



VIRGINIA LAW WEEKLY

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

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TODAY: Law School Safety and Response Town Hall

Mary Grace Triplett '24
Guest Writer

Warning: This article discusses gun violence in schools. If this topic makes you uncomfortable for any reason, please know that you are not alone. This article seeks to start a conversation about how to improve safety in the Law School.

All of us have been impacted by gun violence. I grew up in Nashville, Tennessee, only a ten-minute drive from The Covenant School. In 2023, The Covenant School was the target of the deadliest mass shooting in Tennessee's history.¹ And just months before that, three students—D'Sean Perry, Devin Chandler, and Lavel Davis Jr.—were shot and killed on UVA's grounds. These tragedies reflect the grim reality of our modern age—students, teachers, and school administrators are often the victims of senseless violence. Last year, two hundred and twenty-seven people in the United States were wounded or killed on school property.² Unsurprisingly, these shootings have left students feeling anxious, unsettled, and fearful when something at school feels out of the ordinary.

In addition to these feelings of hopelessness, students may also feel frustrated about what can

¹ Adeel Hassan & Emily Cochrane, *What We Know About the Nashville School Shooting*, N.Y. Times (Sept. 13, 2023), <https://www.nytimes.com/article/nashville-school-shooting.html>.

² Naaz Modan & Kara Arundel, *Another Record High: Counting School Shootings in 2023*, K-12 Dive (Dec. 20, 2023), <https://www.k12dive.com/news/2023-total-school-mass-shootings/703007/>.

Law Firm Partners Prepare Students for AI's Impact on Legal Practice



Noah Coco '26
Managing Editor

Photo Credit: UVA Law

As a law student, if you are not thinking about how artificial intelligence (AI) will impact your legal career, you should probably start. If you are already thinking about how AI will impact your career, you should be encouraged by the opportunities it presents. That is the message that attorneys Chris Mammen and Jay Silver '81, partners at the law firm Womble Bond Dickinson, delivered to students at the Law School on Thursday, February 22, in a talk titled, "What You Need To Know About AI in Legal Practice." The current buzz surrounding AI is inescapable. It may be difficult to separate the signal from the noise and discern the lasting impacts of the technology on society. Lawyers will have to contend not only with the unique legal challenges that AI engenders, for clients and public interest organizations alike, but that these same transformational technologies will impact the very practice of law.

It is easy for lawyers to embrace the challenges that AI introduces for clients. The rapid adoption and deployment of AI technologies and applications pose numerous legal uncertainties that provide a "target-rich environment,"

as Silver likes to think of it, for attorneys to help clients navigate. Mammen and Silver presented wide-ranging areas of concern that clients will regularly rely on lawyers to help navigate—particularly in the early phases of AI adoption before many of the legal challenges begin to be resolved—from privacy, data security, and regulatory concerns, to questions of intellectual property infringement, products liability, and professional liability. Uncertainty generates demand for legal counsel. Law students should be encouraged by this increasing demand and be prepared to take on the challenges companies will be faced with.


What may be more concerning for law students is the prospect of these same AI technologies and applications displacing employment in the legal sector itself. For instance, Mammen and Silver cited a 2023 report published by Goldman Sachs estimating that 44% of tasks performed by legal professionals could be automated by AI.¹ Although the precise distribution of legal sector employment dis-

¹ Briggs, et al., "The Potentially Large Effects of Artificial Intelligence on Economic Growth," Goldman Sachs Research (March 27, 2023).


placement is difficult to predict, it is apparent that law firms, the destination of a majority of the Law School's graduates, will have to prepare for the possibility of dramatic displacement and realignment of their workforces. Mammen and Silver pointed to at least three reasons for decreased demand for law firm employment.


First, law firms themselves will require fewer attorneys and legal professionals as AI applications perform the duties traditionally performed by associates—for instance, legal research, document summaries, and document drafting. Compounding this trend is the concomitant reduction in demand for external counsel at all as in-house counsel, who will likewise reduce their own staff, utilize their own AI applications to perform work previously outsourced to external counsel. Third, as legal services become easier to perform through AI applications, new types of professional services firms will increasingly enter the space and displace even more demand for the services of law firms. Mammen and Silver noted that the Big Four accounting firms,


around north grounds


 Thumbs up to UVA Law meeting its goal of fundraising \$400 million early! Cash monay babay.


 Thumbs up to SBA elections. It was nice hearing from some of you for the first time since 1L.


 Thumbs sideways to the \$1 billion donation to give med students free tuition. ANG loves cadavers and surgery but is disconcerted by wealthy donors.


 Thumbs down to the public service students losing the funding for their summer grants to work in public service. Womp womp. If only UVA had around \$400 million to give y'all.

 Thumbs up to spring break! ANG especially loves the gunnery little 1Ls who are choosing to spend their break writing on to a journal instead of enjoying sunlight. ANG thinks all law students should get less sunlight.

 Thumbs sideways to Sweden joining NATO. ANG loves large, militarized alliance which contribute to the political tinderbox but dos not like Volvos. Not one bit.

 Thumbs down to the former Editor-in-Chief Nikolai Morse '24 adversely possessing the *Law Weekly* Office. This never would have happened under Dana.

