

# Education & Practice

Published by the Virginia State Bar — SECTION on EDUCATION of LAWYERS — for Practitioners, Judges, and Law Teachers

## Improving the Education of Lawyers In and Out of School

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Washington & Lee School of Law

We continue to learn and develop over the lifetime of our careers as lawyers. This lifetime of learning was at the center of a national Critical Issues Summit held last fall. The summit—Equipping Our Lawyers: Law School Education, Continuing Legal Education, and Legal Practice in the Twenty-first Century<sup>1</sup>—brought together judges, lawyers, professors, deans, CLE providers, in-house development professionals, and state bar officials to explore how best to develop a road map for the profession as a whole to improve lawyer education and development.<sup>2</sup>

In sixteen specific recommendations, the report urges the profession to identify core lawyering competencies and to develop effective strategies for learning and developing these throughout a lawyer's education and career.<sup>3</sup> Many of the recommendations focus on engaging lawyers through experiential learning techniques, given how much of our professional lives are spent in self-directed learning situations rather than in a classroom. Put simply, adults learn best by doing and through reflection. Skills such as problem solving or

managing a client's expectations are best learned in context and not separately from substantive law and procedure. One method for this contextual training is a traditional course in which substantive law is learned and evaluated through lawyering activities, rather than through traditional examinations. Another training method is in-house professional development and CLE programs that engage a range of skills and competencies in progressively demanding tasks, with feedback and opportunity for improvement. The report also keys in on the fundamental values of service to the profession and the duty to promote justice.<sup>4</sup>

There are many interesting models to explore that assist in the transition from law student to practicing lawyer, such as the Canadian articling process<sup>5</sup> and the State Bar of Georgia Transition into Law Practice Program<sup>6</sup>. Several large law firms also have responded to the need for more substantial training of new associates. Dinker Biddle; Orrick, Harrington & Sutcliffe; DLA Piper; Howrey; and other firms are moving away from traditional advancement models and toward

merit-based systems that involve significant training and evaluation of associates.<sup>7</sup>

We have a wealth of programs in Virginia that directly respond to the call to service as well as to the call for more rigorous and intentional development of core competencies. Law firms, not-for-profits, and governmental entities currently collaborate with law schools to address unmet need in the state through robust clinical and internship programs, as well as through service

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# Chair's Column

*Professor*

*A. Benjamin Spencer  
Washington and Lee  
School of Law*

*Those of us who  
practice can  
practice with  
dignity and  
demand the same  
from those with  
whom we deal.*

The mission of the Section on the Education of Lawyers is to facilitate the exchange of ideas and the pursuit of constructive action on legal education issues in the Commonwealth. Our concern with legal education is not limited to law school, but rather includes each stage of the legal education continuum: pre-law & admissions, law school, admission to the bar, and continuing legal education. Our goal this year is to find ways that the Section can help members of the Bar support and enhance legal education at each of these stages.

Pursuant to that goal, the Section has formed a Pre-law & Admissions Committee that will focus on enhancing the support that the practicing bar gives to aspiring law students and those who advise them, with an eye towards making sure that students make informed and rational decisions about whether and where to attend law school. We have also formed a Curriculum & Core Competencies Committee whose task it will be to identify the core competencies that all graduating law students must have to be capable and successful legal practitioners.

The findings of that committee will feed into the work of a third committee that has been established, which is our Conclave Planning Committee. In the spring of 2012, the Section will hold a Conclave at which members of the bench, bar, and legal academy will come together to discuss how these core competencies can be more effectively delivered in law school, can be better tested and screened for by the Virginia Bar examination, and can be better maintained and enhanced through continuing legal education programming in the Commonwealth. Ideally, this Conclave will develop a set of action items for reform in each of these areas that will help strengthen the abilities of those who join the bar.

If our Section is to succeed in all of these areas, we cannot simply rely on the work of the members of the Section's Board of Governors. All members of the Section are welcomed and encouraged to participate in the efforts I've described above. If you would like to get involved, please feel free to contact me at [spencerb@wlu.edu](mailto:spencerb@wlu.edu) or our VSB liaison Bet Keller at [keller@vsb.org](mailto:keller@vsb.org) to let us know of your interest. ✧

## Annual Section Meeting Highlights Law School Curriculum

The annual meeting of the Section was highlighted on June 18 by a program entitled “*The Paper Chase of the 21<sup>st</sup> Century-A Town Hall Meeting.*” The program was moderated by Rodney Smolla, former Dean of Washington and Lee’s School of Law. Participating as panelists were the deans or their representatives from all eight law schools in the Commonwealth together with William R. Rakes, Esq., former VSB President, founding chair of this Section and chairman of the ABA Section of Legal Education and Admissions to the Bar, together with the Hon. B. Waugh Crigler of the Section’s Board of Governors. Mary Z. Natkin, Assistant Dean and Clinical Professor of Law at Washington and Lee along with Brian Wall and Emily Tatum two students from William and Mary who had completed that law school’s practical skills program shared their experiences with the clinical programs in their respective law schools.

