Loving at Fifty

Kim Hopkin ’19
(sha/her/hers)
Columns Editor

Hear ye, hear ye, one and all, the funniest tradition at University of Virginia School of Law is in session. This week! We welcome all students interested in joining the oldest and, we think, best tradition that University of Virginia School of Law has to offer: the Libel Show. Libel is an annual tradition where students come together to lampoon student life, legal culture, and current events through a series of comedy skits and musical acts. The show is performed for three nights in Caplin Auditorium for the Law School students and faculty to enjoy. (Even the professors join the fun by performing a rebuttal during one of the shows.) As a 100-percent student-run show, we would love for YOU to come be part of the show.

This year, the show will run on March 22, 23, and 24, and EVERYONE is welcome to be a part of the show, regardless of level of talent, experience, or humor (READ: NO STAGE EXPERIENCE REQUIRED). We are seeking interested and enthusiastic people for acting, singing, dancing, band, and back-stage assistance. We have roles for all levels of talent and time commitment. If you are worried about the amount of time you would spend on the show, let us know, and we will take your availability into consideration when casting. Rehearsals are only thirty minutes per week leading up to the week before the show. During the rehearsal week, Law School students are free to complete homework and responsibilities, but they are not on stage performing.

Below are the details for each of the audition sessions. If you are interested in multiple ways to perform, you may try out for any or all of these.

Acting and/or Singing

Dates: Saturday, Jan. 31, 6-9 p.m. and Thursday, Feb. 1, 6-9 p.m.
Location: WB 154
Details: Stop by the Libel table near WB 154 to try out for Acting and/or Singing. During the rehearsal week, Law School students are free to complete homework and responsibilities, but they are not on stage performing.

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In honor of the 50th Anniversary of Loving v. Virginia, the Virginia Journal of Social Policy & the Law convened the symposium “Loving: Yesterday, Today and Tomorrow” to celebrate the landmark decision that toppled anti-miscegenation laws in the United States and breathed new meaning into the Fourteenth Amendment. The two-day series of speakers and panels began with an introduction from Dean Risa Goluboff followed by the keynote address by Dean Erwin Chemerinsky of Berkeley School of Law. Arguably the foremost expert on constitutional and civil rights law today, Dean Chemerinsky has authored ten books—two of which were released in 2017—and 200 law review articles.

Thumbs up to the tipo, (“State of the Union”) written on the State of the Union tickets. ANG has been trying to convince professors for years that typos in exams are okay. If Congress can get away with it, ANG should be able to, too.

Thumbs up to the professor in Slapper—using an over-life, real-world overhead! ANG hasn’t felt this sort of historical reverence the last time they found out Professor Bonnie was born in the 10th Century!

Thumbs down to the temperature. ANG refuses to go to school when the temperature is less than ANG’s age. Since ANG gave up math for life upon getting into law school, ANG can’t be sure of ANG’s actual age and is therefore just gonna stay in bed until further notice, just to be safe.

Thumbs up to midway tryouts for 2.4s. Realize while it looks like you’ve aged five years, it’s only been a year and a half.

Thumbs up to the universe casting Tom Hanks to play Dean Erwin Chemerinsky. ANG doesn’t need to see Mister Rogers of Mister Rogers’ Neighborhood. ANG needs as many strong professors as ANG can get. Professor Abraham, any way you get involved in production? Maybe calmly explaining insurance between film segments?

Jenna Goldman ’18
(sha/her/hers)
Editor-in-Chief

Photo courtesy of The Law Weekly

In honor of the 50th Anniversary of Loving v. Virginia, the Virginia Journal of Social Policy & the Law convened the symposium “Loving: Yesterday, Today and Tomorrow” to celebrate the landmark decision that toppled anti-miscegenation laws in the United States and breathed new meaning into the Fourteenth Amendment. The two-day series of speakers and panels began with an introduction from Dean Risa Goluboff followed by the keynote address by Dean Erwin Chemerinsky of Berkeley School of Law. Arguably the foremost expert on constitutional and civil rights law today, Dean Chemerinsky has authored ten books—two of which were released in 2017—and 200 law review articles.

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Photo courtesy of The Law Weekly
role; the Court should have decided the case because it was its duty to decide cases pursuant to the Constitution, not to pick and choose what to hear based on what is politically palatable.