 Thumbs sideways to the new *Law Weekly* E-Board. ANG loves a good coup d'état, but ANG prefers the kind that are followed by state failure and anarchy. Well, there's still hope...

 Thumbs up to Professor Naomi Cahn for her recent appearance on *Meet the Press*. ANG is always glad to see the faculty in the news, especially when they are lucky enough to avoid Chuck Todd.

Law Weekly's Suggestions for This Year's Club Leadership Transitions

Ethan Brown '25
Satire Editor



If there's anything we can all agree on, it's that February is the worst month of law school.¹ It's cold, the sun sets at 2 p.m., and there's an unreasonable amount of work to get done—especially for the 1Ls, who have to confront networking events, journal tryouts, LRW fellow applications, and the like. If that wasn't enough, consider the cherry on top: club leadership transitions, in which beleaguered 2Ls ritualistically find relatively bushy-eyed 1Ls to take over the executive boards of extracurricular activities all across the Law School.

Sure, 1Ls might consider running for conventional roles, like President or Treasurer, of an organization or two that they care about. After all, doing so is “great for their resume” and “will seriously not take that much work, I swear, it's super

¹ bUT WhAt AbOuT feB cLuB?

SAFETY

continued from page 1

only be described as an information gap. Does the Law School have procedures in place for these kinds of situations? Are members of the public required to “check-in” when they enter the school, or can they move freely about the Law School? How do we lock the classroom doors in the event of an emergency? These questions are typically met with a response that students should contact Student Affairs if they have questions or feel unsafe. But even if Student Affairs is the proper avenue to address day-to-day issues, the school desperately lacks a broader discussion about safety. From our perspective, this issue seems to be on the backburner until—tragically—it comes to the forefront in the wake of another shooting.

These feelings inspired me and my friends to write a petition to the Law School administration last spring. Our petition included several goals: to identify feasible ways to make our school safer, to increase transparency about our safety protocols, and to start a much-needed conversation about campus safety that would include students, faculty, and staff

chill.”² But I write today to discuss the leadership titles we all should honestly include in our clubs at UVA Law this leadership transition season—because not everything that happens in a club can be adequately summed up in a few boring titles.

Vice President of Liking Your Feisty Messages in a Group Chat But Never Coming to Meetings

This person is a hero. Sometimes, you just need bodies to back you up in a group chat with your fellow executive board members, and a simple love react or exclamation mark can go a long way. Even though this person might never actually do their job or come to meetings in the first place, that sad reality can be overlooked by the fact that they're always on your side

² These are the lines that I've been employing in my desperate attempts to recruit 1Ls to run for executive boards. Only time will tell if my persuasion has worked.

when it matters: in deciding petty conflicts.

Secretary of Whining About the Job They Voluntarily Took On

I know this job well because I've lived it! My title on the *Virginia Law Weekly's* colophon might say “Features Editor,” but it really should read this instead. I signed up to be Features Editor with glee last year—what a joy, I thought! Writing *every week* for this Law School's finest institution. No one coerced me into it. Much like Adam Driver's impassioned admonition to Scarlett Johansson in *A Marriage Story*, I “chose this life.”³ But still, I have found myself each week complaining to my Editorial Board compatriots about having to write an article, something that I imagine has only endeared me to the lovely folks on our staff. (Sorry, Nikolai, Monica, An-

³ I can't relate to people who haven't watched this movie enough to quote it at will. A breathtaking piece of cinema.

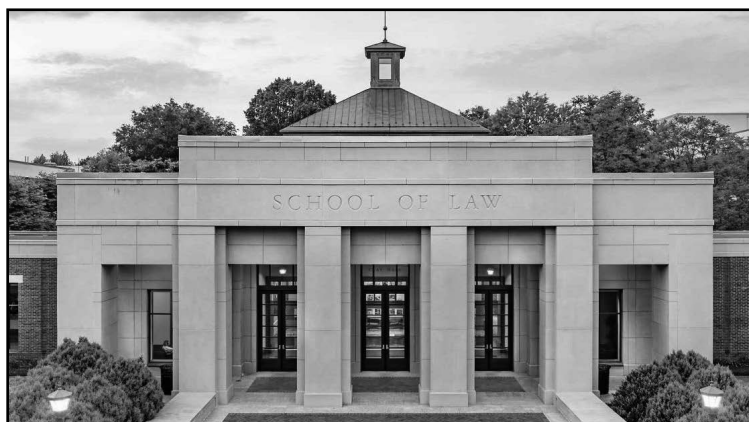


Photo Credit: UVA Law

alike. Our collective “first step” is to host an event on Law School Safety and Response, which will be led by members of UVA's Threat Assessment Team and the Office of Emergency Management. The event has been organized by Annie Somerville '24, Ethan Young '24, Kennedy Williams '24, and myself. It has been sponsored by the Student Bar Administration, and we welcome other student organizations to endorse the event as well.