The town hall format was envisioned to facilitate an exchange of ideas among those in the academy and the practice concerning recent changes in law firm staffing needs brought about by recent economic conditions. Those conditions have caused clients to demand more experienced associate-level counsel at the fee levels currently being charged. In turn, questions are being raised by the practicing bar about whether

traditional core competencies, i.e. the core curricula offered all law students by their law schools, should be reevaluated in view of the increasing demand for more clinically experienced lawyers.

The program highlighted the absence of any “cookie cutter” law school curriculum, and the diversity of curricula was confirmed by the various law school representatives. While all the law schools offer clinical exposure, the emphasis each school places on clinical training controlled the number, form and depth of their offerings. Audience comments and questions to the panelists focused primarily on the perceived or real deficiency in the communication and writing skills of recent graduates. In addition, several in the audience spoke to a growing law firm desire to hire professionals with clinical experiences beyond that which currently is offered in law school,

In the end, the program was a spring board for the Section’s direction this year and beyond. As this Section’s Board Chairman Ben Spencer explained in the Chairman’s column of this issue of the Newsletter, the Board’s activities this year will include addressing concerns over core competencies and the call from practitioners for an assessment of clinical training and the development of writing and communication skills. ✧

### CONTRIBUTIONS

#### **SECTION ON THE EDUCATION OF LAWYERS**

The section gratefully acknowledges the following firms and Virginia law schools for their generous support of section activities.

**Gentry Locke Rakes & Moore**

**Vandeventer Black LLP**

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**University of Virginia School of Law**  
Charlottesville

**Washington & Lee University School of Law**  
Lexington

**William & Mary School of Law**  
Williamsburg

## Liberty University School of Law Awarded Full Accreditation Approval by the ABA

**Lynchburg, VA** – Liberty University School of Law was awarded full accreditation approval by the American Bar Association during its annual meeting in San Francisco. On August 5, the ABA Council of the Section of Legal Education and Admissions to the Bar granted full approval to the law school.\* The Council is recognized as the accrediting agency of law schools by the U.S. Department of Education.

Liberty University School of Law opened in August 2004. A law school must complete a full academic year before it is eligible to apply for provisional approval by the ABA. The School of Law applied for provisional approval in 2005 and was awarded provisional approval on February 13, 2006, only eighteen months after the first students arrived on campus. This is the shortest time that any law school may obtain provisional approval from startup to provisional approval. Provisional approval means the ABA has determined that the law school is in substantial compliance with all the ABA Standards for Approval of Law Schools. Provisional approval allows students to sit for the bar exam. Without provisional or full approval, students can graduate from law school with a Juris Doctor degree but, generally, are not eligible to take the bar exam. Without the ability to take a bar exam, a person with a JD degree cannot practice law.

A law school must be provisionally approved for at least two years before it is eligible to apply for full approval. Liberty applied for full approval in March 2009. In October 2009, the ABA sent a full Site Team to the campus for three days to conduct a thorough review of the program of legal education. On June 24, 2010, Dean Mathew Staver, Chancellor Jerry Falwell Jr., and Vice Chancellor and Acting Provost Dr. Ron Godwin appeared before the ABA Accreditation Committee in Washington, DC, for a three-hour hearing to review the law school's program. Composed of 17 experts in legal education and public representatives plus certain ABA staff, the Accreditation Committee concluded that the law school met all the ABA Standards for Approval of Law Schools and recommended full approval. On August 5, 2010, Dean Staver and Chancellor Falwell appeared before the Council for the final round of hearings.

Comprised of 24 separate experts in legal education and public representatives, the Council voted to grant full accreditation approval to School of Law on its first application. Obtaining full approval is a rigorous process and indicates that the law school is in full compliance with all the ABA accrediting standards for law schools. There are only 200 provisionally or fully ABA approved law schools in the country.

Now that the law school is fully approved, it will move forward with plans to launch degrees in addition to the JD. Some of the degrees in planning include various specialties in law (LL.M.), a master's in Public Policy, and a Ph.D. in law. When implemented, the non-JD degrees will be both residential and online. The law school also plans on launching study abroad programs. The locations include Israel, Europe and Asia. The law school is also considering an accelerated degree program for eligible students to obtain an undergraduate and law degree in six, rather than seven years, by combining undergraduate courses and courses from the school of law. This fall the law school and Liberty University will announce the dual degree program, which allows law students to obtain a master's degree, along with their law degree, in less time when combined together. These degrees include the JD/MBA, JD/MDiv, JD/MAR, JD/MEd, JD/EdS, JD/EdD, and JD/MA-Human Services.

Chancellor Falwell commented: "The accreditation approval of the school of law represents a significant milestone in the history of Liberty University. It is a giant step toward the fulfillment of Liberty's mission. The speed of the approval is a credit to the school of law and to the quality of its program."