Chemerinsky argued that taking another important civil rights case soon after Brown would have affirmed the decision’s force that the Equal Protection clause was not about formal equality, but about anti-subordination. It took the Court thirteen years to state this specifically. “We should have expected more from the Supreme Court in 1967,” he said. Famously, Richard Loving, who did not attend the oral arguments before the Supreme Court told his lawyer to “tell the Court that I love my wife, and it’s just not fair that I can’t live with her in the State of Virginia.”

After Dean Chemerinsky’s address, “Loving” was screened on Main Grounds along with a panel discussion comprising Liza Ayers ’19, Professor Sylvia Chong, Professor Susan Fraiman, and Professor Lisa Woolfolk from the University of Virginia English Department. The symposium continued with Professor Katherine Franke of Columbia Law School, Professor Randall Kennedy of Harvard Law School, and Robin A. Lenhardt of Fordham Law School. The panel discussed the nuanced history of the case, and built on Dean Chemerinsky’s critique.

“This case was the first time the Supreme Court acknowledged that white supremacy played a role in the continuation of anti-miscegenation laws,” noted Professor Franke. “Professor Lenhardt attempted to make a connection to Brown, but the one point was anemic.” Professor Lenhardt urged courts and academics to learn from the decision and do a better job at making connections between race and other areas such as housing, poverty, and gender. When asked about the importance of the unanimous decision, Professor Kennedy responded, “Unanimity is overplayed: the Court has given up too much in the pursuit of unanimity. There only needs to be five votes to write with the authority of the Court.”

The next panel was moderated by Professor Deborah Hellman of UVA Law and joined by Professor Kim Forde-Mazrui of UVA Law and professors Melissa Murray and Angela Onwuchekwa-Chi-Willig of Berkeley Law, focusing on “Loving as a Systematic Bias.”

New Club on the Block: An Introduction to LIST

Autonomous vehicles facing moral dilemmas. Artificial intelligence demonstrating systematic biases. Physical attacks conducted through cyberspace. More than plot devices in a Black Mirror-esque show, these are among the challenges that sparked an idea between us, Chinmayi (“Chinny”) Sharma, ’19, Philip Doerr, ’20, and Irina Danescu, ’20 - to create a nexus for students, professors, and employers interested in grappling with the legal issues presented by pivotal technologies. The result was LIST, or Law, Innovation, Security, and Technology, which launched in Fall 2017 and is kicking off events this week with the goal of providing law students the tools and opportunities to engage with the legal issues raised by new and existing technologies.

We came to law school with differing professional experiences and perspectives — which is appropriate given the range of issues included under the expansive “innovation, security, and technology” umbrella. As a former programmer, Chinny knew she wanted to pursue cybersecurity, but found that while there was clear interest in the subject among students and faculty, there was no centralized means for these individuals to work together to organize events, facilitate contacts with relevant employers, or equip students with the technical acumen demanded by jobs in this area. Irina, having previously worked on military cybersecurity, was interested in diverse technologies, realized that while UVA’s Darden School has a strong focus on tech entrepreneurs, the law school must also play a critical role in developing students’ understanding of the nuanced legal issues implicated in technological innovation.

We found that we were not alone in seeing these gaps as opportunities for student initiatives. Aleshix, a professor of international and national security law and one of the group’s mentors, said: “The Government, Restore the Fourth, and Global Cyber Alliance. Several students have already been matched to projects and several more still have applications pending review. At the end of the semester, students who participate in the LIST Professional Development Program will have the opportunity to make a 5-minute presentation about their semester’s work to a crowd of peers, professors, and professionals from the tech field. This panel will occur right before LIST’s Professional Development Program.”

From Right to Left: Irina Danescu, Chinmayi Sharma, and Philip Doerr, the founders of Law, Innovation, Security and Technology.
What’s the First Rule of Feb Club?
Talk About Feb Club

By this point in your law school career, no matter your year, you have probably accepted that Feb Club is a staple of your social life. But while your friends spend their time wasting away at expensive brunches in various cities around the Biscuit Donuts ’18 Guest Columnist

country, why not embrace your dwindling youth and join in some harmless fun the whole Law School can enjoy?

NGSL historian Charles T. Baker, after exhaustive research, has determined that Feb Club dates back at least to the mid-80s when one enterprising alum (now a partner) hosted a black tie New Year’s Eve knock off on “Feb Club Eve.” “It’s a tradition as old as time, and the highlight of my year,” says Charles Baker, who is most excited about this year’s “Tide Pods & Cheese” event. In all seriousness, Feb Club is something wholly unique to UVa Law and the general collegiality we enjoy here. It gives 1Ls the opportunity to get out of the rut of cranking between Ivy, Pw, and the Bimbo and to meet 2Ls and 3Ls in a low-stress, unstructured environment. Who knows what kind of good advice you might get in a dirty basement from some 3L in a toga who is clerking on the Fourth Circuit? Moreover, Feb Club allows the numerous affinity groups and social clubs at the school to host parties where each and every student is invited, giving everyone the opportunity to socialize outside of their usual circle.

