



# VIRGINIA LAW WEEKLY

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

A Look

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## Jeff Flake Speaks at Rotunda Room

Michael Schmid '21  
Production Editor

"Assume the best, look for the good." That was the phrase written on a three-by-five notecard and hung on the fridge in the childhood home of retired Arizona Senator Jeff Flake. It was a mantra the former senator, who began his career in Washington as a congressman, said that his mother lived by. And it is a mantra that he says he has carried with him throughout his life and his career. Senator Flake believes that such an outlook is lacking in Washington and is symptomatic of the broader issue of incivility in public discourse.

Senator Flake was invited to speak this past Friday at the Rotunda Dome Room on Main Grounds for the Joseph Smith Lecture on Religious Liberty sponsored by the Department of Religious Studies. His lecture was titled "Searching for the Better Angels of Our Nature," referencing a line from Abraham Lincoln's inaugural address in which our sixteenth president called for civility. Senator Flake wondered whether the country is as divided as it has been since the onset of the Civil War, and he worries that at times it appears that our nation has "sidelined our better angels for good."

Kathleen Flake, a professor of Mormon Studies at UVA and a distant relative of the invited speaker, provided introductory remarks before the senator was formally introduced by D.C. Circuit Court of Appeals Judge Thomas B. Griffith '85. Professor Flake introduced her second cousin once removed as "the man in the much-maligned middle," as the retired politician has attracted enmity from both sides of the aisle at different times during his political career. Senator Flake has rankled conservatives at times who perceive him as falling out of line; he has also drawn the ire of liberals when they believe he acts in contradiction to his image as a bipartisan politician. Perhaps this was never more clearly on display than during the contentious confirmation of Supreme Court Justice Brett Kavanaugh, when Senator Flake managed to incur animosity from both groups at various stages of the confirmation process.

The former senator noted that he received a flurry of an-

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## Crowds Pleased at Wine and Cheese Event



Students stand in classy circles at VLW's wine and cheese night. Photo Credit Kolleen Gladden '21.

Taylor Elicegui '20  
Features Editor

Donna Faye Imadi '22  
Guest Writer

On Thursday, September 12, Virginia Law Women ("VLW") held its annual Wine and Cheese Student/Faculty Cocktail Party. The annual event, obviously featuring wine and cheese, aims to give both new and old students alike a chance to get to know their professors outside of the classroom. Past VLW Presidents confirm the event is long-running—Wine and Cheese was already an established tradition when Stephanie Bedard '16 began in Fall 2013. Wine and Cheese also functions as a fun way to welcome new professors and students to the UVA Law community. Nikki Wolfrey '21, VLW's Events Co-Chair, took the lead on organizing the event with support from the rest of the VLW Executive Board.

VLW President Manal Cheema '20 said, "The Faculty-Student Wine and Cheese Night is one of the flagship events for VLW. Nikki did a fantastic job organizing this event and working with the VLW board, Student Affairs, and facilities to put this on. It requires a great deal of attention to detail and planning and the VLW Board worked extremely hard to support her vision." When asked what preparation was required for the event, Cheema told the Law Weekly, "Among other endeavors, VLW board members took the UVA Alcohol Risk Management training in advance to serve attendees, picked up decorations and food from Wegman's, selected an assortment of wines from

Trader Joe's, wrangled the paper cutter at the Copy Center to create the drinking tickets, did an emergency run to Harris Teeter for crackers, and came early to set up and left late to clean up Caplin Pavilion." Cheema, reflecting on the event, said she was "grateful that we were able to put on an elegant and well-attended event together and looking forward to the rest of this year's VLW events."

Several faculty members came to this year's event, including Dean Goluboff and Professors Darryl Brown, George Cohen, Kevin Cope, Cale Jaffe, Kevin Kordana, Julia Mahoney, Dayna Matthew, Nelson Camilo Sanchez-Leon, Fredrick Schauer, Crystal Shin, and Rip Verkerke. Wolfrey worked with Kate Duvall to distribute the invitation to the entire faculty. She also advertised the event on popular listservs, chalked classrooms, and put up posters.

Roughly 100 students filtered through the event at different points in the evening. Most of the students were 1Ls, although a fair number of upperclassmen came as well, probably lured by the wine and cheese. Lauren Burns '22 said, "I felt really welcomed as a 1L, and I had a great time. The cheese was GREEEAT." I have to disagree slightly, because I learned from former VLW President Casey Trombley-Shapiro Jonas '17 that baked brie used to be prominently featured at Wine and Cheese. Although the event would benefit from bringing back the traditional baked brie (really, what event wouldn't?), the conversations and laughter made up for the lack of baked cheese delicacies.

The evening was a success, filled with conversation, laughs, and refreshments. And, in accordance with new University policy, VLW distributed drink tickets to students. This was my first event with drink tickets, and I was skeptical at first. But I didn't really notice a difference at all, other than the slight inconvenience of having to keep track of the ticket.

Wolfrey said, "I think the event went well. It got pretty crowded and it seemed as if people were intermingling and meeting new professors." Franny Skardon '22 enjoyed the distribution between the male and female professors. "It was impressive to see the number of male professors, and nice to see the supportive community."