Dean Staver remarked: "Obtaining full accreditation approval has been a rigorous but rewarding process. Now that the law school has reached this milestone in only six years since it opened, we are ready to move forward with new and exciting programs. We knew we had a good program of legal education because our students compete against well-established law schools in every area of competition and they perform exceptionally well. Achieving full approval is a testament to the quality of the law school's legal education and to the many people who make it possible." ✧

## UVA Law School's First Tenured Female Professor Ends Career

When Lillian Bevier entered law school in California in 1961 she was one of five females in her class. By the time she finished teaching her last lecture at the University of Virginia School of Law this semester, women made up nearly half of the first-year class. BeVier — UVA's first tenured female law professor — is retiring this year as one of the Law School's best-known scholars and most-beloved teachers. She began teaching at Virginia in 1973, and spent 37 years here building a career as a constitutional law and First Amendment scholar, and as an expert in property, intellectual property and torts.

"Things have worked out very well for me," BeVier said. "I've had a really good time. I've loved my years at Virginia."

BeVier graduated from Smith College with a government degree, where she took and enjoyed a constitutional law course. When she graduated, "I knew I didn't want to be an elementary school teacher, which is what a lot of us — we called ourselves 'girls,' then — did," she said. "Law school was more of an experiment for me than a serious career move." One of five women in a class of 160 students at Stanford Law School, BeVier graded onto law review, as did three of her female classmates. (The fifth was next in line.)

"As an intellectual or academic exercise, law school was very, very different then than it is now. It was much more straight doctrine. There was no law and economics, there was no critical legal theory, there was no public choice theory — there was just no theory," she said. "Moreover, there wasn't nearly as much law then."

While she was in law school the Civil Rights Act of 1964 was passed. Students spent hours trying to understand the meaning of *Griswold v. Connecticut*, a Supreme Court case striking down bans on contraceptives for married couples. Little did they realize it would be overtaken by *Roe v. Wade* eight years later. "In the '60s, the war on poverty and all of its associated government programs were just beginning to get underway. The idea was beginning to take hold that law could be the instrument of social change," BeVier said. "There was a kind of awakening about the potential of law to transform society." But once she began looking for a job she found that parity for

women was still far from many employers' thoughts.

"When I was trying to get a job after law school, I had one law firm partner say to me, 'We had a woman once, but she didn't work out.' Another said, 'You should go to central California and hang out your shingle because they're so desperate for lawyers that won't care whether you're a woman or not,'" BeVier remembered. "Somebody else said, 'Well, we'd like to hire you to be our office manager.'" Instead BeVier found a job as an attorney for Stanford's development office, where she helped the general secretary of Stanford manage the school's first capital campaign. In that office, "I was always treated not just fairly but really generously."

She then spent two years as a research assistant for Stanford law professor William Baxter, who eventually became head of President Ronald Reagan's antitrust division at the Department of Justice, where he brought the antitrust suit that resulted in the dismantling of AT&T. They worked on a joint study between the American Bar Association and the Federal Aviation Administration on airport noise and the sonic boom, which was later published as an article in the *Stanford Law Review*.

"I had never thought about teaching," she said. "I applied for the job at Santa Clara and got the job. So I entered teaching just because somebody suggested something to me that I had never thought about."

In the few years since BeVier had graduated, female enrollment in law schools had grown considerably. Law schools suddenly were looking for female students, and an interest in female professors followed. "It took a while for the number of women in law to reach a critical mass, so that when you were a woman in the law school you wouldn't hear, 'What's a nice girl like you doing in a place like this?'"

Soon after she started at Santa Clara, the University of Virginia faculty asked her to visit for a year, and though she was new to the all-male ranks, she found a welcoming atmosphere and was destined to make history as the first tenured female faculty member at the University of Virginia. ✧

# Faculty News

## Regent Law

◆ **Dr. Carlos Campo** was inaugurated as the 8th president of Regent University on October 28, 2010. Campo succeeds Regent's founder and chancellor, Dr. M.G. "Pat" Robertson, as president. Opening the ceremony Robertson, who stepped down as Regent's president Aug. 1, noted the enormity of the role Campo is assuming. "It's a big task. This is an international institution, rolling very rapidly," he said.

◆ Regent University School of Law welcomes new Attorney-In-Residence, Randy Singer, who joins Distinguished Professors Virginia Supreme Court Chief Justice Leroy Hasell, Sr., former Atty. General John Ashcroft, and ACLJ Chief Counsel Jay Sekulow. Drawing from his expertise as the managing partner in the Singer Legal Group, teaching Pastor for Trinity Church, Virginia Beach, and as the former head of the trial section at Willcox & Savage in Norfolk, VA and President of FamilyNet television, he teaches "Faith, Ethics and the Practice of Law," and directs the Singer Civil Litigation practicum.

Singer has also authored 9 legal thrillers. His first novel, *Directed Verdict*, was published in 2002, and won the Christy award for the best Christian suspense novel that year. His 2008 release, *By Reason of Insanity*, was a finalist for the same.

## University of Virginia

◆ **Engle to Join Law School Innocence Project Clinic:** Matthew Engle, an experienced death penalty defense attorney, has joined the faculty as the new legal director of the Law School's Innocence Project Clinic. Engle is joining the law school from the Office of the Capital Defender, a public defender office that specializes in death penalty cases at the trial level.

◆ **Morley Joins Law School Faculty:** John Morley, a business law scholar with a focus on mutual fund regulation, joins the Law School faculty this semester. He will teach Trusts and Estates in the fall semester and Securities Regulation and a course on business associations in the spring.

