



VIRGINIA LAW WEEKLY

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

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Mandatory Vaccinations: Law, Ethics, and Religious Liberties

Drew Calamaro '21
Satire Editor

On Wednesday, September 23, the Health Law Association hosted Professors Margaret Riley, Lois Shepherd, and Micah Schwartzman to discuss the implications of a vaccination mandate.¹ Professor Riley first discussed the development schedule of a possible COVID-19 vaccine. She explained the development process of a vaccine under the traditional paradigm, which often takes many years, with time allotted for manufacturing scale-up, commercial scale, and validation of manufacturing processes. The end of the process involves regulatory approval and licensure of the vaccine.

The development of a COVID-19 vaccine has been largely facilitated by the federal government's "Operation Warp Speed,"² which has the stated goal of producing and delivering 300 million doses of safe and effective vaccines by January 2021. Accelerating the process, however, begets a whole host of issues. First, Professor Riley was clear to draw a distinction between emergency use authorization and regulatory approval. A safe and effective COVID-19 vaccine will not be approved at any point in the near future. Instead, a vaccine will be authorized for emergency use by the FDA, which may limit the number of people who receive it. Second, manufacturers and governments must overcome supply chain issues. There happens to be a global glass shortage, which may cause shortage in vials necessary to store the vaccine. Some vaccines also have to be kept at temperatures as low as -70 degrees Fahrenheit. There are very few companies with the capacity to ship and store vaccines at such low temperatures, and their ability to ship billions of vaccines across the globe will be put to the test.

Professor Shepherd then discussed Supreme Court

1 I also had the opportunity to contribute a few comments at the end of the event once the professors were finished speaking since this is my current area of research.

2 A name Professor Riley attributed to the involvement of the military.

Judge Bernadette D'Souza Discusses Family Law and Her Path to the Bench



Pictured: Judge Bernadette D'Souza, President of the National Association of Women Judges and Family Court Judge of the Orleans Parish Civil District Court. Photo Courtesy of orleansdc.com.

Rachel Martin '23
Staff Editor

On Thursday, September 24, UVA Law's chapter of the American Constitution Society (ACS) and Virginia Law Women (VLW) virtually hosted Judge Bernadette D'Souza, President of the National Association of Women Judges (NAWJ) and Family Court Judge of the Orleans Parish Civil District Court. Morgan Maloney '22, the Director of Programming for ACS, arranged the event. "I think it is so important for all law students, but especially students from underrepresented communities, to think about careers in the judiciary while still in law school," Maloney said. "I hope that the event inspired some students who had not formerly considered a career as a judge to begin to think about that as a potential career path."

ACS President Wes Williams '22 introduced Judge D'Souza. Judge D'Souza graduated from Tulane University School of Law in 1992. Before becoming a judge, she worked in public interest law for eighteen years representing indigent clients in domestic violence and other family law cases at places such as New Orleans Legal Assistance (NOLA) and Southeast Louisiana Legal Services. Judge D'Souza also taught family law and domestic violence as an adjunct professor at Tulane. She has served on numerous community and national boards and committees, been invited to speak at numerous events both at home

and abroad, and been the recipient of numerous awards. She is also the proud mother of three children.

After the introduction, Judge D'Souza's first words were, "Students will wonder, 'Where does she have the time to do what she's doing?' It's when you find the passion that you find the time." Judge D'Souza explained that after graduating, she could have joined any law firm, but she was "so taken with the work being done at NOLA that [she] wanted to dedicate [her] career" to public interest work.

Judge D'Souza gave high praise to her students at Tulane, crediting them with the idea to start a domestic violence clinic and applying for the grant to fund it.

"It is the students that can make a difference with some of the social issues that we are confronted with in our country," Judge D'Souza said. Judge D'Souza encourages students to become involved in clinics, policy advocacy, and other community service projects while in law school. "Just because you're not a lawyer does not mean you cannot advocate for people in your community."

Judge D'Souza first started thinking about becoming a judge when she realized the problems caused by not having a dedicated judicial seat for family law matters in her local civil district court. Because none of the judges wanted to handle the domestic violence cases, they were assigned to the newest judges, who would then rotate out as soon as there


was another vacancy. As a result, a single case or ongoing issue would often be handled by multiple judges who never really became familiar with the background. To rectify this, Judge D'Souza managed to convince her Senator to introduce a bill creating two dedicated family law seats in Orleans Parish, which subsequently passed. In 2012, Judge D'Souza became the first person elected to the position.

"It was humbling to receive the support of the New Orleans community," Judge D'Souza said. She linked the overwhelming support she received with the work she had done for the community over many years, and she recommended that anyone interested in a state or local judgeship similarly work to serve their communities, because it is the people that elect the judge—or in the case of most non-federal appointed judges, vote to retain them.


The most difficult thing about being a judge, Judge D'Souza observed, is the inability to advocate for one side, as judges must remain neutral. "Besides having the knowledge, experience, [and] expertise . . . to hear these cases, it is so critical that a judge has the proper demeanor and judicial temperament to judge from the bench."

However, Judge D'Souza still finds ways to ensure equal access to justice. One of the main ways she does this is by working to help connect people to community resources.


around north grounds


 Thumbs up to the Return of the Snacks. The third installment is far better than the two prequels, Fellowship of the Snacks and The Two Snacks.


 Thumbs down to people who signed up for multiple farm share slots when other people still haven't gotten a single share. ANG is certainly shocked to hear this experiment in communism has failed.


 Thumbs up to the VLR EIC, who asked his fellow editors this week, "What is IRAC?" ANG is glad that you don't need a strong foundation in legal research and writing to have a shining legal career.

 Thumbs down to Barbri for allowing people who directly bill their firms to sponsor a public interest student. Imma let you finish, Barbri, but Themis offers their full product to the public interest students.

 Thumbs up to the tiny white flags on the lawn in front of the Law School. ANG thinks it's about time we admitted coronavirus won and just gave up.

