



VIRGINIA LAW WEEKLY

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

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OPP Hosts Firm Mix & Mingle for 1Ls

Samuel Ellis '25
Staff Editor

UVA Law's Office of Private Practice hosted a Mix & Mingle for the 1L class to meet firms. While the majority of the 1L class will work in public interest roles this summer, the Mix & Mingle provided an excellent first opportunity for 1Ls to meet UVA Law graduates at a variety of firms and learn about what they do in their respective practice areas. Students placed bids through the On-Grounds Interview bidding system on Symplicity, where they ranked their choices one to forty-one in order to determine which four firms they would have the opportunity to meet out of the forty-one participating firms. The firms represented included a range of practice and geographic areas from Atlanta to New York City and Houston to Los Angeles. After rooms were assigned, students received a full list of participating firms, with links to the online biographies of the attorneys they would soon meet. OPP encouraged students to familiarize themselves with the attorneys and their practice areas before the Mix & Mingle in order to be fully prepared to engage and ask questions.

Kevin Donovan, Senior Assistant Dean of Career Development, said, "The Mix & Mingle was created some years back to meet several goals. First, we know that many 1Ls do not have a background in private practice and so need information to help make practice decisions (and an opportunity to develop legal vocabulary). Second, we determined that the changes we saw in the industry meant that effective networking was going to be of high importance. Third, there were so many single-firm events occurring that students were complaining about being overburdened (hard to believe after the isolation of Covid that this could be possible!). And fourth, we wanted to have an organized way to give firms that hire extensively at the Law School an early look at the class."

Shortly before the clock struck 4 p.m. on Tuesday, October 18, 1L students hurried into their apartments or to semi-private meeting spaces at the Law School to attend the virtual

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Organization Named After Lying Will Represent Law School in Honor Convention



Pictured: A Libel Sketch about a Public Interest Student at dinner with their family. Photo Credit: Peter Lee Hamilton '24.

Sarah Walsh '23
Staff Editor

UVA Law, meet your newest representative in the University's upcoming Honor Convention: The Libel Show. That's right, the Law School's one and only delegate for the convention—where students will attempt to draft the University's new Honor System—isn't being sent by the Student Bar Association (SBA). Instead, the delegate is being sent by the organization that had most of the Law School paying money to see a man in a cropped referee's jersey, booty shorts, and Crocs do cartwheels on the same stage that former Supreme Court justices have spoken from.¹

For those who are unfamiliar with the current state of the University's Honor System, here is a brief overview: For the past 180 years, students found guilty of committing an Honor offense—defined as a significant act, committed with knowledge, of lying, cheating, or stealing—were to be expelled from the University. However, this past spring, students voted to reduce the sanction imposed for Honor violations down to what amounts to a two-semester suspension. While the vote marked the largest change in the Honor System's history, many Honor

¹ My request to make this article's attached photo an image of one of the cartwheels was, understandably, rejected.

Committee members want to take these changes further and have expressed support for the implementation of a multi-sanction system.²

To gather input on what additional changes students want to see reflected in the Honor System, the chair of the Honor Committee—fourth-year College student Gabrielle Bray—announced in September that the Committee would be hosting a constitutional convention.³ CIOs would be able to send delegates to the convention, which at the time was scheduled to take place in early October. After consulting with SBA President Juhi Desai '23, 2L Senator James Hornsby '24—who helped construct his undergraduate university's honor system—sent Bray an email and submitted his name as the Law School's SBA delegate. A little over a week later, Bray rejected the submission request on the grounds that, as a Special Status Organization (SSO) rather than a Contracted Independent

² Lexi Baker, *Honor Chair Announces Constitutional Convention Aimed at Drafting a Multi-Sanction System*, Cavalier Daily (Sept. 13, 2022), <https://www.cavalierdaily.com/article/2022/09/honor-chair-announces-constitutional-convention-aimed-at-drafting-a-multi-sanction-system>.

³ The announcement can be found through the UVA Honor website (<https://honor.virginia.edu/>).

Organization (CIO),⁴ SBA did not have the proper classification to send a delegate.

Enter Libel. Clearly, a comedy show is the logical next step when considering what organization should represent the Law School once SBA is no longer a possibility, and in addition to being a 2L Senator, Hornsby is also an Assistant Director for the Libel Show. So, when he was rejected as an SBA delegate, Hornsby asked one of the show's Directors (me) if Libel—which has CIO classification—would be willing to send him instead. Finding the absurdity of the situation incredibly funny, and fascinated to see where the hell this was going, I said yes.

Things didn't get any less absurd once I got involved. Bray responded to Hornsby's request to be sent as Libel's delegate by saying that she wanted to chat with me, even though I was only CC'd on Hornsby's email to her in case she had any objections to Libel sending a delegate. While I was thoroughly confused regarding what she would want to discuss with me, rather than with Hornsby (my questions asking about this did not receive a response), I agreed to a

⁴ The primary difference between the two classifications is that unlike SSOs, CIOs are student-formed organizations that, while officially recognized by the University, are not affiliated with it.

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around north grounds



Thumbs up to the Law School heaters. ANG loves how the timing of the shedding of coats aligns with the shedding of leaves.



Thumbs up to the Houston Astros making it the World Series. ANG loves a good underdog story, and there's no tougher position to come back from than a systemic cheating scandal.



Thumbs side-ways to the 3L bonfire. ANG loves free food and being in the woods, but HATES that SBA keeps sending reminders November is almost here.



Thumbs down to organizations that haven't given out any merch yet this year. ANG is running out of clean shirts and refuses to do laundry before the spring semester starts.



Thumbs down to Mental Health week. ANG believes that maintaining the mental balance of an unhinged racoon who may or may not be rabid is key to finishing outlining.



Thumbs down to *Law Weekly* editors who make jokes about finishing outlining. ANG doesn't even start outlining until reading week.



Thumbs up to the new SBA email layout. ANG appreciates the ability to actually read about the events that ANG refuses to attend on principle.



Thumbs down to the Law School heaters. None of them seem to work in ANG's classrooms, and now ANG's fingers are too numb for ANG to play 2048 during class.



