



2011—Sesquicentennial of Statehood for West Virginia Moot Court: *Virginia v. West Virginia*

The Sesquicentennial Commission will host two programs relating to legal issues associated with the American Civil War. The first program, "*Virginia v. West Virginia*," will be presented in 2011 at a law school or courtroom in Virginia. The state of West Virginia, formerly a part of the Commonwealth of Virginia, was formed during the Civil War in 1861, in opposition to the passage of the Ordinance of Secession by the Virginia General Assembly. The formation of West Virginia was litigated, rising to the United States Supreme Court, Congress heatedly debated the issues, and President Abraham Lincoln was confronted with a legal, constitutional, and political cauldron when Congress sent the bill for the West Virginia statehood to his desk in the midst of the Civil War. Many questions concerning the constitutionality of the formation of the state and, therefore, the legality of its statehood have been raised. This half-day program will examine the constitutional issues related to and the legality of West Virginia's statehood through a moot court proceeding. In the genre of domestic relations cases, the moot court proceedings will be designed to examine the historical and legal records from a fresh perspective by addressing the pertinent constitutional issues in the context of the sociopolitical realities of that era, the legitimacy—legal and moral—for the severance of the western portion of Virginia, the relevancy of the decision to contemporary concerns, and how the provocations generated by the formation of West Virginia relate to the current relationship between Virginia and West Virginia. The moot court proceeding will not be a reenactment of the Supreme Court decision. To accomplish the program, the legal and judicial communities of Virginia and West Virginia, the Virginia Supreme Court, and law schools in Virginia and West Virginia will be invited to participate in the program. The host law school will be requested to recommend law students, professors, and academicians who are experts in their respective disciplines and would be willing to participate in the program. Working with the staff of the Commission, the host law school will also be asked to interface with the Virginia Supreme Court, the legal and judicial communities of West Virginia and its law schools, and recognized national and state legal and academic associations to seek their representation and participation in the event. The host law school and other Virginia and West Virginia law schools will be asked to assist the Commission's staff with the preparation for the program, including, but not limited to, logistics, travel arrangements, confirmation of participants, legal research, preparation of briefs, documents, and arguments for the proceedings, public relations and press kits, preparation of speakers' presentations for publication, recording of the event, and repast(s). Expenses for the moot court proceedings include the costs of honoraria, printing, travel and accommodations for speakers, conference facilities, marketing and public relations, and costs associated with obtaining and offering Continuing Legal Education (CLE) credit. It is envisioned that a reception would follow the program to which members of the Commission, the Board of the Civil War Commission Foundation, all participants and staff, benefactors, and other special guests of the Commission would be invited.

Potential Venues

Regent University
The College of William and Mary

Potential Sponsors

Virginia and West Virginia law firms, Lexis-Nexis, ABA, ODBA, Findlaw, JurisDoctor, Law.com, Virginia Lawyers Weekly, Oliver Hill Foundation, OYEZ, LLIS

Potential In-Kind Contributors

Host institution, Virginia and West Virginia Bar Associations, Virginia and West Virginia law schools, Virginia Supreme Court, retired Virginia judges



2013—Sesquicentennial of the Emancipation Proclamation *Year of the African American*

The second program, offered in the spring of 2013, will be a symposium that examines the historical, political, social, and legal context of the 13th, 14th, and 15th Amendments to the United States Constitution, the import of these Amendments on the rule of law, and their legacy in modern times. The Amendments, often referred to as the Civil War or Reconstruction Amendments, were birthed during unusual times in the life of the nation. The Amendments abolished slavery, conveyed the right of citizenship to persons born in America and equal protection under the law, and prohibited discrimination against the right to vote on the basis on race or previous condition of servitude. The half-day symposium will gather a panel of notable legal scholars, historians, educators, and other experts to explore, analyze, and discuss the historical, cultural, social, and political setting of the genesis of the Amendments, the effect of the Amendments on the rule of law and public policy, the relevancy of the Amendments to the quality of life for Virginians and the nation today, whether each Amendment has effectively achieved its purpose, and the necessity for the Amendments in the future. We will invite an institution of higher education in Virginia to host this symposium, which will be open to the public. The host institution will be requested to recommend notable constitutional scholars, historians, educators, representatives of various professional associations and community organizations to participate in the program. The Commission's staff will also recommend experts in various disciplines to enrich the symposium and ensure its relevancy to the average citizen. Working with the staff of the Commission, the host institution will be asked to provide certain in-kind services, such as designating a liaison to the Commission for the purpose of planning, coordinating, and executing the symposium. The host institution will be asked to assist the Commission's staff with the preparation for the symposium, including, but not limited to, logistics, travel arrangements, confirmation of participants, legal research, preparation of documents and materials for dissemination to symposium presenters and participants, public relations and press kits, preparation of speakers' presentations for publication, recording of the event, and repast(s). Expenses for the symposium include the costs of honoraria, printing, travel and accommodations for speakers, conference facilities, marketing and public relations, and costs associated with obtaining and offering Continuing Legal Education (CLE) credit. It is envisioned that a dinner would be held in the evening following the symposium to which members of the Commission, the Board of the Civil War Commission Foundation, all participants and staff, benefactors, and other special guests of the Commission would be invited.

Invitations for participation in both programs will be extended to Virginia's accredited institutions of higher education and law schools.

Potential Venues

Virginia Union University
Virginia Commonwealth University
James Madison University

Potential Sponsors

Pew Foundation, Carnegie Corporation, Denny's, Lexis-Nexis, ABA, ODBA, Findlaw, JurisDoctor, Law.com, Virginia Lawyers Weekly, Oliver Hill Foundation, OYEZ, LLIS, Phi Delta Kappa International, Education Week, Chronicle of Higher Education, Organization of American Historians, NOLPE, Metropolitan Business League, Consolidated Bank, GRTC, UNCF, NAACP, Gilder Institute of American History, the History Chanel, the History Network.com, American Historical Association, HistoryMakers.com, Smithsonian, Association for the Study of African American History and Culture

Potential In-Kind Contributors

Host institution, Virginia Bar Association, Virginia law schools, Elegba Society, Inside Higher Education, Journal of Blacks in Higher Education, The Voice, College of William and Mary Institute on the Bill of Rights