The event encourages students to get to know their professors and hopefully feel more comfortable in class, encouraging participation by women and academic success. Wolfrey described her goal for the event as "establishing relationships in the Law School between primarily 1L female students and professors. This would ideally foster a stronger sense of community and belonging for female students, reminding them that they are valued and respected members of this community." Bedard also identified encouraging students to go to office hours as an additional goal of the event. If students know their professors personally, it can make it easier to seek help to clear up any potential confusions.

The event also provided students with an opportunity to

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## around north grounds



**D O U B L E** thumbs up to Jasmine Lee and SBA for bringing the joy that is Roots to the Law School twice a week. There's still not enough 1Ls secretly hiding in the corners of the library to satisfy ANG's dietary needs.



Thumbs down to hosting Bar Review at Skybar and Draft Taphouse.

Stop trying to make anywhere but Boylan, Crozet and Bilt happen, Gretchen—it's not going to happen.



Thumbs up to the Law School for stepping into the 20th century with their newfangled whiteboards. ANG's been breathing chalk dust since ANG was a wee munchkin, but ANG can appreciate new technologies.



Thumbs down to NGSL for shutting down ANG's secret 1L softball tournament betting market. What's ANG supposed to do now—restart ANG's 1L Fight Club?



Thumbs up to Judge Moore keeping the Robert E. Lee statue up in Charlottesville. That is ANG's favorite spot to defecate, and ANG would have to return to depositing its droppings on the doorsteps of unsuspecting judges if it were torn down.



Although ANG knows many law students have never been to an actual tailgate, thumbs down to calling backyard parties before a football game a "tailgate."



Thumbs up to the University of Virginia for suing ANG to collect basic medical bills. After selling ANG's house, ANG was able to find a cozy spot under the bleachers and makes do every day trying to be ANG.



Thumbs up to the Trump Administration for banning mango juuls. ANG likes ANG's nicotine like ANG likes ANG's vodka. On the rocks with the tears of law students (gotta get that protein somehow).

# Hoos Pets Are These Too?

Last week, I began my deep-dive investigation into why my peers generally seemed so

Taylor Elicegui '20  
Features Editor



happy and found the reason: Pets. There were so many wonderful furry friends to be profiled that the article had to be split into two parts. This week, I got to put the finishing touches on this article while my new kitten, Lucy, ran around my room like a crazed monster.<sup>1</sup> I've had Lucy for a little less than a week, but I can now officially confirm my hypothesis was correct. My life is immeasurably more fun with the addition of a three-pound little fluff ball. I don't even mind cleaning the cat-box. For anyone contemplating joining the ranks of pet ownership and who's ready for the financial and time commitment, read up for some advice from the experts and hit up the CASPCA.<sup>2</sup>

## Ellie Riegel and Stevie

Ellie Riegel got her puppy, Stevie, on Thursday, September 5. According to Ellie, "I had been hoping to get a dog for over a year, but when I met Stevie I knew I had to adopt him! He has an adorable personality and loves to play. We hit it off the first day I went to look at dogs at the SPCA." Since getting Stevie, Ellie's schedule now revolves around him, but she enjoys it. Ellie has to get up early with him, take him for walks and trips to the park, and, of course, nap time. Ellie particularly enjoys the puppy cuddles and seeing Stevie happy and comfortable in his new home after having a tough start to life. Stevie loves to play with his toys, particularly his Kong, which Ellie fills with peanut butter. Stevie also really likes his bones, which he hides in the couch cushions for safekeeping. Ellie advises anyone who's

1 If you want to see pictures of her looking like a dragon or an adorable model kitten, hit me up.

2 They have a ton of cute animals who just arrived from St. Croix. If you're interested in fostering or adopting, visit the CASPCA today!

contemplating getting a dog to go to SPCA, because they have a lot of wonderful dogs in need of good homes.

## Lydia Parker and Harvey

Lydia got her puppy, Harvey, on August 16. Lydia wanted a dog for a long time, and "figured 3L was a good time to raise a puppy because my schedule isn't too demanding." Puppies like Harvey require a lot of time and training, since his current favorite activities include biting, gnawing, and chewing. Since getting Harvey, Lydia has loved meeting new people everywhere she goes. She said, "I love how Harvey brings so much joy to everyone around me."<sup>3</sup> As part of her new dog-mom lifestyle, Lydia has had to rearrange her schedule. She told me, "I can't spend my days in the library and at the gym like I did 1L and 2L. This is really good for me! Harvey forces me to appreciate the present moment and connect with my community instead of constantly working towards my individualistic goals." For anyone contemplating getting a puppy, Lydia said, "Make sure it's a well thought out decision. You have to be willing to sacrifice a lot of time, flexibility, and money in exchange for unconditional love. For me, it's 100% worth it!"

## Eleanor Schmalzl and Maysie

Eleanor got her cat, Maysie, during fall 2018. Maysie was born in Eleanor's aunt's basement when a stray cat came in through the window and had kittens. Eleanor's family found homes for the kittens when they were old enough and had received the appropriate vet care. Eleanor loves "waking up to her snuggles! She is so sweet at night and in the morning and it is so nice to have a purring kitten on your chest every morning." Maysie likes to attack feet and play fetch with hair ties, which Eleanor appreciates as a good way to tire Maysie out. Eleanor said she does feel bad about not being home more, because it's hard to

3 Lydia was kind enough to let me play with Harvey as part of my very serious pet investigation, and I can confirm he's the cutest, fluffiest Golden Retriever I've met in years.

stay out late knowing you have a little critter waiting for you to come back. Eleanor had some advice for anyone contemplating getting a pet soon: "Don't get a big dog if you're going to live in a tiny apartment in a big city. If you do/already have, become a morning person and a runner to give them some exercise. But really, just get a cool cat—they sleep a lot and don't require half the attention, but are perfect company at the end of a long day."