The event will be tailored specifically to the Law School. It will offer an opportunity for students to ask questions to Law School administrators and UVA Emergency employees about how to respond in unsafe situations. First, it is important to acknowledge that the Law School is in a unique position because it is open to the public. On any

given day, many individuals who are not affiliated with the Law School will roam our hallways for tours, events, or clinics. These contributions and community interactions are an enriching part of our student body experience. But this dynamic occasionally leads to uncomfortable and anxiety-inducing situations. Last year, for example, there were at least two occasions in which a non-student appeared in a course and participated in ways that were concerning, and at times, aggressive. This event will offer guidance and suggestions on how you could respond appropriately—or choose not to respond—in those situations. The hosts of the Law School Safety and Response event will also discuss the possibility of an active shooter. While this topic is certainly difficult, we feel that preparing for such a situation is far less difficult

drew, and Garrett. You are all patient souls.) My personal saga aside, this job is a cornerstone of any club at UVA Law: We all know them, and we all need them. At least they do their job.

Chief of Listservs

Honestly, I don't know how civilization has made it this far without every club having a designated person just to handle listservs. With the constant requests from recent graduates to be taken off, to the endless throngs of 1Ls that technology seemingly conspires to exclude from listserv access despite my best efforts, this task is like a permanent hum in the background noise of my psyche. Please, for the love of all that is holy, give listserv management its own position. And preferably give that person the power to obliterate listservs entirely and do everything over GroupMe. And then create a new position for the person who has to run the GroupMe, because that's its own *scha-bang*. And then ideally scrap the GroupMe

than the alternative.

Finally, our classmates have raised important questions about what the administration is currently doing to protect our community, and what other measures could be put in place. A large part of the problem is *not* that the Law School lacks those procedures, but that students are *unaware* of them. To have productive conversations about reform, we must first take the time to understand the school's existing protocols and the reasoning behind them. This event will provide an opportunity for students to learn the procedures already in place and suggest new ideas for the future. We do not have the answers about how to make our school safer, or how to help students feel more comfortable in the classroom. But before we can solve the problem at hand, we must enable a discussion concerning the key information between students and administrators so that we are all on the same page.

There are many ways for students to fight the gun violence epidemic that our schools currently face. Through organizing this event, we have chosen to instigate change within our own community by facili-

too, because I've seen that devolve into a fiery hellscape more times than I can count.

Person Who Just Texts, “hiiii can i do anything to help uwu?” A Few Times a Week

I speak from experience as Lambda's outgoing “Executive Vice President,” a role that could be aptly described as “The Person Who Really Just Is Trying to Help Out the Person Whose Role Actually Matters.” What does that look like in practice? Mostly sending texts like the ones above, while also being on deck to send out both (1) cheery and (2) passive-aggressive texts in the club GroupMe. Clearly a full-time gig.

The Ones Who Somehow Do Everything

I am convinced that almost every club at the Law School could be effectively run by two or three people, because in every organization I've been a part of...this

LEADERSHIP page 6

tating dialogue, improving protocols, and preparing for an emergency. But this is just the beginning of a conversation, which we hope will spur further community organization and activism around this problem.

We hope you will join us at the Law School Safety and Response meeting on **Wednesday, February 28 at 1 p.m. in Brown 152**. It will be an opportunity to learn and ask questions about an issue that affects each of us daily. Feel free to reach out to me, Annie, Ethan, or Kennedy about questions, comments, or concerns that you may have.



When Speech Gives You Lemons...

Andrew Allard '25
Editor-in-Chief



It's no secret that young lawyers face an increasingly complex world. Finding the right balance between advocating for causes you care about and maintaining your reputation as a rational legal thinker is no easy feat. And as recent high-profile law firm firings show, getting that balance wrong can be costly.

In recent months, student speech has been front and center at the Law School and on campuses nationwide. With a contentious presidential election looming and an ongoing war in Gaza, tensions at the Law School have noticeably heightened. Reports of removed and defaced posters prompted Senior Associate Dean and Chief Operating Officer Stephen Parr to twice send out emails reminding students of the Law School's Speech and Signs & Postings policies.

But compared with recent events at other law schools, the fight over free speech at UVA looks tame. Last March at Stanford Law,

a visit from Fifth Circuit Judge Kyle Duncan made national news after his vicious exchange with protesting students.¹ A year earlier at Yale Law School, more than 120 students protested a talk by Kristen Waggoner, general counsel for Alliance Defending Freedom, leading to a similarly heated confrontation.² And just this past October, law students at Harvard and Columbia lost job offers from Davis Polk & Wardwell after signing a letter expressing support for Palestine.³

Perhaps with these events in mind, last week, the Federalist Society at UVA invited Judge Wesley Hendrix to offer guidance for students struggling to walk the pro-

¹ Greta Reich, *Judge Kyle Duncan's visit to Stanford and the aftermath*, explained, *Stanford Daily* (Apr. 5, 2023).

² Eda Aker & Philip Mousavizadeh, *Yale Law students protest anti-LGBTQ speaker, armed police presence triggers backlash*, *Yale Daily News* (Mar. 15, 2022).

³ Mike Wendling, *Harvard letter: Law students who took anti-Israel stance lose job offers*, *BBC News* (Oct. 18, 2023).



Pictured: Judge Hendrix
Photo Credit: Wikipedia

fessionalism tightrope. "The juice is worth the squeeze," said Judge Wesley Hendrix, alluding to a question posed to Judge Duncan by Stanford Law's then-associate dean for DEI, Tirien Steinbach. Recognizing the need to be practical, Judge Hendrix had this advice: Try to find the happy medium between head-in-the-sand ostrich and opinionated fire-breathing dragon. "Taking the high ground usually wins in the long run," Hendrix said.

