Defending the Judiciary

Judge Carlton Reeves '89 Receives Jefferson Medal, Shares His Insights From the Bench

Jacob Jones '21
Events Editor

This past Thursday, April 11, Judge Carlton Reeves ’89 received the Thomas Jefferson Foundation Medal in Law award. Even Dean Goluboff, as fast as she talks, took several minutes to introduce Judge Reeves because of his impressive list of accomplishments and contributions to both the nation and his community in Mississippi, where he is currently a U.S. District Court Judge.

Judge Reeves began by noting that Professor Armacost could take the seat in the front she had previously walked up to but then awkwardly decided not to sit in. He then began his prepared remarks, entitled: “Defending the Judiciary: Call for Justice, Truth, and Diversity on the Bench.” Judge Reeves launched into his speech by acknowledging the awkwardness of a black man being given an award bearing the name of a slaveholder, namely Thomas Jefferson. And not only did Jefferson own slaves, but he also hated the judiciary. One theme of Judge Reeves’s speech seemed to be that the mix of racism and hatred of the judiciary was unique to Jefferson, but was some-
thing that had happened historically and continues today.

Another theme in Judge Reeves’s speech was how diversity promotes justice. He explained how justice requires that the truth be found. To get the truth, different perspectives are required. A lack of diverse experiences, he explained, was what led to the decision in Dred Scott. Focusing on his home state of Mississippi, Judge Reeves described the beginnings of inclusion in the Reconstruction Era, followed by backlash by white supremacists who used the courts to promote white supremacy and turn a blind eye to hate crimes. When the courts tried to incorporate black experiences again in Reeves v. Board of Education, there was a second backlash against the judiciary. Each time more diverse perspectives were included, especially black perspectives, justice was promoted but there was a strong backlash

Judge Reeves’s speech would have been in calm waters had he stuck to historical lessons, but I think Judge Reeves felt compelled to call out injustices of the current day, so he applied historical lessons to current day facts.

For the courts to be a defend-er of justice, we must realize that attacks on the judiciary cannot be disentangled from the attacker’s views on race, and “we must defend against its poison when spewed to-day, by men of our time.” When he did not mention President Trump by name, he didn’t have to. Quoting the attacks on the judiciary by Trump was enough for a group of law students and scholars to recognize who he was talking about. Giving his perspective as a black judge who grew up in the newly desegregated South, he expressed how he heard the old calls of a “race-hating politician, empowered by the falsehood of white supremacy, questioning the judicial temperament of a man solely because of the color of his skin.” There were no words minced.

Judge Reeves’s speech was a reminder that we cannot be complacent with the facts and circumstances of our times. We have just as much of a duty to fight injustice today as there was a duty to fight injustice in 1865.

In addition to the speech given after receiving the award, the Law Weekly had the chance to sit down with Judge Reeves and a group of student leaders for lunch earlier that day. Before the group got food, Judge Reeves had each student introduce themselves, including sharing where they were from and what they hoped to do after graduation. He sought to make the conversation personal to allow for open dialogue between everyone. Judge Reeves’s answers to questions throughout the REEVES page 7 around north grounds

Thumbs up to UVA Alerts for keeping life interesting. In completely unrelated news, ANG has been spotted in the vicinity of. If in vicinity, knees the area and follow fire/police direction. Others, avoid area.

Thumbs up SBA for putting a sponge and soap in the Soco kitchen. Now ANG doesn’t ever have to leave the law school to shower.

Thumbs up to the Happy Gilmore 3L that published a Gummers’ N Roses at the Law Weekly this stands this week. While ANG fully supports rebellion and tomfoolery, there is only one source for one to wreak havoc on these stands.

Thumbs up to the Law School for giving students the day off the Monday after Easter. ANG loves how much the schedule allows giving the students to celebrate with friends and family from far distances!

Thumbs up to it raining in Charlottesville this past Friday. ANG loves rainy Fridays. And Mondays. And Thursdays. And every day. Thanks Stephen T. Parr.

Congratulations to Nellie Black ’20 and Darrell Gelman, law student at William & Mary, on their engagement this weekend!

Thumbs down to this being Law Weekly’s last edition for the school year. Where is ANG supposed to get ANG’s weekly fix of pizza and laughing at the expense of stressed 1Ls?

Congratulations to Chunoch Dolma ’21 whose show, We Speak NYC, received a New York Emmy nomination for best instructional programming.

