsky. Peter is one of the recipients of Lara Jean's letters... as is Josh. Drama! Peter and LJ decide to fake date to convince Josh that Lara Jean doesn't still like him and to make Peter's ex Gen jealous. Well, it's a romance movie for teens, so it's not much of a spoiler to say that Lara Jean and Peter fall in love for real—as did the viewers (looking at you, Noah).

Now that we've gotten that out of the way, *PSISLY*. The story picks up with Lara Jean preparing for her first date. The new couple shares in a wonderful night, full of puppy love. But, it turns out another one of LJ's letters was delivered—to John

² <https://www.buzzfeed.com/noradominick/to-all-the-boys-2-jordan-fisher-improv-piano-moment>

Ambrose McClaren. John Ambrose appears to have felt the same way during Model UN in sixth grade. Can Lara Jean navigate the challenges of being a girlfriend for the first time while reconnecting with John Ambrose as they volunteer at the retirement home? After watching this movie, I'd have to say no. She did not do a good job.

The beginning is cloying. Too sweet. It leaves you craving conflict. Then, it delivers the conflict. It delivers the conflict hard for about an hour. With twenty-five minutes to go, you really don't know what's going to happen to Lara Jean, Peter Kavinsky, and John Ambrose. It doesn't seem possible to reach a resolution, but, boy, does it give you exactly what you want. Part of the problem with the movie is that it knows exactly what you want and refuses to give it until the very end. It's actually quite upsetting for those of us invested in the love story.

While the second movie does not quite capture the irresistible qualities of the first (and I mean irresistible—I watched that darn movie four times in the first day I saw it),³ it still has some really high points. Peter looks awesome in the pullover for his first date and the final scene, possibly the biggest high point for me personally. John Corbett is super charming again as Dr. Covey, who is also strug-

³ See @LenaWelch on Twitter for supporting evidence.

gling in the beginning stages of a romance. We meet Stormy, a resident of the retirement home and former showgirl of the sky. And we get to experience Valentine's Day at Adler. Which seems intense.⁴ I didn't notice anything remotely resembling this Friday at UVA Law, which is, for all intents and purposes, a high school.

Unfortunately, we also experienced a few really awkward moments in this movie. While the Lara Jean sad lip-syncing is an unmistakable low point, the awkwardness of the conversation in Peter's car and at the treehouse reunion also took me out of the movie a bit. In Peter's car, it seems like they were going for #ConsentContent, which I really support (and I hope this hashtag takes off because apparently no one else has thought of it before, and it's genius), but it beats around the bush too much to be an effective learning moment. Although the treehouse scene seemed somewhat realistic in how uncomfortable that situation would be, I also

⁴ Lara Jean bakes a turnover for Peter, which I support as a move. But I'm supposed to believe Lara Jean, who in *TATBILB* didn't know to make a tray bake for Kitty's bake sale and got flour all over her face, is a baker now? I don't think so. I'm a baker, and I almost never get flour on my face. On my clothes, sure! But my face? Almost never.

needed a hug after it.

If you can make it through those moments, the wild ride at the end is even more satisfying. There's lacrosse, there's heart-break, there's friendship bracelets, there's a makeover, there's snow. What else do you really need in a film? Plus, there are two kisses exactly two minutes apart to conclude the movie, so you know they were really interested in giving the people what they want.

All in all, I'm not angry this movie exists, which I think is the real measurement for sequels. *PSISLY* had to follow a surprise hit. It also had to once again handle a protagonist whose main characteristic is that she overthinks things, make a guy who viewers believe to be perfect seem less, and set up another love triangle without copying the previous one, all while leaving us liking both boys. It's hard to replicate the magic of a movie like *TATBILB*, and while *PSISLY* doesn't quite get there, it is a pleasant addition to what we all hope will be a trilogy. It doesn't stand up to re-watches as well as the first, but *PSISLY* is definitely worth checking out. Also, if you haven't yet watched *TATBILB*, please do yourself a favor. And do me a favor by inviting me over to watch with you. Thx.

lw8vd@virginia.edu

Diversity in the Academy: BLSA Hosts Professor Panel

On Wednesday, February 12, the Black Law Students Association (BLSA) hosted

Amy Pan '22
Lifestyle Editor



"The Importance of Diversity in the Academy" as part of its annual Black History Month programming. The panel was moderated by Eli Jones '21, BLSA's Social Action Chair, and featured Professors Alex Johnson and Timothy Lovelace '06, who spoke on their experiences as professors of color in legal academia. Professor Johnson, who joined the Law School faculty in 1984, teaches Property, Modern Real Estate, Contracts, and Trusts and Estates. Professor Lovelace, who is visiting this year from the University of Indiana School of Law, teaches Critical Race Theory and has previously served as the director of UVA's Center for the Study of Race and Law. The event spanned a wide range of topics, including each professor's academic background and path to scholarship, the impact of diversity on various fields of legal study, and advice for diverse students who hope to pursue a career in legal academia.