 Thumbs down to UVA's more stringent COVID procedures cancelling free headshots. ANG wasted both a shower and ANG's last Tide Pod to get ready to dazzle the camera, only to have the rug pulled out because of the new outside mask mandate.

 Thumbs up to our benevolent dictator Katherine Janes for trying her best to distinguish law students from undergrads. It's an uphill battle when law students live in the dorms of Pav, go to the Corner and drink PBR, and stress out over assignments we'll forget in one year.

 Thumbs up to the nomination of Amy Conroy Barrett. UVA Law has to get those Scotus clerkships one way or another.

JUDGE

continued from page 1

Sixty-five to seventy percent of the people coming before her lack legal representation, so she set up a self-help desk in the court, and she arranges for lawyers from pro bono projects to help people do things such as fill out petitions. In addition to legal matters, she also works to connect people with resources for housing, employment, and food, on top of addressing other issues that often coincide with family law cases.

Another way that Judge D'Souza helps those facing domestic violence is through confiscating weapons from perpetrators and issuing various protective and relief orders. Judge D'Souza recounted an incident from her days as a practicing attorney when one of her clients was gunned down on the courthouse steps moments after winning her case. As a judge, she helps prevent similar incidents from occurring by having her deputy retrieve all of the weapons from a household as soon as there is a finding of domestic violence occurring in the home. Judge D'Souza praised the many recent advances in Louisiana law allowing this and other protections. She advised that it is often up to clients' lawyers, however, to educate judges and make sure these laws are used to their fullest effect. For example, in Louisiana, judges can now order financial support as part of a protection order, but the issue must be brought before the court in a

petition in order for relief of this type to be granted.

Judge D'Souza gave a lot of advice for people of color, mothers, and other women entering practice or looking to join the judiciary. As an immigrant from India, the only woman in her graduating class, and the mother of three children, Judge D'Souza faced many challenges throughout her legal career. However, her passion for equal justice drove her forward, and she strongly recommended that others interested in public interest work pursue it. "In doing this work you are able to confront [in-equalities] head on and obtain justice in coming before the court . . . Once you develop that confidence and know that you can get justice, you just work at it." Judge D'Souza also highly recommended taking advantage of the many mentorship and networking opportunities available through organizations such as NAWJ. The best time to start is now as a law student. Finally, Judge D'Souza emphasized the importance of balance. "I think it is so important to have a balanced life. It is difficult because when you have children, you want to be able to know who they are as they are growing up. Make time for the family. There are certain times of the day when you just have to force yourself to make time."

Judge D'Souza ended on the following note: "If any of you want to do a summer internship, you are welcome to come down to New Orleans."

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VACCINE

continued from page 1

precedent regarding mandates and the right to refuse medical care. First, she discussed *Jacobson v. Massachusetts*, a seminal public health decision that dealt with the state's authority to mandate vaccinations. In 1902, Rev. Henning Jacobson attempted to refuse a smallpox vaccine that the city of Cambridge had mandated for its citizens. The penalty of refusal at the time was five dollars. Jacobson sued and appealed his repeated losses all the way up to the Supreme Court, which sided with the state of Massachusetts. Professor Shepherd then discussed *Zucht v. King*, which upheld school vaccination mandates even in the absence of an ongoing pandemic.

These cases, however, were decided in an era before the courts recognized a right to refuse medical care. Professor Shepherd discussed the possibility that a forced-vaccine mandate violates the right to refuse medical care, and also implicates the issue of whether the federal government can use quarantine precedents to justify one. She reiterated that it is important to remember that the *Jacobson* decision involved a fine as a penalty, whereas forced vaccinations would likely fly in the face of the medical rights developed throughout the twentieth century.

Finally, Professor Schwartzman discussed religious exemptions. Since the

Jacobson decision, courts have consistently held that states are not obligated to provide religious and personal belief exemptions to vaccinations. There are currently forty-five states, including Washington D.C., that grant religious exemptions for people who have religious objections to vaccines for school children. Fifteen states allow philosophical exemptions for those who object because of personal, moral, or other beliefs.³ States including California, New York, and New Jersey have either removed or attempted to remove religious and philosophical exemptions in the wake of recent measles outbreaks.

Professor Schwartzman also discussed the future of religious exemptions in the wake of Supreme Court Justice Ruth Bader Ginsburg's death. Courts are usually not in the business of creating religious exemptions to vaccine mandates. No court—to Professor Schwartzman's knowledge—has created a religious exemption to vaccines where none previously existed. However, if a conservative Supreme Court Justice were appointed to replace late Justice Ginsburg, that precedent could change if the issue comes before the Court again.

Toward the end of the discussion, I added a few words about the history of immunization, quarantine, and vaccination mandates. During the Revolutionary War, George

³ <https://www.ncsl.org/research/health/school-immunization-exemption-state-laws.aspx>.

Washington mandated his troops be immunized to smallpox through *variolation*, which involved exposing un-immunized individuals to a small amount of the active virus.⁴ This brought troop infection rates of smallpox from over 20 percent down to 1 percent. The first mass-vaccination event in the United States occurred in 1803 in the Old Natchez District of the Mississippi Territory. In the midst of a smallpox outbreak, the governor enacted stay-at-home orders, subjecting those who violated the order and ventured out in public to a \$100 fine.⁵ The governor acquired the smallpox vaccine and provided it to two-thirds of the city's 1400 residents.

While the United States has a long history of utilizing vaccines or immunizations to achieve herd immunity, it is politically unlikely that a federal mandate is around the corner. Furthermore, as Professor Riley pointed out, a mandated vaccine should be both highly safe and effective in a significant proportion of people. Achieving these two baseline requirements in the COVID-19 vaccine may be difficult. Our best hope remains in people's trust in a vaccine's safety and their willingness to receive it.

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⁴ I did not say this in the event, but I figure you, the reader, might be interested in it.

⁵ Today, this amounts to about \$2,110.