Thumbs down to student ticket services. ANG has no desire to fill out a long form just for a chance to get a ticket that ANG probably won't even use.

Law Weekly's Foreign Correspondent Shares Her Top 5 Travel Tips

Bryanna Lindberg '23
Foreign Correspondent



I reached a milestone recently—twenty-seven countries in twenty-seven years. In honor of my twenty-seventh travelversary, here are five travel tips I've picked up from my years of globetrotting.

1. No one cares about your travel stories. Share them anyways.

It is fitting that I'm sharing these travel tips with you, faithful Law Weekly reader, even though you didn't want them, didn't ask for them, and don't care what I have to say, because sharing unsolicited travel stories is what travelers do. Have you ever been like, "This is a great pickle," and someone says, "It reminds me of that time I went to the Philippines and ate balut," and you sigh because no one asked? Well, that's me. And yes, one time I went to the Philippines and ate balut, and it tasted like chicken.¹ See, tip number one and you're already learning things.

¹ Balut is a fertilized developing egg embryo, typically a duck, that is boiled and eaten with salt and vinegar.



Picture: Balut. Photo Credit: Modern Farmer.

2. Trust Google Maps with your life.

No, seriously, if Google Maps tells you to chop off your toe and feed it to a pigeon, do it. Google Maps knows things about this world that our most powerful leaders can't begin to fathom. And I'm talking about Google Maps, not Apple Maps.² Apple Maps abroad is like every LRW memo I wrote as a 1L—poorly researched, poorly organized, and confusing. Google Maps, on the other hand, is perfectly Bluebooked poetry.

² After driving to California and back this summer, I've decided that I prefer Apple Maps to Google Maps, but only for domestic travel. If you're traveling internationally, it's Google Maps or certain death.

3. Sometimes you're going to get ripped off, and you should learn to let it go.

I hate being taken advantage of, and it's led to some heated arguments. I once got into a shouting match with an Indian taxi driver because he overcharged me for a ride, which culminated in him driving off with my 1000-rupee note because I didn't have smaller bills. The moral of the story is, I would have saved 600 rupees if I'd let him rip me off. Traveling is a vulnerable activity. Some people will take advantage of your lack of local know-how, and when that happens, it's important to remember that the difference between a 200-rupee taxi ride and a 400-rupee taxi ride is \$2.43. You're already getting ripped off by

UVA; a taxi ride is small change in comparison.

4. Awkward moments make for funny stories.

Last week, my roommate and I ordered a dessert we'd seen advertised all over Istanbul, called knafeh. When our waiter brought it, he made a big show of cutting my slice, and then he fed me a piece. I've never had a grown man feed me dessert before, and if I'm being honest, it wasn't hot. I started laughing nervously as I chewed my piece, which tasted like melted mozzarella cheese covered in syrupy shredded wheat, and then he wiped my mouth with a napkin. It was horrifying. "We need to get out of here before he comes back," I told my roommate. But before we could escape, he sat down in the booth beside me, put his arm around me, and tried to feed me another piece. I closed my mouth and shook my head like a child who doesn't want to eat their peas and pointed at my roommate. "No, feed her instead," I said weakly, but he insisted. I reluctantly opened my mouth for the second bite of knafeh, which tasted just as bad as the first time. He attempted to wipe my mouth again, but I snatched the napkin out of his hand because strong, independent women wipe their own mouths. As we were leaving the restaurant, he

grabbed my hand and kissed it, and I told my roommate that I didn't care how good their hummus was, we were never going back to Buhara Ocakbasi Restaurant. The point of this story? Lean into the awkwardness, because it will help you reach your word count.³

5. Don't eat the weird meat.

Trust me, don't do it. When I was in Ethiopia, I ate some raw beef because all the cool kids were doing it, and eighteen hours later, I woke up on the floor of my friend's kitchen, having passed out on my way to purge the entire contents of my stomach for the fourteenth time. Have you ever wondered if it's physically possible to throw up your own stomach as you dragged yourself on your hands and knees to a Squatty Potty because you were too weak to stand?⁴ If you have, text me, and we'll start a support group.

³ The Law Weekly executive board would like to be clear: We neither requested, nor even desired, that Bryanna go through this in order to hit a word count.

⁴ Also called a squat toilet, it's exactly what it sounds like.

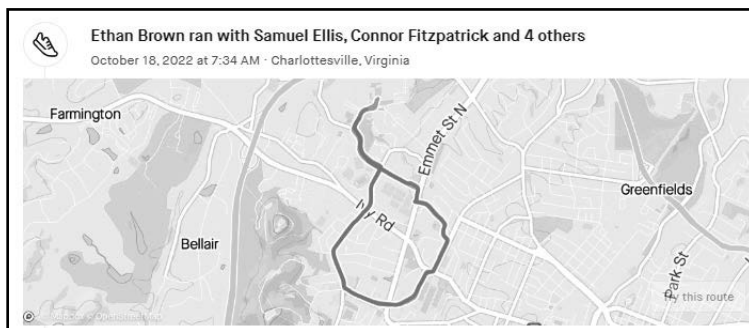
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Two 1Ls Review This Year's "Run with Jim"



Samuel Ellis '25, Ethan Brown '25
Staff Editors



Picture: The Run Route. Photo Credit: Ethan Brown '25.

University of Virginia President Jim Ryan '92 made the trek to North Grounds for a chilly Tuesday morning run with Law School students on October 18 as part of the Student Bar Association's Mental Health Week. President Ryan—who is well-known on Main Grounds for his frequent "Runs with Jim"—joined students for a brisk 3.7 mile run to the Lawn and back, while Dean Risa Goluboff led a smaller group of students for a twenty-minute walk down Massie Road. Several faculty and staff members joined the run, including Assistant Dean for Admissions Natalie Blazer '08 and Director of Student Affairs Megan Durkee '10.

A healthy crowd had gathered by the event's start time at 7:30 a.m. Dean Goluboff welcomed President Ryan, a former student and faculty member at the Law School, back to his old stomping grounds. Dean Goluboff praised President Ryan for his work-life balance, of which she acknowledged running was a large part, before assembling walkers and runners for a group photo.