The panel opened by asking Professors Johnson and Lovelace about their respective routes into legal academia and their reasons for transi-

tioning into the profession. Professor Lovelace spoke about his non-traditional path into the legal academy. Both of his parents were involved in civil rights activism, and he initially planned to pursue a public service career. Nonetheless, as many of his peers were applying to major law firms, Professor Lovelace followed suit and went on to work in private practice during his first and second summers. Though the experience as a positive one, Professor Lovelace still felt a pull towards his passion for social justice. That's not to say that working at the firm was without its perks—while Professor Lovelace would often stay late on the job, he would use this time to print law review articles on race, law, and history, which he would read for pleasure. This cemented his interest in academia, and, at the end of the summer, Professor Lovelace made the choice to turn down his firm offer and enroll in UVA's PhD program for history. Professor Lovelace remembers how many of his friends thought he was crazy for giving up a firm salary in favor of remaining a grad student, but he knew he made the right choice.

Like Professor Lovelace, Professor Johnson's route to the legal academy was also a non-linear one. When Professor Johnson graduated from UCLA Law School in 1978, his

Dean had encouraged him to pursue a career in academia, but initially, Professor Johnson wasn't interested—he wanted to "make a lot of money" and set his sights on becoming a partner at a law firm. After spending two years at Latham & Watkins, Professor Johnson eventually accepted a position to teach at the University of Minnesota Law School, originally planning to stay for just one year before returning to Latham. But he found it impossible to go back to being a junior associate¹ after experiencing the freedom and autonomy of working as a professor. At the time, there were only a handful of black legal scholars teaching around the country, but Professor Johnson loved it. Compared to private practice, "being a professor was much more interesting and challenging, and the lifestyle was better." Professor Johnson admitted that most of his class at Latham is now retired—and "filthy rich"—but he wouldn't change his academic career for the world. "Teaching really has been a great profession for me," he said, "and I have never regretted it, ever."

Each professor was then asked about the diversity in their respective fields—and

¹ His exact words were actually "dumbass associate," but the idea is probably one and the same.

why diverse points of view are important in their areas and in legal scholarship generally. Professor Lovelace began by sharing how the field of legal history lacks diversity for a number of reasons. First, the ability to obtain a PhD is critical for most legal historians, but the extra years of schooling and forsaking an income is a major economic burden. Mentorship is also an issue within the profession. Professor Lovelace explained that for a student to become an academic, typically, another professor has to take initiative, identify talent, and personally encourage that student to pursue teaching. Moreover, for a PhD, a young scholar needs an advisor, and as person of color or as a woman, it can be difficult to find someone to trust. As for why diversity is important in the field of civil rights, Professor Lovelace explained the major methodological changes that have taken shape in recent years. Instead of the traditional top-down perspective, many scholars are now acknowledging that constitutional change comes from the bottom up. Everyday people—who never went to law school—are helping create a new context for legal, social, and political change. Without a diverse set of viewpoints, the field would not have experienced this sort of major methodological reform.

Professor Johnson echoed

Professor Lovelace's sentiments when he shared how the transactional side also lacks diversity. When Professor Johnson started teaching at the Law School in 1984, he was the only African American professor; Professor Mildred Robinson came to visit the following year and joined shortly after, but they were the only two for over a decade. Professor Johnson has since recruited several more—including Professor Kim Forde-Mazrui—but the number at UVA Law is still low, especially for a top law school. Professor Johnson explained how barriers to entry are relatively high, reiterating Professor Lovelace's point on the difficulty of obtaining a PhD. Unlike in the past, a great majority of entering law professors hold both a JD and a PhD, making a doctorate degree all but a requirement for legal scholarship.

Professor Johnson quipped that he loves just about everything except grading exams. But in all seriousness, Professor Johnson enjoys the challenge of teaching, of seeing the lightbulb go off in students' heads after a difficult concept like the Rule of Perpetuities.² He described teaching as a far more interesting

² I have no idea what that means, but it sounds hard.

