



Letter from the Editor

Jenna Goldman (she/her/hers) '18
Editor-in-Chief

The welcome letter from the editor of the *Virginia Law Weekly* usually includes quips about drinking at Bilt, war stories about gorging on free pizza, and tips on how to sneak jalapeno potato chips into 8:30am Civ Pro, ending with a desperate call for you to write for us. My first draft of this welcome letter written earlier this summer was full of such advice. As we prepared for production and I re-read my letter, it felt distant and out-of-touch with the events that transpired and the gravity accompanying the start of this particular year.

On Friday, August 11th, the day white supremacists and neo-Nazis marched through Main Grounds with tiki-torches, our staff learned that we had won the American Bar Association's award for Best Law School Newspaper. Instead of celebrating, I felt numb and indifferent to this accomplishment.

The award was supposed to be a celebration of free speech; the heralded First Amendment we are charged to nobly defend as lawyers and budding journalists. A right we hold dear at the *Law Weekly* because it affords us the opportunity to critique, to praise, to disagree, to discuss, to applaud, and to mourn all aspects of the law school. It was all the more gut wrenching to watch the armed hate groups descend on Main Grounds and the Downtown Mall because they did so under the guise of "freedom of speech."

Writing this new welcome letter was difficult because it invoked such feelings of guilt and hopelessness. How could I possibly welcome new students to a place where such a show of hate had occurred? How could I welcome new students when I didn't feel welcomed back to Charlottesville myself?

These horrific events have provided a rude awakening that we (this school, this town, this country) have a long way to go on the proverbial "arc of the moral universe" that, from this vantage point, does not appear to bend towards justice.

Combatting racism, sexism, anti-Semitism, and homophobia are daunting tasks, and in the aftermath of the violent rally I found it nearly impossible to know where to begin. But watching the brave counter-protesters fight back with markers and posters, exercising their own freedom of speech, reminded me of the positive power of words.

We at the *Law Weekly* have always believed the best way to combat ignorant arguments is with informed ones. We are a stronger paper and a better school when everyone participates in the conversation. My goal for this paper is to foster discussions that educate and include all members of the UVa Law community.

Our major initiative is to hand the microphone (or the pen – OK, keyboard) over to marginalized communities in the law school. Though many of us were told to go to law school because we "love to argue" or "can't stop talking," the most valuable skill I have learned in the last two years is when and how to listen. Over the course of the coming year, the *Law Weekly* will feature stories by those who witnessed the white supremacist and neo-Nazi rally and who participated in the peaceful

EDITOR page 6

DEAN WELCOMES CLASS OF 2020



Photo courtesy of content.law.virginia.edu

Risa Goluboff (she/her/hers)
Dean of the Law School

A year ago, I welcomed my first UVa Law class as dean of this law school. I spoke to them at orientation, I met with them in their small groups, and I had the pleasure of getting to know many of them individually over the course of the year.

In many ways, I identified with them. For although I had been at UVa for 14 years already, last year, I knew, would be transformative for me. As a new dean, I would have the opportunity to meet new people, master new skills, embrace all kinds of new challenges.

So it was with real delight that I watched the Class of 2019 go through a similar transformation. I rooted for them through it all. I was thrilled that so many came up to me after their last exams to say, with appropriate pride, that they now saw how far they had traveled, that they felt like different people from when they had arrived. I knew that they would be transformed, as that is what law school does. It transforms how we think and what we can do in the world.

As I welcome you to the Law School and you begin your own journeys, I do so from a slightly different vantage point. I can tell you now not only because your predecessors told me, but also because I witnessed it myself, that you can and will succeed in the first year of your law school adventure. You will come out the other side the same person that brought you to law school—whether it was a desire to change the world or do world-changing deals—but also a different person. You will have new skills, new ways of thinking, and new intellectual resources at your disposal.

Your first year of law school will be different from that of your prede-

cessors, however. You are now residents of a city that has experienced immense trauma in recent weeks, and you begin your law school career at a time unlike any other. For the heaviness that carries with it, I am deeply sorry. We grieve the loss of life, and we mourn the vulnerability and alienation that so many of us continue to feel. I am confident that in time and with the support of our community, these feelings will give way to a renewed sense of security and belonging.

My hope is that you have already witnessed that this town, this University, and this country are not defined by what happened a week ago. And I believe that you will see the profound contrast between those who marched last weekend, driven by hate, violence, anger and exclusion, and the members of this community, driven by equity, diversity, respect and love. In the week since you arrived, I hope you've already seen these values at play. I hope you also see the role you, individually and as a class, will play in nurturing them. You have inherited a wonderful community. It is now yours to shape, to maintain, and to deepen.

Doing so will require deep engagement with this community and with the life of the law. I am sure you have heard that the first year of law school can be challenging. That is not because anyone has set out to make it challenging. Rather, it is because you are learning new approaches to information and to life that are just that: new. They take rigor and application to comprehend, and you will want to apply yourself with zeal as you learn them. When I was a 1L, I recall my own realization of what it would require to complete law school, the endurance it would take to master this new vocabulary and set of skills. Over time, I learned

that "thinking like a lawyer"—the analytical reasoning, the precision with words and concepts—was not something that was just going to happen to me. It was something that I would participate in, embrace, and do in my own brain. I could not simply sit back and expect to become a part of the "learned profession" that is the law. I had to make myself a real partner in the endeavor. I encourage you to take ownership of the education that lies before you, and collaborate with the professors and peers that surround you.


That does not mean, however, that studying is all you will do this year. As I hope the admissions process has already made clear, a core value of this institution is a commitment not only to your career success, but to your thriving as a whole person. As much as you learn in the classroom, you will learn as well from your fellow students. The honest and respectful exchange of ideas both in and out of the formal curriculum is a key part of what we do here. Your fellow students will become colleagues, friends, future networks, and deeply important intellectual and professional influences on you.