We have already discussed the Feb Club Calendar in this issue, and you will be able to find more details about each party on Facebook. We encourage all students and professors to attend as many parties as possible, make new friends, come to theme parties you don’t quite understand (again Tide Pods & Cheese!), and remember that exams are more than two months away.

Your Feb Club Cruise Director, Chrissy Oberg ’18, is looking forward to seeing you at all February events this year.

1. We don’t care what Yale grads have to say [footnote by NGSL historian Charles T. Baker, after exhaustive research, has determined that Feb Club dates back at least to the mid-80s when one enterprising alum (now a partner) hosted a black tie New Year’s Eve knock off on “Feb Club Eve.” “It’s a tradition as old as time, and the highlight of my year,” says Charles Baker, who is most excited about this year’s “Tide Pods & Cheese” event. In all seriousness, Feb Club is something wholly unique to UVa Law and the general collegiality we enjoy here. It gives 1Ls the opportunity to get out of the rut of cranking between Ivy, Pw, and the Bimbo and to meet 2Ls and 3Ls in a low-stress, unstructured environment. Who knows what kind of good advice you might get in a dirty basement from some 3L in a toga who is clerking on the Fourth Circuit? Moreover, Feb Club allows the numerous affinity groups and social clubs at the school to host parties where each and every student is invited, giving everyone the opportunity to socialize outside of their usual circle.}

2. True story.


12. If the Law School had yearbook awards, what would you want to win? Least gummy.

13. If you could know one thing about your future, what would it be? Do the winning lottery numbers count? That public service salary is unfortunately part of my future.

14. What’s the longest you’ve gone without sleep and why? 72 hours my freshman year of college when I was working every weekend. I do not recommend getting anywhere close to that, hallucinations will getcha.

15. What’s your favorite thing to do in Charlottesville? Going to libraries and to wineries. But really the wineries…

16. If you owned a sports team, who/what would be the mascots? Gryffinwhores—shout-out to my dad’s shadow, nothing more than two.

17. If you could make one law that everyone had to follow, what would it be? Anyone who could make a law that everyone had to follow, what would it be? You are not allowed to be able to make one law at the same time. If you can make one law that everyone had to follow, what would it be? You are not allowed to...
Both signs and common sense dictate that defendants should not be in the Law Library for any reason. Therefore, as a matter of law, any undergraduate in the Law Library is encroaching on the space. No affirmative defenses are available to the defendants on this claim.

-C.J. Haden

Faculty Quotes

R. Hynes: “Don’t worry, I won’t keep you guys over for the rest of the day. I’ll wait until Feb Club is in full swing to do that.”

M. Robinson: “Most of you probably qualify as nerds.”

J. Harrison: “I remember when everything was harvest gold and the walls were avocado, and I remember thinking, ‘Dear God, when will the 70s end, and when will I get better hair?’”

J. Setaer: [explaining the junior rush system] “So if you are underage and there are three distinct police forces who will do absolutely nothing.”

P. Mahoney: “You’d write them a strongly worded letter telling them to go jump in a lake.”

Heard a good professor quote?

Email editor@lawweekly.org!

Virginia Law Weekly

Jenna Goldman (she/her/hers) ’18
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Eric Hall (he/him/his) ’18
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Features Editor

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Virginia Law Weekly
825 Jefferson St.
Charlottesville, VA 22903-1789
Phone: 434.924.3229
editor@lawweekly.org
www.lawweekly.org

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Having taken a couple more years off after college than the average law student, I have
Molly McDonald ’18
noticed things that set me apart from most classmates. A birthday in the 1980s comes
to mind. One of my professors was the same age in school as my sister, and my boyfriend. But another aspect of being (slightly) old for my class is that
I started law school, in 2016, just as my dad announced his impending retirement after
more than thirty-seven years at the law firm. Poetic, right?
Then came winter break of 2L, also known as the longest uninterrupted stretch I’ve spent at my parents’ house
since 2010. The retirement announcement had come and gone, and the actual transition
was upon us. Dad spent the week after Christmas cleaning
out his office while Mom pressed him on where he was
going to put all of the stuff once he retired. When I returned, I spent the week watching Game of
Thrones, talking to Mom for hours about the kitchen island, occasionally socializing, and
desiring ways to make it seem like I was producing fewer recy-
clables than I actually was. My laundry consisted primar-
ily of social media items with elastic waistbands.