DIVERSITY page 5

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 cl3eh@virginia.edu

Honor Code Committee v. Fried Chicken Thieves

72 U.Va. 655 (2020)

JUSTICE WUNDERLI, sitting by designation, delivered the opinion of the Court, in which SCHMID, TONSETH, QUERNER, BIRCH, and McDERMOTT, JJ. join. VANDERMEULEN, J.(Ret.), filed a dissenting opinion which LUK, C.J., joined.

JUSTICE WUNDERLI delivered the opinion of the Court.

Did the two students who stole an entire tray of Michie Tavern fried chicken from the free food table violate UVA Law’s esteemed Honor Code? Or is this just good ol’ fashioned free food table shenanigans?

The Honor Code is one of the most highly touted virtues of UVA. Never mind the foreboding warning about thieves and hiding your belongings displayed so prominently upon entering the library. This is a school where people are expected to be honest, and people frequently post on GroupMe about finding a lost textbook or cash on Grounds, which is often followed by a smattering of likes and praise. While we lambast other T14 schools for excessive gunnery and their getting-ahead-at-all-costs mentality, here at UVA Law we are different. We help each other, look out for each other, and wish success upon our peers. There is one arena, however, in which a certain amount of gamesmanship has been allowed to go on mostly unopposed: The Law School free food table. Much as in baseball, where a certain amount of sign-stealing and tomfoolery can be shrugged aside and even laughed at, there comes a point when, like

the Houston Astros, one can take things a little too far.

On the night of February 4, two students (names are withheld out of concern for their safety) walked away with an entire tray of Michie Tavern fried chicken at approximately 6:15 p.m. from the free food table. The tray was full, with some estimates from eyewitnesses putting the total amount in controversy between five and ten pounds. The students walked away triumphant and laughing, like two kids who knew they took a little too

mainly by luck and happenstance, a 3L has no duty to preserve food for anyone else after him as long as it is possessed and consumed in good faith. Later, in a split opinion in *Honor Code Committee v Opportunistic 1L*, 70 U.Va. 124 (2017), this Court upheld the right of a student to take home a gallon jug of milk and half a box of cookies at 9:45 p.m. that had been sitting there for over an hour, holding that the student, having seen the cookies and milk and knowing how long it was sitting

reason the Court of Petty Appeals granted certiorari and this case is before us today. The prosecution argues that the two students who hijacked the Michie Tavern chicken and took it home, thereby depriving other law students of the enjoyment and benefits of the free food table, blatantly disregarded the third of the Honor Code’s three basic tenets: Do not steal. We agree. Although there is no limit imposed by this Court on how much one can consume from the free food table in the moment,

of the free food table will be obliterated, and various clubs and groups will feel inclined to take the extra food home themselves, rather than leave it out for the voracious vultures of hungry law students who throng the free food table at the first sight, smell, or sound of sustenance. The free food table must live on, and the basic rights of access to the free food table must be protected.

The defense, citing *Eight Cartons*, argues that once the free food has been left on the table, it is abandoned property and anyone who wants to can lay claim to all or part of what remains based on her own volition and moral conscience. The defense argues that previous cases pertaining to the free food table provide a precedent for this, and although taking the fried chicken may not be morally sound or the right thing to do, it is well within the bounds set by this Court and the basic assumptions of free food.

We, however, draw a firm distinction between abandoned property and property intended for the use of the public as a whole, as is the case here. Although one can enter Costco and try as many different samples as she desires without the slightest intention to purchase the food items, it is a different matter entirely to take the entire sample tray and leave the store. And while one can

COPA page 5

“Depriving other law students of an entire tray of Michie Tavern fried chicken goes beyond self-serving gamesmanship of the free food table and into the territory of a high crime and Honor Code infraction.” - Justice Wunderli

much Halloween candy from the blind old lady across the street. Trying to avoid excessive onlookers, the giddy law students snuck out the back doors by Caplin Auditorium. Ari Anderson ’21 tried briefly to pursue them, but it was in vain, and the chicken was never seen again.

The rules surrounding the free food table have been briefly touched on by this Court, although a firm line has yet to be drawn both out of respect for the common sense of UVA Law students and deference to the legislature. In *Hungry 1L v. Hungry 3L*, 68 U.Va. 220 (2013), this Court decided in favor of the 3L who took the last three pieces of Mellow Mushroom pizza, holding that (1) it is better that one student be filled than two students be only partially full, and (2) because free food is regulat-

ed there, gained a rightful claim to the items through adverse possession. Free food is aplenty at the Law School for those who seek it, and previous decisions have reflected the notion that an individual, by his own industry, has a protected right to obtain as much or as little as he sees fit without the interference of onerous restrictions. (See, e.g. *Diversity Organizations v. That White Guy*, 64 U.Va. 404 (2016), holding that one can obtain free food at any public event as long as she stays for the majority of the meeting, regardless of whether her sole intention is to eat a free lunch, or whether she is a member of the club or organization).

