



---

Summer 11-5-2018

## Masthead and Front Matter

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/wlulr>



Part of the [Law Commons](#)

---

### Recommended Citation

*Masthead and Front Matter*, 75 Wash. & Lee L. Rev. (2018).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol75/iss3/1>

This Prefatory Matter is brought to you for free and open access by the Washington and Lee Law Review at Washington and Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Washington and Lee Law Review by an authorized editor of Washington and Lee University School of Law Scholarly Commons. For more information, please contact [christensena@wlu.edu](mailto:christensena@wlu.edu).

# WASHINGTON AND LEE LAW REVIEW

---

Volume 76

---

## EDITOR IN CHIEF

Jacqueline M. Fitch, *of Virginia*

## EXECUTIVE EDITORS

Zachary Crawford-Pechukas, *of Louisiana*

Mary Nobles Hancock, *of Alabama*

## SENIOR ARTICLES EDITORS

Maya H. Ginga, *of Massachusetts*

Carroll B. Neale, *of Maryland*

## MANAGING EDITORS

Matthew J. Bass, *of New York*

Joseph G. DuChane, *of Virginia*

## MANAGING ONLINE EDITORS

Hugh H. Brown, *of Virginia*

Alexa R. Shockley, *of Virginia*

## SYMPOSIUM EDITOR

M. Claire Flowers, *of Georgia*

## LEAD ARTICLES EDITORS

Cody M. Bowen, *of Virginia*

Kelly A. Cunningham, *of Georgia*

Sally E. Harper, *of Oklahoma*

Kiersten E. Holms, *of Texas*

Kila O. Hughes-Knowles, *of Alaska*

Ian J. McElhaney, *of Virginia*

Andrew T. Mossman, *of Connecticut*

Danielle J. Novelly, *of Arizona*

Pierce E. Rigney, *of Virginia*

## LEAD ONLINE EDITORS

Paige E. Avery, *of New York*

Spence M. Howden, *of Texas*

## STAFFWRITERS

Kimberly A. Blasey, *of Maryland*

Luke S. Charette, *of Virginia*

Grant H. Cokeley, *of West Virginia*

Caroline L. Crosbie, *of Virginia*

Thomas S. Geeker, *of Georgia*

Bonnie S. Gill, *of New Jersey*

Kyle B. Hess, *of California*

Natalia N. Homchick, *of Washington*

Talia L. Hughes, *of New York*

Courtney T. Iverson, *of Texas*

Ryan E. Johnson, *of Virginia*

Andrew Klimek, *of Pennsylvania*

Melissa A. Lagoumis, *of New York*

George J. Liang, *of California*

Carrie L. Maxon, *of Tennessee*

Elizabeth H. McLellan, *of S. Carolina*

Christine S. McLinn, *of New York*

Lara M. McMahon, *of Pennsylvania*

Courtney McMullan, *of Mississippi*

Mary Kate Nicholson, *of S. Carolina*

Katherine V. Phillips, *of Dist. of C.*

Russell Manning, *of Alabama*

Brandon M. Schneider, *of N. Carolina*

Austin W. Scieszinski, *of Wisconsin*

## FACULTY ADVISOR

Kish Parella

## ADMINISTRATIVE ASSISTANT

Lisa A. Gearheart

***Administration and Faculty, Washington and Lee School of Law 2017–2018***

***Washington and Lee University***

---

**WILLIAM C. (WILL) DUDLEY, B.A., M.A., Ph.D.**

*President of the University*

***Deans and Administrative Department Heads***

---

**BRANT J. HELLWIG, B.S., J.D., LL.M.**

*Dean and Professor of Law*

**JOHANNA BOND, B.A., J.D.**

*Associate Dean for Academic Affairs and Professor of Law*