## Will Tucker and Maple

Will got his dog, Maple, between OGI and the start of fall classes last year. According to Will, "I was lucky that the rescue I got her from let me wait until between OGI and the start of classes, because I could get her up to speed on Bluebooking, basic FRCP principles, and Westlaw terms and connectors before things got busy. She's been an ideal research assistant ever since." Will decided going into 2L was the ideal time to get a dog. He had wanted one for a while and finally had enough predictability as to his living situation and schedule to add a four-legged roommate. Since getting Maple, Will's favorite thing about her is "her unrestrained joy. Maple gives me a reminder every day to appreciate simple things and not let this or that external stress get me down for too long. It's one of the best parts of my life having an endlessly enthusiastic running buddy, morning meal companion, and friend who is (presumably) neuro/physiologically incapable of talking about law school. She makes me happy every day, no matter what." Maple likes making new friends, "be they canine, feline, human, bird, gopher, butterfly, tree branch moving slightly in the wind, or otherwise. Specifically, she's a big fan of climbing onto the back of the couch when you sit there and licking your ears and kinda generally crawling onto your shoulders until she's as close as possible to your face." Will advised anyone thinking about getting a pet to "consider all of the factors very seriously—it can be a huge amount of work added to your life. It's especially important that you time things well. For example, if you know you



Stevie wonders why nobody will throw the ball for him.



Draco Meow-foy does what he does best: sleeps.



Lacrosse, a serious working man, doesn't have time for your "pets" nonsense.



Harvey may not have mastered 'fetch' yet, but he has this up-dog thing down.



Lucy! Strike a pose!



want to get a puppy, get her at a time when you'll be able to be vigilant about housetraining and be okay with losing a little sleep here and there (sorry Bev, thanks again, pal). And remember that traveling with a pet can be VERY difficult! Plan ahead for that too. But so long as you're taking the pragmatic side of things into account, do what will make you and your potential pet happy! Maple is excited to meet you both!"

**Lena Welch and Draco**

Lena got Draco in August, 2014, right before her senior year of college. Lena said, "I love cats. My friend's mom is a vet and was volunteering in a shelter when a cat had a litter. She took in the litter to find homes for the kittens. My friend knew I was interested in getting a kitten, and so Draco came into my life." According to Lena, cats are pretty easy to take care of, but she definitely has more scratches than before she got Draco. Lena likes to snuggle with Draco and bump her forehead against his. Draco also likes to meow until Lena or her mom gives him treats. Lena says that getting a pet has reduced her stress, because she loves him.

**Brooke and Christopher Swann and Lucy and Loki**

Brooke and Christopher, Brooke's husband, have two pets, dog Lucy (a miniature dachshund) and cat Loki, who they got last year. Brooke's favorite thing about having pets "is that no matter what happens during the day, they're always going to love me and be happy



Maple is purely sweeter than syrup.

to see me when I get home. They're the best company for late night reading, and they're the best listeners when it comes to life chats." Lucy likes to hide her treats around the apartment for later while Loki likes to sit in the window and creep on people until he falls asleep. Brooke advises those contemplating getting a pet to "be prepared for planning your days and life around them! They're such blessings, but they're also a lot of responsibility. I can't just stay gone all day or drop everything and leave town for the weekend. With that being said, I wouldn't trade them for anything! Also, your new furry friend may be free to adopt, but vet visits are never free and neither is all of the gear you'll need to get before bringing them home."

**Matt Simpson and Lacrosse**

Matt got Lacrosse, his guide

dog, during his sophomore year of college about ten years ago. Matt applied to a guide dog school in California. The process was lengthy—it required interviews, mobility assessments, and assessments of Matt's living environment. After being accepted, Matt went to two weeks of training with Lacrosse. Matt's favorite thing about Lacrosse is the way he makes his life easier, because he's a conscientious guide dog. When not working, Lacrosse likes to sleep (as anyone who's ever been in class with Lacrosse can attest), chew on bones, and lounge in the sun. Matt thinks that Lacrosse particularly likes law school, because class gives him plenty of time to sleep. Matt advises those considering getting a pet to think carefully about the responsibility and time commitment—not all pets get to take their owners to class.

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Brooke, we asked for a picture of your dog Lucy, not food.



Loki takes a low-key break from the stresses of cat life.



Maisie, likewise, takes a break from terrorizing toes to pose for the camera.

# Club Spotlight: Virginia Law First-Generation Professionals

A group of us founded Virginia Law First-Generation Professionals (VLFGP) in April 2019 to facilitate the

Nicola Pidala '21  
Guest Writer



transition and integration of first-generation professional students into Virginia Law and the legal profession through mentorship, career advising, academic support, social activities, and more. In forming the organization, our intention was to build a community of first-generation students at the Law School to provide support to one another and other resources that we believe would have benefited us during our first year. Many students who identify as first-generation professionals lack access to some of the class-based privileges of our peers, which can feel like a glass ceiling for advancement in the legal profession. Through programming aimed at addressing such economic and educational barriers, we hope to make the profession a more inclusive space for students of diverse backgrounds and let first-generation students know that they are welcome and supported in an envi-

ronment that may not seem designed for them.