COPA
continued from page 4
undergraduate population. The third, North Grounds, is on
a “home turf” to plaintiffs and their similarly situated class,
and facts, as well as its stan-
dard of review and presumption
against the undergraduates. Further, I concur in the rever-
sal of dismissal of the first three of the plaintiffs’ complaints. I write separately because I
would also reverse the dismissal of the fourth claim.
There are things in life that are so inherently irritating that it is difficult to imagine attempt-
ing to pin that irritation down to specific words. See, e.g., pickles, democracy, and Con Law. I fear that this exact problem is what plagues the fourth contention of the plaintiffs, and since I am
able to understand their general complaint, I would reverse the dismissal of this claim.
It would be relatively easy to enjoin the defendants from be-
ing law students, but we would rely on our enforcement
officials to exercise sound judg-
ment about its potential to fulfill its graduate
behavior. I worry about the suffering that the plaintiffs will continue to suffer at the hands of this increasingly bru-
ned population. While I hope that the plaintiffs will realize the importance of amending their complaint to be sufficient to satisfy the majority’s standards, I am
tent to dissent on this matter.

LIBEL
continued from page 1
special preparation. Please ar-
vive ready to move. The audi-
tion process takes all of one ses-
sion, so expect to stay the full
two hours of one of the sessions.
Questions: Email Alana Harris (aharris@virginia.edu)
Band Dates: Wednesday, Jan. 31, 6-9 p.m. and Thursday, Feb. 1,
6-9 p.m.
Location: WB 152
We need all musicians! If you can play an instru-
ment, you should try out for the Libel Show band! The band
audition room will have a guitar provided. Band tryouts will be
welcoming and flexible: If there are any special instrument ac-
commodations necessary, please reach out to Ben Lacy to discuss.
Questions: Email Ben Lacy (bmlacy@virginia.edu)
Want to be a part of the show but are not interested in or
thrilled to appear on stage? Email us at libelshow2019@gmail.
com, and you can join the run crew to help with production backlash.

THE 110th LIBEL SHOW
Photo courtesy of the 110th Libel Show
6-9 p.m.
Location: WB 152
We need all musicians! If you can play an instru-
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audition room will have a guitar provided. Band tryouts will be
Lovely continued from page 2

means of social and legal transformation."

Professor Murray’s re-
marks reminded attendees
that “legalization does not
mean complete acceptance
of a law must be
trated to a racially discrimi-
tory purpose."

Professor Onwuachi-Willig
discussed that erosion of the
Equal Protection Intent
Analysis outlined in Lov-
ing. In 1976’s Washington
v. Davis, the Court upheld a
test (called Test 21) adminis-
tered by the D.C. police de-
artment. The Court decided
that proof of discriminatory
intent was not needed to
prevail on their Equal Pro-
tection and that the invidi-
uous quality of a law must be
controverted by the D.C. police de-

statement." The symposium ended
with a panel on “Loving’s Promise for
LGBTQ Communities,” moderated by Professor Mi-
cah Schwartzman of UVa Law. Loving was cited in the
Obergefell v. Hodges deci-
sion that ended restrictions
on same-sex marriage in the
United States. Professor Hol-
ning S. Lau of UNC School of
Law, Professor Dough Nejai-
time of Yale Law School, and
Professor Catherine Smith of
University of Denver Strum
College of Law explored the
various ways the logic in the
Loving decision could be ap-
pied to contemporary cases,
especially in the forthcoming
case Masterpiece Cakeshop.
Editor-in-Chief of the
Journal of Social Policy &
the Law Ali Herrog ’18 said the idea of the symposium
was the brainchild of Pro-

continued from page 2

professor Onwuachi-Willig and
Professor Kerry Abrams of
UVa Law. The journal en-
thusiastically sponsored the
event and will publish sever-
all short pieces by professors
about Loving in their spring
issue.

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jmg3db@virginia.edu

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Sudoku

Solution

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

1 7 5 3

2 5 7

9 3 2

4 5 6

9 3 1 8

2 4 3

4 5 2

9 3 6 2 1 5 4 8 7

8 6 9

2 3

4 7 6

8 7 1 6

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Suddo