If this model appeals to you, Hendrix proposed these concrete steps to striking this balance. First, choose your employer wisely. Look at the rules and safeguards they have in place to protect freedom of speech and see what kind of pro bono cases they tend to take on. "Multi-

ple attorneys reported to me that the leftward pressure on firms is real," Hendrix said, referring to an article in the *Harvard Journal of Law & Public Policy*.

Second, leverage your networks. The best way to learn more about an employer's culture is to ask someone who already works there. "Don't assume it's going to all work out, because sometimes it doesn't."

Third, look past common assumptions about organizations. Large, worldwide firms aren't invariably liberal, and Texas- and Florida-based firms aren't invariably conservative. "Some of those places go out of their way to disabuse people, especially clients, of that assumption . . . They're concerned that their clients in California or New York might assume 'That's a Texas firm' or 'That's a Tennessee firm,'" Hendrix explained, "so they overcorrect."

Similarly, Hendrix cautioned against assuming that Big Law in New York and D.C. is the only option. Don't overlook the boutiques—even if they don't pay market rates. And most of all, work in Texas. "Vote

with your feet and come to Texas—we want as many good people as possible."

Lastly, Judge Hendrix emphasized the importance of working hard and finding the right people. He suggested that young lawyers should find an "anchor partner" who values their development and viewpoints. "Who you work with is more important than where you work." The right people will stick their necks out for you when you're in need. And once you've found those people, work hard to make yourself indispensable. Ultimately, firms are profit-motivated, so delivering value is the best way to secure your position.

Hendrix acknowledged that, in practice, these steps are not easy. But he thinks those who take this approach succeed in the long run. As an example, Hendrix spoke of a young associate who had joined a firm with a vaccine mandate but had a "good faith religious objection to the vaccine . . . The lack of meaningful accommodations or exemptions from the firm's requirement

LEMONS page 6

An Idealist President Who Didn't Jibe With the Law

Garrett Coleman '25
Executive Editor



In honor of our not getting President's Day off, I felt obligated to write this article a week late. Fortunately, the lessons from Theodore Roosevelt's life are always timely. It may surprise some to learn that our 26th President had a short stint in law school—just a single academic year from 1880-81. While Columbia Law School broke up the next year (classic levels of collegiality from Columbia), Roosevelt was given a posthumous J.D. in 2008. Still, our fellow lawyer's time in school can tell us something about the importance of not getting bogged down by our peculiar career.¹

For anyone not as passionate about Theodore Roosevelt (TR) as me, a brief synopsis of his life is in order. The quintessen-

tial American president was born in 1858 to a New York patrician family. While a sickly child, he never wanted for vitality. During the Civil War, when bothered by his Southern mother, he would loudly pray that the Union soldiers "grind the Southern troops to powder." After TR's father, in typical Victorian fashion, told his asthmatic son, "You have the mind but you have not the body," TR began a lifelong obsession with physical fitness and outdoor activity. He would go on to row for Harvard's crew team, serve in the New York State Assembly, venture out to the Badlands of South Dakota to begin a ranching business, serve as the New York City Police Commissioner, lay waste to the Spanish army with a unit of hand-picked convicts at his back, and, of course, learn that he became the President of the United States while atop a mountain in the Adirondacks. This man was fun.

But while a law student, he was something of a fish out of water. He would uncontrollably burst out of his seat during lectures, arguing for "justice and against legalism." He found *caveat emptor* to be "repellent."



Pictured: Theodore Roosevelt
Photo Credit: The White House

And he despised the "sharp practice" that he thought characterized the profession of corporate lawyers. As you can imagine—and you may be thinking of particular sectionmates at this point—TR was not universally admired by his law school class.

To me, it seems rather fitting that a man with so much energy and passion was a bit turned off by the law. Much of our education revolves around learning how to adapt to the lay of the land. We follow precedent rather than policy. When we start representing clients, their interests dictate what we can say. If we are lucky enough to become a judge,

most of our work will focus on addressing problems that have already happened rather than preventing them in the first place. So, for the creative spirit that wants to build and leave her mark on the world, the law can often feel confining.

And I also find it interesting how someone who was obsessed with being the center of attention had more success outside of the law than within it. Even though many of us enjoy public speaking, law school teaches us to do so in a regimented fashion. Whether in moot court, mock trial, or a legal issue presentation to fictional partners, how we speak is

severely curtailed. I imagine that this makes the real public speaking enthusiasts long for an unfiltered political speech, the kind that TR was so successful with.

This is not to say that TR was right while in law school. He was an idealistic young man with a somewhat off-putting sense of righteousness. And his second presidential campaign for the Bull Moose Party displayed his impractical and vindictive side. Law school can certainly be a place for the idealistic. Between pro bono practices, clinics that lobby the state legislature for much-needed bills, and appellate practice aimed at altering the legal practice, there are many opportunities to set your sights on an impactful legacy. But I think TR still demonstrates a good impulse that we lose too readily in law school. Question why legal doctrines are what they are, don't quiver at the negative impression some people have of you, and be brave enough to mold your career to what you want the world to be rather than what it already is.