These facts before us, however, have taken basic free food principles and turned them into something monstrous, and it is for this

there are certain undeniable restraints on what one can and cannot do with free food on the free food table. And while there are certain limited circumstances in which taking items not intended for immediate consumption is permissible, given that the act in question took place at peak dinner hours, and Michie Tavern fried chicken is a highly sought-after commodity, these two students must be held accountable for their grievous act. If acts like this continue to go unpunished, the whole institution

Faculty Quotes

J. Monahan: “Bail reform is lit! What does lit mean?”

T. Nachbar: “Everyone is in favor of the Bill of Rights, it like a middle class tax cut.”


P. Mahoney: “Debt is like alcohol. Some people are able to use it responsibly, others get a taste and can’t get enough.”

M. Collins: “Somebody please tell the Federalist Society to stop holding all their events from 1-2 on Thursdays. I can compete with the

Federalist Society, but I can’t compete with Chick-Fil-A. Go get your Chick-fil-A and then bring it to class.”

K. Ferzan: “If I mention Civ Pro again this semester you have my permission to hit me.”

J. Harrison: “And someone else who occasionally falls down on the job is the Supreme Court of the United States.”



Virginia Law Weekly

COLOPHON

Christina Luk '21 <i>Editor-in-Chief</i>	Kathryn Querner '22 <i>Executive Editor</i>	Jacob Jones '21 <i>Features Editor</i>
Phil Tonseth '22 <i>Production Editor</i>	Will Palmer '21 <i>Special Projects Editor</i>	Drew Calamaro '21 <i>Satire Editor</i>
Raphael Cho '21 <i>Cartoonist-in-Chief</i>	Leah Deskins '21 <i>Professor Liaison Editor</i>	Grace Tang '21 <i>Foreign Correspondent</i>
Bill Re '21 <i>Historian</i>	Amy Pan '22 <i>Lifestyle Editor</i>	Donna-Faye Imadi '22 <i>Current Events Editor</i>
Marlyse Vieira '22 <i>New Media Editor</i>	Ben Stievater '22 <i>Events Editor</i>	Will McDermott '22 <i>Development Editor</i>
Nate Wunderli '22 <i>Sports Editor</i>	Samuel Pickett '21 <i>Columns Editor</i>	
Stanley Birch '22 <i>News Editor</i>	Kolleen Gladden '21 <i>Photographer</i>	

Published weekly on Wednesday except during holiday and examination periods and serving the Law School community at the University of Virginia, the *Virginia Law Weekly* (ISSN 0042-661X) is not an official publication of the University and does not necessarily express the views of the University. Any article appearing herein may be reproduced provided that credit is given to both the *Virginia Law Weekly* and the author of the article. Advanced written permission of the *Virginia Law Weekly* is also required for reproduction of any cartoon or illustration.

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

Phone: 434.812.3229
editor@lawweekly.org
www.lawweekly.org

EDITORIAL POLICY: The *Virginia Law Weekly* publishes letters and columns of interest to the Law School and the legal community at large. Views expressed in such submissions are those of the author(s) and not necessarily those of the *Law Weekly* or the Editorial Board. Letters from organizations must bear the name, signature, and title of the person authorizing the submission. All letters and columns must either be submitted in hardcopy bearing a handwritten signature along with an electronic version, or be mailed from the author’s e-mail account. Submissions must be received by 12 p.m. Sunday before publication and must be in accordance with the submission guidelines. Letters and/or columns over 1200 words may not be accepted. The Editorial Board reserves the right to edit all submissions for length, grammar, and clarity. Although every effort is made to publish all materials meeting our guidelines, we regret that not all submissions received can be published.



Locally Owned

PIECE of the PIE

REWARDS

JOIN TODAY

AND START

EARNING POINTS TOWARD

FREE PIZZA

SIGN UP

at [Dominos.com/rewards](https://dominos.com/rewards) to start earning points.