After leaving the Law School just a few minutes after 7:30

a.m., the crowd of runners quickly separated into several smaller clusters. Ethan Brown '25, trying to get some brief "speedwork" in before he runs the Richmond Half-Marathon in a few weeks, went towards the front.¹ Sam Ellis '25, who ran the Chicago Marathon just a few weeks ago, had the brilliant idea of running closer to President Ryan to ask him some questions during the run.

The planned running route was a classic four-mile loop for frequent runners around North Grounds, leaving the Law School by following Massie, Copeley, and Alderman Roads. At McCormick Road, near the Observatory Hill dining hall on Main Grounds, we pivoted left, edging closer to the Lawn and the Rotunda. Then, immediately left of the Lawn, we snaked up McCor-

¹ We humbly apologize for referring to ourselves in the third-person at points throughout this article, but YOU try writing an article about two people in first-person voice. It's hard.

mick toward University Avenue, running past the Madison Bowl, over Beta Bridge, and across the Lambeth Commons path, towards Emmet Street. For the final stretch, we were treated to Massie's slow and painful gradual incline by John Paul Jones Arena, before a triumphant sprint past Darden to the front steps of the Law School.

Shortly after the Beta Bridge stretch, Ellis and another 1L waited for President Ryan's running pack to rejoin them so they could enjoy a more personal conversation with the president. Their conversation centered on their most recent running endeavors; President Ryan said he would soon ramp up training for his twelfth Boston Marathon, as part of his intended twenty-year streak running the race. President Ryan told Sam that the famously difficult Boston Marathon qualifying times allow for slower races as a runner ages. For example, a woman in the 18–34 age range must run a marathon in under three hours and thirty minutes in order to qualify, whereas a

woman in the 65–69 age range must run a time below four hours and thirty-five minutes.² The running times associated with each age range traditionally decrease by five-minute increments until a runner enters the 55–59 category, at which point the runner is allowed to run ten minutes slower. This increase in time and corresponding decrease in expectations for aging runners elicited mixed feelings for President Ryan, who at age fifty-six is expected to run under three hours and thirty-five minutes in order to qualify for the 2024 race.

After running in Charlottesville for many years, President Ryan has developed a wealth of knowledge regarding the running scene in the area. He recommended running the Ridge Road trail, an idyllic eight-mile out-and-back trail with low automobile traffic and medium levels of elevation gain.³ After Sam expressed his goal of qualifying for the Boston Marathon, President Ryan recommended visiting Ragged Mountain Running & Walking Shop on the Corner to sign up for Mark Lorenzoni's marathon training plan. President Ryan noted that Lorenzoni's training plan helps take the guesswork out of training. A Charlottesville staple, Ragged

² <https://www.baa.org/races/boston-marathon/qualify>

³ Located at (38.1031390, -78.6008679)

Mountain Running & Walking Shop is a family business run by the Lorenzonis, whose successes range from energizing and educating beginner runners to training athletes who qualified for the Olympic Marathon Trials.⁴

When all was said and done, we ran only 3.7 miles of the planned four—somewhere along the route, we shaved off a slim portion of the planned path, perhaps revealing that most of us were so excited to be running a few seconds ahead of President Ryan that we lost all conception of time and space.⁵ Led by a 1L, we all arrived back on North Grounds, greeted by a catered breakfast.

Ultimately, even though both of us run around Charlottesville all the time, the "Run with Jim" felt like a wonderfully special way to start a Tuesday morning. And despite having to show up to Criminal Law at 8:30 a.m. while still sweaty, we have absolutely no regrets about joining President Ryan for his jaunt around Grounds.

⁴ <https://www.runninginsight.com/ragged-mountain-running-walking>

⁵ This was a big deal, because President Ryan is fast—seriously fast.

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Honor

continued from page 1

phone call with Bray that upcoming Wednesday at 12:30 p.m.

Wednesday rolled around, 12:30 p.m. came and went, and I received no phone call. At 12:40 p.m., Hornsby and I got an email from Bray asking if we could delay the call to Sunday, since she had the LSAT on Saturday and needed to study.⁵ I was busy all day that Sunday, so I asked if she would be free sometime during the upcoming week instead. Rather than answer that question, Bray responded to Hornsby's follow-up email the next day by stating that she wanted to speak with both of us, prompting a reply of "Great! When." from yours truly. This message also did not receive a response. After about nine more emails trying to figure out when and how this talk was going to happen (one of which involved Hornsby stating that he would be "down to FaceTime, if we must"), we finally settled on a time and date for us to all hop on a Zoom call together.

During the Zoom call, which started ten minutes late and featured a lecture about the 1977 Honor Constitution, Hornsby and I learned the following information: The convention will likely feature thirty delegates, is currently planned

⁵ A bold excuse to use on two law students.

to meet over the course of eight weeks, and has been a significant source of contention within the Honor Committee. One of the reasons for this contention has been the lack of opportunity for Committee involvement in decisions relating to the convention. According to Law School Honor Representative Daniel Elliott '24, while members of the Committee have been able to express their opinions on the convention in an unofficial capacity, the Committee has not been able to vote on how they want the convention to operate, when they want the convention to be, or whether they even want a convention to happen in the first place. This means that Committee members have not been able to weigh in on issues related to the convention, at least not on the record, and whether their opinions will have any influence on the convention and how it will be conducted remains to be seen.

Additionally, as indicated by the email exchanges with Bray, communication has been something of an issue for those running the convention. The frustrations that Hornsby and I experienced have also been shared by many Committee members, although the students in charge of the convention have recently made commitments to improve their information-sharing and general communication with the Committee going

forward. However, Committee members still have many questions that remain to be answered, such as what day the convention will start, whether alumni representatives and Honor Committee members—including the Law School's Honor Reps—will be able to attend the convention, and whether graduate school SSOs will now be allowed to send delegates.⁶

Now, why should you care about any of this, beyond the fact that it's kind of funny that the Law School is being represented by Libel at an Honor Convention? Well, the goal of the Convention is to produce an amendment to the Honor Constitution, outlining what would likely be an entirely new Honor System. So, on one level, you should care about the convention because, as a student at this University, any changes to the Honor System would affect you.