ANG’s thoughts go out to those af-fected by the Notre Dame Cathedral fire. ANG has no jokes, only tears.
A Farewell to the Virginia Law Weekly’s 3Ls

Kim Hopkin ’19

Pros and Cons of Student Life

The Law Weekly has grown to mean so much more than a newspaper to me that it’s hard to believe it’s only been three years. When I first started coming to the weekly editorial meetings, I remember feeling like everyone possessed impossible levels of knowledge about the school, the law, and the world. Just sitting in the room gave me insight into SCOTUS personalities, NGSL gossip, and modern European politics. I’d like to say that now I’m the older, wiser 3L, bestowing knowledge on the 1Ls, but it’s obvious I learn just as much from them as I did from my 3Ls. (Well, I do explain all the latest Kardashian drama completely with hand-drawn genealogy charts, and I think they can’t live without it.)

But seriously, the people I’ve met through the paper have challenged my world vision, made me laugh until my sides hurt, and changed me into the woman I am today. I’ve had to say goodbye to two different graduating classes while working on the paper, but I’m just now realizing I have to say goodbye to three this year. I hope they know how much I cherish them. I came for the pizza; I stayed for the family. I hope you’ve had half the fun I have.

---

Jansen VanderMeulen ’19

Dairy Enthusiast

I’ll miss a lot of things about the Law Weekly, but none more than getting to turn my personal grievances and idiosyncratic opinions into decisions of the Court of Petty Appeals. In my three years at this Law School, I’ve authored or joined opinions against, among others: (1) people who sit at standing desks; (2) Professor Doran and his incorrect pronunciation of “brooch”; (3) gunners, like eighteen times; (4) PAs who tell comforting lies; (5) the 1L canon of famous cases; (7) Stephen T. Parr; (8) Paw Review.

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As someone who avoids spending time at school whenever possible, Law Weekly has been “the” window into happenings at the Law School—good, bad, and ugly (yes, I’m referring to WB’s resident snakes). Did the amount of free pizza do good things for my health? Probably not. Is cartooning still on my list of career possibilities for if and when I flee the legal world? God no—although on the plus side, no longer do I wonder “what if” I had pursued art. But did I meet some truly excellent people? Absolutely. I’ll miss UVA for sure, but I’ll especially miss those magic Monday nights gossiping with ANG!

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Jansen VanderMeulen ’19 poses as his spirit animal with his latest shooting trophy. Photo courtesy of Jansen VanderMeulen.

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Jansen VanderMeulen ’19 poses as his spirit animal with his latest shooting trophy. Photo courtesy of Jansen VanderMeulen.
The nomination of Robert H. Bork in 1987 is likely the most famous (or infamous) confirmation battle in the history of the Supreme Court. This is evident in the fact that the failed nominee’s name became a verb. No one speaks of “Frankfurting” someone, or “Harlan-ning” another, but Judge Bork was borked, and so never came Justice Bork. The word has even crossed the Atlantic, with the Oxford Dictionary defining “bork” as to “obstruct with the Oxford Dictionary, for example.”

A group of Hoos join in the Saturday celebration for the men’s basketball team. Photo credit Kolleen Gladden ’21.

The Borking of America: On the Failed Confirmation of Judge Robert Bork

BASKETBALL continued from page 1

ment that she hit a law stu- dent. Stuck in the crowd and unable to move, a desperate student decided to chomp down on a nearby elbow—which earned her an involun- tary elbow to the face. That’s right folks, this is your news editor delivering hard hitting stuff.

There were also Double Hoo-bows who had the pleasure of reliving their undergrad days and realizing their long-held dreams of winning a national championship:

“The Borking of America is a land in which women would be forced into back-alley abor- tions, blacks would sit at seg- regated lunch counters, rogue police could break down citi- zens’ doors in midnight raids, schoolchildren could not be taught about evolution, writers and artists would be censored at the whim of government, and the doors of the federal courts would be shut on the fin- gers of millions of citizens for whom the judiciary is often the only protector of the individual rights that are the heart of our democracy.”

BORK page 7

4 The speech was captured on C-SPAN, available at <https://www.c-span.org/video/?74973-1/robert-borksc-america>. Kennedy’s speech begins at 25:35, this excerpt starts at 27:36. It is worth lis-
In re Game of Thrones
323 U.Va. 9 (2019)

ELICEGUI, J., delivered the opinion of the Court, in which VAUGHN, MUILEN, RANZINI, LUK, and SCHMID, JJ., join.

Justice Eliegegui delivered the opinion of the Court.

*** Warning: Game of Thrones spoilers potentially ahead. Insider references certainly ahead. Read at your own risk. This disclosure in- solicits and requires that no one be unhappy with a spoiler. ***

Plaintiff Hannah Dryer ‘20 brings suit against Breanna Green ‘20, alleging that Green breached an implied-in-fact contract by asking too many questions and being a bad guest during a Game of Thrones watch party. After careful consideration, the Court agrees that Green breached the contract. The Court finds that breach of contract damages and gives an injunc- tion outlining the etiquette of television watching.