I am so excited to watch you learn, grow, and transform this year. There is no better place to become a lawyer than UVa Law. Welcome, let's get to work, and enjoy.


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around north grounds


 Thumbs up and welcome to the Class of 2020! Guess what your eyesight won't be in three years?


 Thumbs down to white supremacists and neo-Nazis. See, President Trump? That wasn't so hard.


 Congratulations to the *Law Weekly* for winning the ABA's award for Best Law School Newspaper! Now can ANG get reimbursed for the replica Iron Throne ANG bought last year for the *Law Weekly* office?


 Thumbs sideways to SBA. We appreciate that Thursday Kegs are back, but moving Bar Review to Friday nights after ANG already scheduled no Friday classes is just rude.


 Thumbs up to Bachelorette Rachel Lindsey on her engagement! Though ANG disagrees with your taste in fiancé (#TeamPeter), ANG supports all lawyers featured in the Bachelor(ette) franchise. Serious question, is Judge Lindsey still accepting clerkship applications?

 Thumbs sideways to TSwift's newest music video. While ANG supports being able to look like ANG crawled out of ANG's own grave after Bar Review, ANG definitely does not want to make snakes in the WB hallway a 'thing' again.

 Thumbs up to McGregor losing and still earning \$30 million. ANG just wishes Mayweather's ex got \$30 million for her bruises.

 Thumbs up to GoT for reminding ANG that a big, beautiful wall is not an effective border security strategy.

 You may have noticed the *Law Weekly* (finally) publishes writers' gender pronouns! Now, dear aggrieved readers, you may properly accost our writers in accordance with their gender identity. ANG doesn't use pronouns because ANG only refers to ANG's self in the third person. Accordingly, please address all hate mail to "ANG's Royal Highness" at editor@lawweekly.org.

 The *Law Weekly* sends our love to Dean Davies and wishes her a quick recovery!

LAW WEEKLY FEATURE: SPOTLIGHT

The Law Weekly reached out to affinity group leaders to write for us in a feature we are calling "Spotlight." Our goal is to give leaders a regular platform to start conversations about issues they are facing, to reflect on the events of August 11th and 12th, and to educate the UVa Law community about their diverse experiences so that we can become better allies to our fellow classmates.

If you or your organization would like to be featured, please reach out to us at editor@lawweekly.org.

It's hard to be a person of color in America. It was difficult four hundred years ago Kimberly Delk (she/her/hers) '19 Vice President, U.Va BLSA



when slaves were first brought to this country. It was a slap in the face two hundred and fifty years later when slaves were set free without educational resources. One hundred years ago, it was painful to endure mass lynchings throughout the South and just fifty years ago, Martin Luther King, Jr. sacrificed his life in furtherance of a dream for equality. Sadly, it was equally as onerous on August 11th and 12th to watch Klansmen, white supremacists, and neo-Nazis wave their flags, flaunt their guns, and shout their racist ideologies free from legal retribution.

What made that weekend most difficult was not the physical proof that racism still exists; we already knew that. The events that took place are forever etched into our memory because society, the city of Charlottesville, and the University of Virginia defended free speech for bigots and racists. As a consequence

of their actions, inactions, and mis-actions, Black and Brown people were denied their most basic, inalienable rights to life, liberty, and the pursuit of happiness.

Before James Madison established the First Amendment's freedom of speech, Charlottesville's beloved Thomas Jefferson granted a series of inalienable rights to every American.

those rights were challenged throughout history by the racism that permeated through Jim Crow laws, poll taxes, gerrymandering, zoning, mass incarceration, maximum sentencing, standardized testing, etc. Unfortunately, the "Unite the Right" rally opened the door to the most herculean tool in racism's arsenal: fear.

Fear for Life. The protest-

ers to the unification of pure-blooded, Anglo-Saxon people and the acquisition of territory for their people. By also chanting, "you will not replace us" the protesters made it clear that America was theirs for the taking. Considering how the Americas were "taken" in the first place, the only way to fulfill the prophecies of their slogans is to take the land by

these chants as hate speech or just the ignorant opinions of a small group of deplorables. It is imperative to understand that Black and Brown Americans heard real, tangible, life-altering threats. As we tuned into CNN, MSNBC, and FOX, we could feel the heat from a burning cross in our front yards. We could see the noose hanging from an oak tree in our local parks. We could even smell the bonfire used to burn our belongings and possibly our kinfolk. We feared for our lives while the law allowed these protesters to not only promote the supremacy of their race, but also the inferiority of all others. We were forced to bear witness that some Americans do not believe our lives matter.

Fear for Liberty. For all of the students that were in Charlottesville that weekend, we were denied the liberty to leave our homes out of fear. We feared what would happen if we were out there and found ourselves

in the wrong place at the wrong time. We wanted the protest- SPOTLIGHT page 3



A threatening crowd of neo-Nazis shouts "Blood and Soil" on Grounds August 11, 2017. Photo courtesy CNN.com

Putting aside Jefferson's contradictory and hypocritical ownership of slaves at the time,

ers shouted "Blood and Soil" throughout the streets of Charlottesville. This Nazi slogan re-

force: placing the lives of people of color in jeopardy.

Some Americans interpreted

A Few Good People

Before I came to law school, I was told by one of my mentors that I would be the happi-

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



est person in my class. She wasn't commenting on my actual personality and demeanor; she was trying to imagine going through law school without having to deal with the stress of trying to find internships or earn a GPA high enough to enter the job market. While those are certainly perks, I like to think that I'm extremely lucky not because I already have a job but because I already have my dream job. I'm an active duty Air Force officer who, with any luck, will be part of the Judge Advocate General Corps. In fact, this summer I got the opportunity to intern at a base-level legal office working on diverse issues common across Air Force bases.