You should also care because a new Honor System is incredibly necessary. Even with the reduced sanction of two semesters' leave of absence, students who are

⁶ This question is being considered as a direct result of the SBA-Libel situation, so if UVA's other grad schools get to send delegates through SSOs now, I have a message for those schools on behalf of Libel: You're welcome. Shows of thanks will be accepted in the form of ticket purchases for the show this March.

convicted of an Honor violation are ineligible to receive financial aid during their leave of absence and stand to lose University housing and eligibility for scholarships,⁷ regardless of the severity of the offense that they committed. Data collected on the Honor System has indicated disproportionately high reporting and sanction rates for African Americans, Asian Americans, and international students (who, on top of the ramifications listed above, also face the possibility of losing their visa status if sanctioned).⁸ Although a

⁷ Some of the implications of a two-semester leave of absence are detailed on the Honor website's page for Informed Retractions (<https://honor.virginia.edu/informed-retraction>). Filing an Informed Retraction is effectively the same as entering into a guilty plea for an Honor violation, and—now that the sanction for an Honor violation is no longer expulsion—it results in the same sanction as does a conviction under the Honor hearing process. Clint Roscoe & Christopher Benos, *Honor Pursues Transformational Reform*, Va. L. Wkly., Oct. 20, 2021, at 1.

⁸ Riley Walsh, Geremia Di Maro & Erica Sprott, *Report shows disproportionate Honor violation reports of Asian Americans, international students in recent years*, Cavalier

two-semester suspension is a step forward from expulsion, the fact remains that it is the only sanction available to be applied in response to a variety of offenses, in a variety of completely different contexts. As expressed by Elliott and echoed by both Hornsby and Bray, "a one-size-fits-all solution to issues of lying, cheating, and stealing has never been a fair system." Now—through Libel, of all organizations—law students have the chance to be a part of changing that system.

lier Daily (Feb. 18, 2019), https://www.cavalierdaily.com/article/2019/02/report-shows-disproportionate-honor-violation-reports-of-asian-americans-international-students-in-recent-years?ct=content_open&cv=cbox_latest. See also <https://report.honor.virginia.edu/#1>; <https://transparency.honor.virginia.edu/>.

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What's Wrong with AAA Gaming?

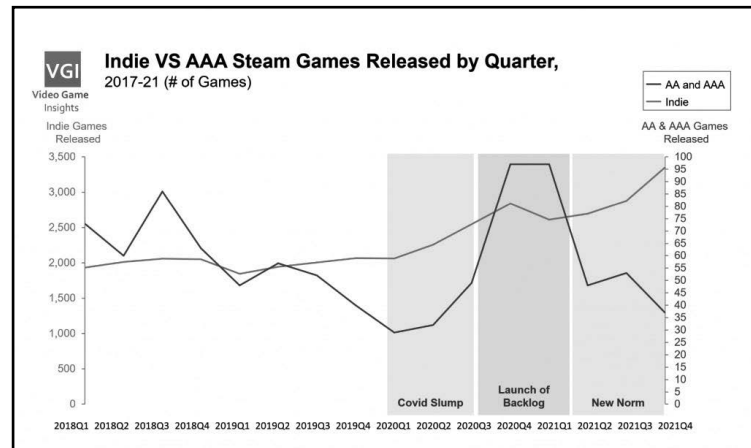
Will Holt '23
Opinions Editor



I don't know about you, but I loved playing video games as a kid. I still do—albeit to a lesser extent. When I was in middle school and even high school, every month I would get a magazine (the publisher of which I cannot remember) in the mail and eagerly scour the pages to find additional scraps of information about games that I was playing or hoped to play in the future. Naturally, considering they were given space in what I assume was a media outlet of some significance, these games were high-profile, big-name titles known—and still known—as "AAA" games, aimed at providing entertaining (yet profitable) products to young people such as myself. Independent, or "indie," games (as well as free-to-play ones) were of much lesser concern, and I would save up my dollar bills to purchase a high-quality gaming experience from one of the major studios. I am no longer fourteen, unfortunately, and the gaming industry is no longer what it was when I was that age. Today, there are more games to play than ever before, but the biggest and most sophisticated games now routinely fail to innovate, live up to expectations, or even release a playable product not inundated with

technical bugs and glitches. Microtransaction systems, such as the one that was initially present in Star Wars Battlefront II, prey upon young players, while older players fail to see the level of improvement and creativity that was shown in new video games a decade ago, such as with the Call of Duty franchise. None of what I write should surprise the gamers amongst my audience, but I hope even those of you who are uninitiated are beginning to wonder why this has happened.

I believe that the downward trend seen in AAA games can largely be attributed to market trends and incentives in the gaming industry. From the 1990s until the early 2010s, video game development was a rapidly growing enterprise. Not only was computing technology expanding at a break-neck pace, but gaming as a hobby (and, for some, as a lifestyle) was growing even more popular and normalized. In short, developers could leverage new technology to grab a piece of this novel and rapidly-expanding market. There was no status quo, or the status quo was fluid, so ingenious teams could create and innovate with significantly less pressure than they could in a well-developed and well-saturated market. Over the past ten or fifteen years, however, the video game industry has matured,



Pictured: Indie developers are filling the hole left by high-quality AAA games. Chart Credit: Video Game Insights.

and the market has crystallized. Gaming is no longer being normalized; it is normalized. The stakes for video game developers, therefore, are much higher today than they used to be. Not only are games more expensive to create, as developers begin to see rapidly diminishing marginal returns from improving existing franchises, genres, and technology, but the opportunity costs of releasing a failed game have skyrocketed. We need a new video gaming revolution to break out of this slump. Such a change, however, seems like a distant hope, rather than an accomplishable goal.