1 = 10

ORDER POINTS

60 =

POINTS FREE PIZZA

Get a FREE medium 2-topping pizza when you can earn 60 points

FREE KINDNESS WITH EVERY ORDER

COPA

continued from page 4

enter Dean Davies’s snack room frequently to satisfy one’s candy and Goldfish cravings, one cannot take the entire bowl of Goldfish or candy and bring it to wherever one pleases. There are lines to be drawn, and depriving other law students of an entire tray of Michie Tavern fried chicken goes beyond self-serving gamesmanship of the free food table and into the territory of a high crime and Honor Code infraction. While this Court does not have the power or enforcement mechanisms to bestow Honor Code violations upon constituents of the Law School, this Court would like nothing more than to see these two students tried in front of a jury composed of mostly undergrad frat bros, as they debate whether this offense constitutes an Honor Code violation warranting dismissal from the school.

In conclusion, although this Court in the past has followed a general rule upholding the rights of students to game the Law School’s free food according to their will and pleasure, the facts of this case compel us to rule the two Michie Tavern fried chicken thieves guilty of first-degree free food table

pilfering, as well as a potential Honor Code infraction to be decided in front of a tribunal of hungover undergrads. The rights of the many will not be infringed upon by the unrestrained impulses of the few.

VANDERMEULEN, J.(Ret.) dissenting, in which CHIEF JUSTICE LUK joins.

Because the majority blatantly disregards our own precedent holding in *Eight Cartons*, I respectively dissent. The majority dispenses with that case’s clear holding, articulated famously by Justice Ranzini, “In the case of food abandonment and placement on ‘free food tables’ and other customary loci of disposal and dispersion, that placement, in some cases, may create a presumption of intention to abandon to the free consumption of such clarity as to approach to irrefutability.” The majority, in its quest to achieve a favorable outcome against admittedly unsympathetic defendants, does away with this ancient rule. I would not so lightly throw our Court’s precedents to the wind.

I dissent.

nw7cz@virginia.edu
cl3eh@virginia.edu

DIVERSITY

continued from page 3

challenge than practice—instead of specializing in one thing and doing it over and over, professors can use their imagination in their writing and teaching. Professor Johnson highlighted the concept of academic freedom and staying passionate and enthusiastic. “I currently have three articles in the pipeline right now, and they excite me,” he told the audience. “I look forward to the time over the summer when I can work on the articles. And then, over the summer, when I’m done working on the articles, I get excited about being back in the classroom and meeting new people.”

Finally, both professors offered some advice to encourage more diverse students to enter into the academy. Professor Lovelace reminded the audience to prioritize grades and develop strong relationships with professors, who will eventually serve as recommenders. He encouraged students to pursue writing experiences—including law review notes and seminar papers—as a way to develop one’s research and scholarly voice. Conducting an independent study with faculty members or completing a clerkship can serve as additional qualifications. But most importantly, Professor Lovelace emphasized the importance of just having passion in and of itself.

“You have to be a self-starter,” he reminded the audience. “Is this something that you feel called to do? Because there are going to be long nights and early mornings when you’re by yourself with a stack of books, just trying to get an answer to a particular question. The only thing that will carry you through those times is that passion, that calling.”

In contrast, Professor Johnson jokingly pointed to his own route as an example of what students should not do.³ Professor Johnson reminded students that, even if they are reluctant to pursue a PhD, there are still opportunities available for diverse scholarship. In the legal academy, schools are looking for diverse professors to populate their classrooms and faculty—especially within the transactional fields. While areas of public law might be more competitive, diverse candidates who are interested in studying Property or Trusts and Estates will have a “good shot.”

In closing, both Professor Johnson and Professor Lovelace encouraged passionate law students to pursue academic careers, even though it may be intimidating in a field that still has much room to grow in terms of diversity. Despite that, Professor Johnson described academia—especially at UVA Law—as one of

3 Don’t be like Professor Johnson, who turned down an invitation for *Law Review* because it meant having to go back to school a month earlier.

spite that, Professor Johnson described academia—especially at UVA Law—as one of the most welcoming and constructive workplaces he has ever experienced. Professor Johnson pointed to Professor Lovelace as an example; Professor Lovelace gave a speech in November that inspired Professor Johnson to start an article about *Shelley v. Kramer* and its significance in all four classes that he teaches.