◆ **Heytens Returns to Classroom from Solicitor General's Office:** Professor Toby Heytens returns to the Law School this semester after three years representing the federal government before the Supreme Court.

## William and Mary

◆ **New Faculty:** Four new professors have joined the law school's full-time faculty. **Sarah L. Stafford** joined the law school as the Paul R. Verkuil Distinguished Professor

of Public Policy, Economics and Law, a joint appointment between the law school and the Department of Economics, where she has taught since 1998. Associate Professor **Jason Solomon** joined the law school from the University of Georgia, where he has taught since 2005. Assistant Professors **Allison Orr Larsen** and **Nancy Leong** also joined the law school faculty this fall.

◆ **New Professorships:** Four professors have been appointed to named professorships this year. Professor **Nancy Combs** is a William H. Cabell Research Professor for the 2010-11 academic year. Goodrich Professor of Law and Professor of Government **Neal E. Devins** was also appointed to the Cabell Research Professorship. Professor **James G. Dwyer** has been named an Arthur B. Hanson Professor, a permanent professorship. Professor **Michael Steven Green** was appointed to the newly created Robert E. & Elizabeth S. Scott Research Professorship for the 2010-11 academic year.

◆ **Professor Kathryn Urbonya** retired from the Law School faculty in July, after 13 years of service. Widely recognized for her scholarship on the Fourth Amendment, she is the author of more than 30 articles and book chapters. She taught at Georgia State University Law School for 12 years, and attained the rank of full professor, before joining the Law School faculty in the fall of 1997.

◆ **Professor Paul Marcus** received the Walter L. Williams, Jr., Memorial Teaching Award, an award given by the graduating class to a member of the faculty in recognition of outstanding teaching, during the Law School's graduation ceremony in May.

## Appalachian

◆ **John Tarley, Jr.** '92 garnered the 2010-11 St. George Tucker Adjunct Professorship Award on August 28. The award, created in 1995, honors a member of the adjunct faculty for outstanding service. The award recognized Tarley for his excellence in preparing students for legal practice. Tarley teaches in the Law School's Legal Skills Program, which provides training to students in ethics, research, and advocacy.

◆ **Professor Paula M. Young** Joins Board of Virginia Mediation Network: Members of the Virginia Mediation Network (VMN) elected Professor Paula M. Young to its 12-member Board of Directors for a two year period beginning October 2010. She will also serve as the co-chair of the Spring 2011 Training Conference Committee. VMN is the leading organization of professional mediators located in the Commonwealth of Virginia, including court-certified mediators.

◆ **Professor Paula M. Young** presented with the Distinguished Mediator Award: Professor Paula M. Young won the Distinguished Mediator Award given by the Virginia Mediation Network (VMN). She was

the first recipient of this award, which VMN plans to present annually. It recognizes a prominent member of the mediation community in Virginia who demonstrates personal and professional commitment to advancing peaceful conflict resolution. VMN recognizes recipients for one or more of the following qualities: leadership in promoting and advancing the field of mediation innovation in the development of mediation programs or creative.

## University of Richmond

◆ **John Preis** was the winning counsel before the Ninth Circuit in *Pollard v. The Geo Group*. The case involved the duty of privately run prisons to respect prisoners' constitutional rights. Preis' pro bono client, Richard Lee Pollard, suffered serious medical problems in prison and complained that The Geo Group failed to provide him with adequate medical care, as mandated by the Eighth Amendment. The prison argued that, as a private company, it had no obligation to obey the Constitution. Prisoners harmed by shoddy medical care, the prison asserted, should sue in tort, just as any medical malpractice plaintiff might. The Constitution is simply irrelevant. The Ninth Circuit, in a 2-1 opinion, split with the Fourth and Eleventh Circuits. It held that privately run prisons must adhere to constitutional standards and that prisoners are not stuck with ordinary tort remedies. This is an important case, Preis noted, because governments are increasingly relying on private contractors to accomplish traditional government tasks.

◆ **Tara Louise Casey** was named a member of the Legal Elite in the category of Legal Services/Pro Bono for *Virginia Business* magazine.

◆ **John Carroll** was recognized as a Legal Elite by *Virginia Business* magazine.

◆ **Joel B. Eisen** was named the University of Richmond's Distinguished Educator for 2010-11. He published articles on "China's Renewable Energy Law: A Platform for Green Leadership?" in the *William and Mary Environmental Law and Policy Review*, "The New Energy Geopolitics? China, Renewable Energy, and the 'Greentech Race,'" in the *Chicago-Kent Law Review*, and "Can Urban Solar Become a 'Disruptive' Technology? The Case For Solar Utilities," in the *Notre Dame Journal of Law, Ethics & Public Policy*. ✧

## Improving the Education...

*cont'd from page 1*

opportunities. At the Washington and Lee University School of Law, where I teach, our third year students enroll in an in-house clinic, an externship (which is an internship for academic credit governed by Department of Labor regulations—see sidebar, page 35) or a transnational program. These programs do not substitute skills training for substantive learning, but instead teach the substantive law and procedure through actual legal work. Additionally, beginning last fall, each third-year student at W&L must complete a minimum of sixty hours of law related service. A number of innovative projects arose from the service requirement.