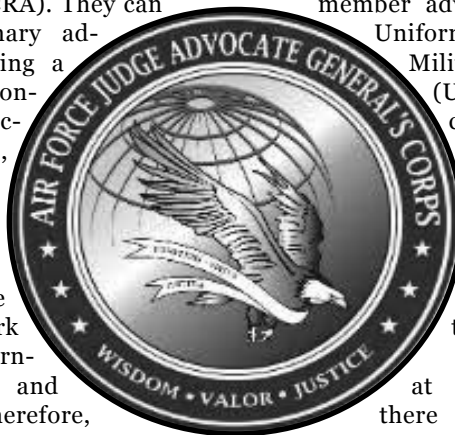
I think there are some common misconceptions about what JAGs do. While I can't speak for the other branches, I can clear up some urban legends about what Air Force JAGs do – and, no, we aren't pilots. At every base, there is a Staff Judge Advocate (SJA) who works directly for the Wing Commander (essentially the CEO of the base). The lawyers who work for the SJA are Assistant Staff Judge Advocates (ASJAs) and usually in charge of one or two categories of law. For instance, a new ASJA will typically start out learning civil or administrative law and practice employment

law and deal with ethical questions from commanders. But they could also easily be placed in environmental or contract law for their first assignment reviewing contract solicitations, bids, task orders for IDIQ contracts, or overseeing the process when contractors fall short. While there is a Chief of Military Justice (usually a second or third assignment Captain), all the ASJAs will take turns prosecuting different cases. This is not only because of a heavy case load, but also because they need to earn their certification before they can go to trial without a senior officer. So, the rumor about being in a court room within six months of passing the bar is realistic although not guaranteed.

All ASJAs will also spend between three-to-four hours per week doing Legal Assistance.

This can range from drafting wills and powers of attorney to giving legal advice to tenants seeking to break their lease under the Servicemember's Civil Relief Act (SCRA). They can give preliminary advice on starting a divorce or consumer protection rights, but they can't represent members in court. This is because ASJAs work for the government first and foremost. Therefore, even though the Air Force encourages legal assistance appointments to save members millions of dollars in legal fees annually, ASJAs carefully con-

sider whether taking on a client would in any way compromise their duty to the Air Force or the client. For instance, an ASJA would never give a service member advice on the Uniform Code of Military Justice (UCMJ) because they need to be able to prosecute without any conflicts of interest.



Therefore, at each base there is also an Area Defense Counsel (ADC) who doesn't answer to any authority on the base. These are usually third assignment Captains who have previously been a Chief of Military Justice. These lawyers represent service members who are accused of disciplinary or criminal infractions. They usually have a heavy case load and travel to other bases within their region frequently. For instance, if two service members are accused of smoking marijuana together, then the ADC can only represent one, and an ADC from another base in the region will represent the other. It's not unusual to handle around 35 clients at a time – even at a small base.

One unique role for lawyers in the Air Force is the Special Victim's Counsel (SVC). Every time a case involves a crime about sexual assault or domestic violence, among other qualifiers, the victim is given the opportunity to be represented for free

by an SVC. The SVC's job is to specifically advocate for the victim's rights during the process. For instance, it might be helpful to the prosecution to have a victim testify about the accused serving them alcohol, but they shouldn't advise the victim to give that testimony if they are underage. Also, if the victim is military too, there can be disciplinary issues that arise out of working through the traumatic experience. In a world where you can lose your job based on how quickly you run a mile and a half, and where repeatedly coming to work late is a crime, the Air Force wants to give victims enough space to heal while still maintaining discipline. The SVC represents their client and their interests alone.

While many are pulled to serve in the JAG Corps because of the unique way military lawyers practice several different types of law, I think the majority choose to join because they want to serve in the military. It's a different way of life that's hard to explain. Some of the civilian men I've talked to about the military seem to think the kind of discipline required is similar to playing high school or college sports. Both can be inspiring and rigid, but I don't get to decide where I live, when I move, how to wear my hair every day, or how big my waistline can be. Sometimes I'm chest-deep in paperwork that seems irrelevant and all-consuming. Or, I'm spending my lunch hour clicking through mandatory online training about how to operate a fire extinguisher. (Yes, GOOD PEOPLE page 3

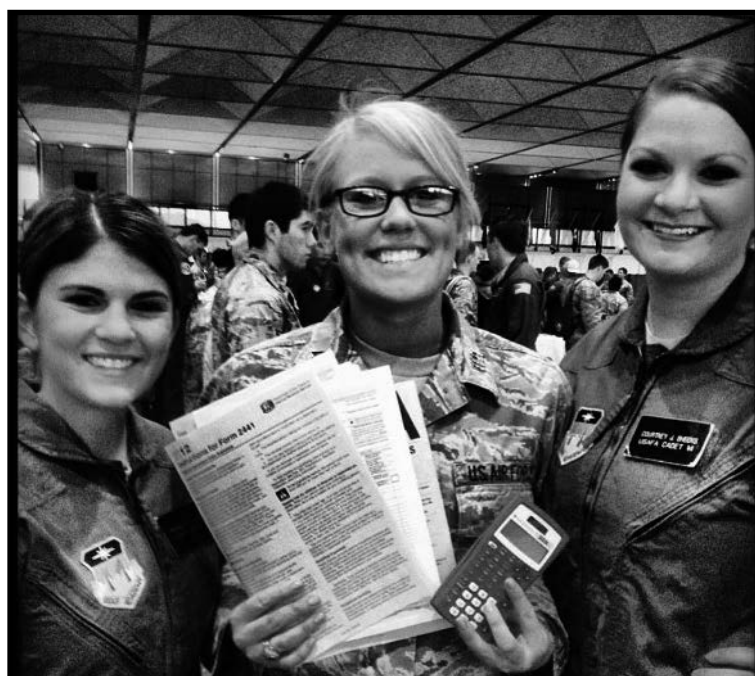


Photo courtesy Facebook.com

GOOD PEOPLE
continued from page 2

my entire lunch hour.) It can be really easy to feel like you don't have any impact, like you are a cog in a huge machine. Someone "thanking me for my service" on those days makes me feel like a fraud.