Our organization welcomes students from a variety of backgrounds, including students who grew up in working-class or low-income communities, students who are first-generation Americans, and students who are first in their family to attend high school, college, or graduate school. We recognize that the issues first generational-professionals face are not solely limited to these groups and encourage those who may not identify with these groups to engage in the organization to broaden the concept of diversity on Grounds and address barriers to entry that persist in the profession.

This upcoming year, we are interested in hosting a mix of formal and informal events for our members and the broader Law School community. For First-Generation Student Day on November 8, we plan to have an event to celebrate the success of our members and first-generation professionals in the legal field. We also hope to organize events with faculty and staff at the Law School, career development offices, law firms, and other student organizations to connect our members with different resources and op-

portunities at Virginia Law. Lastly, our mentorship chairs—Erin and Josh—have been developing our mentorship program to connect 1Ls with 2Ls and 3Ls. Through this program, we hope to provide a forum to discuss various topics, including financial considerations associated with law school and career opportunities, balancing academics with competing professional and personal demands, what "Big Law" and "business casual" mean, and what electives to take Spring 1L. Additionally, we hope to provide community and mentorship to first-generation students.

For anyone interested in getting involved, please reach out to the co-presidents, Nicole (and Jenny, at either [ncp6yn@virginia.edu](mailto:ncp6yn@virginia.edu) or [hke5ek@virginia.edu](mailto:hke5ek@virginia.edu)).

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**VLW**

continued from page 1

meet their peers. Wolfrey noted, "I enjoyed getting to meet some of the 1Ls that I haven't had the opportunity to meet, and getting to see them enjoying an event that is largely intended to welcome them to the Law School." Trombley-Shapiro Jonas confirmed the event has functioned similarly in years past: "I loved the event and loved that it was very early in the fall semester and open to all. It was a great way to show that VLW is a powerhouse organization at the school, and as a 1L I know I really appreciated getting a chance so early on to meet my professors in a more casual setting. It was definitely one of the very first chances to do so. Each year after that was just a fun opportunity to hang out with VLW, friends, and professors I liked. It was also a great way to get those interested in being more involved with VLW hooked."

The University of Chicago Law

School and other peer institutions have conducted studies on gender disparities in the classroom. In 2018, UChicago found that women were less likely to voluntarily participate in class, particularly at the beginning of the term.<sup>1</sup> Women were also significantly less likely to volunteer in a class session when the first speaker was a male.<sup>2</sup> Wine and Cheese, falling at the beginning of the semester, can hopefully encourage female students to feel more comfortable in class. It is hoped that Wine and Cheese, as an event early in the semester, can serve as one opportunity to combat these phenomena in UVA Law classrooms.

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<sup>1</sup> Women's Advocacy Project, Speak Now: Women, Education, and Achievement at The University of Chicago Law School, (May 2018).

<sup>2</sup> *Id.*



Students and faculty mingle at VLW's wine and cheese night in Caplin Pavilion. Photo Credit Kolleen Gladden '21.

# On the Road in the Post-Apocalypse: A Problematic Journey (Part I)

So, there we were, out of gas and low on water, sitting on the hood of the Jeep and munch-

Will Palmer '21  
Apocalypse  
Enthusiast



ing on looted Slim Jims, when the Blue Checks found us. My traveling companion, Dennis, saw them first, picking out their advancing bikes from the asphalt mirage's scorched liquid haze. He took a thoughtful bite of mechanically-separated chicken and pointed. "Might have an issue."

I wiped the 'Jim grease off my hands and grabbed the binoculars. The advancing bikers, pedaling insistently toward us on their fixed-gears, came into focus. "Yeah...that's an issue, alright. Us driving with fossil fuel *and* eating processed meat products? We'd be tarred, feathered, and run out of town on a rail if these guys didn't find all three of those things extremely problematic."

Dennis shrugged and took another bite of his 'Jim. "Seems like everyone's got beef these days. What can ya do." It wasn't a question.

"I'm not really concerned with changing their beliefs. I just want to get out of here with my rear end un-roasted," I shot back, not particularly kindly.

"Well, it was either die of thirst by the side of the road, or get snatched by the Blue Checks and hopefully get some water out of the deal, so we can't complain that much."

"You're forgetting what's behind door number three," I replied.

"The Bridge Trolls? I'm not forgetting them. I just prefer to not think of their existence. Say what you will about eating granola, at least the Blue Checks don't spend their free time hammering out poorly-written manifestos that no one will ever read."

I raised an eyebrow. "Woah. Look at you, getting all woke. Maybe we're not screwed after all." I gestured towards

the approaching Blue Checks, now close enough to count without binoculars.

Dennis hopped down from the hood. "It's not that I'm particularly woke, my man." He punctuated his sentence by hocking spit onto the cracked asphalt, "I'm just not an asshole."

"Well," I mused, looking towards the sustainably-clad bikers racing towards us, "let's hope they think so too."