Love in the Time of Corona: Chance Maginness '22

Although it's been nearly six months, many aspects of Ben Stieveter '22 Events Editor

our "new normal" continue to present challenges that can be strange and frustrating to face. From sitting next to someone in class to hitting Bar Review, things that once seemed a given feel far away, or at least vastly different behind a mask and six feet apart. We've been forced to connect more creatively in our professional, personal, and—we'll say it, you smokeshows, you—romantic lives. Indeed, like a professor explaining the holding five minutes past the bell, love continues on, so we at the Law Weekly thought it would be intriguing, pleasantly distracting, and (dare we say it) heart-warming to hear how couples and singles alike are handling romance in light of all these changes. You've heard of Love in the Time of Cholera, but get ready for Love in the Time of Corona.

This week's guest is Chance Maginness '22.

Hi Chance! Welcome to Love in the Time of Corona. This week's edition is a little different in that you're not in a relationship. How would you categorize your relationship status—Single?

Ready to mingle? Focused on yourself?

I don't want to come across as desperate, Benjamin. That being said, I am single and ready to mingle, but not in a desperate way. I'm content with where I am, but I wouldn't be opposed to someone scratching my back and giving me compliments. It's a fine line to walk.

I'd imagine it's a bit more challenging to mingle with the state of things right now. How has ye olde Corona been for you?

Definitely, but this is where the not desperate thing comes into play. Quarantine has obviously been bad for most people; but for me, it's been good. I've come out on the other side a better person.

Elaborate.

Well, before everything went remote, I was really concerned with the social dynamics of law school and what others were doing and where I fit in, but now I'm far more focused on me. I mean, when the world stopped, I really had nothing to do but watch *Tiger King* (remember that?) and focus on myself for the first time in a while. I started getting into healthier routines with eating and exercising—I've actually lost about forty pounds since it started. I've started seeing a therapist to keep my mental and emo-

tional health up as well. In many ways, I feel like I've started to hit all the boxes of "getting your life together." I still consume enough cold brew to kill a horse, but you can't win 'em all.

Good for you! Self-love is never letting anyone cap your coffee consumption. But seriously, that's all pretty inspiring. Have there been any other silver linings (or challenges) from quarantine for you?

I've read a lot of books! It's amazing and rare to read for pleasure in law school. Specifically, I've been reading up a lot on queer studies, which intersects with an independent research project I'm doing this semester. As for challenges, not being able to go to Bilt or Crozet Pizza with a double fresh zen in hand at Bar Review has really done a number on my psyche.

Michael's Bistro's zens > Crozet's, but you didn't hear it from me. Speaking of beverages, which one best epitomizes you and why?

A venti cold brew from Starbucks, with two shots of Kahlua (can I say that?). I'm full of energy and anxiety, which is the cold brew, but I'm also subversive enough to take the edge off, like the Kahlua.

We at the Law Weekly allow uncensored speech

in regards to beverage hypotheticals. Back to the self-love though and getting in touch with yourself, what have you come to love or appreciate anything about yourself most?

I think it would be my relationship with my body. It's much healthier now than it was, and I've learned to be nicer to it. There's a fine and weird line that I tried to walk between body positivity and losing weight. I learned that what was more important for me was not necessarily losing the weight, but rather building a better relationship with my body so it can

perform as best as it can for me. I've learned to listen to it and myself, and I really love that now.

Snaps for that. Let's do a lightning round. Best Charlottesville date spot?

Carter Mountain. It's really pretty and has amazing vibes to just relax in. If so inclined, you can pick apples or peaches too.

Dream location to quarantine in?

Somewhere in Estes Park in the Rockies. It's beautiful and if I had to stare at the Pavilion dog park for two

LOVE page 6



Pictured: Chance expertly practicing self-love. Photo Courtesy of Chance Maginness '22.

Empirically Speaking: A *Law Weekly* Chat with Professor Stevenson

After a successful discussion with Professor Hwang a few weeks ago, the *Law Weekly*

Leah Deskins '21
Professor Liaison Editor



decided to continue its professor interview column with another new faculty member: Professor Megan Stevenson. Devon Chenelle '23, Dana Lake '23, and Jacob Jones '21 joined me, and we all turned on our cameras for a Zoom conversation with Professor Stevenson last week.

Professor Stevenson joins the Law School from the Antonin Scalia Law School at George Mason University in Arlington, Virginia. She has three degrees from UC Berkeley, culminating in a Ph.D. in agricultural and resource economics. After earning her Ph.D., she spent two years as a Quattrone Fellow at UPenn before heading down to the D.C. area, and then, three years later, migrated to Charlottesville. Don't let her area of study fool you, though. Professor Stevenson's work and teaching focuses on criminal justice. This semester, she is teaching criminal law, and next semester, she'll be teaching a seminar titled "Rethinking Criminal Justice."¹

¹ The course description is already on LawWeb, and it

I was really excited to meet Professor Stevenson because she has a bit of a unique background compared to many of the other professors at the Law School—she has a Ph.D., but not a J.D.—so I was thrilled when she agreed to join some *Law Weekly* folks for an interview.

We quickly found out that Professor Stevenson's approach to the law involves a unique and valuable twist. While Professor Stevenson prepares for class just like other law professors, and she publishes research in journals,² she also brings an empirical approach to her work as a result of her training in economics. For example, she is currently researching the collateral consequences of incarceration, including how incarceration affects individuals' long-term economic well-being. In my opinion, Professor Stevenson's perspective is invaluable. In a law school environment, it is so easy for students to focus on memorizing "doctrine" at the expense of considering the data that results from the application of that doctrine in the real world. Professor Stevenson's perspective has the

looks like it'll be a great class.

² I'll note that she publishes her work not only in traditional law journals, but also economics journals.

potential to help counteract some of those tendencies here at UVA Law.

We also learned a little about Professor Stevenson's life outside of the law. In her spare time, she enjoys practicing yoga and doing Pilates workouts. When asked if she has pets, she replied that she doesn't, but she does have small children. She's a *Schitt's Creek* fan, and she enjoys listening to Motown and R&B. For law students wondering how they can get their urban park and post-*Tiger-King* big cat fixes in D.C. after law school, you should talk to Professor Stevenson. While teaching at George Mason, she lived near Rock Creek Park and the National Zoo—so close to the Zoo, in fact, that she could hear the lions roar.