BLSA’s panel with Professors Lovelace and Johnson provided invaluable commentary and advice from two of the most influential professors of color in the legal academy. The event highlighted the importance of thinking critically about diversity, and many students—including BLSA 1L Chair Allison Burns ’22—expressed admiration for all that both professors have accomplished. Jones, who moderated the event, underscored the importance of this event by adding, “Across academia generally, but even more so in the legal academy, there is a serious lack of diversity to be seen, and that can manifest itself in classrooms and scholarly journals in a variety of ways. Year-round, but especially during Black History Month, I think we should really reflect on the massive benefits we can all reap from increased diversity in many places in society.”

ap8axh@virginia.edu

HOT BENCH



Marilyn Hajj, '20

Hi Marilyn! Thanks for coming to the Hot Bench. Where are you from?

I’m from Lebanon, from the capital of the south called Sidon.

What do you like best about Lebanon?

I love Lebanon. My friends always joke that wherever I go I’m just like a Lebanese ambassador, because the sentence I use the most in every conversation is, “In Lebanon... in Lebanon...” My father is from the south, my mom is from the north, so they have very biased opinions about each region of the country. And I drive a ton in Lebanon, so I have favorite spots, and I love when people talk to me to tell me they want to come visit, and I love to be like a tour guide and show them around.

Why did you decide to get your LLM degree?

I just always knew that my passion was to become a professor and to teach. I love research, and I love conferences and just reaching out to other people, other universities, other countries, other legal systems—com-

mon law vs. German law, whatever. So, I applied, and the LLM was the option for me as a Master’s degree, in the hopes that I can apply for the SJD here. Fingers crossed.

So, are you saying that Virginia wine is not as good as French wine?

Actually, the best wine that I’ve ever had in my life was in Georgia—the country. Just better than French wine, and the bottles are the cheapest. Communism tastes so good.

Let’s do a lightning round!

What’s your anti-stress hobby?

Playing with my hair.

What’s your favorite word?

My favorite word in Arabic is “walaw.” Basically, it’s a tiny word that you say when someone tells you, “thank you,” you say, “walaw.” It means, “and if I could,” so basically it means “and if I could do more, I would have done more.” And I love it.

If you could live anywhere, where would it be?

I would love to live in Tbilisi in Georgia, so pretty. Honestly, I could see myself living a long while in Charlottesville, just so cozy and clean and nice. And in Bordeaux. The southern parts of countries, I like.

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

I would just find a way to buy a university and start teaching.

Would you hire all your friends? (#HireMe)

If they’re talented, yes. My criteria would be how theatrical you can be about teaching.

If you could pick one song to play in the background of your life, what would it be?

That’s a hard one. There was one by Rihanna, “I don’t want to do this anymore...” That’s what’s going on right now in my head.

What is your spirit animal?

I feel like the lion. Just obviously with the hair, but I’m also so inherently lazy, like the lion. We’re all just counting on our partners to do it for us.

What are the seven wonders of the Law School?

1. The free coffee and tea in the library.
2. The LLM class, absolutely.
3. Pavilion’s lobby. For the parties.
4. The staff, just so kind.
5. Our PAs.
6. Softball.
7. ScoCo. The light just reminds you that there’s an outside world is very much needed.

You’re like a social justice person and I want to highlight that. Can you tell us a little about your work before law school?

Basically, I’ve been working since I was sixteen in an NGO in Lebanon. It has a dual purpose: It’s to fight hunger and to fight food waste. On the side of fighting hunger, the NGO had soup kitchens, and through these

kitchens I’ve dealt with Syrian refugees, Palestinian refugees, Armenian refugees, and Lebanese people from all around Lebanon.

At my most recent soup kitchen, I was responsible for seventy children, mostly Syrian refugees who were very much abused in camps. I taught them to dance hip-hop so they can relax and just get it out there without being violent, which was a big concern for us. The kids were just unhappy because they weren’t living their childhood. It got to the point where I would arrive at the soup kitchen, and I would have a child on my arm, a child on my leg, and a child in my hair. That was something I was very passionate about because it wasn’t really the main aim of the NGO, working with kids, but it’s something that I felt strongly about, because if I were in their shoes, I would like to have fun and just learn something new.

To promote awareness for the problem of food waste, I did Ted Talks in Lebanon. I used to give a yearly intervention at the Middle East University. Just speaking about what we do, how we can help, and how we can change our habits to reduce food waste is important because in our culture it’s a big, big problem. For us, culturally, if we have an invitation of ten people, I’m going bring enough food for thirty people because I would rather you be stuffed and not able to walk than to not have enough.

mh4ap@virginia.edu

Letter to the Editor

Letters of interest to the Law School community may be sent to editor@lawweekly.org. Letters may be published at the discretion of the Editorial Board and are subject to editing for grammar, style, and clarity, but not content or viewpoint. The Law Weekly does not necessarily endorse the content or viewpoint of any letter herein published.