The video gaming industry is no less immune to the weakness of modern corporatism than is the movie industry, the car industry, or any other segment of the economy dedicated to providing a matured product or service. A plateauing market

and diminishing marginal returns on investment in existing systems are not compatible with the economic standard of endless growth in profits and shareholder value. Because the risk of innovation is so high for giant developers like EA, Ubisoft, etc., and because the standard by which these corporations are judged prioritize short-term growth over long-term investment in technology, labor, and new ideas, the AAA gaming industry has, for years now, resorted to cutting corners and to unethical business practices to meet their quotas. Such compromises in integrity include releasing unfinished games to meet unrealistic deadlines, the proliferation of microtransaction systems which prey on younger and more addicted players (in addition to occasionally veering into the realm of gambling), and unimaginative world-build-

ing and gameplay. In short, the realities of the growth of the video game market, combined with perverse economic systems, have turned our legacy game studios and franchises into hollow versions of their former selves.

The gaming industry is not doomed to decay forever. As we speak, countless indie developers, alongside much of the rest of the tech industry, are fighting to fill the demand for high-quality, boundary-pushing games. Remember how Mojang shook the gaming world when they released Minecraft—and expect more of that in the future. The technology sector as a whole has continued to make good, albeit imperfect, progress, and there is little to limit what human creativity can devise. I say, don't look at the spiraling of FIFA, Call of Duty, and Far Cry and despair. Rather, look at the gaming industry as a bird that needs to molt its feathers in order to become even more beautiful.

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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 dl9uh@virginia.edu

Students of the Law School

v.

1Ls in the Library
75 U.Va 8 (2022)

KULKARNI, J. delivers the opinion of the court, in which LAKE, C.J., BNINSKI, J., GRUBBE, J., BROWN, J., PETERSON, J. and PAZH-WAK, J. join.

WALSH, J. wrote a dissenting opinion in which MORSE, J. and BROWN, J. join.

Kulkarni, J. delivered the opinion of the court.

I.

Today's case is a low-temperature issue. While this is not a court of public opinion, this Court understands that we will face judgment for our decisions.¹ There are some rare times, however, when the opinion of the Law School points in a singular direction—rarer still is when that opinion aligns with what the law demands. The complaint at bar has been filed by a coalition of students from each class, with amicus briefs filed by the administration, staff, and professors of the Law School. They all state the same thing: The 1Ls currently studying daily in the library need to stop. The 1Ls in question have been camped out at the same tables before, during, and after classes, at times without break. This contingent of students has decided, quite early in the semester, to move on from doing their readings to building outlines.

II.

There are two main parts to this analysis. The first is whether it is appropriate for the 1Ls to be in the library at all during this time of year. These students, the same as

¹ Something Justice Alito should learn.

all other students, have the option to spend their time in the four areas of Scott Commons, the hallway tables, the lounges, or Spies Garden. Their choice to spend time in the library does not speak well of their decision-making skills. Law school is an inherently social activity, and by isolating themselves in the library, these students are reducing their opportunities to be social. In particular, with the weather getting colder, these students are missing out on the

While this Court may question why these 1Ls have decided that the library is the best place to spend time with their friends, we will admit that law students are inherently weird. Though this choice is odd, there is no remedy available to the plaintiffs for these students simply being in the library this early in the semester.

III.

The second issue is where the plaintiffs may find some relief against the groups of 1Ls who reside in the li-

is used, these 1Ls are taking their exam studying far too seriously. This is Week Nine of Fourteen. There is still plenty of content to learn. For these 1Ls to study so early, they are gunners. Moreover, these 1Ls are breaking one of the fundamental rules of law school: collegiality. All law students have to suffer through exams. During 1L, they have to take the same exams. By beginning to study this early, they are forcing their peers to start studying early as well. Regardless of

barred from outlining until at least November 15.

Walsh, J., dissenting.

The majority's opinion today is utterly confounding. There's so much to unpack here, it's not even worth opening the suitcase. Rather than explore the complete lack of legal grounding for today's opinion (beyond a brief mention that 1Ls always lose), the bewildering relief granted that will likely result only in making all parties worse off, or the inexplicable decision to encourage 1Ls to form groups while studying, I will limit myself to simply stating the following: If you're not a 1L, and you're bothered by there being 1Ls in the library right now because they're interfering with your own library usage, you're the problem.

Yes, it is the case that "1Ls lose,"³ but so do gunners.⁴ And the cold, hard truth is that if you're not a 1L and you're in the library before

"These 1Ls are taking their exam studying far too seriously."

last few days that Spies Garden is a viable place to spend their time.

However, there is only a small number of 1Ls that have taken up residence in the library alone. These students in particular are enjoined from continuing their solo run to gunner-dom. Not only is it detrimental to their mental health, it also presents an equity issue when it comes to the entire 1L class. The students that are aware of how to study, how long to study, and how to convert old outlines with effectiveness are more likely to be second- and third-generation law students. This injunction will hopefully prevent them from using their unfair advantage. To anyone who argues that this remedy is too similar to legislation, I point you to the First Petty Rule of Civil Procedure: "We do what we want."

The other students—those studying in groups—however, are not subject to the same injunction. By studying in groups, these 1Ls are already reducing their own levels of productivity. Moreover, they are being social.

brary within groups. The issue arises from what those students are doing in the library. All law students have readings to do almost daily, especially 1Ls. These students can merely be called diligent if they are working on their daily readings. As most of the members of this Court are participants in the lifestyle known as "3LOL," we can look upon them and reminisce on our own pasts.² The plaintiffs, though, have brought a far graver accusation to our Court. These 1Ls are accused of having started their outlining far too early. Some of the best students will claim that one month of studying is enough for exams. Others will claim that two weeks suffice. The most ambitious, especially a good portion of the Class of 2023's Section A, will claim that each 1L exam only requires two to four days of dedicated studying. Regardless of which of these three ranges

² And then immediately sober up by remembering that our 1L year was dominated by Covid, masks, and virtual classes.

whether they are studying in a group or alone, they are cutting into their peers' time to have fun. Therefore, these students are enjoined from outlining. Go out and touch grass, 1Ls.

IV.