For example, law students, in connection with Blue Ridge Legal Services and the Office of the Executive Secretary for the Supreme Court of Virginia, developed an empirical study to determine which parties are unrepresented in Virginia's general district courts. The survey instrument has been approved and will now be deployed to collect data. This type of innovative service improves access to justice while simultaneously developing important analytical skills in these soon-to-be-practicing lawyers.

The Virginia State Bar's Section on the Education of Lawyers engages these issues deeply. On June 18, during the VSB Annual Meeting at Virginia Beach, lawyers, judges, and educators discussed innovations and approaches to improving lawyer education and development in Virginia.

**\*Reprinted with permission from 59 Virginia Lawyer 34 (June/July 2010)**

1. The final report, released April 28, 2010, is at [www.equippingourlawyers.org](http://www.equippingourlawyers.org). The summit was sponsored

in Scottsdale, Arizona, by American Law Institute-American Bar Association Continuing Professional Education and the Association of Continuing Legal Education.

2. The preamble to the summit report reads, in part: "All members of the legal community share responsibilities to initiate and maintain the continuum of educational resources necessary to assure that lawyers provide competent legal services throughout their careers, maintain a legal system that provides access to justice for all, and remain sensitive to the diverse client bases they must serve. These recommendations are offered as a blueprint for strengthening that continuum of educational resources and those values. ..."

3. See previous publications on core competencies: *Legal Education and Professional Development—An Educational Continuum: The Report of the Task Force on Law Schools and the Profession: Narrowing the Gap*, <http://www.abanet.org/legaled/publications/onlinepubs/macccrate.html>; *Educating Lawyers: Preparation for the Practice of Law*, 2007, <http://www.carnegiefoundation.org/publications/educating-lawyers-preparation-profession-law>; *Statement of Best Practices for Legal Education*, 2007, [http://www.cleaweb.org/best\\_practices-full.pdf](http://www.cleaweb.org/best_practices-full.pdf).

4. The summit report's final recommendation is that "the legal community should continue to develop programs that will prepare and encourage law students and all lawyers to serve the underserved." *Equipping Our Lawyers: The Final Report of the Critical Issues Summit*, at 12, [www.equippingourlawyers.org](http://www.equippingourlawyers.org).

5. *Articling In Canada, Canada's Higher Education and Career Guide*, [http://www.canadianuniversities.net/Law-Schools/Law\\_Articling.html](http://www.canadianuniversities.net/Law-Schools/Law_Articling.html) (last visited June 7, 2010).

6. *State Bar of Georgia, Transition Into Law Practice Program*, [http://www.gabar.org/programs/transition\\_into\\_law\\_practice\\_program/](http://www.gabar.org/programs/transition_into_law_practice_program/) (last visited June 7, 2010).

7. *Amanda Becker, Times are a changin' for associates*, *CAPITAL BUSINESS*, April 26, 2010, at 15. ✧

# News and Events Around the Commonwealth

## Regent

◆ **Law Alumnus Named Young Lawyer of the Year:** Regent Law alumnus '02 Robert "Bob" Byrne Jr. said he was stunned to learn that he was named the 2010 R. Edwin Burnette Jr. Young Lawyer of the Year by the Virginia State Bar Young Lawyers Conference (YLC). He is the second Regent Law alumni since 2008 to be honored with this award which was presented to Bryne at the Virginia State Bar Annual Meeting in Virginia Beach in June. The award recognizes young lawyers who demonstrate dedicated service to the conference, the legal profession and the community. Byrne, who has a state-wide general litigation practice with MartinWren PC in Charlottesville, Va., has been an active volunteer with YLC since 2005.

◆ **McDonnell Named Alumnus of the Year:** Virginia Governor Bob McDonnell '89 (Law and Government) has been named Alumnus of the Year by Regent University.

Announcement of the award was made during the commencement ceremony in May. The governor received the award during a campus visit April 13 when he spoke at Regent's Executive Leadership Series. "After being out of Regent for 21 years and using my training to serve others, I'm flattered to be honored with this award," McDonnell said.

"Bob's dedication to serving the citizens of Virginia has been evident for years, and his election as governor is an outstanding example of Regent's motto of Christian Leadership to Change the World," said Regent Founder, Chancellor and President Dr. M.G. "Pat" Robertson, who presented the award to McDonnell. "We're proud of all that Bob has accomplished and delighted to bestow this honor upon him."

McDonnell was inaugurated as the Commonwealth's 71st governor in January, making history for Regent as the school's first graduate to begin service in the highest

office of any state. In the November election, McDonnell won by 19 percentage points, receiving more votes than any other gubernatorial candidate in Virginia's history.

McDonnell began his political career in 1991 running for the Virginia House of Delegates, where he served for 14 years representing the 84th District in Virginia Beach. He was elected attorney general in 2005.