The UVA SBA Academics and Faculty Relations Committee is interested to know more about what current UVA Law students think about the course offerings for the 2019-20 academic year. To that end, the Committee has prepared a short survey where students can indicate their satisfaction with this year’s course offerings. Your responses will help the committee gauge the level of satisfaction with this year’s course offerings and will provide valuable insight into the academic preferences of current students. The survey can be accessed by visiting <http://tiny.cc/SBASurvey> or by scanning our QR code. Please do not fill out the survey more than once. Thank you for your participation.



A Valentine's Day Pick Me Up

Stan Birch '22
News Editor

Is, do they have Disney +?

FedSoc is Red¹
ACS is Blue²
ANG was alone on Valentine's
So, this poem's for you

A 1L's first crush
Might be someone attractive
But ANG knows a hottie
Keeps their Quimby account active

"A Law Student's love
For the law is Supreme"
Is the lie we all tell
To make interviews dream

The new-found fling
Goes out for a cute Valentine's
But the lasting romances
Share their elective outlines

Virginia is for Lovers
Is a lofty goal
When readings and assignments
Pulls time like a black hole

A Med school mixer
Seemed just the place
To meet a non-JURIS doctor
Who had George Clooney's face

Hitting the books
Instead of hitting the gym
ANG keeps on wondering
How these 1Ls stay slim

At the end of the night
ANG was left without a rose
Because ANG didn't do Moot
And doesn't know how to close

These books are so heavy
My back is getting a hunch
ANG doesn't have anyone
To take to a boozy brunch

Single's Awareness Day
Has come to pass
So ANG is back to reading
Dreading the Monday morning class

As temperatures drop
With a wintry outlook
LawHoos' hearts turn the color
Of the hated Bluebook

As this Hallmark day passes
No matter how you're feeling
Just remember
UVA Law found you appealing

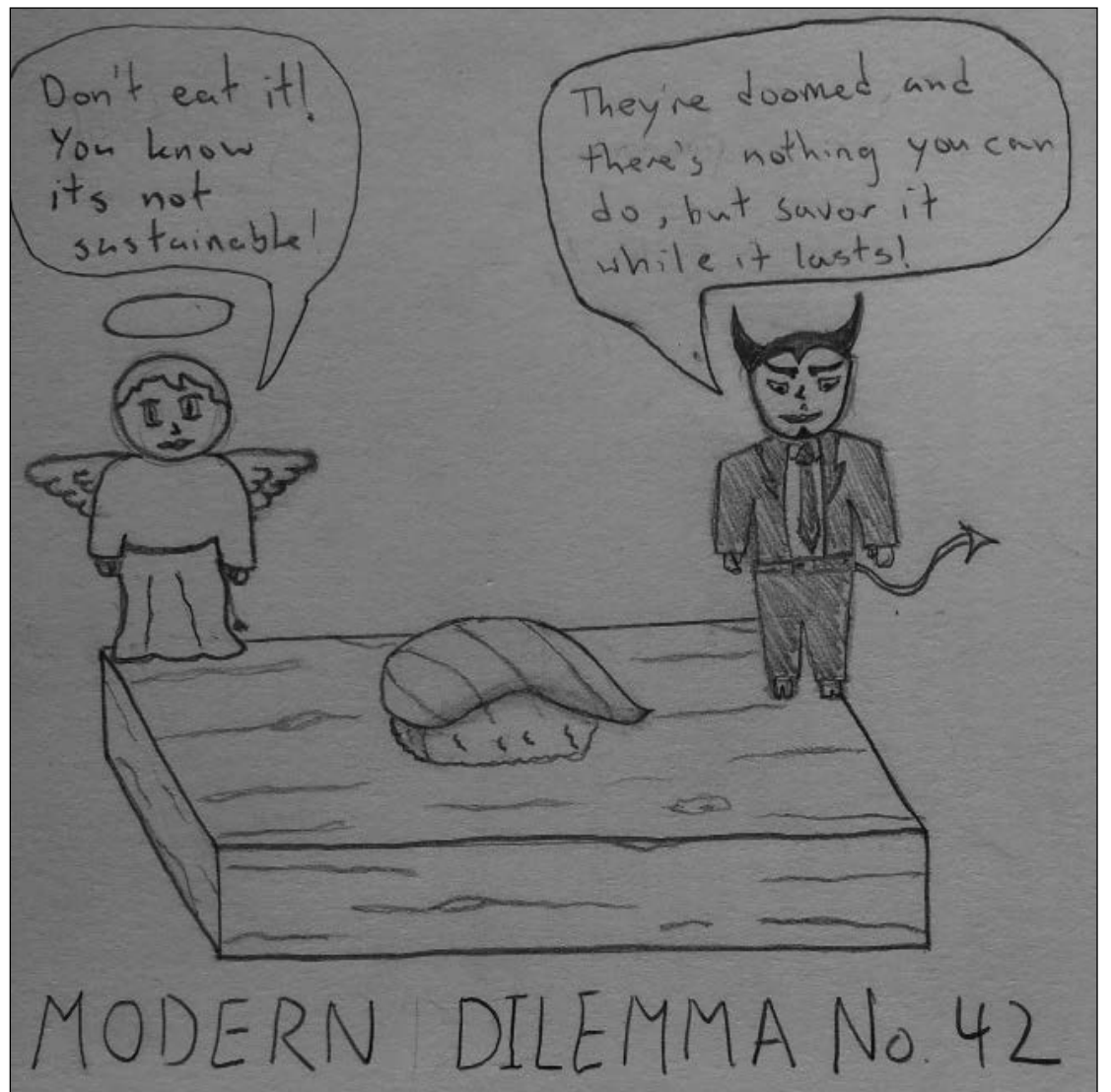
As it gets cold and we
All look for our cuffs
The most important question