Not only do 1Ls always lose in this Court, these 1Ls in particular need to quit their heinous actions. Beyond their gunner behavior, they are taking space in the library from students who are just starting to do their readings for the semester and catching up. They are also taking space away from *Law Review* upperclassmen who just remembered that they have Notes to write. For themselves and others, 1Ls must be in groups within the library from now on and are

³ *1L Gunners v. Everyone Else*, 324 U.Va. 22 (2019). See also *Snowman v. Student Admin.*, 73 U.Va. 15 (2021) (Tonseth, J., concurring in part and dissenting in part); *1Ls v. God*, 73 U.Va. 16 (2021).

⁴ *2Ls Who Are Way Too Eager to Post on LinkedIn v. Everyone Else*, 75 U.Va. 2 (2022).

COPA page 5

Faculty Quotes

R. Re: "If people kept getting decapitated, the NFL would collapse."

A. Coughlin: "I think [Los Angeles] is a circumstance . . . Or is it a mental state?"

K. Kordana: "You're more likely to get hit by a car on the way to the polls than affect the outcome of an election. That's why I don't vote."

C. Barzun: "According to the police, and as we all know, the police never lie."

B. Sachs: "She said going to jail is a new adventure. She's always wanted a new tattoo."

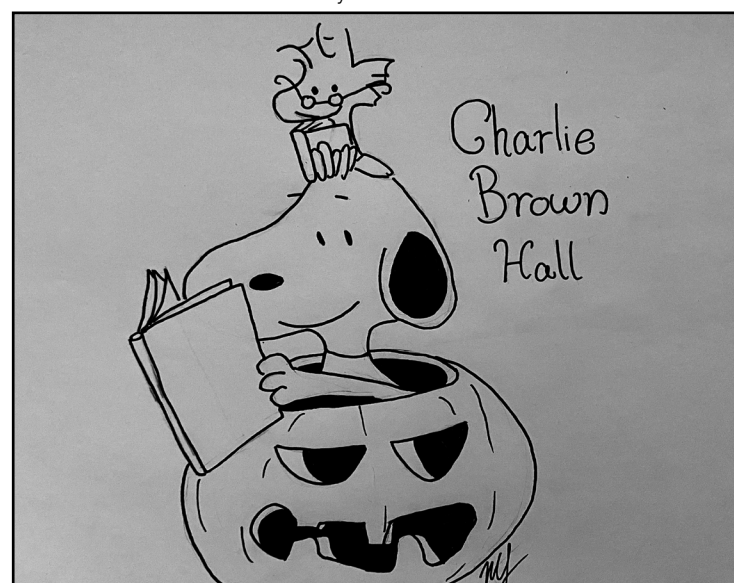
R. Harmon: "Sometimes you're going to take a punch because you deserve to be punched."

M. Collins: "Consider the slide to be a summary of the summary."

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

Cartoon

Created by Monica Sandu '24



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COPA

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November, you're a gunner. The only acceptable reason to be in the library right now as a non-1L is if you're grabbing snacks from one of the journal offices and then booking it right back out those doors and into the hallway of Brown. Otherwise, I don't want to see it.

It pains me to side with 1Ls, but because I believe that they should be cordoned off from the rest of polite society whenever possible, the 1Ls should be allowed to remain in the library, whether in groups or alone.⁵ Now, this becomes another matter entirely once finals season hits and I need my back-of-the-library spot back—in which case any 1Ls trying to occupy my seat will have hell to pay. But until then, the 1Ls are allowed to do whatever it is that they do in the library, so long as I don't have to see them do it.

As such, I dissent.

⁵ Also, can we talk about that whole “it's okay if it's in a group thing,” because what the hell is that? You're telling me that you want to jumpstart the 1L frenzy that happens whenever one member of a 1L group inevitably sends the rest of that group into a collective panic attack? Why??

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Everything You Could Ever Want to Know About Sharks

Jonathan Peterson '23
Co-Executive Editor



The earliest known sharks date back to the Silurian period, more than 420 million years ago. However, modern sharks first appeared and diversified during the Jurassic period, between 200 and forty-five million years ago. Today, sharks are found in all seas but rarely in fresh water of any kind. The only common exceptions to this rule are the bull shark and the aptly named river shark, both of which can swim in seawater and freshwater. Sharks have a variety of adaptations that have made them so successful over their 420-million-year tenure. While this article will not be detailing the features of sharks that are most essential to their survival, I will do my best to discuss some of the more interesting aspects of sharks as a species.

Senses

Sharks are well known for their incredible sense of smell. Some species are even able to detect as little as one part per million of blood in seawater. This means that sharks can smell blood from

hundreds of meters away and would be comparable to being able to taste a single pinch of salt in about 2,000 pounds of potato chips.¹ Sharks are capable of identifying the direction a scent is coming from based on when their nostrils actually pick up the scent. This works similarly to how mammals determine the direction of sounds they hear. Finally, different species of sharks have different abilities when it comes to their sense of smell. Usually, these are based on environmental needs. For example, sharks which live in the dark depths of the ocean often have larger olfactory bulbs, meaning a greater sense of smell, than sharks which live in high visibility reefs.

Sharks and most fish also have what is known as a lateral line. This line, as the

¹ *Weird Science: Compare Your Sense of Smell to a Shark's Sense of Smell*, [https://manoa.hawaii.edu/exploringourfluidearth/chemical/chemistry-and-seawater/elemental-abundance/weird-science-compare-your-sense-smell-shark-s-sense-smell#:~:text=Sharks%20can%20smell%20blood%20from,part%20per%20million%20\(ppm\).](https://manoa.hawaii.edu/exploringourfluidearth/chemical/chemistry-and-seawater/elemental-abundance/weird-science-compare-your-sense-smell-shark-s-sense-smell#:~:text=Sharks%20can%20smell%20blood%20from,part%20per%20million%20(ppm).)

name would suggest, runs laterally down the body of the fish and allows them to detect speed and pressure changes nearby. This is generally useful for detecting struggling prey in the vicinity.