◆ **Regent Law Makes Lasting Impact During Community Service Day:** On August 20, Regent University School of Law students, faculty and alumni joined forces to serve the Hampton Roads area for its second annual Community Service Day. Volunteers completed approximately 636 hours of community service across 10 regional sites: Union Mission, Habitat for Humanity (Norfolk and Virginia Beach), Norfolk Law Library, Chesapeake Bay Foundation, Virginia Beach Department of Recreation, Society of St. Andrew, The American Heart Association, St. Mary's Home for Disabled Children, and Norfolk Botanical Gardens.

Community Service Day volunteers picked corn to feed families in need across Hampton Roads, sorted through donated items for distribution, performed landscaping and exterior beautification, stuffed envelopes for fundraising mailings, and helped boost the Chesapeake Bay's oyster population by packaging oyster shells through the Chesapeake Bay Foundation's oyster restoration program.

◆ **Summer Interns Serve the Oppressed Around the Globe:** Four students from Regent University School of Law participated in funded international summer internships working on critical human rights issues, thanks to generous donations from patrons. This year's participants included two third-year law students who worked for organizations that help victims of human trafficking. Joanna Cannone worked in Cambodia with Transitions Global, while Kara Cooper served with Regent Law alumnus Evan Henck '08 at the Freedom Firm in India. Ernie Walton, also a third year Regent Law student, worked on religious freedom issues with the European Centre for Law and Justice located in Strasbourg, France. One internist remained closer to home. Second-year Ashleigh Chapman worked on international adoption issues with the Congressional Coalition on Adoption Institute located in Washington, D.C.

◆ **Regent Law School Achieves Historic Bar Passage Rate:** First-time Virginia Bar exam takers from Regent University's School of Law achieved the highest Bar pass rate in the school's history for the July 2010 exam, according to results released on Wednesday, Oct. 20. The pass rate of 85.7 percent is well above the state average and third among all Virginia law schools. "I am deeply proud of our students," said Jeffrey Brauch, Dean of Regent University School of Law. "Whether winning national championships or passing the bar at historic rates, they display excellence in everything they do."

## University of Virginia

- ◆ **Class of 2013 Most Competitive, Diverse in School History:** It was more difficult to gain admission to the Law School's incoming class this year than ever before, and the Class of 2013 is the most diverse on record, according to Admissions Office data. Due in part to record application volume, the school offered admission to the lowest percentage of applicants in school history. In addition, about 29 percent of the Class of 2013 self-identified as ethnic minorities, up from a then-record 27 percent the previous year. The class members also meet the lofty academic standards set by their predecessors in the Class of 2012: Incoming first-year students have a median undergraduate GPA of 3.85 and a median LSAT score of 170.
- ◆ **Students Help Clear Backlog of Untested DNA Samples:** A group of Law School students helped state authorities clear a backlog of DNA samples obtained but never tested during criminal investigations in the 1970s and 80s. Students in the Innocence Project Volunteer Group spent part of the spring semester tracking down people whose DNA was found to be in a state databank decades after their arrests.
- ◆ **Burke '08 and Moran '10 to Clerk for Justice Scalia:** Two University of Virginia Law School graduates will clerk for U.S. Supreme Court Justice Antonin Scalia next year. John Moran '10 and Donald Burke '08 will be among Scalia's four clerks for the 2011-12 term.
- ◆ **James Tyse '06 Awarded U.S. Supreme Court Fellowship:** James Tyse '06 has been selected as one of four U.S. Supreme Court fellows for the 2010-11 session. Beginning in September, he will research sentencing guidelines for the U.S. Sentencing Commission.
- ◆ **Johnson Takes Over as Director of Center for Study of Race and Law:** Professor Alex Johnson recently became the new director of the Law School's Center for the Study of Race and Law. Johnson, a well-known critical race theorist, has served on the Law School's faculty for more than 20 years.

## William and Mary

- ◆ **The Class of 2013,** with 217 students, was chosen from a pool of 6,292 applicants, the largest in the school's history, and an increase of more than 26 percent from the record 4,984 applicants for the previous year. The class's median undergraduate G.P.A. of 3.70 is the highest in the Law School's history; the class's median LSAT of 165 (92nd percentile) has been equaled by only two prior entering classes.
- ◆ **Originalism Debate:** On September 13, as part of William & Mary's annual celebration of Constitution Day, Ball Professor of Law Alan Meese and Order of the Coif

Distinguished Visitor Michael Klarman, Kirkland & Ellis Professor at Harvard Law School, debated the virtues and vices of originalism as a method of Constitutional interpretation. The event was sponsored by the Constitution Society, the Federalist Society, and the Institute of Bill of Rights Law and was the third time that the two scholars had debated the topic.

- ◆ **Supreme Court Preview:** William & Mary Law School's Institute of Bill of Rights Law held its annual Supreme Court Preview on September 24-25, 2010. Participants included five of the Law School's own scholars: Law School Dean Davison M. Douglas and Professors William W. Van Alstyne, James Dwyer, Allison Orr Larsen and Timothy Zick. Other participants included journalists, advocates, scholars, federal judges, and former Solicitors General.
- ◆ **Tidewater Roots Poll Project:** The Election Law Society (ELS) and the Election Law Program (ELP) announced plans for the Tidewater Roots Poll Project (TRPP), a new program to aid local government in recruiting and training young poll workers. The project is generously funded by a Help America Vote College Program grant administered by the federal Election Assistance Commission.