In these interviews, I like to ask professors if they have any advice for students. It can be about law school, their career after law school, or life outside the law. I always get great answers, and Professor Stevenson was no different: She suggested that everyone learn about statistics.³ She explained

³ For those of you, dear readers, who are inspired by this advice but don't know where to turn to learn more about statistics, you're in luck. Professor Stevenson mentioned that she'll be teaching a statistics course either this

that we live in an empirical world and that there is great value in being able to discern how statistics are being used around you. To illustrate her point, she asked us to consider a hypothetical in which a community normally has a murder rate of one in 100,000 people per year. She explained that in a given year, if there were two murders, that murder rate would become two in 100,000 people per year—still a very small number that could be explained by random noise. She noted, however, that someone could sensationalize that data by proclaiming that the murder rate DOUBLED that year, and while that claim would be technically correct, someone with a little statistics knowledge would be better equipped to realize that the murder rate

spring or sometime next year.

was still incredibly small.

Maybe I'm biased—I took a number of statistics classes in college—but I think Professor Stevenson's advice is excellent and quite topical in light of the current state of the world. With so much information pertaining to so many different issues, and flowing from all kinds of sources (e.g., Instagram), it's important for law students and non-law students alike to understand how numbers are being used and how different factors affect what's going on in the world around them.

All in all, it was a real treat to meet Professor Stevenson. I look forward to seeing the impact she has on the Law School community and the legal profession more broadly.

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Pictured: Professor Megan Stevenson brings a new and invaluable perspective to UVA Law. Photo Courtesy of law.virginia.edu

UVA Law Works of Art

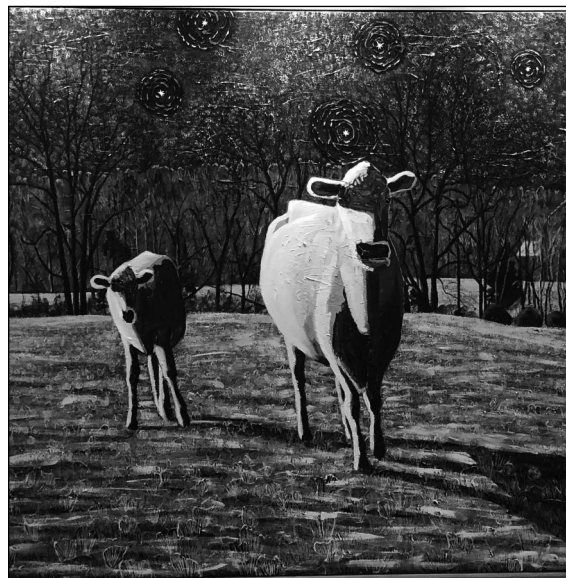
The Law School is home to a number of interesting works of art. Invariably, art elicits different and quirky opinions. We here at the *Law Weekly* believe it is our duty to not only share the copious amounts of artwork at the School, especially with our virtual readers, but also give you our seasoned art critiques. All photo credits to Devon Chenelle '23 unless otherwise indicated.



Name: Floating Column, Lighted Structure and Untitled - Foon Sham 1996

Drew Calamaro '21: Artist Foon Sham was inspired to paint this by looking under his sink. He looked under there because he felt like there was no plumbing. He was right.

Ben Stievater '22: Major Bowser's Castle vibes from MarioKart.



Name: Pink Cow and Calf at Night - John Borden Evans

Jacob Jones '21: These cows are here for your souls but also to provide delicious strawberry milkshakes.

Jacob Smith '23: No, you're not safe from Chick-fil-a advertising even here.

Kathryn Querner '22: Starry Night meets Animal Farm in this turn-of-the-century masterpiece, created at the height of John Borden Evans' seventh existential crisis in his parents' basement.

Name: Untitled. Photo Courtesy of Dana Lake '23.

Jonathan Peterson '23: This piece makes having a flat butt a safe space for us men. I approve of this, as someone who doesn't need anything more to question than last night's (or that morning's) readings when I arrive at the law school.

Dana Lake '23: Art doesn't need justification, but one wonders what went through the curator's mind as they chose this piece for HAK hall. Why devote limited wall space to a man with less than no butt? We can only assume the lovingly rendered shoulders distracted the curator so thoroughly they didn't even notice.



Club Spotlight: Sidewalk Law

Sidewalk Law, one of UVA Law's most recently founded student organizations, pro-

Kathryn Querner '22
Executive Editor



vides law students with the chance to get outside of the North Grounds bubble and engage with the broader Charlottesville community. The organization facilitates opportunities for law students to volunteer with local elementary schools, helping teachers out around the classroom.

Sidewalk Law is the junior version of Street Law—a Law School organization through which law students teach lessons on introductory legal concepts to students at local high schools. Due to the limitations of elementary students' age and comprehension skills, however, Sidewalk Law will focus less on teaching law and more on providing gener-

al assistance to teachers. This includes working individually with particular students and completing other tasks to help out with teachers' agendas. Because participants will engage in less specialized forms of assistance, Sidewalk Law welcomes students of all backgrounds, including those with minimal teaching experience or training.

Due to restrictions enacted by local public elementary schools to combat COVID-19, Sidewalk Law will not be able to facilitate in-person volunteer opportunities with these schools through the 2020-2021 school year. Because of the young ages of the students and the challenges of Zoom, Sidewalk Law executive board members and local schools determined that assisting elementary students virtually would not be a productive or effective endeavor. Students will be able to volunteer again

SIDEWALK page 5



Pictured: Where Sidewalk Law aims to make its impact. Photo Courtesy of Eric Seifritz '22.

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 cl3eh@virginia.edu

Quiet Studiers v. Noisome Zoomers 73 U.Va 6 (2020)

CHENELLE, J., delivered the opinion of the Court, in which BIRCH, QUERNER, VIEIRA, PICKETT, JONES, J., and LUK, C.J., join. TONSETH, J., and CALAMARO, J. dissent.