**PAUL ROLLINS, B.A., J.D.**

*Associate Dean for Administration & Student Affairs*

**TRENYA MASON, B.A., J.D.**

*Assistant Dean for Law Student Affairs*

**ELIZABETH BRANNER, B.A., M.B.A.**

*Assistant Dean for Law School Advancement*

**CLIFF JARRETT, B.A., J.D.**

*Assistant Dean Office of Career Strategy*

**PETER T. JETTON, B.A., M.A.**

*Senior Director of Law Communications*

**CAROLINE OSBORNE, B.A., J.D., LL.M., M.S.L.S.**

*Assistant Dean for Legal Information Services and Professor of Legal Research*

***Emeritus Faculty***

---

**DENIS J. BRION, B.S., J.D.**

*Professor of Law, Emeritus*

**WILLIAM S. GEIMER, B.S., J.D.**

*Professor of Law, Emeritus*

**EDWARD O. HENNEMAN, B.A., J.D.**

*Associate Professor of Law, Emeritus*

**MARGARET HOWARD, A.B., J.D., M.S.W., LL.M.**

*Professor of Law, Emerita*

**TIMOTHY S. JOST, B.A., J.D.**

*Professor of Law, Emeritus*

**FREDERIC L. KIRGIS, B.A., J.D.**

*Professor of Law, Emeritus*

**LEWIS H. LARUE, A.B., LL.B.**

*Professor of Law, Emeritus*

**ANN MACLEAN MASSIE, B.A., M.A., J.D.**

*Professor of Law, Emerita*

**ANDREW W. MCTHENIA, JR., A.B., M.A., LL.B.**

*Professor of Law, Emeritus*

**DAVID MILLON, B.A., M.A., Ph.D., J.D.**

*Professor of Law, Emeritus*

**JAMES M. PHEMISTER, B.S., J.D.**

*Professor of Law, Emeritus*

**JOSEPH E. ULRICH, A.B., LL.B.**

*Professor of Law, Emeritus*

**SARAH K. WIANT, B.A., M.L.S., J.D.**

*Professor of Law, Emerita*

**Administration and Faculty, Washington and Lee School of Law 2017–2018**

***Permanent Faculty***

---

**DAVID BALUARTE, B.A., J.D.**

*Associate Clinical Professor of Law and Director, Immigrant Rights Clinic*

**C. ELIZABETH BELMONT, B.A., J.D.**

*Clinical Professor of Law and Director, Community Legal Practice Clinic*

**DAVID I. BRUCK, B.A., J.D.**

*Clinical Professor of Law and Director, Virginia Capital Case Clearinghouse*

**SAMUEL W. CALHOUN, B.A., J.D.**

*Class of 1960 Professor of Ethics and Law*

**ROBERT T. DANFORTH, B.A., J.D.**

*John Lucian Smith, Jr. Memorial Professor of Law*

**NORA V. DEMLEITNER, B.A., J.D.**

*Roy L. Steinheimer, Jr. Professor of Law*

**MARK A. DRUMBL, B.A., M.A., LL.M., S.J.D.**

*Class of 1975 Alumni Professor of Law and Director, Transnational Law Institute*

**MICHELLE L. DRUMBL, B.A. J.D., LL.M.**

*Clinical Professor of Law and Director, Tax Clinic*

**JOSHUA A.T. FAIRFIELD, B.A., J.D.**

*William Donald Bain Professor of Law*

**JILL M. FRALEY, B.A., J.D., LL.M., S.J.D.**

*Associate Professor of Law*

**MARK H. GRUNEWALD, B.A., J.D.**

*James P. Morefield Professor of Law*

**SARAH HAAN, B.A., J.D.**

*Associate Professor of Law*

**MARGARET HU, B.A., J.D.**

*Associate Professor of Law*

**LYMAN P.Q. JOHNSON, B.A., J.D.**

*Robert O. Bentley Professor of Law*

**JOHN D. KING, B.A., J.D., LL.M.**

*Clinical Professor of Law, Director of Experiential Education and Director, Criminal Justice Clinic*

**TIMOTHY C. MACDONNELL, B.A., J.D., LL.M., LL.M.**

*Clinical Professor of Law and Director, Advanced Administrative Litigation Clinic (Black Lung)*

