Sibley Lecture focuses on Georgia voter redistricting

"It's hard to see how either *Georgia v. Ashcroft* or *Cox v. Larios* has done anything other than consign us to another generation of trying to hack our way through the [judicial] thicket."

- 98th Sibley Lecturer Pamela S. Karlan

The U.S. Supreme Court recently issued opinions in two significant Georgia voter redistricting cases: *Georgia v. Ashcroft* and *Cox v. Larios*. These cases are only a representation of the issues Georgia has encountered in its redistricting processes in the past two decades. In the 98th Sibley Lecture titled "A Tale of Two Cites: The Supreme Court and Georgia's Recent Redistricting," Stanford Law Professor Pamela S. Karlan examined the Georgia redistricting processes and how they have led to numerous court challenges.

Central to Karlan's lecture were three main claims. Her first was that "redistricting is an intensely political process. No matter how difficult judicial review may turn out to be, it's going to happen. … It's impossible to keep these cases out of the court."

Second, she said problems arise when anti-discrimination laws are always used to evaluate the redistricting. "I think this is a deeply problematic way of thinking about a lot of redistricting," she said.

Her third claim was that, after the passage of the 1965 Voting Rights Act, no one expected race and politics to be as intertwined in the redistricting process as they are today.

Prior to the *Wesberry v. Sanders* and *Reynolds v. Sims* cases that established the one-person, one-vote doctrine and applied it to state legislative elections, Georgia continually attempted to decrease the power of African Americans through its redistricting, Karlan said. "One-person, one-vote changed dramatically the allocation of power in the state."

However, Georgia still faced several court challenges after the 1990 and 2000 redistrictings. "What the Georgia cases from the last year reveal, though, is not only that whatever else *Reynolds v. Sims* has accomplished, the machinations of special interests are just as vibrant today in the redistricting process as they were back then, [and] also that the edifice of rules the Supreme Court has erected over the last 40 years has replaced what used to be a political thicket with a judicial thicket," she said.

Georgia v. Ashcroft and *Cox v. Larios* were filed after the 2000 Census round of redistricting. The complaints in the cases were not about protecting individual liberty, Karlan said. Rather, the cases were about protecting incumbent elected officials, which Karlan said is the most problematic form of gerrymandering.

"It's hard to see how either *Georgia v. Ashcroft* or *Cox v. Larios* has done anything other than consign us to another generation of trying to hack our way through the thicket," she said.

Karlan, who joined the Stanford law faculty in 1998, was the school's academic associate dean from 1999 to 2000 and has been the Montgomery Professor of Public Interest Law since 1999.

She has served as a commissioner on the California Fair Political Practices Commission since 2003. From 1986 to 1988, she was the assistant counsel for the National Association for the Advancement of Colored People and has been a cooperating attorney for the NAACP since 1988.

After graduating from Yale Law School in 1984, she clerked for Judge Abraham D. Sofaer of the Southern District of New York U.S. District Court from 1984 to 1985. She then clerked for Associate Justice Harry A. Blackmun of the U.S. Supreme Court from 1985 to 1986.

Before joining the Stanford faculty, Karlan taught at the University of Virginia for 10 years.

The Sibley Lecture Series, established in 1964 by the Charles Loridans Foundation of Atlanta in tribute to the late John A. Sibley, is designed to attract outstanding legal scholars of national prominence to Georgia Law. Sibley was a 1911 graduate of the law school.

- Julie Camp

Three professors gain new titles

Three Georgia Law faculty members have been rewarded with new titles for their excellent work both in and out of the classroom. Michael L. Wells has been appointed to the Marion and W. Colquitt Carter Chair in Tort and Insurance Law, Anne Proffitt Dupre (J.D.'88) has been named a J. Alton Hosch Professor of Law and R. Perry Sentell Jr. (LL.B.'58) has been granted emeritus status.

Wells joined Georgia Law's faculty in 1978 and specializes in the fields of torts, federal courts and constitutional law. Since 1991, he has occupied a prestigious J. Alton Hosch professorship at the law school. Wells is the coauthor of two books, *Cases and Materials on Constitutional Torts* and *Constitutional Remedies*. He clerked for Judge John D. Butzner Jr. of the 4th Circuit U.S. Court of Appeals and practiced with the law firm Covington & Burling in Washington, D.C., prior to joining the law faculty at UGA. Wells earned his bachelor's and law degrees from the University of Virginia, where he served as articles editor for the *Virginia Law Review*.