## Washington & Lee

- ◆ **W&L Law Professor Testifies for Senate Committee examining Violence against Homeless:** On Wednesday, September 29, Washington and Lee law professor Erik Luna testified before a U.S. Senate subcommittee examining whether violence against America's homeless population is on the rise. The Senate Judiciary Subcommittee on Crime and Drugs held the hearing in response to a recent report from the National Coalition for the Homeless (NCH) that claims the killing of homeless people has risen to the highest level in a decade.
- ◆ **First Amendment Cases Highlight Annual Supreme Court Preview:** Faculty at Washington and Lee University School of Law will discuss several of the most compelling cases on the 2010 U.S. Supreme Court docket during the School's annual Supreme Court Preview. Sponsored by the American Constitution Society, the event will be held on Tuesday, Oct. 19 beginning at 6:30 p.m. in the Millhiser Moot Court Room, Sydney Lewis Hall.
- ◆ **Paul Quinn College President Gave Address on Leadership in the 21st Century:** The Black Law Students Association and the Sports Entertainment Law Society at Washington and Lee University School of Law hosted Michael Sorrell on October 14, 2010 at 12 p.m. in Classroom C of Lewis Hall. Sorrell made a presentation titled "Leadership in the 21st Century: The Road to a College Presidency." Sorrell became the 34th president of Paul Quinn College in Dallas, Texas in 2007.

## Appalachian

- ◆ **Energy and Mineral Law Foundation's Fall Conference** Boasts 14 ASL Alumni and Students. Fourteen students and alumni from the Appalachian School of Law attended this year's Energy and Mineral Law Foundation's conference, held Oct. 13-15 in Lexington, Ky. The event draws energy and natural resources professionals every year, giving members of the ASL community a chance to network and represent the school, which is one of only 11 law schools on EMLF's governing board. ASL's involvement in natural resources law has ignited a drive to found a Natural Resources Law Center in the newly acquired building at 1432 Walnut St. near campus. The proposed center would help sustain a close...
- ◆ **Appalachian School of Law celebrated U.S. Constitution Day 2010**, the 223rd anniversary of our nation's founding document. In recognition of this extraordinary day, students listened to a dramatic reading of Benjamin Franklin's historic closing speech to the Constitutional Convention, which was presented on September 17, 1787. In the words of Professor Stewart Harris, "It was an important and, as one might expect, rather witty speech. Moreover, Franklin, who was old and infirm, was unable to present it himself, and so had a colleague do it for him -- so there is firm precedent for..."
- ◆ **Kinser to lead state Supreme Court:** Virginia Supreme Court Justice Cynthia D. Kinser, a longtime member of the Appalachian School of Law's Board of Trustees, will become the court's new chief justice next year. Kinser has served on ASL's board since 2006, and she has frequently spoken at the school, said Dean Wes Shinn. She delivered the first-ever professionalism pledge to new students in 2009, an event that has become the kick-off to the school year for incoming classes. Kinser "continues to provide an important role model for our female students in this region," Shinn said."
- ◆ **Important Financial Aid News for New and Current Students:** ASL will participate in the William D. Ford Federal Direct Loan (Direct Loan) Program beginning July 1, 2010. Students who previously received loans through the Federal Family Education Loan (FFEL) Program will now borrow through the Direct Loan Program. Instead of a bank lending the money, the U.S. Department of Education lends the money directly to students through the student school. Students should complete a Free Application for Federal Student Aid (FAFSA) at <http://www.fafsa.ed.gov> by July 1, 2010. A Federal Student Aid Pin is required to complete the...
- ◆ **George Allen speaks at Class of 2010 graduation:** A class of 108 students became the Appalachian School of Law newest alumni during the school 11th commencement ceremony, held May 1 in Grundy. The new graduates join an alumni network that now has more than 900 members. George Allen, former Virginia governor

and U.S. senator, gave the commencement address. He is a member of the ASL Board of Trustees. ASL provides people with access and opportunity, Allen told the graduates. You are all an example of how this effort has exceeded everyone expectations. The Honorable Birg Sergent, a fellow trustee and retired judge from...

## Liberty

- ◆ **Guest Professor Discussed Financial Reform:** A lecture featuring Professor Arthur Skeel, of University of Pennsylvania Law School, was held on Thursday, November 18, at the Liberty University School of Law. Professor Skeel's discussion on Financial Reform from a Christian Perspective is sponsored by the Liberty University Law Review.  
Professor Skeel has extensive experience within the legal field as an academic and scholar. He has written several books, dozens of legal articles, and is the recipient of several awards for teaching at both University of Pennsylvania and Temple University. His primary areas of expertise are bankruptcy and corporate labor law.
- ◆ **Law School Students Finish Strong in Regional Negotiation Competition:** Liberty University School of Law competed aggressively this past weekend, earning second place in the final round of the American Bar Association's (ABA) Regional Negotiation Competition. The competition took place at Regent University School of Law in Virginia Beach, Virginia.  
For the past three consecutive years, Liberty has been the defending Regional champion and this year Liberty performed well in one of the most competitive regions in the nation. Karlee Shelton (Class of 2012) and Todd Shockley (Class of 2012) placed second, securing a spot for Liberty to compete in the upcoming ABA National Negotiation Competition to be held next February. This placed Liberty among the top twenty-five teams in the country for the fourth consecutive year. The team of Tim Todd (Class of 2011) and Bobby Toy (Class of 2012) finished strong in the tournament as well, missing the final four by only one point.