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¹ All the facts for this article are taken from Edmund Morris, *The Rise of Theodore Roosevelt* (1979). To improve readability, I omitted the constant ids. However, I would hate to disrespect the greatest biographer of all time, so please read his book and the other two in the TR trilogy (yes, trilogy).

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 eight 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 editor@lawweekly.org

Ex parte Law Weekly
76 U.Va 16 (2024)

ALLARD, C.J. delivers the opinion of the court. MORSE, C.J. emeritus dissents.

Allard, C.J., delivering the opinion of the Court.

This *ex parte* proceeding was brought before the court by members of the Executive Board following the events of February 26. During the meeting for annual elections, former Editor-in-Chief, Nikolai Morse '24 explained to the *Law Weekly* staff that the Board had agreed to adopt election procedures restricting the eligibility of candidates for Editor-in-Chief. Specifically, Morse said that only graduating 3Ls who had previously served as Managing Editor would be eligible for the top position. The Board members, who claim to have never agreed to these terms, recognized Morse's efforts as an attempted coup d'état. Immediately, the four other members of the Board—Monica Sandu '24, Garrett Coleman '25, Ethan Brown '25, and Andrew Allard '25—voted to override the Editor-in-Chief and allow the staff to elect a new Executive Board.

After a secret ballot vote led to a resounding defeat for Morse—who received only two votes written in remarkably similar handwriting—the Executive Board sought to swear in the newly elected Editor-in-Chief, An-

drew Allard. Morse refused to recognize the results of the election, claiming that it was held in violation of the *Law Weekly* Constitution. Morse then called on the student body to resist the “puppet Executive Board” that he claimed was installed by Darden students.

Morse has locked and

tion 1 specifies that elections shall be held during the fifth week of the spring semester and authorizes the Editorial Board to “promulgate and maintain rules regarding the specific procedures for elections.” The Constitution imposes no explicit restrictions on these rules and procedures, though positions are

tions.” The Court declines to impose atextual limits on that power. Indeed, the fact that the Constitution restricts Board positions to “students in . . . their second semester” suggests that the Framers did not oppose seniority-based eligibility requirements.

Section 3 establishes the Editorial Board which is “comprised of the members of the Executive Board,” along with other editors as appointed by a majority of the Executive Board. The Editorial Board may also overrule the Editor-in-Chief but by a two-thirds majority.

Two arguments against the popular elections were offered in this case. Firstly, the Executive Board, having responsibility for “the quality and good taste” of the *Law Weekly*, cannot responsibly allow the position to be popularly elected. That voters ultimately chose Allard as Morse's successor is offered as evidence showing the folly of this populist approach. Secondly, it is argued that under the unitary executive board theory, the Editor-in-Chief may exercise unbridled authority when Board members are found to be in mutiny. We reject both of these arguments.

The unitary executive board theory finds no support in the Constitution's text or historical practice. This Court will not allow such laughable doctrines to impede its sacred duty to

"The Law Weekly staff are no doubt happy to have rid themselves of the tyrannical dictator Morse."

barricaded himself in the *Law Weekly* office—and reportedly swallowed all of the keys. The Executive Board has been governing the newspaper in exile. They ask the Court for declaratory relief recognizing Allard as Editor-in-Chief and for a writ of mandamus ordering Morse to reopen the *Law Weekly* offices. Because Morse has fortified his compound to keep out process servers, the Court has permitted the Executive Board to pursue this action *ex parte*.

I.

The first issue before the Court is whether the *Law Weekly's* Constitution permits the Board to adopt the candidate eligibility restrictions that Morse attempted to apply in this year's elections. We hold that it does.

Article IV of the Constitution provides broad guidelines for the organization's electoral procedures. Sec-

restricted to “students in at least their second semester.”

The Board notoriously employs arcane methods to select its successors. Many successful “campaigns” result from backroom deal-making, and some Editors-in-Chief have opted to hand-pick their successors. But never before has an Editor-in-Chief functionally handpicked himself as successor—until now.

Despite its historical practice, the Board argued that the word “election” as used in Article IV implies contestation. We disagree. There are many U.S. states in which elections are hardly contested, if they can even be described as free and fair. *See e.g.*, the “Commonwealth” of Massachusetts. Moreover, we find no constitutional provision forbidding the restrictions at issue here. The Constitution empowers the Board to adopt “rules regarding the specific procedures for elec-

II.

The second issue in this case is whether the Executive Board properly exercised its Article I authority to call for popular elections. We hold that they did.

Article I, Section 2 establishes the Executive Board of the *Law Weekly*. It is “comprised of an Editor-in-Chief, Executive Editor, Managing Editor, Production Editor, and Features Editor.” Section 2 makes the Executive Board “responsible of [sic] the quality and good taste of the publication.” It also empowers the Executive Board to “overrule decisions of the Editor-in-Chief” by a three-fifths majority.