But then I look up from my paperwork, and I realize that I'm part of the best "company" in the world. I get to work for and with some of the best people you'll ever meet. Where they truly care about your mental health and whether you spend enough time with your family. I'll never have to worry about being paid less than my male counter-parts. Not deciding where to move next means I move out of my comfort zone and see the world. Focusing on fitness means I can get out of the office and go for a run as part of my job. Wearing my hair in a low bun means I can sleep in fifteen minutes because I don't have to blow-dry my hair. Being in the military has taught me resilience and forces me to push through things that make me uncomfortable or frustrated. I may risk my life during a deployment, or be separated from my family over the holidays, but it's worth it to me because I work somewhere that closes the office so that my co-workers can eat tacos with me because it's the last day of my eight-week internship. Taking that lunch break means most of them stayed even later that night, but they didn't mind. That's what being in the military is like.

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Advice from a (Basically Functional) 2L

Let me make it very clear that I was recruited by my (wise and talented) editor-in-chief to write

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Columns Editor



this column, and while I'm not sure anyone with sense should follow my advice, I'm willing to interrupt my two weeks of callbacks, pool trips, novel-reading, eclipse-watching, and coffee on the back porch to shed some light on what's coming for you. Your PAs are great and they're going to tell you everything you need to know as this year progresses. I'm going to try to shed some light on the small things I found out during the year that I wish I'd known earlier. You'll realize by the end of this column that I pretty much fumble through life, and it's a miracle I got into UVa Law at all.

There's a lot of stuff you really need to worry about during your first few weeks, beyond classes and reading. You will be overwhelmed and feel crazed. There are tons of meetings during the first few weeks for affinity groups, career services, and financial aid. Be selective (but when the email says mandatory, they mean it). Get on some listservs for groups you're interested in, but feel free to go to only the meetings for groups or issues you really care about. Seek out meetings with free food, especially if you're still figuring out how to grocery shop and pack a lunch. As someone staring down forty with a third-grader, I've gotten pretty good at this, but I gather people in their twenties don't al-

ways have this down. One of the benefits of joining the *Law Weekly* is free pizza on Monday nights while we edit, so I was glad to have found this group early last year.

There's free coffee on the second floor of the library in MyLab, and it took me a long time to figure this out, because, early on, I stayed in my apartment to study. It turns out I'm much more focused in the library, and less tempted to binge-watch *Bob's Burgers* or *Suits*. Also, since I hate disposable coffee cups, I'll mention that you can in fact bring your own mug to the upstairs Keurigs, and the bottom of each *lifts up* so that your mug, likely taller than a ten-ounce paper cup, can fit. I only learned this by watching someone else do it while my phone was charging in MyLab, and it was spring. You're welcome.

Unfortunately, free coffee is generally the worst kind, and I find Keurig to be only a mild ex-

ScoCo. I drink it black, so it's not too much of an expense, and chatting with Mandy at the checkout counter is always a highlight of my day. If I'm feeling fancy and I have a lull in the day, I'll walk over to Shark Mountain and indulge in a Dirty Chai. I suppose everyone has to develop their own coffee hierarchy independently, but mine's a good start. And if you don't drink coffee I have nothing to say to you, except good luck with finals.

Small things add up in terms of staying sane. Get a locker and keep emergency items in it. Advil, a phone charger, tampons, granola bars for after five when student affairs is closed, whatever you might think you'll need. Once I figured out that there was an electric kettle, refrigerators, and microwaves in ScoCo – again, rather late in the year – it opened vast horizons in terms of the food I brought with



The law library's wasteful but free coffee option. Photo courtesy Kuerig.com

think. And not that this is critical information, but if you walk all the way back through the first floor of the library, you can get back to the main hallway of Withers-Brown through that exit. I seriously figured that out this summer.

And here's the lightning round: Listen to your PAs. Ask lots of questions, especially of upper-level students. Read all emails from career services. Visit your professors during office hours. Don't get so drunk at Bar Review that you stumble in to your 8:30 Friday class with a hangover. Don't skip classes. Try to meet people outside of your section. Don't forgo human contact to binge-study. Take care of your body. Above all, have fun. Make friends; explore Charlottesville. You're in the last three years of school that you'll likely ever experience, so take some time to enjoy it.

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The law school's hipster coffee option. Photo courtesy Yelp.com

ception, and still wasteful. It'll do in a pinch, but I'm snobby enough about coffee that I usually go to

me each day. I keep green tea and Cup o' Noodles-type soups in my locker, and they've gotten me through many a late night.

Learn how to book study rooms through the library website for getting groups together during finals. It helps to talk about practice exam questions with other human beings. There's a bin of earplugs next to the circulation desk in the library on the lower

floor for those of you, who, like me, don't have noise-cancelling headphones. Trust me, the library is louder than you

SPOTLIGHT
continued from page 2

ers to go home so that we could be free from the cameras, free from the hate, and free from the chaos. To date, our minds are still constrained as we constantly think and talk about what transpired.

While most of the student body was impacted in this way, Black and Brown students were further constrained by fear be-

cause we were the targets of their spiteful rhetoric. It was like being a kid standing in the screen door of your home while every bully from kindergarten through twelfth grade told you how worthless you are from your front yard. In a moment of bravery, you may think to go outside and tell the bullies how wrong they are and how successful you will be one day. That bravery fades as you realize you are outnumbered and that those bullies have the upper hand due to privileges and "good ole boy" networks that you will never be a part of.