JUSTICE CHENELLE delivered the opinion of the Court.

Questions over the proper usage of the Law Library have come to the forefront of both public opinion and this Court. Plaintiff brought suit seeking an injunction against the misuse of the Law Library for online classes. Applying the Proper Use Doctrine, the Court of Petty Appeals finds that a judicial order precluding the usage of the Law Library for Zoom classes is appropriate.

A spectre is haunting the Law School—the spectre of noise in the library. Across the carrels, over the stacks, and through the halls, one can hear the petulant greetings, questions, and cold-call responses of those poor souls so extremely depraved that they see no mortal sin in conducting their online classes—and with sound!—from the rightfully silent halls of the Arthur J. Morris Law Library. This act is an outrage against the natural order. It is thus with the hope of impugning this atrocious behavior and shaming the malefactors who perpetuate these woeful deeds that I write this opinion. After it is published in the illustrious pages of the *Virginia Law Weekly*, none shall dare to speak on a Zoom call in the library ever again, at peril of raising this Court's ire and violating the injunction set forth herein.

The first argument this

Court shall consider against this dastardly behavior is one calling into focus the necessity of respecting the rightful and proper use of certain areas, pursuant to the Second Restatement of Space Usage § 734. As Qoheleth opined, “all things have their season;”¹ so too do all activities have their proper place. The proper place of silence is the library, and the proper noise of the library is non-noise. If we were to mismatch activities and their proper place

else in Charlottesville—so why must you interpose your unholy caterwauling in the one place it is not welcome? Find yourself an empty classroom in the Law School building, an empty room in Pavilion (those study rooms I have scarce seen breached by a book), an empty room literally anywhere else on Grounds, or even an empty room in your own lodgings!

Furthermore, those who pollute the library with their classes' noisy Zoomery are

Indiana Jones and the Last Crusade. Should anyone violate this injunction, the Court will intrude with great and terrible vigor on the sinister conversations of those who transgress against the sacred silence of the library. It shall terrify couples chattering over homework,² graduate students chatting away in their little nooks, and music-playing staff pushing around trolleys of books. I shall greet these varied malefactors with the same devastating syl-

to Question Two: “So why the f*** are you talking right now!?” With dumb stupefaction inevitably staring back at me, I know I have put these villains in their place. In light of this ruling, I eagerly anticipate publicly shaming all those who profane the stacks with their Zoomery.

Per the order of the Court of Petty Appeals, applying the Proper Use Doctrine, Defendants are thus enjoined from Zooming in the library. Should they violate this injunction, they do so at the peril of a public shaming.

It is so ordered.

CALAMARO, J., dissenting:

While this is an issue of duty—to whom should we defer, the Zoom-caller or the library-goer—I find this case is ripe to consider an issue that should be near and dear to every aspiring attorney's heart: avoiding the library. Namely, I contend that the library is a place to be avoided, it is a place to be looked down upon, and it is no more the right of a library-goer to experience quietness than it is for the Zoomer to take a call. Neither should be there.

The library is a house of horrors.

In *I Am Legend*, Will Smith enters a bank and stumbles upon a bunch of zombies standing around together, asleep. It is scary, and it is not nearly as bad as the library. Do you want to see

COPA page 5

Could one imagine if the Corner were to become a place of sober self-improvement, the Pavilion a bastion of modest frugality, and the Darden School of Business a home to intellectual thought?

across Grounds, the fabric of campus life would be torn asunder. Could one imagine if the Corner were to become a place of sober self-improvement, the Pavilion a bastion of modest frugality, and the Darden School of Business a home to intellectual thought? Such activities would be signs of incipient Shakespearean madness throughout Grounds, just as surely as when Duncan's horses ate each other in *Macbeth*. Thus, we must preserve the Law Library as a place of solitude, reflection, and above all else, quiet. I ask you, my dear reader: Must there not be one place in the entirety of Grounds dedicated to silence? And indeed, there is but one place where one may fairly and reasonably demand quiet: the Law Library. You are free to enjoy your ghastly cacophony literally anywhere

engaged in a reckless disservice to their classmates who may require more peace and quiet in their study locations than they themselves do. Many can struggle with focus and concentration whenever they encounter errant sounds, and there are fearfully few places on Grounds where one can escape such sounds. It is thus a tremendous disservice to these individuals to assault their sensitive ears with the meaningless mumble of your online courses.


The library is a sacred place full of rite and ritual, and with that sacred investiture comes a long-held rule: that the peace and quiet of the space must not be disturbed, an observation first noted in *Lucy Loud v. Steven Silent*, N.H. 1873. This Court views itself as the guardian and protector of the aforementioned High Rule, assuming a role similar to that of the lonely guardian of the Holy Grail in

logism. Question One: “Do you know where we are right now?” To which they will answer dumbly, “Uhhh, the Library?” Leading me naturally

2 I have never ever understood this dynamic of studying as date-night. I suppose it can serve well as an innocuous way to hang out with someone in the early stages of an *affaire du coeur*, but I don't consider the studying version of myself, hunched over books, grinding my teeth, and sweating from my forehead, to be my most seductive look. Perhaps others can pull it off better.

Faculty Quotes

J. Harrison: “In South Dakota, there are five people and they all take turns being senator.”	R. Harmon: “I love station wagons. They're so underrated. Dogs can jump into them so easily.”
D. Ortiz: “Ah! You're a pirate in Mother Teresa drag.”	D. Brown: “I don't know who your dealer is, but they're ripping you off.”
P. Mahoney: “To use a very technical legal term—that is a stupid result.”	K. Kordana: “The judicial ermine on my robes is feeling rather soiled.”
M. Collins: “You know a subject is in need of help when the only people pushing for it is law professors.”	<i>Heard a good professor quote? Email editor@law-weekly.org</i>



Virginia Law Weekly

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COPA

continued from page 4

and be seen by your fellow law students “StUdYiNg?” Then go to the library. Do you want to be uncomfortable, *constantly*, in those poor excuses for chairs, with poor lighting and a bathroom that is about fifteen steps too far? Go to the library. It is the *perfect* place for those things.