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Faculty Quotes

J. Harrison: "People who dont know how to drive like to go to the Barrack's Road parking lot."

D. Oliar: "When you're unconscious, you can't copy anything."

D. Oliar: "If you bought your lovey-poo a stuffed animal, it was probably Ty®."

J. Harrison: "Back in the '60s, when we weren't worried about DDT, we regarded [dominos] as entertainment."

J. Harrison: "New Jersey was highly toxic during the 1980s."

N. Cahn: "Presumably you're not having more children or killing them off just to change the disposition of the will."

N. Cahn: "The drafters of the Restatement are certainly reasonable because they're friends of mine."

J. Harrison: "I could sue myself, but I'm judgment proof, so what good would that do me?"

F. Schauer: "I don't want to pick on Taylor Swift, maybe she is just the only popular figure I know."

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

J. Harrison: "The squiggle is there for a reason."

Counsel's Counsel

The world's preminent advice column for law students.



Virginia Law Weekly

COLOPHON

<p>Andrew Allard '25 <i>Editor-in-Chief</i></p> <p>Garrett Coleman '25 <i>Executive Editor</i></p> <p>Nicky Demitry '26 <i>Production Editor</i></p>	<p>Nikolai Morse '24 <i>Editor-in-Chief Emeritus</i></p> <p>Monica Sandu '24 <i>Production Editor Emerita</i></p> <p>Ashanti Jones '26 <i>Features Editor</i></p>	<p>Julia D'Rozario '24 <i>New Media Editor</i></p> <p>Caitlin Flanagan '24 <i>Staff Editor</i></p> <p>Ethan Brown '25 <i>Satire Editor</i></p> <p>Mark Graff '26 <i>Online Editor</i></p>
<p>Noah Coco '26 <i>Managing Editor</i></p> <p>Darius Adel '24 <i>Satire Editor Emeritus</i></p> <p>Ryan Moore '25 <i>Historian</i></p> <p>Sally Levin '24 <i>Staff Editor</i></p> <p>Olivia Demetriades '26 <i>Staff Editor</i></p>	<p>Jordan Allen '25 <i>Editing Editor</i></p> <p>Stephen Foss '25 <i>Social Media Editor</i></p> <p>Brooke Boyer '26 <i>Staff Editor</i></p> <p>Brent Rice '25 <i>Staff Editor</i></p>	

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harass the Editor-in-Chief on their way out.¹ And while we agree that the editors have committed an embarrassing blunder by electing Allard as Editor-in-Chief, we cannot allow their folly to override the Constitution. As discussed in Part I, Article IV grants the Editorial Board power to set election rules. Because more than two-thirds of the Board voted to hold popular elections, we are bound to recognize the results. The *Law Weekly* staff are no doubt happy to have rid themselves of the tyrannical dictator Morse. As though they wished on a monkey's paw, they are now stuck with the democratically-elected Mr. Allard. May God have mercy on their souls—because this Court sure as hell won't.

It is so ordered.

¹ See *UVA Law Student Body v. Tonseth*, 74 U.Va 10 (2021) (ordering the Editor-in-Chief to “hard labor and cultural reeducation training, to be carried out in the Darden basement”); see also *Gay Section H Law Weekly Staff v. Lake*, 75 U.Va 16 (2023) (dragging the outgoing Editor-in-Chief for confusing two admittedly similar editors).

Morse, C.J. Emeritus, Dissenting.

Et tu, Brute?

In the fall of 2021, I entered these august halls and set my sights on the most prestigious and powerful organization in UVA Law: the *Virginia Law Weekly*. I now find myself, having labored tirelessly for years in service of this great publication, being pilloried by those I thought my loyal servants comrades. Alas, fate is a cruel mistress.

Each week when I shared free pizza, my sharp wit, and brilliant story ideas, I imagined myself amongst friends. I thought that we were engaged in pursuit of a common mission² and yet did not realize that these erstwhile editors laid the blame for the fault in their stars at my feet. And whilst any impartial observer could not help but agree that during my tenure a Colossus bestrode the *Virginia Law Weekly*, who could have predicted I would be brought so low. And now my executioners ask me to go gentle into that good night!

Yet, if it is possible to measure the success of one's

² Toppling the *Virginia Law Review*, of course.

leadership, is that measure not found in the ability of the organization to thrive in your absence? This publication will undoubtedly continue to grow and reach new heights, and since it seems the UVA Law administration (and my wife) refuses to let me enroll for another year, I will have to move on.

Despite my fervent appeals to every legal trick (and a few extralegal ones) that I've learned the past few years, I cannot deny the merit of Chief Justice Allard's arguments. While my honor and dedication to this great publication compels my dissent, I will rest easy knowing that the *Law Weekly* is in good (if perhaps a bit power-hungry) hands.

I very respectfully dissent.



How to Stay Safe Online: Passwords

Ryan Moore '25
Historian



Editor's Note: In the spirit of full disclosure, it must be noted that the author mistakenly sent a draft of this article to the wrong listserv when submitting it for publication. Caveat emptor, dear readers.

As the *Law Weekly* historian, I typically write about the history of the law school, whether that is about John Kirby, Elizabeth Thompkins, or...John Kirby again. But I am in Professor Randi Flaherty's *Race and Slavery on UVA North Grounds* class, and honestly I need a break from history.

Before I went to law school, but after my master's in international relations, I worked as a private investigator. While I will not openly share stories from my past in the school newspaper, I did learn a lot about online privacy and security. Enough people have asked me for advice with basic online security that I decided to begin a *Law Weekly* series of articles on the basics of “how to stay safe online.”

I do not know how long I will do these articles,¹ but there are certainly many topics to discuss. Today, I want to start with the foundation of all online security: passwords.