Unfortunately, Black and

opened that weekend, we still prepared for church on Sunday and work on Monday because fear is exactly what they wanted from us. We contained the fear within our friendships and families while portraying strength and confidence to our coworkers and classmates. We'll continue to exude such strength because fear will not bring about the prevention tactics, support, and legislation necessary for change.

"With everything that happened that weekend, we still prepared for church on Sunday and work on Monday because fear is exactly what they wanted from us."

cause we were the targets of their spiteful rhetoric. It was like being a kid standing in the screen door of your home while every bully from kindergarten through twelfth grade told you how worthless you are from your front yard. In a moment of bravery, you may think to go outside and tell the bullies how wrong they are and how successful you will be one day. That bravery fades as you realize you are outnumbered and that those bullies have the upper hand due to privileges and "good ole boy" networks that you will never be a part of.

Fear for the Pursuit of Happiness. The scariest part of that weekend is knowing that everyone who participated in the protest went back to their lives where they serve as CEOs, managers, and employ-

Brown people have to question whether our neighbors, employers and acquaintances possess similar ideologies. While the rest of America can focus on being a productive member of society, we live in fear of how racism can manifest itself in our individual pursuits of happiness. Therefore, we walk with extra caution in the hallways, and flash a fake smile at the inappropriate comments made by our colleagues. We even offer to take on unwanted tasks just to tear down a stereotype or to convince the team that we are assets and not liabilities. Before the rally, these things were optional. Now, fear of negative repercussions on the job, at school, or in our communities make such precautions mandatory.

With everything that hap-

Yes, the rallies reminded greater America of her past and present issues with acceptance and diversity. Yes, the rallies opened the hearts of millions of Americans who now understand that a post racial society is far in the distance for today's America. On the other hand, Black and Brown America took those revelations a step further and realized that at any point in time, racists can gather to promote the destruction and extinction of entire ethnicities. If this extremist practice of free speech continues to gain traction and the law does not conform to punish such rhetoric, we fear that the difficulties of fifty, one hundred, and two hundred and fifty years ago will be the realities of the future.

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HOT BENCH



Jamaica
"Jah" Akande
(he/him/his)

1. Have you ever had a nickname? What? My nicknames are "Jah" and "Mayka." My family is petty.

2. Where did you grow up? I was born, bred, and educated in the capital of the Commonwealth of Virginia.

3. What's the best meal you've ever had? My mother-in-law's Gujarati styled eggplant and potato curry is to die for.

4. If you could meet one celebrity, who would it be? I have always dreamt of meeting Sanaa Lathan. I am a Love & Basketball fanatic.

5. What's your favorite book? My favorite book is *Beloved* by Toni Morrison. It is the one book that touches my soul and shakes me to the core each time that I read it.

6. Cats or Dogs? Dogs—preferably puppies.

7. If you were a superhero what would your superpower be? Power to heal the wounded and broken-hearted.

8. Are you a good dancer? Absolutely. My ancestors are African and Indo-Caribbean. I got it honest.

9. What did you have for breakfast this morning? A banana and iced coffee with almond milk.

10. What's your most interesting two-truths-and-a-lie? (And what's the lie?) 1) I started working at 13. 2) I am missing a large portion of my lung. 3) I've met President Obama. (#3. I wish!)

11. If you could live anywhere, where would it be? London. I spent three years there and my wife is from there, so it's a natural fit.

12. Do you sing in the shower? Yes, to country music only.

13. What's the best gift you've ever received? My health. I am so thankful to be able to wake up each morning fully able to enjoy this world and live my life to the fullest.

14. Do you believe the library should install a water feature? Let's do it. I'm here for the healing power and calming effects of water for our law students!

15. If you could make one law that everyone had to follow, what would it be? Replace the toilet paper after you finish it.

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 is comprised of 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 jmg3db@virginia.edu.

Class of 2019 v. 2017 OGI Firms et. al. (2017)
84 U.Va 649
24 August 2017

JANI, J., delivered the opinion of the Court, joined in part by GOLDMAN, C.J., and VANDERMEULEN and ZABLOCKI, JJ.

As we open this term of the Court of Petty Appeals, this Court has the annual opportunity to introduce the newest batch of fresh meat to this Court and its jurisprudence. To the incoming 1L class, welcome.

Today this court addresses a complaint that came to us before the start of the school term. During what is now considered the yearly feat of strength challenge, Dean Donovan tries to carry as many floundering 2Ls as he can manage to a BigLaw job, otherwise known as OGI. The petitioner is the Class of 2019, a group that as a whole qualifies as an eligible class because the withered husks of their bodies in aggregate adds up to about fourteen whole people. The first respondent is, as a group, the Firms of 2017 OGI. (The original complaint did specify several firms that were more complicit than others; however, I am still weighing job offers from a few of these firms, and therefore, I will not allow their good names to be individually slandered. For those who will say that I should recuse myself from this case, you don't get how this works.) The second respondent is University of Virginia School of Law's Office of Career Services.

The facts of this case are simple and are as follows: throughout the OGI process many firms manned "hospitality suites" where they provided students refreshments while giving them the opportunity to learn more about the firm. (As an aside, the term "hospitality suite" is unfitting, as no place that mandates attendance should be described as "hospitable.") The food of choice at many of these suites were bagels. While this Court stands in support of healthy snacks, ob-

servers to and historians of the 2017 OGI process will note that the sea of contrived and unconvincing smiles that flooded the halls of Slaughter and Withers-Brown were often propped up by a complex matrix of refined carbohydrates. As such, this Court takes no issue with the complete lack of imagination when it came to food choice. Nevertheless, the complaint does not concern the offering of bagels, but rather the offering of Pane-

drinking the free alcohol and finger foods provided to us is an exercise in emotional distress. (Again, full disclosure, I am one of the people who has been running on this proverbial hamster wheel, but to those who know me, the fact that I am willing to exchange my body, mind, and soul for shiny things should be of no surprise.)