Or, you could stay home, buy a desk on Craigslist for fifteen bucks and choose to write a *Virginia Law Weekly* article there instead of at the library. You can take a call, listen to music, or even water a plant at home while you write—go crazy. Plus, you have all the coffee you could want at home, as well as a bottle of wine for those crazy nights studying Fed Tax. Do you know what doesn’t have these things? The library. The library has crap coffee, zero wine, and the ghosts of lawyers past (paintings) on the walls. Why would you want this? Go home.

If you’re in the library, you can’t work on building your own mahogany bookshelf for that classic “I have gOoD bRaIn” picture in front of your books you never open.

You and I both know that sitting in a poorly ventilated and stuffy area like the library is a recipe for disaster, even with a mask.³ Everyone is on edge, no one wants to

³ This is endorsed by Drew University of Science.

talk to anyone else, and it’s the *library*. Go home. It’s #COVID2k20. COVID is the perfect time to work on the skills that matter after law school and having your own set of reporters is possibly the most important of them all. How else are you going to take that definitely cool-looking, totally not cliché and a joke of a picture, picture in front of your reporter set? *That* is really how you know you’ve made it—having a bunch of reporters no one will ever read gathering dust on the bookshelf, just so you can pretend to have the best words possible for your clients. If that’s not the dream, I don’t know why you’re in law school.

TONSETH, J., dissenting:

The question in this case does not center on what rights law students have within the library as a whole. Rather, at the core of this issue, we must analyze whether the formation of UVA Law’s library was constitutional. The answer to that basic question is affirmatively no, with the only recourse being to abolish and demolish the Arthur J. Morris Law Library.

In the issue at hand, the Majority clearly favors a strong and seemingly unrestrained delegation of legislative power to the Executive. As such, although there is no constitutional grant of authority for UVA Law to establish a library, the majority assumes the library’s existence and establishment was an appropriate exercise of

the Dean’s executive power. This assumption has proved the most obvious point to me about this case: The Majority is still struggling with basic reading and comprehension. Petitioners did not provide proof of the by-line in the UVA Law Constitution that established a library. Further, petitioners were unable to point to the establishment of a library in Thomas Jefferson’s Academical Village plan in 1819, when UVA Law was founded. Confronted with the counterargument that Jefferson did not intend to establish a law library, as he left his entire book collection to the Library of Congress after their collection was destroyed in 1812, petitioners demurred and simply turned off their Zoom camera, citing “technical difficulties.”

It is beyond my esteemed sense of self to let this abuse of power by the Majority go unchecked. While I am not advocating for the “complete deconstruction” of the administrative state, it is obvious that the Arthur J. Morris Library was founded on a faulty premise. Plus, using substantive due process to further coddle law students is bad precedent, so any “rights” the Majority makes up are all farcical. I dissent.

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SIDEWALK

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beginning fall of 2021.

Eric Seifriz ’22, the founder and president of Sidewalk Law, founded the organization this past spring. As an undergraduate student at the University of Wisconsin, Madison, Seifriz volunteered weekly with an organization that sent students out to surrounding schools to assist teachers and build relationships with students and the local community. After graduating, Seifriz taught students in pre-K through twelfth grade. Seeking out teaching opportunities after arriving at UVA Law, he got involved with Street Law and went on to found Sidewalk Law. Seifriz also noted that Madison House, the UVA undergraduate counterpart to Sidewalk Law, has formed many relationships with local elementary schools which Sidewalk Law hopes to use.

Before Sidewalk Law came into existence, UVA Law did not have a group for students interested in education law and policy. Seifriz foresees Sidewalk Law providing a space and community for students interested in education law or policy career paths to socialize, network, and pursue education-related interests. Furthermore, if volunteering goes well next fall, Seifriz hopes that Sidewalk Law will eventually provide opportunities for additional services including tutoring and after-school enrichment programs.

Sidewalk Law’s executive board members are Seifriz, Director of Community Engagement Colin Lee ’21, VP J. Carr Gamble ’22, and Director of Outreach Caroline Spadaro ’22. Lee commented that the best part about involvement in the organization has been, “meeting other students who genuinely want to have a positive effect on the lives of youth.” In conversations with fellow Sidewalk Law members, Lee has found, “a strong commitment to K-12 advocacy—whether that takes the form of teaching, coaching, or mentorship. Ultimately, that is what Sidewalk Law is all about.”

Finally, as Sidewalk Law is the first organization of its kind to be established at a graduate school at UVA, its executive board hopes to work with other UVA graduate programs, including Darden, Batten, and the medical school, to expand the reach of the program and provide greater assistance to local elementary schools.

To get involved in Sidewalk Law—and this applies especially to 1Ls who are eligible to join the organization’s executive board this upcoming year—students can email Seifriz at es5eg@virginia.edu to be added to the listserv. As Sidewalk Law is so new, current 1Ls who choose to get involved next year will have the opportunity to really shape the growth and trajectory of the organization.

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HOT BENCH



Sam Pickett ’21

Junk Food Connoisseur

Interviewed by Phil Tonseth ’22

Hi Sam! Welcome to the Hot Bench! Our readers have heard a lot from you as a journalist over the years, so I’d like to switch up our usual questions to probe deeper into what makes Sam tick. But first, tell us where you’re from and why you decided to become a lawyer?

I am from Indiana (crossroads of America, baby!!!) and, in one of the few serious answers I’ll give, I decided to become a lawyer, among other reasons, because of a desire to fight injustice. I feel that so often people are taken advantage of because they don’t know the law or how to maneuver within our legal system and being a lawyer gives me the opportunity to help people in a way that few other careers can.

Okay now the hard stuff, why is popcorn the best vegetable?

Easy, it comes from corn, which comes from Indiana,

which is where I’m from. Also, you can put whatever toppings you want on it—it can be sweet or savory (like me)—and you can eat tons of it without feeling bad. Why eat lots of broccoli or carrots when you could eat a bunch of popcorn?