Game of Thrones has been called the “last great water-cooler fodder.” I mean, re- ally, who can remember the last time we were all so in- sider references? 

Game of Thrones! She had been waiting for this mo- ment and there was so much to be done before her watch party on Sunday night. Dryer began transforming her Pavilion one-bedroom apartment into Winterfell to really set the scene. Dryer spent the weekend decorat- ing and cooking in the perfect Game of Thrones-themed snacks—including greyjoy creme-filled cupcakes and Game of Thrones bracelets, making her selections, and managing the fantasy league as League Commissioner.

After days of prepping, the party finally arrived. Dryer welcomed thirteen of her section- mates into Winterfell. Dryer and her section- mates snacked and made small talk. The episode as Green kept-going throughout the episode and more angry throughout the episode. Nine minutes after that, Green rushed into the room. “What’d I miss, guys?” Dryer was asked for it. Green accepted it and texted that she’ll be a future episode. Dryer proceeded to ask fifteen questions in a row, sparked by “My Chariz- matic concern.” Dryer gritted her teeth but didn’t say anything. Green then whispered, “fifteen questions in a row,” spilled

Justice Eliegegui: “If you rely on love content-based discrimi- nation.”

B. Sachs: “There’s no moral compass.”

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Virginia Law Weekly
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Winter Is Here: The Law Weekly
Reviews Season Opener of GoT

As I’m sure you’re aware, the final season of everyone’s favorite medieval butchery simulation turned normalizer, Game Of Thrones, pre-

Spoiler Free Review: Was it fun? Why are you reading this if you haven’t seen it yet? If I said it was terrible, would you just give up and go watch it? I’ve been watch-

Spoiler Inclusive Review, aka the Good Stuff: The new opening sequence is great—the broken Wall and visual repre-

WINTERFELL: The showrun-

Rhys, and my man-crush, Da-

Birds of Thrones, pre-

I ordered a Magic Bullet 

What's the worst sleep 

What's the best concert 

What's the best book you've ever read?

What is your favorite word?

What's the best meal you've ever eaten?

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

Either/Danys are very pleased with

The trees. Also, Duck Do-

The Verdict: This was a pretty traditional

Habaneros and visual repre-

The showrun-

One of my favorite pairings on the

Standing for seven seasons? Sheesh.

Sometimes I’m just not going to give

One of the reasons I’ve been keeping

A special shout out must also be given to our school’s incredible SBA. UVA’s run to the title happened remark-

I stayed even though I was

If it's Sunday, I had three

What advice would you give if you

What would you do with

If you are in my 10 a.m. class,

What's a row on one day and the Sat-

What is your hobby to avoid the stress

I was hired for this music 

I ordered a Magic Bullet 

What do you envision for the future of

What is the best concert you've 

What's the worst sleep you've ever had?

What is your favorite college 

What's the best meal you've ever eaten?

What is the best book you've ever read?

What's the worst school schedule you've ever had?

How do you stay healthy?
Letters to the Editor

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

Grace Tang '21

**Note: Chicken Sandwiches with anything with duck, Kao Soy, Kapow Crispy Pork Belly and Shrimp, and the clay pot noodles. Pro tip: The house ramen, but the mango sticky rice is the star of the show—a must order dessert.**


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Editors to the Editor in advance of publication, the Law Weekly wanted to take the opportunity to ask all of our readers to submit a chance to respond as this is the Law Weekly’s last issue of the semester. His response follows.

Wild Fasulliotis ’19

a.k.a. “Wild F.

Justices Douglas takes objection to my use of “rank partisan” to describe Douglas. One thing I admire about Justice Douglas was his one-man crusade to end the Vietnam War. He spoke out in public and wrote an article after article against it. His efforts culminated in Holtzman v. Schlesinger, 414 U.S. 136 (1973) where, acting on his own capacity as a Circuit Judge, he issued an injunction on the United States Air Force from bombing targets in Cambodia. Douglas, despite being an early supporter of inter- vention in Vietnam, rightly came to believe that the Vietnam War was a bloody waste of American lives. Douglas did not complain behind the scenes, but did everything in his power to end the war, up to and including this unprecedented judicial interference in the President’s war powers.

He also issued the in- junction, the other eight Justices swiftly overturned him and his injunction, ending any judicial oversight of the Vietnam War. In a very narrow way, Professor Rutherglen is correct that “parti- san” was a poor choice of words; Justices Brennan and Marshall, as well as other liberal jurists, did not join him. But this episode undoubtedly shows that Justice Douglas was an ideologue (per- haps a “rank ideologue”), willing to use any method to get the end result he desired, whether the Constitution or law generally permitted that result. Again, I found that admirable in this context.

