



HEADS OF THE CLASS

UH Law Grads Join Law School Faculty Ranks

The faculty members at the UH Law Center work hard to plant seeds of knowledge and love of learning in the students they cultivate. It's always rewarding labor, but sometimes the harvest exceeds all expectations. **David S. Caudill '81**, **Laura N. Gasaway '73**, **Linnea Bernard McCord '76**, and **Elizabeth Trujillo '99**, now university and law school professors themselves, exemplify the "cream of the crop"—students who loved legal study so much that they are now helping to grow new lawyers themselves.

DAVID S. CAUDILL '81

David Caudill, who joined the Washington & Lee University School of Law faculty in 1989, is anything but your average, run-of-the-mill professor. In addition to teaching such varied subjects as sports law, jurisprudence, and professional responsibility, this law school Renaissance man is an avid student of literature, psychology, philosophy, and anthropology—often incorporating principles from several fields into his teaching and writing.

Because WLU doesn't offer a separate LEGAL RESEARCH & WRITING class, professors usually integrate the course contents into first-year Contracts. And who better to teach writing than the prolific Caudill?

His SPORTS LAW students often face a reality check when the semester begins—"Sports law is difficult to teach because the students' expectations are so high," Caudill said. "They think it's going to be a blast, nothing but fun stuff, and it's hard to live up to that. Most of

sports law is complicated—it's not all football players and pricey contracts." He tries to get his students past the idea that they'll all become agents for players by showing that there are numerous opportunities for normal lawyers to represent teams, organizations that sponsor teams, universities, and the like.

Caudill's love of literature adds an interesting chapter to his professional responsibility classes: Instead of a semester-long moral admonishment, he spends the first half of the course focusing on the rules of professional conduct and the second half studying the legal ethics and rules represented in the plays of Shakespeare. "We look at the criticism of the police in *Much Ado About Nothing*, discuss the six ways to interpret the law in *Henry V*, and use *The Merchant of Venice* to talk about how law can be prejudiced toward certain groups in society," he explained.

Caudill's interest in law and literature has blossomed into WLU's Law and Literature Alumni Weekend, an annual program he started 10 years ago, which features a different literary work about lawyers. A lecture begins the program, and then the movie version of the work is usually presented. On the second day, Caudill's colleagues discuss the legal aspects of the work with a group of alumni. The program for 2002 featured Henrik Ibsen's *An Enemy of the People*, in which a doctor in a small town famous for its public baths discovers that the water supply is contaminated. The townsfolk turn against him because the revelation will hurt tourism,

which is the town's economic lifeblood.

"The townspeople in Ibsen's story reject 'scientific proof,'" Caudill said, "which makes the play especially interesting to me." One of Caudill's major research interests focuses on scientific testimony in court—especially the standards for admitting expert scientific testimony. In studying people's acceptance of scientific testimony, he explores the "science and literature movement," in which scholars read literature about science in order to critique it.

Caudill's studies of science and the law include interdisciplinary work with the anthropology and sociology of science. "I think there are a lot of insights applicable to law if you take into consideration the studies that show science is a persuasive narrative, made up of markers of authority—if you have the right degree and work in the right lab, then what you say gets accepted as authority," he explained. "I do a critical analysis of that authority. I say it's socially constructed authority. I'm not saying that there's no truth to it, I'm just saying we have to watch

what we accept as truth. A lot of the law is figuring out what constitutes valid science.

"I'm a real critic of 'scientific certainty,'" Caudill said. "Science is not as clear as every generation thinks it is. That puts me in a minority, because law tends to idolize science; to say it's absolute truth. When I say that science is *not* truth, that's really controversial. People say, 'Well, then, nobody knows anything.' And I say, 'Right!'"



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