If you were reincarnated as a dinosaur, would you rather have a spiky tail or thiccasaurus thighs, and why?

I’ve got to go with the spiky tail. If I were really committed, I could have thiccasaurus thighs right now. But a spiky tail? I can only dream of that. Plus, I would be able to smack people I don’t like, a huge advantage. Thick thighs would make me strong, yes, but not allow me to smack people as easily.

Have you actually been productive during 3L? If yes, why?

While I certainly don’t *feel* productive, I am in the Immigration Law Clinic, so I’ve had to maintain a certain level of productivity. As a 3L, however, I am more inclined to “call that a day’s work” at 2:00 p.m. and to avoid any kind of responsibility for the rest of the evening. Thank god TikTok didn’t take off until my 3L year.

Who is your favorite power ranger?

The red one. I don’t remember why, but red is my favorite color, so I think that’s a safe bet.

When you look in the mirror, what’s the first word you think of?

It depends on the day. Some days, it is something loathsome. Others, it is something uplifting. There is no in between.

What flavor of ice cream are you on a Tuesday?

Cookie Dough (not chocolate chip cookie dough, that’s important), because it is delicious, but it’s not my favorite flavor. Similarly, Tuesday is a fine day, but not my favorite day.

Would you rather be the physicist Pickett, war general Pickett, or a picket fence?

Given that General Pickett fought for the Confederacy, I think it is a safe bet that I would rather be the physicist. Plus, in the 1996 Nobel Prize citation of physicist David Lee, credit was given to Pickett and his research group for their work on ³He. That’s pretty sick.

Being a picket fence, however, would be pretty nice given that I would no longer have to deal with the crushing burden of existing. I could just sit there, look pretty, and protect shrubbery from predators. I would love that for me.

If you were a kitchen appliance, which one would you be?

Definitively a blender. Like a blender, I’m multifaceted and serve a broad range of functions and, sometimes, I can be very loud. No, I will not explain further.

What would your “real housewife” catch phrase be?

“I’ve always had opinions, but now people know it”—me, discussing my time at the *Virginia Law Weekly*.

Who is your ‘spirit’ Supreme Court Justice?

Justice Rehnquist, not because of his opinions, which I generally don’t agree with, but because I heard he hated writ-

ing opinions, and I can relate to that level of not wanting to even do the bare minimum.

It’s the end of the world, what four other people would you pick to be on your apocalypse survival team?

Weirdly enough, I’ve thought about this before. I am assuming that I can have fictional characters, even though that was not in the prompt:

(1) Rick Grimes—This man literally dealt with the apocalypse. You need a steady captain and even though Rick could be super (I mean really, really) annoying in the *Walking Dead*, he is a good leader, and I think I could balance out some of his psychopathic tendencies enough to make him a valuable choice.

(2) Legolas—He’s quiet, great with a bow, and kind. What more could you want?

(3) The Mountain—Sometimes you just need some brute strength to protect your squad. His blind loyalty and viciousness could be very useful if we got in a fight with another team.

(4) Dr. House—I haven’t seen many shows with doctors, but I have seen *House*. Who knows what kind of weird diseases would appear in an apocalyptic world? We need a doctor to help keep the team in tip top shape. If he got annoying, we would simply tape his mouth shut. And if he limps, the Mountain will carry him. Although come to think of it, the Mountain will also probably be carrying me too (a la Bran Stark).

If you could change the ending to one TV show or book, what would you change? Spoiler alert.

The end of *Game of Thrones*. God, what a horrible ending. What would I change? Everything, but most of all Dany would NOT have gone insane. Or if she had, she would’ve killed Jon Snow. Jon Snow is, in my humble opinion, the absolute WORST. He is always moping around and talking about honor—like dear god, man, lighten up for just one scene. And Bran being the king? Absolutely not. And Tyrion should’ve been killed after he turned on Dany. Also, at least one major character should’ve died at the Battle of Winterfell. But one thing I wouldn’t have changed? Arya killing the Night King. That was awesome.

Knowing what you do now, would you go back in time to still come to law school?

Absolutely. Law school is very hard, but I have met some truly incredible people, particularly my wonderful girlfriend Maria, and learned a lot about myself. I often feel very fortunate to have so enjoyed law school.

Would your five-year-old self think of you as being cool, a nerd, or not recognize who you’ve become?

I think my five-year-old self would think that I was cool, but I’m not even sure what I think five-year-old me thought twenty-five-year-old me would be like. I think twenty-five seemed so old that I was like “I won’t ever be twenty-five.” But here I am, being twenty-five, and while I don’t feel cool, at least now I can rent a car?

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LOVE

continued from page 2

weeks straight, I'd lose my mind. Maybe London if cities are on the table.

What's the first activity you'll do when things go back to normal?

Inform my professors that I will not be in class for the week and head straight to Bilt or Crozet.

Which movie character are you and why?

I'm the Witch from Sondheim's *Into the Woods*, in that I'm the catalyst of most stories. I'm always correct, and when nobody listens to me, I just leave. Actually, I've just listened to an outrageous amount of Sondheim musicals this summer.

Best advice for self-love?

Buy more mirrors for your house. You can't hide from yourself when your reflection is staring back at you from everywhere you look.