**RUSSELL A. MILLER, B.A., M.A., J.D., LL.M.**

*J.B. Stombock Professor of Law*

**JAMES E. MOLITERNO, B.S., J.D.**

*Vincent Bradford Professor of Law*

**BRIAN C. MURCHISON, B.A., J.D.**

*Charles S. Rowe Professor of Law*

**MARY Z. NATKIN, B.A., J.D.**

*Clinical Professor of Law*

**KISH PARELLA, B.A., J.D., LL.M.**

*Associate Professor of Law*

**DOUG RENDLEMAN, B.A., M.A., J.D., LL.M.**

*Robert E.R. Huntley Professor of Law*

**CHRISTOPHER B. SEAMAN, B.A., J.D.**

*Associate Professor of Law and Director, Frances Lewis Law Center*

**JOAN M. SHAUGHNESSY, B.A., J.D.**

*Roger D. Groot Professor of Law*

**Each year, the Frances Lewis Law Center, the Washington and Lee Law Review, and other Washington and Lee University School of Law organizations co-sponsor the Lara D. Gass Symposium, examining prospects for change in an important area of the law.**

*President Trump's Executive Orders and Emergent Issues in Immigration Enforcement* (February 1–2, 2018) Volume 75:3 (2018)

*Corporate Law, Governance, and Purpose: A Tribute to the Scholarship of Lyman Johnson and David Millon* (October 22–23, 2016) Volume 74:2 (2017)

*From Conviction to Clemency: Commonwealth v. Giarrantano—A Case Study in the Modern Death Penalty* (February 5–6, 2016) Volume 73:3 (2016)

*Cybersurveillance in the Post-Snowden Age* (January 22–23, 2015) Volume 72:3 (2015)

*Roe at 40: The Controversy Continues* (November 7–8, 2013) Volume 71:2 (2014)

*Gideon at 50: Reassessing the Right to Council* (November 8–9, 2012) Volume 70:2 (2013)

*Regulation in the Fringe Economy* (November 10–11, 2011) Volume 69:2 (2012)

*Restitution Rollout: The Restatement (Third) of Restitution & Unjust Enrichment* (February 25, 2011) Volume 68:3 (2011)

**For information about upcoming symposia, please contact:**

Wendy Rice, Frances Lewis Law Center, Washington and Lee University School of Law, 1 Denny Circle, Lexington, Virginia 24450; (540) 458-8568.

**To obtain *Washington and Lee Law Review* symposia issues, please contact:** Washington and Lee Law Review, Room 408, Washington and Lee University School of Law, 1 Denny Circle, Lexington, Virginia 24450; (540) 458-8566.

## WASHINGTON AND LEE LAW REVIEW

**Statement of Ownership, Management, and Circulation:** The *Washington and Lee Law Review* (ISSN 0043-0463) is owned by Washington and Lee University and is published quarterly by students of Washington and Lee University School of Law. The *Law Review* is printed at Joe Christensen, Inc., 1540 Adams Street, Lincoln, Nebraska, and is entered as a periodical with postage paid at post offices in Lexington, Virginia, and Lincoln, Nebraska. POSTMASTER: Send address corrections to Washington and Lee Law Review, Room 408, Washington and Lee University School of Law, 1 Denny Circle, Lexington, Virginia 24450-2116. Alix M. Sirota is the 2017–2018 Editor in Chief. The Law Review phone number is (540) 458-8566; the fax number is (540) 458-8488; and the e-mail address is lawreview@wlu.edu. The average number of copies printed of each issue during the preceding twelve months was 252.

**Subscription Information:** The subscription price for Volume 74 (four issues) of the *Washington and Lee Law Review* is \$75.00 (\$90.00 for subscriptions outside the United States). Please e-mail all subscription requests to the Washington and Lee Law Review at lawreview@wlu.edu. Subscriptions will be renewed automatically unless the Law Review receives notice of cancellation by November 30.

Volumes 1 through 74, issue 2, may be purchased from:

William S. Hein & Co., Inc.  
1285 Main Street  
Buffalo, NY 14209-1987  
Call (800) 828-7571 to order

**Copies of Articles:** Except as otherwise provided, the author of each article in this issue and the *Washington and Lee Law Review* grant permission for copies to be made available for classroom use, provided that: (1) the copies are distributed at or below cost; (2) the author and the Law Review are identified on each copy; (3) a proper notice of copyright is affixed to each copy; and (4) the user notifies the Law Review that copies have been made. Articles are also available through Westlaw, LEXIS, and Hein Online.