The origins of passwords

At first, passwords were simple strings of characters that websites would require of users to log into their accounts and keep malicious actors out. Password requirements were lax—any string of characters would suffice. Most people choose common and easy to remember words, usually the names of pets or children. Eventually, malicious actors noticed people used very basic and easy to guess passwords, often consisting of words found in the dictionary. Hackers would cycle through words in the dictionary (i.e. a “dictionary attack”) and hack into accounts. Believe it or not, this worked.²

¹ Probably until I get bored and find another John Kirby article to write.

² A lot.

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HOT BENCH



Nikolai Morse '24

Interviewed by Nicky Demitry '26

Hi! The easiest question first, where are you from? And how did you end up at UVA Law?

I was born in Mainz, Germany. My dad was in the Army, my mother grew up there. We moved to the suburbs of Chicago when I was like two and I grew up there most of my life.

Behold my Intelligentsia coffee mug!

I love intelligentsia! So yeah, I lived in the Chicago suburbs, then went to William & Mary for undergrad and after working in Chicago and the Bay Area for a few years, I came here for law school. Virginia schools just keep letting me in!

Relatable. So the big question everyone wants to know: how do you feel about your tenure as all-powerful leader at Law Weekly?

I mean, it's been great. It's probably been the thing I've spent the most time on in law school, even before being EIC. I'm really gonna miss it.

It's this thing that...doesn't really add much to your resume. But I spent a lot of time on it over the years. I would just say law school is already super serious. And so it's nice to have something that kind of helps us to poke fun at this whole crazy experience.

That's a good way of putting it and it is so important to have a break from the seriousness. What has been the best and worst experience with Law Weekly?

I think the toughest thing was when three members of the undergrad football team were killed. It wasn't something I was EIC for, but I was on the board and we talked a lot about how to address it. And it's weird because I wonder how many people actually read the *Law Weekly*, but of those that do, we still want to try to do the best we can to be really thoughtful about these events.

I think the best experience might have actually been from 1L year when I wrote an article for the April Fools edition which was about how Georgetown had fallen out of the T14. And I satirically joked that they bribed their way back in. But then the day before we published our paper, the new rank-

ings dropped and they were number 14 again. An April Fools' miracle.

That's awesome. So, after law school will you be pursuing another position with—and I quote—“absolute power and total immunity from prosecution?”

Oh, gosh. Well, I'll actually be clerking for a federal judge.

Oh whoops. I won't write that.

No you should, it would be funny. But no, I'm pretty sure I'm an at-will employee. But it'll be a great experience. I'll clerk and then I'll go to a law firm.

What drew you to Law Weekly?

I went to the student activities fair my 1L year and they just had the most ridiculous table. Like, they all had Red Solo Cups and a boom box playing, and the EIC at that time was a very bro guy called Phil who is awesome—and he's really terrific!—but he and everyone else were just vibing and hanging out. I was like, this seems way more fun than some other things.

I also worked in finance for six years before law school. So the longest writing I did were emails. And I really wanted an easy, fun way to get reps in writing and just banging out

800 words every week. Super helpful.

Love that! Last big question. I was at the SBA election debates you and Andrew were moderating, so I figured we could turn the turntables on your questions. If you were running for SBA President, what would your platform be?

Um, actual transparency. I want to know how much money SBA has and where it all goes.

Oh I do remember you were very focused on that.

It's kind of crazy. This is a public institution and it's our money. So I don't understand what the harm is in telling us how much there is and where it's going. I imagine most of it just goes to the events that we all want. So anyways I'd say actual transparency, more events, and basically I think that's the only function of student government. Just tell us what's going on and what you're doing. Give us more things to do, more events. And then like every once in a while when there's tension between different communities at the law school, try to mediate those disputes.

Ok, lightning round! What day does the week start, Sunday or Monday?

Monday?

Why?

Because you don't have to do anything until Monday.

Copy that. Um, Wes Anderson—Yes or no?

Yeah, sure. The um, was it the Darjeeling limited?

That sounds familiar.

You don't know your Wes Anderson?

No. I don't like Wes Anderson.

You don't like Wes Anderson??

No!

Wes Anderson is definitely into Wes Anderson.

I feel like it's the Tumblr aesthetic but not in a fun nostalgic way.

It depends what Tumblr you're on. There's a whole Edward Scissorhands Tumblr, which is a whole other corner.

That's true. Get you someone that can do both, I guess. Best place in Cville for French small plates and super cool Front of House staff?

Oh, C&O obviously.¹

Obviously.

¹ alley light is disowning u

AI

continued from page 1
generally considered to be professional services firms, have already begun investing heavily in legal services technologies that perform work traditionally serviced by attorneys at law firms.²

The story Mammen and Silver presented thus far suggests a grim outlook for legal sector employment. Law students, in particular, may be discouraged as they contemplate the massive financial investments currently being expended to receive an education for a profession expected to be increasingly displaced by AI. However, dismay and resignation are premature, for the same technologies that challenge the traditional model of law firm services and employment create opportunities for a new class of legal professionals to adapt and forge a new model.

The changing nature of legal services will demand a new set of skills that attorneys have the opportunity to harness. Put another way, the value proposition for lawyers will shift, creating

² Deloitte, Ernst & Young (EY), PricewaterhouseCoopers (PwC), and Klynveld Peat Marwick Goerdeler (KPMG).