The Blue Checks pulled up in a cloud of dust, popped out their kickstands, and observed us for a moment. The closest of them, a tall, skeletal specimen, stepped away from their bike and ambled towards us, face unreadable under a dirty plastic Guy Fawkes mask (made in China). Fawkes stopped a few paces away and spoke in a toneless voice.

"You come here uninvited. Judgment is required." They gestured to the other riders, who approached hesitantly. Fawkes addressed them with what *might* have been annoyance. "Do not fear them, comrades," Fawkes said as he kicked the empty package of 'Jims. "These two roamers feast upon vile sundries. They cannot withstand the might of our camaraderie!"

"Uh—hey," Dennis interjected, "You can just put the bags on and take us to your place; we've done the whole abducted-by-marauders thing before."

An hour or so later, Dennis and I had the obligatory kidnap-sacks yanked off our heads and found ourselves seated on wicker chairs in front of a wooden stage fronted by an intricately-wrought podium. Our hands remained bound by knotty hempen rope—I briefly wondered whether it was free trade—but we were relatively unconstrained otherwise. Fawkes stood behind us, watchful eyes glinting out from under the mask. Murmuring Blue Checks stood in rows all around.

A third prisoner, a short, rotund man who was sweating

furiously and trying to shout through a pair of socks stuffed in his mouth, was seated to my left.

I turned and addressed him quietly, "Hey, buddy, the shouting won't help. You know what's going on, right? The whole big daily judgment show?"

Socks quieted down and looked at me questioningly. "I guess not," I continued. "Just try not to say anything problematic."

A hush fell over the crowd as an ominous figure stalked out of the darkness of the stage to the podium. Fawkes piped up from behind me, "Hail the Chief of Equals!"

"Hail!" parroted the serried ranks of Blue Checks.

The Chief of Equals, crowned with an immense, interlocking stack of antlers bedecked in dreamcatchers and "Coexist" stickers, raised her hands for quiet. The strands of "healing crystals" wrapped around her wrists clacked together in the fresh silence.

"Comrades of the Blue Check! We gather today to judge and punish those we find *problematic*." The self-righteousness evident in her tone had me nervously thinking over my old social media profiles, even though they were all lost to the ether in the Crash. The electric ghosts of bad jokes have a way of haunting you, after all. I shook my head and turned my attention back to the proceeding at hand.

"Ye that are not *verified* shall be *judged*," the Chief of Equals was barking. "And ye that are deemed problematic—yea, thou shalt be brought to the roast." She stepped down from the platform and paced before us for a moment before turning abruptly, a rictus of a grin smeared onto her face. "Now," she began, in a tone that notified all of us that this was definitely a trap, "What do you think of...Colin Kaepernick?" She looked to Dennis first.

"Uh. He's got pretty de-

cent stats...I think?" The Chief of Equals *harrumphed* and turned to me.

"He's fine. I got no beef-er, problems." My questioner glowered slightly at my faux pas and leaned closer. I could smell the expired Kombucha on her breath.

Socks, having had the footwear removed from his mouth, chimed in from my left, "I personally can't stand the guy. Just un-American, if you ask me. Shameful."

I turned to look at him, jaw fully dropped. "*Bruh*," I said. "*Kinda problematic*."

The Chief of Equals delivered a firm backhand to my face. "Watch the gendered language, roamer." She stepped back to the podium and lifted her arms to the flock before her. "And yea, the aggressor reveals himself! *Bring out the roaster!*"

At the Chief of Equals' order, two robed Blue Check acolytes rolled an iron cage onto the stage and opened the door. Inside were yesterday's charred human remains. Socks's eyes widened. He asked, to no one in particular, "What did *that* guy do? Not a Kap fan either?" The robed officiants turned to him.

"Who knows?" said the left.

"Who cares?" said the right.

"That was yesterday," finished the left.

They dragged Socks into the cage and rolled it offstage. The congregated Blue Checks followed, leaving Dennis and I alone with Fawkes and the Chief of Equals.

Fawkes gestured to one

of the departing attendants. "Bring the Macropods."

"Big-foots?" I asked Dennis under my breath.

"I think *big-feet* is the preferred nomenclature," he shot back.

The Chief of Equals, hearing us, turned with a grin both malevolent and delighted.

"Our Bailiffs. The guardians of this righteous court and the executors of the justice herein set forth. You might know them by a crasser name: Kangaroos."

Fawkes turned to the four lumbering, misshapen figures—robed, cowed, and masked in the baroque livery of their byzantine order—which had just entered my peripheral vision, and gestured at us with a head tilt that conveyed unadulterated, ecstatic glee.

The Macropods were shrouded to the point of unrecognizability. I found myself wondering, as two of them seized each of my biceps with inhuman strength, whether they were in fact the marsupials their title proclaimed. The one grasping my right arm turned the hooded darkness which served as its face to receive the command of its master.

The Chief of Equals, with that same undisguised rapture that had been on display throughout the whole of this strange proceeding, pointed at me and Dennis, and pronounced our sentence: "*To the soy mines with them!*"

To be continued...

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## Faculty Quotes

**B. Spellman:** "This better not end up in the *Law Weekly*."

**T. Nachbar:** "I have a particular fondness for baked goods, so that's problematic for me."

**G. Rutherglen:** "It's something like trying to figure out the Uniform Commercial Code on your own. It's something only the brave and foolish attempt."