Normally, this is where we ask couples to say something cute about each other as a surprise. You can say something to yourself, but that might ruin the reveal. Otherwise, take a free space:

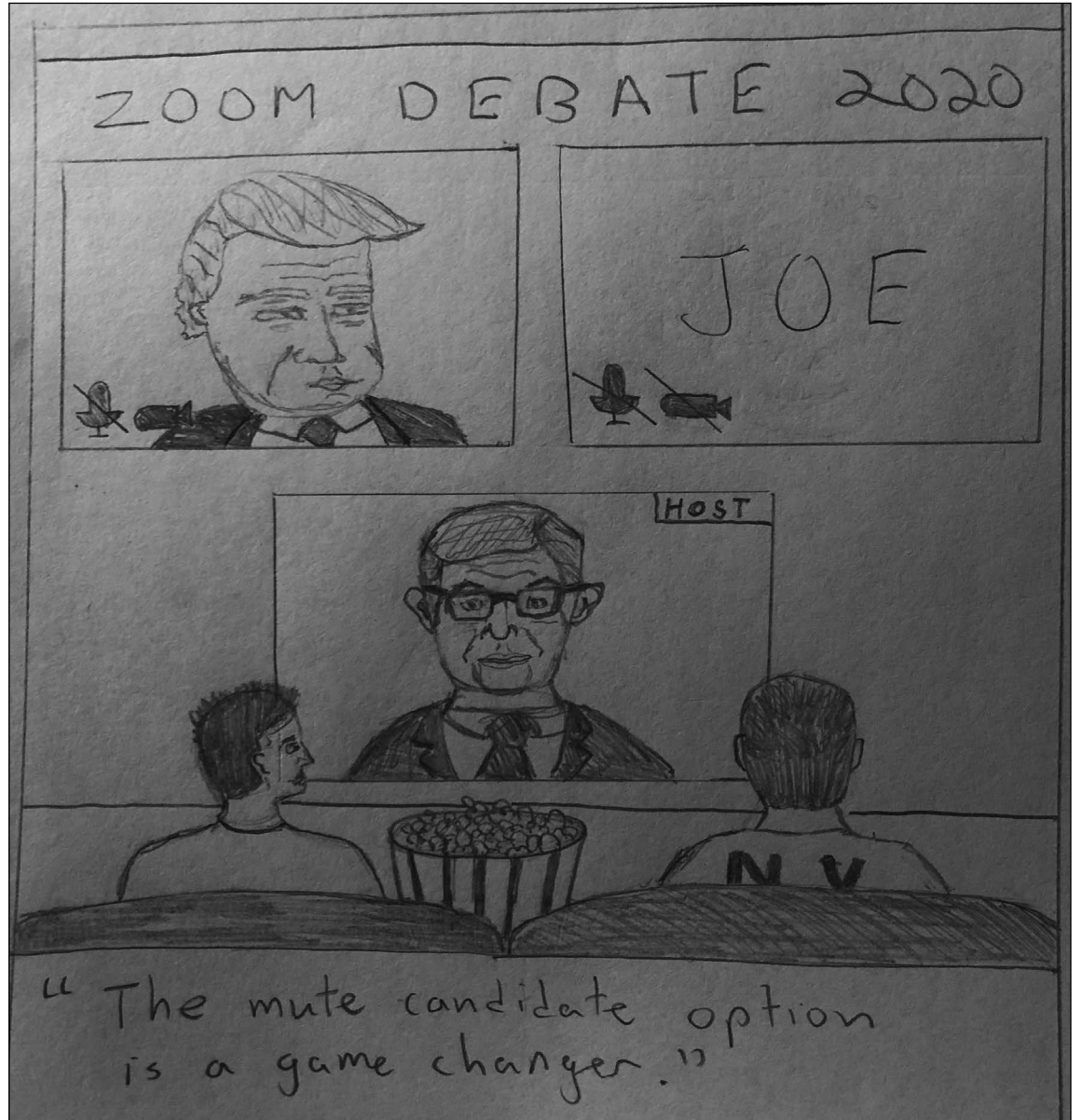
If you're reading this and you think to yourself, "how could I possibly love myself?" that's okay—don't worry about it—you can just love ~ME~ instead. Follow me on Twitter and Instagram at @givegayachance.

And there you have it, folks. Many thanks to Chance for joining us on Love in the Time of Corona and teaching us about the importance of self-love. Are you a couple that's been separated or getting creative during this social isolation period? A single who's desire to mingle has been curtailed by COVID-19? A platonic friend or member of a family who wants to share how you've been making it through this together? Love comes in all shapes and sizes, and we want to hear about it! Email bes4cf@virginia.edu if you or someone you know might like to be featured on Love in the Time of Corona.

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Cartoon By Raphael



THE DOCKET

TIME	EVENT	LOCATION	COST	FOOD?
WEDNESDAY – September 30				
12:00 – 12:30	Lexis+ Training Topic 4 of 4: Advanced Searching	Zoom	Free	⊗
12:30 – 13:30	Contemporary Issues in Space Law	Zoom	Free	⊗
17:00 – 18:00	Justice Ginsburg: In Memoriam	Zoom	Free	⊗
19:30 – 20:30	Wellness Wednesday Yoga	Zoom	Free	⊗
THURSDAY – October 1				
17:30 – 19:00	Emerging Company and Venture Capital Society, L.I.S.T. Society, and Virginia Law & Business Review Present: ZOOM NETWORKING	Zoom	Free	⊗
19:00 – 20:00	Law Dems Redistricting Event	Zoom	Free	⊗
FRIDAY – October 2				
12:15 – 13:45	DVP Trauma-Informed Lawyering Training	Zoom	Free	⊗
13:00 – 13:30	Lexis+ Training Topic 4 of 4: Advanced Searching	Zoom	Free	⊗
14:00 – 18:00	Beer and Wine Tour Crozet Spirits Loop	Crozet Trolley	Free	Available for Purchase
15:30 – 16:30	J. B. Moore General Body Meeting	Zoom	Free	⊗
18:00	AFL - Movie Night	Zoom	Free	⊗
SATURDAY – October 3				
12:00 – 16:00	Live Music, Wine, and Food	Keswick Vineyards	Free	Available for Purchase
MONDAY – October 5				
08:00 – 09:00	Meditation Monday	Zoom	Free	⊗
19:00 – 20:00	Law Weekly – Editor's Meeting	Zoom	Free	BYOP
Tuesday – October 6				
17:00 – 18:00	ACS Event with Judge Carlton Reeves	Zoom	Free	⊗
18:30 – 19:30	A Conversation with Margaret Duval: Domestic Violence, Children, and the Law	Zoom	Free	⊗
19:00 – 20:00	CARE Careers in Child Advocacy Panel	Zoom	Free	⊗

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