## University of Richmond

- ◆ **The Harry L. Carrico Center for Pro Bono Service** at the University of Richmond School of Law was awarded the Richmond Bar Association's 2010 John C. Kenny Pro Bono Award for "dedication to the development, implementation and delivery of legal services to the underprivileged in the Richmond area." The Richmond Bar conveyed its "deep appreciation for the "steadfast efforts of the Carrico Center and UR Downtown for their diligent work to address the unmet legal needs in our community."
- ◆ **Jim Gibson** spoke on "The Future of Fair Use" at the symposium "Hybrid ©: Sustaining Culture in Copyright," hosted by the University of Maryland Center for

Intellectual Property in June. Also in June, he was a panelist on “Chasing the Internet: Is the Law Keeping Up?” at the Virginia State Bar annual meeting.

- ◆ **Ann Hodges** spoke at the Marquette Law Review Symposium “Promoting Employee Voice in the New American Economy,” in October. Her book, *Public Sector Employment, Second Edition*, coauthored with Martin H. Malin and Joseph Slater, was published by Thomson/West in December.
- ◆ **Noah Sachs’** article “Rescuing the Strong Precautionary Principle from its Critics” will be published in the summer 2011 issue of the *University of Illinois Law Review*. He presented “Horizontal Regulatory Cooperation on Chemicals” at the biannual meeting of the European Consortium for Political Research in Dublin, Ireland in June.
- ◆ **Carl W. Tobias** published an article on federal judicial selection in the *Boston College Law Review*. His articles on federal judicial selection ran in many papers including the *Christian Science Monitor*, *National Law Journal*, *San Francisco Chronicle*, *Atlanta Journal-Constitution*, *L.A. Daily Journal* and *FindLaw*. Tobias was a widely quoted contributor to the debates over judicial selection, the Obama administration, terrorism and other topics, appearing on outlets including National Public Radio, Marketplace, Bloomberg News, WCVE, and WRVA
- ◆ **Andre A. Moenssens**, professor of law, emeritus, was awarded the Stephen B. Meagher lifetime achievement award for his lifelong contributions to the fingerprint profession and to Scientific Working Group on Friction Ridge Analysis, Study and Technology (SWGFAST). Moenssens was a professor at the School of Law 1973-1995, and was elected professor emeritus in 1996. He is the author, senior co-author, or editor of more than 15 books.
- ◆ **Student News:** As of November, 2010, University of Richmond School of Law students have been awarded 14 judicial clerkships for next year – six federal and eight state clerkships.

**Richmond Law Spring Events**

- ◆ **Marking the *Roe v. Wade* Anniversary** - Friday, January 21, Noon-1 p.m., Law School Moot Court Room Sponsored by the Law Students for Reproductive Justice
- ◆ **Family Law Speaker Series, “She Wrote the Book”:** Friday, February 11, Noon-1 p.m. Law School Commons Professor Naomi Cahn, John Theodore Fey Research Professor of Law, George Washington Law School and June Carbone will discuss their new book, *Red Families v. Blue Families: Legal Polarization and the Creation of Culture*. Jeffrey Rosen, Legal Affairs Editor of *The New Republic* wrote of their work: This fascinating and surprising book will change the way we think about the culture wars. Naomi Cahn and June Carbone reveal a series

of unexpected truths about marriage, divorce, and sexual behavior in red states and blue states.”

- ◆ **National Security and Current Events from an Historical and Legal Perspective** Thursday, March 2, 4-6 p.m. Law School Moot Court Room Panel discussion with experts including high-ranking veterans, a Tuskegee Airman, Richmond Law faculty and alumni. Cosponsored by the Black Law Students Association and the Friends of Veterans Legal Association at Richmond Law School.
- ◆ **Shooting Fish in a Bottomless Barrel** - Electronic Discovery in a World of Cloud Computing, Data Hoarding and Social Networking Thursday, March 3, 1-5p.m., Law School Moot Court Room Sponsored by the Richmond Journal of Law and Technology.
- ◆ **Should the Bible be taught in Public Schools?** Sunday, March 6, (visit [www.firstfreedom.org](http://www.firstfreedom.org) for location and time) This program is the third in a series, Exploring Issues Vital to Religion, Public Policy and Law.
- ◆ **Guns, Law and Politics: The Debate** - Where Should Virginia Draw the Line? Friday, March 18, 1-5p.m., Law School Moot Court Room Cosponsored by the University of Richmond School of Law, the League of Women Voters of Virginia and the Virginia Center for Public Safety
- ◆ **Is the United States a Judeo Christian Nation?** Sunday, April 10, (visit [www.firstfreedom.org](http://www.firstfreedom.org) for location and time) ✧

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