**M. Gilbert:** "Have any of you had Professor Bowers? Yeah...okay."

**A. Woolhandler:** "I have silenced the class by filibustering it myself."

**M. Collins:** "Run? See generally Canada?"

**C. Nelson:** "If the 1997 statute had affirmatively opted in—excuse me my phone is barking at me."

*Heard a good faculty quote? Email editor@lawweekly.org*



## Virginia Law Weekly

### COLOPHON

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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.



## PIECE of the PIE REWARDS

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FLAKE

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gry responses when he tweeted kind words about Senator Tim Kaine after the Virginian was selected as Hillary Clinton's running mate in the 2016 Presidential election. Similarly, Flake caused a stir among some conservatives when he crossed the aisle during President Obama's 2012 State of the Union address to sit with Democratic Representative Gabby Giffords from Arizona. Representative Giffords was recovering from serious injuries after being shot the previous year, and Flake assisted her as she stood to applaud. Senator Flake stated that many Republicans perceived him to be supporting President Obama as he was often the only Republican standing during the Democratic applause lines. Conversely, he incurred a negative reaction after he tweeted that he did not agree with Representative

Rashida Tlaib's blunt remarks on impeachment proceedings, which included an obscenity directed at President Trump.

Senator Flake pointed to changes during his time on Capitol Hill that he sees as indicative of a decline in civility. One such example was the rapid decline of "pairing votes," in which a Senator or member of Congress will abstain from voting on a matter because a counterpart across the aisle, who would have voted contrarily, was unable to be present for the vote. Senator Flake recalled that Chris Coons, a Democratic senator from Delaware, abstained from voting on advancing the nomination of Mike Pompeo for Secretary of State to the full Senate floor out of deference to Republican senator Johnny Isakson who was unable to be present for the vote.

According to Flake, the only alternative to getting along is being alone. A vivid example of solitude he had experienced was his trip to the remote Marshall Is-



Retired Senator Jeff Flake delivers his lecture on civility in public discourse in the Rotunda Dome Room. Photo Credit Michael Schmid '21.

lands where he stayed for a week by himself with only survivalist tools at his disposal. He returned to the Islands approximately five years ago with Senator Martin Heinrich, a Democrat from New Mexico, with similarly austere accoutrements. He stated that whenever he finds it difficult to be civil and he feels he is ignoring the better angels, he thinks of the alternative.

When asked by an audience member about factors he believes have led to a decline in civility, Senator Flake placed blame with, among other things, current campaign finance rules, the twenty-four-hour news cycle, and the drawn-out election periods. As far as particular solutions, Senator Flake stated his opposition to eliminating the filibuster, crediting the Senate rule for being the "only mechanism" that forces parties to come together to produce thought-out,

enduring legislation. Furthermore, he declined to fault the two-party system for creating an inherently antagonistic clash between two camps that leads to tribalism. Rather, he generally prefers the two-party system, but believes that it has worked in the past because when the political pendulum swung too far in one direction, if one party became too far outside the mainstream, the pendulum would swing back. Now, he questions whether our current political culture has reduced that elasticity which he believes once provided balance.

Yet largely absent from the retired senator's lecture were policies in which he believed there was hope for compromise. At times, the unspoken assumption behind Senator Flake's words were that if one says and believes the right things, current political divides can break down. When

asked where one finds the hope that the country will rediscover its better angels, Senator Flake pointed to our nation's history of overcoming fractious times in the past, as well as a realization that there are decent people in Washington attempting to do good work. After quoting a story from the *Book of Mormon*, which emphasized that incivility should be returned with comity and compassion, he quipped that if harsh words were exchanged between Senators Chuck Schumer and Mitch McConnell, few in the audience would believe that the two of them could set aside the uncivil words exchanged and hash out a compromise immigration bill. Yet such a framing belies the depth of the ideological rift between the two men. Beyond coarse words and occasional in-

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# HOT BENCH

**Amanda Marie Brock**

**Hi Mandy! Welcome to Hot Bench! For all our readers who might not know, Mandy is our local superstar in Scott Commons who gives us that life-sustaining substance—coffee. Mandy, can you tell us a little about yourself?**

My name is Amanda, and I'm 38 years old. I've been working at UVA Law for fifteen years, and I have two beautiful children. I love my job, and I love my coworkers. I like to play basketball and I love collecting stamps.

**How did you get the nickname Mandy?**

My cousin named me Amanda for her favorite soap opera. I think my Dad first started calling me Mandy when I was a kid, and it just went from there. I like Mandy.

**What kind of stamps do you collect?**

Like the older Black His-

tory stamps—those especially.

**In the fifteen years that you've worked here, what are some changes that you've seen come to Scott Commons?**

The food. That's about the only thing. We used to be Grill Works, Montague Deli, and Bene Pizza. Now, we're just Great Harvest Cafe. We used to have hot foods like hamburger steak, pork chops, fried chicken (a Thursday special), and chicken parmesan—we had so much stuff.

**If there's one thing you could change about the cafeteria, what would you change?**

The food, to be honest. The stuff we have is good, but there aren't as many options as before. We used to have more hot dishes and vegetarian options. Now, it's four sandwiches at the deli and four sandwiches at the grill.