The fourth woman in Georgia Law history to be appointed to an endowed position is Dupre. This Georgia Law graduate, who graduated first in her class, now occupies one of five J. Alton Hosch professorships at the school. She joined the law school's faculty in 1994 and specializes in education law, and children and the law. Dupre clerked for Associate Justice Harry A. Blackmun of the U.S. Supreme Court following her clerkship with Judge J.L. Edmondson of the 11th Circuit U.S. Court of Appeals. She also worked as an attorney with the Washington, D.C., firm Shaw, Pittman, Potts & Trowbridge before joining UGA. She earned her bachelor's degree from the University of Rhode Island. While obtaining her law degree at UGA, Dupre served as editor-in-chief of the *Georgia Law Review*.

Sentell, now the Marion and W. Colquitt Carter Chair in Tort and Insurance Law Emeritus, retired on July 1, 2004, after more than 46 years at UGA. During this time, several generations of lawyers and policymakers in Georgia have looked to Sentell for guidance on matters pertaining to local government law and torts. He has been honored by the Georgia House of Representatives, the Georgia Trial Lawyers Association and the Georgia Municipal Association for distinguished service in the advancement of legal education. A prolific scholar, Sentell has published nearly 30 books, including his latest *Essays on the Supreme Court of Georgia*. He earned both his bachelor's and law degrees from UGA and his Master of Laws from Harvard University.

New faces at Georgia Law

Having developed a practical understanding of criminal law while serving four years as an assistant federal public defender in the Office of the Federal Public Defender in Washington, D.C., Assistant Professor **Erica J. Hashimoto** teaches in the areas of criminal law, evidence and sentencing. She served as a law clerk for Judge David S. Tatel of the District of Columbia Circuit U.S. Court of Appeals and Judge Paul L. Friedman of the District of Columbia U.S. District Court. Hashimoto earned her bachelor's degree from Harvard University and her law degree from Georgetown University, where she was inducted into the Order of the Coif and served on the *Georgetown Journal of Legal Ethics*.

Assistant Professor **Kevin Jon Heller** leads courses in international criminal law, evidence and property law. After law school, he clerked for Judge William C. Canby Jr. of the 9th Circuit U.S. Court of Appeals, where he worked on appeals involving the death penalty, criminal law and procedure, and civil rights. He then practiced criminal defense in Los Angeles, specializing in homicide, drug-trafficking and racketeering cases. Prior to joining Georgia Law, Heller wrote and produced television shows in Hollywood for four years. Heller holds bachelor's and master's degrees from the New School for Social Research, a master's from Duke University and a Juris Doctor from Stanford University, where he was the senior note editor of the *Stanford Law Review*.

Former Ambassador and U.S. Congressman **C. Donald Johnson** (J.D.'73) became the interim director of the Dean Rusk Center last summer and is responsible for the management of the center and will work to strengthen and enhance the center's visibility and initiatives. Prior to joining Georgia Law, he was vice-chairman of Fleishman-Hillard Government Relations in Washington, D.C. In 1998, he was nominated to the rank of ambassador by President Bill Clinton, where he served for over two years as chief textile negotiator and principal adviser to both the president and the U.S. trade representative on all textile and apparel trade matters. In 1993-94, he served as a U.S. representative for the 10th district of Georgia. Johnson also served in the Georgia State Senate from 1987 to 1992. His bachelor's and law degrees are from UGA. While studying law, he served as articles editor for the *Georgia Journal of International and Comparative Law*. He earned his Master of Laws from the London School of Economics.