Perhaps the most intriguing sensory system of sharks is the ampullae of Lorenzini. These are electroreceptor organs found in the head of the shark. The organs are essentially mucus-filled pores with a bundle of nerves. They allow them to detect the electromagnetic fields that all living things produce. These allow sharks to find prey hidden in the sand by detecting these fields. One shark species that makes particularly efficient use of this sensory system is the hammerhead shark. It is also believed that these organs may aid sharks in orientation and navigation, as the ocean currents moving in the magnetic field of the Earth also generate electric fields, which sharks may detect through their ampullae of Lorenzini.

Anatomy

I would like to highlight sharks' remarkable skin. Sharks are covered in dermal denticles, rather than scales. These dermal denticles have been the source

of much research and development in the competitive swimming world, although to someone who is not a scientist, it's hard for me to determine what exactly the main benefit of these structures is. In short, a shark, instead of scales, has very small overlapping tooth-like structures (dermal denticle literally means “tiny skin teeth”). These structures are believed to help the sharks to swim more efficiently than other, scaled fish, while also affording similar amounts of protection from both attacks by other fish and parasites. I've found conflicting reports on just *how* these structures make sharks more efficient swimmers. Most seem to think that the shape of the structure significantly reduces the drag that sharks experience while swimming, meaning that they may go farther while spending less energy than they otherwise might. Another source theorized that the denticles might be creating low pressure zones in the water in front of the shark, literally pulling the shark forward into the low-pressure area. Another benefit of their skin is stealth—the ocean is, believe it or not, a rather noisy place. However, sharks have

Sharks page 6

HOT BENCH



Professor Frost

Interviewed by Elizabeth Patten '25

Hello Professor Frost, and welcome to the Hot Bench! Let's start with where you're from, and how you are liking Charlottesville so far.

I was born in Boston, Massachusetts, but I've spent most of the last two decades living in Washington, D.C. Charlottesville is beautiful, and there is so much to explore. Favorite spots so far include the Ix Park farmer's market, the rope swing on the Rivanna River (which my kids discovered), and the Quirk hotel rooftop at sunset.

You are new to the Law School this year, but you have spent a long time teaching both domestically and abroad. Can you tell us a bit about your past work and what led you to UVA?

I am so delighted to be able to teach immigration law here at UVA, which became known as a leader in the field, thanks to Professor David Martin (now emeritus).

I first became interested in immigration law when I worked on immigration cases as a staff attorney at a civil rights/consumer rights nonprofit. After I entered academia, I supervised students litigating immigration cases through the law school's immigration clinic and represented immigrants in the federal courts of appeals. Eventually, I began teaching and writing in the area as well.

I find everything about immigration fascinating—from the history, to the law, to the life stories of my clients. As I tell my students, the United States is made and remade by our immigration policies every generation. Today, 25 percent of the U.S. population is either an immigrant or the child of immigrants. Yet the country is polarized over who to admit to membership, and this divide has been a driving force in elections. This issue is not going away any time soon.

You have a forthcoming book about birthright citizenship in the United States. Can you give us a sneak peek into what you've found?

The book examines birthright citizenship through the stories of three families instrumental in establishing

that right in the Fourteenth Amendment. The United States integrates new immigrants far better than many European countries. One reason for that success is automatic citizenship for all children born on U.S. soil, regardless of their parents' immigration status. Yet that principle has repeatedly come under attack, particularly over the last few decades. I hope to tell the story behind birthright citizenship in an accessible, engaging way that illuminates its place in our nation's constitutional values.

You clerked for the U.S. Court of Appeals for the D.C. Circuit. How did you like the experience? How did it impact your professional development?

The clerkship was formative. It is amazing to go from being a 3L with zero authority to a law clerk drafting opinions and advising a federal judge on the outcome of cases. (And it is equally jarring to return to the lowest rung of the profession as an entry-level lawyer a year later!) Working closely with my judge and co-clerks gave me confidence that I had a place in this profession.

You are a believer in cold calls. Can you explain why you think they're useful? Was your perspective on them different as a law student than it has been as a law professor?

Cold calling ensures I hear from a diversity of voices,

keeps everyone actively engaged with the material, and gives students a chance to practice articulating legal arguments in a no-stakes setting.

As a law student, I was just as nervous as everyone else, especially the first few times I was called on. But it got easier with practice, and I appreciated how it kept me on my toes. Eventually, I found I was more comfortable being called on than volunteering. When I volunteered, I felt pressure to say something significant. But if I was called on, my classmates knew I was just doing my best to answer the professor's questions.

What is the best career advice you've ever received?

To take advantage of the versatility of the law degree by switching fields and taking on new challenges when opportunities arise.

Let's do a lightning round!

Where's a place you've never been but would like to go?

The mountain lake on my laptop's screensaver.

Favorite word?

Chocolate.

Do you have a secret talent?

I make a to-die-for flour-

less chocolate cake.

First job you ever had?

Working the concession stand at a movie theater while in high school. I ate a lot of popcorn.

My first job in the legal profession was working as an investigator for the D.C. Public Defender Service the summer after my sophomore year of college. That job opened my eyes to the best and worst aspects of our legal system and our society, and it inspired me to go to law school.

If you could make one rule that everyone had to follow, what would it be?

Be kind.

You studied American history and literature in college (I love to see a fellow American Studies major!). What, in your opinion, is the quintessential Great American Novel?

My vote would be for *Americanah* by Chimamanda Ngozi Adichie. She is a Nigerian immigrant to the United States who wrote about this country with the fresh eyes of an outsider-turned-insider.

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OPP

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Mix & Mingle. Students were encouraged to dress professionally for the event, where they would engage with attorneys until 6 p.m. The virtual introductions were hosted on Flo Recruit, which shuffled 1Ls from room to room until 5:35 p.m.

Each firm room included attorneys who spoke with about six students each session. The sessions were both professional and welcoming, as associates and partners warmly introduced their firms to the 1Ls. Each session lasted twenty minutes and often focused on allowing students to ask the attorneys questions both about their firms and the job search in general. Attorneys offered candid advice about what they look for in candidates for summer associateships and occasionally reminisced on their time on Grounds, telling us about how they made the most out of their time at the Law School.