**What is your favorite thing that you guys serve?**

The most popular thing is the Yard Bird Salad and the Cubano from the grill.

**I heard that you won an award recently. Please share details!**

Okay! I got chosen, I don't know how, but I got chosen. I think someone recommended me and wrote a letter, but I don't know who. The award is the highest honor that Aramark gives to

their employees. Aramark is a company based out of Philadelphia. Their goal is to enrich and nourish lives through innovative services in food. Out of 27,000 employees, they picked me and another person. I got to go to Arizona for a week on Aramark's dime. I'm getting picked up in a limo from my house to the airport, and then I get pampered for a week in Arizona.

**I see, I thought this was a university award, but Aramark is our dining contractor. What is it that Aramark provides?**

Aramark provides the dining services, and then there's another vendor who provides the food.

**Let's do a lightning round!**

**Favorite food?**  
Fried chicken, I could eat it to death.

**Favorite place in Charlottesville?**  
Jefferson-Madison Regional Library—I love to read.

**What do you like to read?**  
I like mysteries.

**Anti-Stress Hobby?**  
Reading while taking a bath.

**Pet peeve?**  
I think cats. They're creepy to me. They're like humans almost.

**Favorite word?**  
Boo—I like to call people boo.

**What's your spirit animal?**  
A lion.

**If you could live anywhere, where would it be?**  
I would want to live in Africa if I could. I want to go there one day.

**Where did you grow up?**  
Right here in Charlottesville, VA.

**Can you tell us about your adorable kids?**  
I have a seventeen-year-old. Her name is Emoni. She's a senior at Charlottesville High School. She is a very outgoing child. If you met her, you would fall in love with her. She wants to be a Certified Nurse Assistant—she always wants to help others. That's what I love about her.

And I have my son, his name is Jeremiah. He's fourteen and all he knows is basketball. Basketball is life for him; he can tell you anything you want to know about basketball. I think he wants to be a superstar one day. He's shy, but he's a good kid. He just started high school.

**Are your kids basketball fans?**  
Oh yes, my son is for Kentucky and my daughter likes Duke. I like UVA.

**Do you play basketball?**  
Yes, it's my favorite sport. When I have free time, that's what I do with my son.

**If you won the lottery, what would you do with it?**  
I would give half to charity and then I would take care of my parents, my siblings, and, of course, my kids. I wouldn't quit my job. They say money doesn't last forever, so I won't quit.

**If you could make one rule that everyone had to follow, what would it be?**  
Everyone to be nice to one another.

**What's your favorite thing about the Law School?**  
The students, faculty, and atmosphere. Everyone is so nice and pleasant to me. There is a good energy in this building that I can feel from my box. I love everyone I encounter at my counter!

**What would you like to tell all the students?**  
I want to tell all the students, thank you for everything that you do. Thank you for always being so nice and pleasant to me when you come to my counter. Stay positive! Don't let school stress you out. :)

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sults, a massive philosophical and political chasm remains on the issue.

As the senator noted, issues did not fall neatly along party lines when he began his political career. Today, sharp tones are accompanied by even sharper disagreements over fundamental issues that are deeply held among politicians and members of the public. The divide, it seems, goes deeper than uncivil rhetoric and extends to diametrically opposed views on key issues with little apparent room for compromise. Nonetheless, the vast majority of the senator's anecdotes focused on symbolic gestures and kind words rather than on how to address finding legitimate agreement on deeply contested policy points. Throughout the night, he returned to his support for lifting the travel ban with Cuba that was largely unpopular within his own party as the evidence of his substantive bipartisanship.