The law school's new Rusk Professor of International Law is **Peter J. Spiro**. Specializing in international law, the constitutional aspects of U.S. foreign relations, and immigration and nationality law, Spiro spent the last 10 years at Hofstra University School of Law serving as a tenured professor and

associate dean for faculty development. He is a former law clerk to Associate Justice David H. Souter of the U.S. Supreme Court and Judge Stephen F. Williams of the District of Columbia Circuit U.S. Court of Appeals. Spiro has also served as director for democracy on the staff of the National Security Council (a White House position), as an attorney-adviser in the U.S. Department of State's Office of the Legal Adviser and as a resident associate at the Carnegie Endowment for International Peace. Recently, he was ranked among the top 20 legal scholars entering the field since 1992 on the basis of citation frequency. He earned his bachelor's degree from Harvard University and his law degree from the University of Virginia, where he was inducted into the Order of the Coif and served as notes editor of the *Virginia Law Review* and on the editorial board of the *Virginia Journal of International Law*.

Some of this year's new and visiting faculty are: (l. to r.) William Corbett, Kelly Casey (J.D.'98), Peter Spiro, Kevin Heller, James Nehf, Don Johnson (J.D.'73) and Erica Hashimoto. Photo courtesy of Professor Robert Brussack (J.D.'76).

Debbie Bridges Love joined the Dean Office's staff in June after the departure of longtime employee Clair R. Drew, who served as assistant to Associate Dean for Academic Affairs Paul M. Kurtz. Love is no stranger to Georgia Law as she worked as an administrative secretary from 1988 to 1991. After leaving the law school, she worked at the U.S. Probation Office for the Middle District of Georgia for 12 years before rejoining the school's staff.

Visiting Professors

Occupying a one-year teaching position aimed at aiding superior former Georgia Law students gain entry into the legal teaching academy, **Kelly A. Casey** (J.D.'98) instructs in the areas of patent law and international intellectual property as a visiting assistant professor. She clerked for Judge William C. Bryson of the Federal Circuit U.S. Court of Appeals and Judge J.L. Edmondson of the 11th Circuit U.S. Court of Appeals and worked for Finnegan, Henderson, Farabow, Garrett & Dunner in Atlanta, where she focused primarily on the appellate litigation of intellectual property matters. Casey graduated first in her class at Georgia Law in 1998, where she served on the *Georgia Law Review* and was inducted into the Order of the Coif. Her undergraduate degree is from the Georgia Institute of Technology.

Louisiana State University's Maraist Professor of Law **William R. Corbett** teaches and writes in the areas of employment law, employment discrimination, labor law, comparative labor law, torts and civil procedure. He has served as the executive director of the Louisiana Judicial College since 1998 and was the vice chancellor for academic affairs at LSU's law center from 1996 to 1999. He earned his bachelor's degree from Auburn University and his law degree from the University of Alabama, where he served as editor-in-chief of the *Alabama Law Review*.

James P. Nehf, Foust Fellow Professor of Law from the University of Indiana - Indianapolis, specializes in contracts and commercial and consumer law. He clerked for Judge Phyllis A. Kravitch of the 11th Circuit U.S. Court of Appeals and practiced law at the firms of O'Melveny & Myers and Choate, Filler, & Nehf, both located in Washington, D.C., before beginning his teaching career. Nehf graduated first in his law school class from the University of North Carolina, where he served as editor-in-chief of the *North Carolina Law Review*. He obtained his undergraduate degree from Knox College.

George T. Smith (LL.B.'48) continues to serve as the Sanders Political Scholar and teaches the upper-level class Law and Politics. Smith has served in leadership positions in all three branches of Georgia's state government. He served eight years in the Georgia House of Representatives, being named speaker of the House in 1963. In 1966, he was elected lieutenant governor of Georgia. After five years of private law practice, he was elected to the Georgia Court of Appeals, where he served from 1976 to 1980. He finished his career on the bench by serving 10 years on the Supreme Court of Georgia, where he was elected by his colleagues as presiding justice. Smith graduated from Georgia Law in 1948.

Larry D. Thompson, currently general counsel of PepsiCo, returned to Georgia Law in the fall of 2004 as a visiting professor and led a seminar in anti-terrorism and criminal law enforcement, drawing on his experience at the Department of Justice, where he served as deputy attorney general for two and one-half years. He is a former partner of the Atlanta law firm King & Spalding, where he specialized in representing white-collar criminal defendants, and a former U.S. attorney for the Northern District of Georgia. Thompson earned his bachelor's degree from Culver-Stockton College, his master's from Michigan State University and his law degree from the University of Michigan. Previously, Thompson taught at Georgia Law in 2003-04 and 2000-01.