The second claim, that Career Services violated students' rights by subjecting us to a

search.) Nevertheless, two associated yet separate common-law principles sit above all Eighth Amendment case law. The first, *Snitches get stiches*, and the second, *Don't whine and moan, nobody cares*. The claim before us today fails both of these doctrinal tests. If anyone thought that this court would enjoin the Office of Career Services from anything besides dealing with the incoming horde of gunner 1Ls who have already made ap-

Panera bagels and by extension show no loyalty to Charlottesville. Although I have a cat, a wild and noxious beast, which shows my utter lack of judgment, by some mix-up I have been granted a seat on this court. I definitely wrote this opinion, me, Zablocki, J.

VANDERMEULEN, J., concurring in part and concurring in the judgment

I join nearly in full the opinion of my colleague Justice Jani. I write separately only to note my complete and total opposition to so-called "hospitality suites." These tools of oppression are so noxious, loathsome, and filled with fidget spinners as to merit their total injunction, should a case seeking such an outcome arise. I depart from Justice Jani's decision only insofar as it relies on the opinion of Justice Brennan. Professor Woolhandler was very clear that Justice Brennan is never, under any circumstances, to be cited approvingly.

GOLDMAN, C.J., concurring in part and dissenting in part

I concur with Justice Jani's dismissal of the first claim and note that Bodo's bagels are superior to all bagels in Charlottesville. I would also suggest that SBA pass a decree stating as such (is that what SBA does?)

As to the second count, and speaking as an employed 3L, I give Career Services total impunity.

HOPKIN, J., recuses herself because, "nOGI, b*tche\$."

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"The entire fantasy of a BigLaw, \$180k firm job, that allows young attorneys to have a work life balance, while engaging in sophisticated legal work in a diverse and collegial environment . . . is an exercise in emotional distress." – JANI, J.

ra bagels in lieu of our own local and beloved Bodo's Bagels. The petitioners bring two claims. The first, against the 2017 OGI Law Firms, is that the offering of this fraudulent 'bagel' constitutes an intentional infliction of emotional distress. Second, by subjecting students to this harrowing experience, Career Services violated the Eighth Amendment's ban on cruel and unusual punishments. We have decided to consolidate both cases for the sake of efficiency, and because we can.

This court dismisses the first declaration of intentional infliction of emotional distress. This complaint falls apart on the tortious element of duty. Law firms have no duty not to offend the sensibilities of students. If anything, they have an affirmative duty to do so. (Shouts out to the interviewer who asked a student what their "favorite equitable decision case in Property class was.") The entire fantasy of a BigLaw, \$180k firm job, that allows young attorneys to have a work life balance, while engaging in sophisticated legal work in a diverse and collegial environment that students hallucinate on by

cruel and unusual punishment, stands on more solid ground. Career Services is supposed to be our protectors by talking us off the ledge in our desperate times of need. By forcing us to visit these hospitality suites and choke down the chalky carbohydrates made by corporate drones that they offer (no disrespect to Panera— this court recognizes that it just called your workers corporate drones, but your only real crime here is not being Bodo's, an establishment that I have eaten at all of two times) Career Services is arguably subjecting us to an arbitrarily painful punishment. Some may argue that asserting an Eighth Amendment violation against our own school is extreme, however, if there is one thing that this court has recognized is that law students will let no opportunity to react extremely to something pass. The facts of this case run congruent to the four principles that constitute a "cruel and unusual punishment" laid out in Justice Brennan's concurrence in *Furman v. Georgia*, 408 U.S. 238 (1972) (Brennan, J., concurring) (I'm not going to list them out; do your own re-

pointments with career counselors, they were severely mistaken.

So there it is, welcome to the 2017-2018 term of the Court of Petty Appeals, it will only get better from here. Or, maybe not, who knows. Feel free to send any disputes you would like heard to editor@lawweekly.org. We won't look at them, but feel free to send them anyway. Finally, this court would like to condemn the recent violence in Charlottesville; hate and intolerance have no place in this world, this school, and especially in this court.

Case dismissed.

ZABLOCKI, J., concurring in judgment

I, Justice Zablocki, in whole body and mind, swear that I like

Faculty Quotes

R. Hynes: I'm an academic, so I'm doing what academics do. I'm driving my Subaru and listening to NPR.

J. Harrison: This is law school, and there's a limit on how much fun is permissible.


K. Abraham: You have to have dignity as a concept before the court can protect it.

J.H. Verkerke: I love modern architecture, but that just looks like a water tank.

K. Ferzan: I was shocked to discover that my homeowners insurance policy covered intentionally hitting people with my shopping cart at Wegman's.

J. Cannon: Mechanical transport is not allowed in National Forests... Much to my chagrin, that means I can't ride my mountain bike.

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



Virginia Law Weekly

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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.

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Five UVa Law Traditions for the Incoming 1L

Welcome to Charlottesville, and the happiest law school on earth. Despite the brief but ugly

Eric Hall
(he/him/his)'18
Managing Editor



appearance of Neo-Nazis and white supremacists, this town remains as vibrant, multicultural, and tolerant as ever. Nowhere more so than the law school. Generations of Virginia Law students have fostered bonds of friendship that transcend race and political ideology thanks to a set of traditions, some of which date back to the days when Robert Mueller or Antonin Scalia walked the halls. These traditions promote collegiality and trust, core tenets of what Dean Faulk calls “the Virginia Way.” As political division reaches a fever pitch and the nation reels from the deplorable events in #Charlottesville, we need these traditions now more than ever.