1 FedSoc is a non-partisan organization.

2 ACS is a nonpartisan organization.

sfb9yu@virginia.edu

Cartoon By Raphael



THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY - February 19				
13:00 - 14:00	Journal Tryout Bluebook Workshop	WB 152	Free	---
15:30 - 17:15	West Coast Wahoos Hospitality Suites	Slaughter Hall, Second Floor	Free	---
17:30 - 19:00	West Coast Wahoos Spring Career Panel	Purcell	Free	---
19:00 - 21:00	UVA Women's Center Film Series Screening: <i>Pariah</i>	Light House Studio: Vinegar Hill Theatre	Free	---
20:00 - 22:00	Swing 101	The Front Porch	\$5	---
20:00 - 22:30	Law Dems: Debate Watch Party	WB 278	Free	Provided
THURSDAY - February 20				
13:00 - 14:00	Chat with U.S. Attorney G. Zachary Terwilliger	Purcell	Free	Provided with RSVP
17:00 - 19:30	Women in Big Law	Caplin Pavilion	Free, registration required	Reception following event
FRIDAY - February 21				
12:00 - 13:30	Human Rights and Tibet: Leading a Government-in-Exile	Caplin Pavilion	Free	Provided
20:00 - 21:30	Rebel Baroque Concert	Old Cabell Hall	Free for UVA students who reserve in advance	---
SATURDAY - February 22				
12:00 - 17:00	Winter Wine Festival	Stonewall Jackson Hotel & Conference Center, Staunton	\$25-\$30	---
18:30 - 21:30	Sloan Wainwright concert	C'ville Coffee	\$20-\$24	---
SUNDAY - February 23				
12:30 - 14:30	Knead to Know Gnocchi cooking class	Red Pump Kitchen	\$65	Meal provided with class
19:00 - 21:30	Big Blue Door Improv	Belmont Arts Collaborative	\$10	---
MONDAY - February 24				
18:30 - 21:30	The Beethoven Experience with the Borromeo Quartet	American Shakespeare Center, Staunton	\$25-\$42	---
22:00	Matthew Willner	Rapture	Free	---
TUESDAY - February 25				
11:00 - 18:00	New York Day	Caplin Pavilion	Free	Provided
18:00 - 20:00	Evening Tiny Tea Tasting	Twisted Branch Tea Bazaar	\$15	Provided

SUDOKU

	9		5		4		1	
			3			7		8
				9	8			
		8	1		2	9		
	2	5				8	3	
		6	4		3	5		
			9	4				
6		2			7			
	1		2		6		8	

Solution

7	8	4	9	3	2	6	1	5
6	5	3	7	1	8	2	4	9
2	9	1	5	4	6	3	8	7
1	2	5	3	8	4	9	7	6
4	3	8	6	7	9	5	2	1
9	7	6	2	5	1	8	3	4
5	4	2	8	6	7	1	9	3
8	6	7	1	9	3	4	5	2
3	1	9	4	2	5	7	6	8