Morally, it was the right thing to do. But was it the right thing for an Associate Justice of the Su- preme Court to do? Justice Doug- las surely let such considerations constrain him.

I strive to present a balanced view of the justices and events I write about. Not a single Justice ever to sit on the Court—from Chief Justice John Jay to Justice Brett Kavanaugh—is without vice or virtue. One person’s landmark case is another person’s delica- tion of the Constitution. The very cases that Professor Rutherglen holds up as exemplars were in no small measure why Repre- sentative Ford and other conser- vatives wanted to oust Douglas. To not include that is to do a dis- service to those who do not know the context of the time. Like any writer, I am limited to the histori- cal record as I find it. As I tried to stress, Douglas, more so than any other modern Justice, has a my- thology surrounding him. Piercing the myth is complicated.

At the beginning of the school year, I said in the Law Weekly Editor-in-Chief, “I have a lot of stories I want to tell and no one to tell them to. Can I write something for the paper?” I hope they have been informative. But more so, as with any piece of his- tory, I hope you, the reader, have read my work with a skeptic eye, and were encouraged to find out more for yourselves.

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usface@virginia.edu
### Appellate Litigation Clinic Update

**Appellate Litigation Clinic Update**

Brian Diliberto '19
Guest Writer

The Appellate Litigation Clinic has been one of the highlights of my law school career. Having the opportunity to work side-by-side with Professor Stephen Braga has been an intellectually enriching experience. Working with the clinic to develop the legal strategies to win appeals is something any aspiring attorney would be fortunate to experience.

The clinic inherits a variety of cases at different stages of litigation and in all aspects of the appeals process. I am currently working on a direct constitutional appeal in the Sixth Circuit involving a series of complicated financial transactions. However, at the end of the day the case boils down to what the fair administration of justice should look like, and particularly, what rights a criminal defendant arguing pro se is entitled to under the Sixth Amendment.

The case involves an issue of first impression, and the thought that I could help bring about a new understanding of federal law is interpreted in the future is an exciting prospect.

Professor Braga has taught us practical lessons in the practice of law. In law school, we are typically confronted with hypothetical facts and law to work with, but the clinic is a nice reminder that practicing law in the real world is not so kind. Going through a lengthy trial court record and trying to figure out what went wrong and why requires a completely different approach that can only be gained through this type of experiential learning.

The experience is heightened by the knowledge that half of our case will have an enormous impact on our client’s life. And in this law, I have come to realize that which and acts as a constant reminder of the importance to maintain an invincible and tenacious spirit. What has been given. It is an incredibly humbling experience to have as anدادنر and my most rewarding experience I have had at UVA Law.

I came to the clinic because I wanted to help people solve complex problems with innovative solutions. Having the opportunity to engage in developing and executing a legal strategy for a high stakes federal appeal has been a profoundly positive experience. By the end of the year, I hope to have completed two or three appeals briefs and argued on behalf of our client in the Sixth Circuit. The Appellate Litigation Clinic has been an invaluable experience and I have no doubt that the lessons I have learned will serve me throughout my career. It is difficult to overstate the unique and compelling opportunity that the Appellate Litigation Clinic offers to students and I encourage any law student with an interest in appellate work to seriously consider participating.

Alicia Penn '19
Clinical Writer

**BORK**

On January 31, 2019, Marie Hanewinckel ’19 and I traveled to Richmond to argue in front of the Supreme Court of Virginia the case of Haynes v. Waste Connections. We were representing a waste management company, Haynes, in a discrimination case.

In 1997, then-President Ken-

**REEVES**

Continued from page 1

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In 1997, then-President Ken-
Great Grass Sea, Protector of Meereen, and the First Men, Queen of the Andals, the Rhoynar Name, The Unburnt, Queen Targaryen, that Daenerys of the House under the doctrine of mercy and apologize. However, Dryer will damages to make up for the harm she has suffered. Green needs to make a batch of cookies and give a remedy. As law school taught us, rights are used if no one is around to enforce them. Under considerations of fairness and consideration for the contract. It is better to scream into the void than annoy the people around you. It is so ordered.

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tke3ge@virginia.edu

Week 6 Softball Scores

Fairly Odd Patents over Bearly Legal 16-7

Fairly Odd Patents over Docket Like It’s Hot 15-7

SUDOKU

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

5 1 4
1 3 8 7 5
9 7 1 8

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

Puzzle 1 (Medium, difficulty rating 0.51)

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