Peer Advisors

The first tradition you’ll encounter may be the most important to the Virginia Law culture. To my knowledge, no other top ten law school places as much emphasis on mentorship as UVa does with its Peer Advisor program. By now you will have met your six Peer Advisors, or PAs, and hopefully had the chance to spend some time with a few of them. Although I may be biased, being a Peer Advisor is a tremendous honor, for the law school entrusts them with tremendous responsibility. Each sextet of PAs

to them. You need only ask. They can also help with more personal problems. Struggling in class? Problems with one of your class

mates? Your PA can either help or help you find the resources you need.



3Ls dress aburdly at Foxfield 2016. Photo courtesy of content Facebook.com

mates? Your PA can either help or help you find the resources you need.

Dandelion

You probably heard it mentioned in passing before you heard it explained. Dandelion, which is happening September 1st at 5 PM in The Park, is nominally the official start of the softball season, although actual section-on-section softball games won’t happen until a few weeks later. When it was invented 33 years ago, 1Ls

section’s skit for technique, form, creativity, and “extra”-ness. The “winning” team will then play a ceremonial exhibition match against a team hastily assembled by NGS. They will lose.

Our advice: shoot for second. Seeding in the 1L tournament is determined by placement at Dandelion. So, while you don’t want to come in first and face NGS’s best pitchers at their least coordinated, you also don’t want your first game of the tournament scheduled at 7 AM. One final word of wisdom: don’t throw food at the audience. It will be thrown back.

Softball

Is it required? No. Should you play anyway? Absolutely. There are few of us at the *Law Weekly* who are any good at softball, and I am not among them. Notwithstanding, I maintain that softball is a valuable component of the “Virginia Way.” Even if you stand a snowball’s chance in hell at getting tapped for NGS (i.e. you’re not a competent player), you should make softball a part of your

arms the week before finals. Some professors even get in on the action. One year, Professor Hynes assigned cold calls to the losing half of his two-section class.

Traditionally, 1L teams find a sponsor, (usually a local business or a law firm), to pay for and slap their logo on a set of jerseys. Softball captains, after assessing their section’s enthusiasm, will typically hold a few practices before and between games. They’ll also coordinate with other sections to schedule games and draft a gender balanced batting order. If you’re not your section’s softball captain, all you need to worry about is choosing a walk-up song and bringing a glove (we recommend inheriting one from a 3L PA or—worst case scenario—Play-it-Again Sports down 29).

Garish gussets aside, Foxfield is also one of the few early events at which 1Ls, and 2Ls, and 3Ls have cause to interact. 1L sections pair up, two per plot, inside the race track. Each pairing typically offers a food item (BBQ sandwiches and mac n’ cheese were favorites in past years) and a beverage, housed under a rented or borrowed shelter. Sections are also responsible for paying the fee for a Foxfield plot out of their section fund. Getting to Foxfield can be a bit tricky. Luckily, SBA runs a series of buses from the law school, but you’ll have to buy tickets at their table near ScoCo. Tickets to the race are separate and—even though this is 2017—can only be purchased in person at select local businesses. Most people go to Greenberry’s in Barracks Row.



Revellers ogle a sunset at Carter Mountain. Hope you kept your eclipse glasses. Photo courtesy of content ChilesFamilyOrchard.com

Carter Mountain Sunset Series

Foxfield, or more accurately the Foxfield Family Day Races, happens every year on the last Sunday of September. To the rest of Charlottesville, Foxfield is a day to swathe your family in bowties and pastels for a day spent cheering on your favorite thoroughbred. But don’t be fooled. Most law school attendees never see a horse. And if you stumble into a family, you’ve likely strayed from the quarantine pen where they keep the law students (apologize, and then follow the noise coming from somewhere near the dumpsters). We do, however, obey the dress code. Splashy big hats, Vineyard Vines, and Lilly Pulit-

As UVa traditions go, this one’s just a newborn. Every Thursday from May to October, gaggles of 1Ls make the pilgrimage up Carter Mountain’s twisty roads to sit toe to toe on too-small picnic blankets, and watch the sun set to a townie band cover of Wagon Wheel. Neither the overcrowded mountainside nor the overpriced Bold Rock can sully the glorious view from atop Carter Mountain. Each week features a different local musical act, and every week features the Chiles family’s fabulous hot cider donuts. Our recommendation: go early, sample a flight at the Bold Rock (cider)



2016 Section E, the Legal Eagles, smile after a devastating loss. Photo courtesy of Facebook.com

is carefully curated to represent every facet of law school life and, as well as possible, reflect the section they serve. Whether you’re conservative or liberal, came straight through from undergrad or took time off, are from the East Coast or the West, you can find a PA to identify with.

But the PAs do more than look the part. They’re also some of the law school’s most successful students. In academics, extra-curriculars, and (most important) personal well-being, the 60-odd PAs have figured out how to do law school right. It’s a competitive process to become a PA, which speaks not only to the eagerness of UVa students to mentor 1Ls, but also to the quality of the group that makes the cut.

Think of the PAs as a first-line resource for all things law school. They’ve taken your professors and done well. They’ve secured 1L summer jobs in interesting places. They know the best haunts in town and will take you

made brightly-colored floats and paraded through Grounds handing out Tootsie Rolls to undergrads on their way to the softball fields . . . or something like that. The origins of Dandelion are admittedly hazy. Today it is still tied to softball, although no one thinks about softball when they recall Dandelion (if they recall anything at all). In place of floats and marching 1Ls, Dandelion is known more for its entertaining, occasionally outrageous musical “skits.”