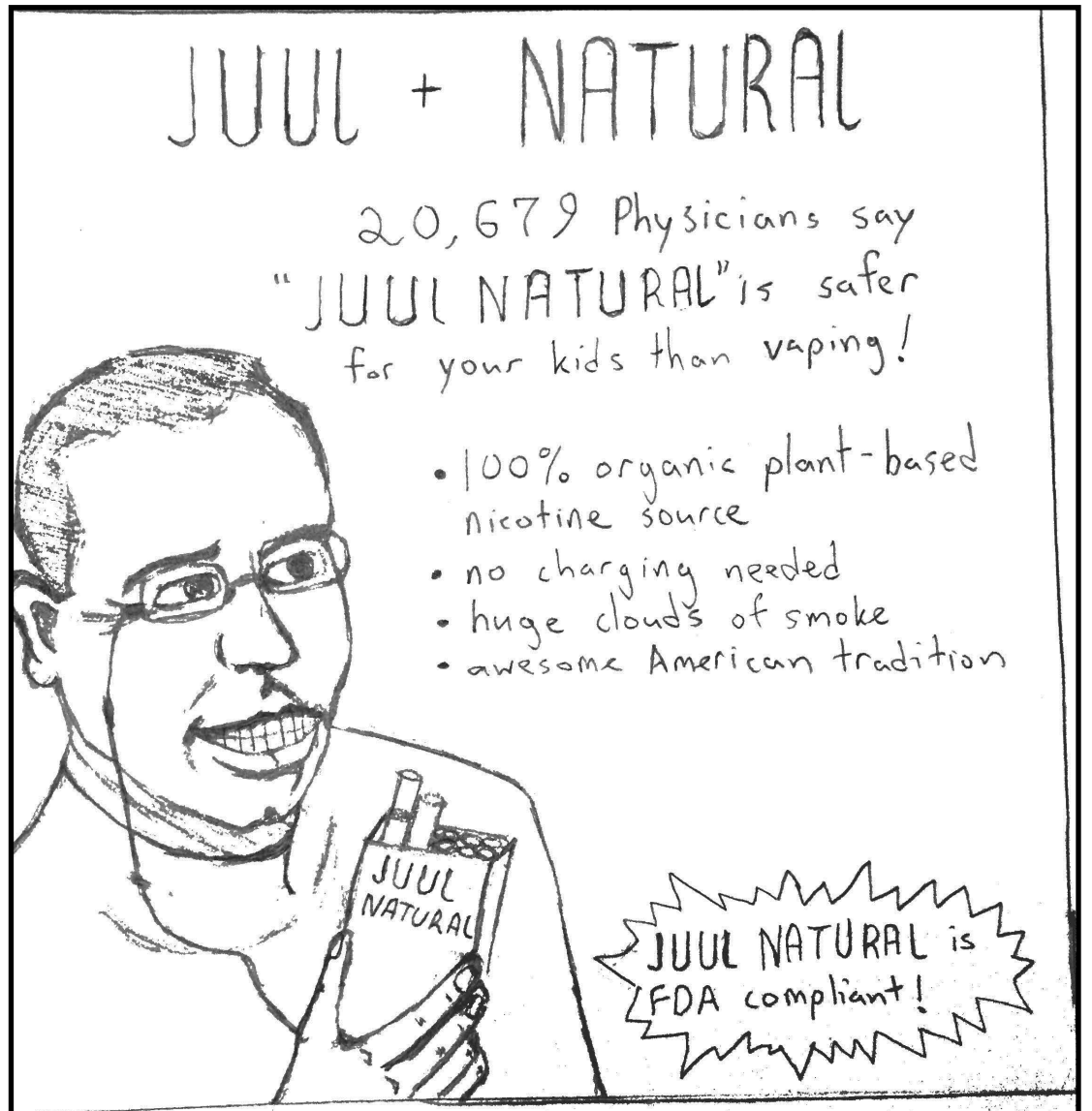
Overall, however, the senator appeared to be focused on the singular ability of unifying rhetoric to snap back to a more civil time and bring together those with ideologically opposed views.

Senator Flake expressed a hope that the country will return to its "old ways" where compromise is essential and people operate on "shared facts and shared values." His optimism reflects the adage that adorned the refrigerator in his childhood home. For Senator Flake, to "assume the best" means, perhaps, believing that an increase in comity is the path to finding the better angels of our nature.

ms3ru@virginia.edu



Cartoon By Raphael



Week 1 Softball Results

1Ls

Section E v. Section A: 6-3  
Section C v. Section D: 11-10  
Section J v. Section I: 15-2  
Section G v. Section F: 19-4

Co-Rec

The Parents v. Nerd Herd: 8-6

Open

Humongous Melonheads v. Batter Day Saints: 16-1  
HM v. Batmen: 9-4

THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
<b>WEDNESDAY – September 18</b>				
13:00 – 14:00	Real Deal: Prosecution	Purcell	Free	Provided w/ RSVP on Symplicity
17:30 – 18:30	T'ai Chi for Everyone	Clemons Library Contemplative Room 220	Free	---
<b>THURSDAY – September 19</b>				
12:45 – 14:00	Launch Event for Educated in Tyranny: Slavery at Thomas Jefferson's University	Rotunda Dome Room	Free	Reception following event at Colonnade Club
17:15 – 19:00	Human Rights Program Kickoff	Caplin Pavilion	Free	Dinner provided
19:00 – 22:00	Libel Show Welcome Social	Kardinal Hall	Free	Appetizers
<b>FRIDAY – September 20</b>				
12:00 – 13:00	Professional and Ethical Responsibilities of the Pro Bono Volunteer	WB 126	Free	Provided w/ RSVP on Symplicity
19:00	Women's Volleyball: Virginia vs. Lehigh	Memorial Gym	Free	---
<b>SATURDAY – September 21</b>				
10:00 – 11:00	Solving the Global Refugee Crisis and Other Disasters: Business Solutions to the World's Toughest Problems	Alumni Hall	Free, RSVP required	---
10:00 – 17:00	Heritage Harvest Festival	Monticello	Starts at \$26.95	Available
<b>SUNDAY – September 22</b>				
15:00 – 17:30	Genna Matthew	Glass House Winery	Free	---
17:00 – 19:00	Broadway Talks Back with Tony Winner Jessie Mueller	Drama Building, 109 Culbreth Road	Free	---
<b>MONDAY – September 23</b>				
17:30	Brian Caputo Jazz Trio	Oakhurst Inn	Free	---
19:00	Men's Soccer: Virginia vs. Western Michigan	Klöckner Stadium	Free w/ student ID	---
<b>TUESDAY – September 24</b>				
14:00 – 17:00	Cartooning the White House: Celebrating Comic Artist Patrick Oliphant	Newcomb Hall Theater	Free	---
15:45 – 17:00	Budgeting for Life	WB 154	Free	---

SUDOKU

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Solution

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