LEMONS

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made clear that the firm was not going to appreciate his lack of vaccine,” Hendrix said. While the firm allowed the young associate to work remotely, after a year, it became clear to him that he needed a change. “He was quickly hired—as soon as he put his resume on the market—at a better, bigger place, which had a testing protocol for people that had these good faith objections.”

Hendrix’s advice to students appeared targeted to a conservative audience. When listing group affiliations that a law student would worry might bring them public shame, Hendrix named FedSoc, future prosecutors, and Christian legal society. But among federal judges, Hendrix stands out for his ability to balance between competing viewpoints. Hendrix was first nominated to a federal judgeship in 2016 by then-President Obama. When his nomination expired in 2017, he was nominated again by President Trump. “I was nominated by two different presidents,” Hendrix said. “Do you think I didn’t change my resume a little bit?”

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new opportunities for those attorneys capable of deploying AI applications within law practices effectively. For example, there are opportunities for attorneys and law firms to be leaders in the adoption of AI tools. Perhaps this means, as Mammen and Silver suggest, law firms should think of themselves as venture capital funds investing in the very legal technologies that will drive the legal services industry in the future. Perhaps it simply means effectively structuring law practices around AI technologies, efficiently allocating labor and developing competitive fee structures that retain and attract clients.

Also, opportunities will abound for “power users” of the AI tools law firms will have at their disposal. General tech skills and fluency will obviously become increasingly important for attorneys to possess, but so too will the skills necessary to evaluate AI outputs. Mammen and Silver propose that the model of law firm employment will “compress” the traditional path of attorneys and favor those who can become such “power users” proficient in evaluating AI outputs, as opposed

to the traditional model that favored those attorneys who gained proficiency in many of the technicalities of legal work through the routine performance of repetitive tasks. Such repetitive tasks may become obsolete with the adoption of AI, so attorneys who can adapt to the new models of work while establishing themselves as trusted advisors for clients will be positioned to thrive in this new environment.

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PASSWORDS

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Websites fight back

In response, websites adopted several measures to protect users against dictionary attacks. Today, websites require complex passwords using letters, numbers, and the dreaded special characters. These additional requirements make it impossible for malicious actors to conduct dictionary attacks. Websites also lock out malicious actors who attempt to log into accounts with the wrong password too many times. This prevents malicious actors from just cycling through possible passwords until one works.

Forgot password?

Unfortunately, the complexity of passwords has opened another attack vector for malicious actors. Passwords became complicated and very difficult to remember. Passwords began to require so many special characters and numbers that most people created one password, memorized it, and used it (or a close variation) on every account. This is the most egregious password sin of all.

To understand why, think of each password as a key. You want the key to your house to be different from your gate key, the key to your shed, and your car key. If someone steals your shed key, they cannot also rob your house and steal your car. Reusing your password is the equivalent of using the same key for everything you own.

If malicious actors can access just one of your “recycled” passwords, they now have access to any other accounts that use that password. All they need to do is see if it has been used on other websites. Hackers share these cracked passwords with other hackers, or post them on the dark web, where I would find them for my clients. There are countless websites that contain

folders filled with cracked passwords. Pastebin,³ a text editing and storage website, is often used by hackers to share breached credentials. No matter how strong a password is, it is completely useless if everyone knows it.

Best practices

Fortunately, there are steps everyone can take to protect themselves online. Most importantly, I suggest using a password manager. A password manager encrypts all your passwords and stores them securely. Instead of remembering multiple passwords, or re-using variations of a single base password, you only need to remember one password—the one you use to log into the password manager. Personally, I use Bitwarden.⁴ Bitwarden can generate unique and randomized passwords up to 99 characters long. It will also automatically pre-fill your password into websites, so you do not have to manually type in a 26-character password. Every one of my passwords is randomly generated and stored in a password manager.

In addition to using a

³ <https://pastebin.com/>.

⁴ <https://bitwarden.com/>.

password manager, there are three other ways to protect yourself and your passwords. First, make your passwords long and complex. The longer and more complex your password is, the harder it is to guess/crack. Second, do NOT reuse passwords. I cannot stress this enough. Third, changing your passwords regularly, and especially if you are the victim of a data breach, prevents hackers from using your breached password. Some websites, like Have I Been Pwned,⁵ allow users to see if their emails and passwords are present in any data breaches.

And finally, I am always more than happy to answer any questions. You can catch me in the Virginia Tax Review office stealing more than my fair share of coffee, or at ScoCo playing RetroBowl College on my iPad.

⁵ <https://haveibeenpwned.com/>.

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LEADERSHIP

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is about the number of people who do any work, anyways. They might not always be the President—although they often are—but they step up and put in a herculean amount of effort to compensate for some of the figures above. They deserve a Girl Scout cookie and a nap.

Jokes aside, I think getting involved in club leadership is great. It is a fantastic way to signal your commitment to your identity (through affinity group leadership), a geographic region, or a potential practice area of interest. And you just might meet some new faces and gain marketable skills in the process. So even if you find yourself serving as GroupMe Czar in a few weeks, god forbid, it’s an opportunity nonetheless—and get excited about it!



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