When asked about his own Mix & Mingle experience, Ricky Robinson '25 said, "Coming from a science background, I don't think I could have named a single law firm. Over the past few months, I had heard plenty of names bandied about by 2Ls and 3Ls with such reverence that I started to be a little apprehensive about meeting with these high-powered firms. I was grateful to attend the firm Mix & Mingle because it offered a laidback opportunity to start

networking with these super interesting attorneys." Robinson further noted his enjoyment of how students "chose areas instead of firm names. It's all too easy to get fixated on the prestige of the name, and I really enjoyed talking with firms whose work I relished hearing about but had never heard of prior to the event."

OPP provided a full guidance packet to students to prepare for the Mix & Mingle. Anticipating that some students have never spoken with a practicing attorney, OPP gave students a full rundown of how to conduct research, appear on camera, and effectively ask questions. Included in these materials was a useful subsection on event follow-up emails, instructing students how to write to attorneys after the event, thanking them for their time and indicating further interest in the attorney's firm. OPP noted that, unlike thank-you emails for one-on-one interactions with attorneys, thank-you emails for school-organized group events like the Mix & Mingle are optional. For many students, these post-Mix & Mingle communications help establish key first contacts in the private-sector firms of their preference.

Following the event, OPP will send a resume book containing the resumes of all 1L participants who submitted a resume to all 41 participating firms. Coming after most students seek-

ing firm jobs met for OPP counseling at least once and received invaluable, timely resume feedback from their counselor, the book serves as a welcome opportunity to communicate credentials to firms as the job search ramps up. Laura-Louise Rice '25 reflected on how the fall networking events all connect into the great, interwoven tapestry that is the 1L job search when she said, "Before attending all of these networking events, it was really nerve-wracking interacting with firms—especially with less than two months of law school under my belt—but now, experiencing both the Mix & Mingle and Texas Day helped me see that partners and associates at firms are human, too, and used to be in all our shoes at one point. I definitely think participating in both of these events has helped me to feel more confident going into the Diversity Reception this week."

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Barristers United Match Report October 23, 2022

Jack Brown '23
Sports Editor



After a short hiatus, the *Law Weekly* is ready to continue its weekly coverage of the Law School's premier athletics program, Barristers United. Since we last checked in with Charlottesville soccer's most electric squad, they put together two clean wins, scoring nine goals total and holding a clean sheet the entire time. Despite this great run of form, the match against ENNSA was far from a sure thing. With a shorter bench than normal, and ENNSA's well-earned reputation as a physical squad that pushes the limits of the rules, anything could happen on a sunny Saturday morning.

However, the Barristers once again showed that they were an indomitable force within Sunday league soccer with a strong 3-0 victory. Drew Flanagan '24 continued to write his Barristers legend with a thunderous headed goal to open the scoring and then continued to terrorize the opposition's defense with his rapid play.

Not to be outdone by his classmate, Jacob Baltzegar '24 doubled the Law School's lead with a De Bruyne-like free kick curler into the bottom corner of the net. After these two goals, ENNSA attempted to marshal some sort of counterattack, but they couldn't get anything going, due to an unrelentingly excellent Barristers defense. Zach Zamoff '25 and

Keith Stone '24 pulled a full shift at center back and helped continue the legendary defensive streak that has defined the season so far.

However, neither of their excellent performances earned them the award of defensive MVP for the match. That belonged to homegrown talent Chris Hamborsky '23, who effortlessly locked down ENNSA's star striker throughout the entire game. While the Law School has enjoyed some incredible defenses in years past, this squad has a unique combination of depth and skill that puts fear into the hearts of other teams' front lines. Defense wins championships, and you won't find many Sunday league squads who can compete with the Barristers on that front.

After the second half started, ENNSA continued to attempt a coherent attack but left themselves exposed for another Barristers goal by friend of the team James Pierpoint. All in all, this game was one of the cleanest of the season so far for Barristers United, who continue to dominate in spite of LRW memos, 3LOLing, and all kinds of Law School-related distractions. With the playoffs on the horizon, we are excited to offer more coverage as the team marches towards another title.

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Sharks

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evolved to swim silently compared to their scaled brethren. This adaptation may greatly increase their hunting prowess.

Lifespan

Sharks can live a long time. Generally, sharks live twenty to thirty years. Some, like the spiny dogfish, can live more than 100 years. And the Greenland shark is notorious for being the longest-lived vertebrate known to man. One Greenland shark specimen was 392 ± 120 years old, making it at least 272 years old and possibly as old as 512.

Attacks

Sharks rarely attack humans. Only four species are involved in a significant number of fatal, unprovoked attacks on humans: the great white, oceanic whitetip, tiger, and bull sharks. In general, there is little pattern to what might prompt an unprovoked attack. Things one can do to avoid them are, first and foremost, stay out of the water. If that isn't in the cards, avoid wearing jewelry or shiny metals. Excessive splashing may incite the shark into thinking you're an injured fish, which can also cause an attack.

Some believe that shark attacks occur because of a case of mistaken identity—the shark believes that the human is a seal or some other prey item. While I have no

evidence for this, I don't buy this theory too much. Sharks are apex predator—I like to think they know what is and isn't a seal just as well as I do.

Conclusion

Sharks are beautiful and interesting creatures. They do not deserve the fear associated with them, although a healthy dose of caution is never a bad thing. In fact, if anyone has a reason to be afraid, it is sharks. In 2021, it was estimated that the population of oceanic sharks and rays had dropped by seventy one percent over the last half-century. These losses come from a mixture of climate change and, most importantly, illegal harvesting, often for shark fin soup. Poachers illegally fin millions of sharks each year, killing them in barbaric fashion. Sharks are captured, their fins are cut off while still alive, and the finless sharks are dumped back into the ocean, where they soon die of suffocation from being unable to pump water over their gills.

Further, shark fin soup is erroneously believed to be healthy. In fact, shark fins have a high concentration of the neurotoxin BMAA. Because of this, consumption of shark fins may actually pose a health risk.

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