**Disclaimer:** Materials published in the *Washington and Lee Law Review* state the views of the authors. The *Washington and Lee Law Review* takes no responsibility for any statement made here.

**World Wide Web Address:** The Washington and Lee Law Review maintains a website at <http://law.wlu.edu/lawreview>. The website provides general information regarding the Law Review.

---

***An Invitation to Authors***

The Editorial Board of the *Washington and Lee Law Review* invites legal scholars and practitioners to submit articles and essays on areas of the law that are currently of interest to the legal profession. Submissions are accepted on a rolling basis throughout the year. Student-written works are *not* accepted. The *Washington and Lee Law Review* considers submissions for publication that meet the following editorial criteria:

1. Adequate footnoting with citations conforming to *The Bluebook: A Uniform System of Citation* (20th ed. 2015);
2. Have a coherent, narrative structure and organization;
3. Assert an independent, original, developed, and supportable thought or proposal; the submission should have a normative point, rather than one of description or summation.

Our submission cycle opens on August 1 for the Fall selection and on February 1 for the Spring selection. Although we prefer to receive submissions through our *Scholastica* page, we also do accept submissions on our *Espresso* page. Hard copies are also accepted by traditional mail methods. Please include a current CV and cover letter.

**Mail to:**

Senior Articles Editors  
Washington and Lee Law Review  
Washington and Lee University School of Law  
1 Denny Circle Sydney Lewis  
Hall Room 408  
Lexington, Virginia 24450

***Manuscript Requirements***

1. **Microsoft Word Documents ONLY**
2. Double-spaced & in 11 pt. Century Schoolbook Font (including the footnotes)
3. On 8½" X 11" paper

4. Text and footnotes that conform to *The Bluebook: A Uniform System of Citation* (20th ed. 2015) **\*Please do not make duplicate submissions.**

#### ***Expedited Request Requirements***

We strongly prefer expedite requests via our Scholastica or ExpressO pages. You may, however, call our office at (540) 458-8458. If there is no answer, please leave a voice mail message. Due to the large number of requests we receive, we are unable to return phone calls. In order to process your requests in a timely manner, it is important that you include the following information:

1. Name of Journal(s) who have accepted your manuscript for publication
2. Assigned deadline(s) for your decision
3. Your e-mail address

#### ***Online Edition***

The Washington and Lee Law Review Online accepts submissions for three types of articles:

1. **Developments:** this category includes commentaries and articles written on current events in the law, major case law developments, or related topics that would be of interest to the legal community (typically 3,000 to 7,000 words in length).
2. **Responses:** this category includes commentaries and articles written in response to articles or comments published in the current volume of the Washington and Lee Law Review print edition or articles published by Washington and Lee University School of Law faculty (typically 2,000 to 5,000 words in length).
3. **Roundtables:** this category includes commentaries and articles written in response to the latest “Roundtable” topic selected by the editors of the Online Edition (typically 2,000 to 4,000 words in length).

#### ***Submissions Criteria***

The Editorial Board of the Washington and Lee Law Review Online invites legal scholars and practitioners to submit articles, essays, and commentary on areas of the law that are currently of interest to the legal profession. Submissions are accepted on a rolling basis throughout the year. Student-written works are not accepted. All submissions should



be labeled with their intended submission category—Responses, Roundtables, or Developments—and in length should ideally be within the word count range indicated above for each respective category.

The Washington and Lee Law Review Online editors will make occasional calls for publication of articles, essays, and commentary to appear in the “Roundtable” portion of the Online Edition. All articles submitted in response to this call for publication should indicate that they are intended as responses to the call for publication and should meet any special criteria posted on the call page. If you wish to propose a topic for the “Roundtable” portion of the Online Edition, please contact the Online Development Editors for more information. Please contact the editors of the Washington and Lee Law Review Online at [lawreview@wlu.edu](mailto:lawreview@wlu.edu) with any submissions or questions.