Here’s what happens: Drawing inspiration from its letter designation, each section and the LLMs devise their own skit, almost always set to music, which highlights the talents (or absence thereof) of members in the section. Successful past entries include the LLMs thoughtful (read: raunchy) depiction of the American presidential election, and 2016 Section F’s arcane, pun-on-a-pun Fairly Odd Patents routine. Indeed, some parts of the mod-



1996 Section G rides atop a “hand-made” E30 BMW float at the Dandelion Parade. Photo courtesy of archives.law.virginia.edu.

1L experience. Softball brings sections together over beer, walk-up songs, and light friendly competition against other 1L sections. No one will remember the time you struck out or broke both your

zer tie-dye the field. If it’s rainy, expect a stampede of Bean Boots. If you weren’t sure which of your sectionmates came from Southern privilege, an un-ironic Foxfield outfit should clue you in.

or Prince Michel (wine) tasting room, then hike up the hill and bag a bushel of ripe peaches and apples before the crowds arrive.

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EDITOR

continued from page 1
counter-protests, along with an on-going feature by many UVa Law affinity groups.

Although we all came to law school for different reasons, I suspect our motivations share a common thread: we hope to learn how to use the law as a tool to right the injustices we see in the world. All of you 1Ls have already proven to be the best and brightest. Many of you are seasoned community activists and advocates. Therefore, I will only leave you with one piece of unsolicited advice. Hold on to whatever passion it was that brought you to UVa Law and participate in organizations that help you further those interests.

So, volunteer for the Innocence Project, run for your section's First-Year Council, join Virginia Law Women, join Black Law Student Association, or make some other positive impact on UVa Law. 1L time commitment for the *Law Weekly*, and most other organizations, is truly less daunting than it may seem. We meet every Monday at 6pm in SL 279 to edit submitted work, listen to Kesha, and eat free pizza (thanks Domino's).

Now I will end, as promised, with the traditional shameless plug to write for the *Law Weekly*. Whether it is your discontent with the school alcohol policy, an opinion about foreign elections, or an amicus brief for the esteemed Court of Petty Appeals, we want to publish your writing. If domestic terror groups can invoke the First Amendment, so can we. Submit your pieces to us in 800-1500 words to editor@lawweekly.org.

On behalf of the staff of writers and editors at the *Virginia Law Weekly*, good luck and welcome to law school!

jmg3db@virginia.edu

Practice LSAT Question

Analytical Reasoning:

Each group of questions in this section is based on a set of conditions. In answering some of the questions, it may be useful to draw a rough diagram. Choose the response that most accurately and completely answers the question and mark the corresponding space on your answer sheet.

Passage for Questions 1, 2, and 3

Seven 2Ls — Alia, Alicia, Alida, Alina, Alisa, Alita, and Aliza — have all bid on OGI interviews with Allen, Allen, Allen & Allen. Each student gets an interview, and Allen, Allen, Allen & Allen only has one OGI interviewer.

- Alisa does not get the first or second interview.
- Alina gets a later interview than Alisa.
- Neither Alia nor Alita interviews last.
- Either Alita or Aliza interviews immediately after Alina.
- Alida interviews either immediately before or immediately after Alicia.

Question 1: If Alida interviews first, which of the following must be true?

- A. Alia interviews sixth.
- B. Alisa interviews third.
- C. Aliza interviews last.
- D. Alia interviews immediately after Alita.
- E. Alina interviews immediately after Alisa.

Question 2: If Alicia interviews third, what is the latest that Alita can interview?

- A. First
- B. Second
- C. Fifth
- D. Sixth
- E. Seventh

Question 3: Assume the interviews begin 8:30 in the morning. If the sun sets exactly eleven hours and forty-six minutes later, how many days will it be until the next solar eclipse in Charlottesville?

- A. Fourteen
- B. Fifteen
- C. Sixteen
- D. It depends on whether Alina gets an offer.
- E. Thirteen, and nobody gets offers.

Cartoon By Ali



THE DOCKET

| TIME | EVENT | LOCATION | COST | FOOD? |
|------------------------------|--|---------------------------------|--------------|---|
| WEDNESDAY – August 30, 2017 | | | | |
| 5:00 PM | Student Activities Fair & First SBA Social | Spies Garden | Free | FedSoc'll have Chik-fil-A. Everyone else shitty candy |
| THURSDAY – August 31, 2017 | | | | |
| 7:00 PM | Mobility Workshop | Lululemon Charlottesville | Free | Water. |
| FRIDAY – September 1, 2017 | | | | |
| 12:00 PM | Lambda Law Alliance Kickoff Event | SL 258 | Free | Lunch |
| 5:00 PM | Dandelion Parade | The Park | 1L Dignity | Pizza & Beer |
| 4:00 PM | Jefferson Clerkship | Bilt | \$3 Tallboys | Dumplings available for purchase |
| SATURDAY – September 2, 2017 | | | | |
| 12:00 PM | SALSA/LALO/Women of Color 1L Kickoff Event | Pavilion Pool/ Courtyard | Free | BBQ |
| 2:00 PM | Law for Progress BBQ | Pavilion Pool/ Courtyard | Free | BBQ |
| 3:30 PM | Virginia Football vs. W&M | Scott Stadium | Free | Available for purchase |
| SUNDAY – September 3, 2017 | | | | |
| 6:00 PM | Asado Argentine Grill Dinner | Adventure Farm, Earlysville, CA | \$40 | I shouldn't have to answer this |
| 8:30 PM | Free Movies on the Green: Beauty and the Beast | Boar's Head Resort | Free | BYOpicnic |
| MONDAY – September 4, 2017 | | | | |
| 5:30 PM | Volunteer Wrench Night | Community Bikes | Free | Pizza |
| TUESDAY – September 5, 2017 | | | | |
| 5:30 PM | Migrant Farmworker Project Training | WB 101 | Free | Probs not. This is pro bono |

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Solution

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