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Dean's Report 2004

December 17, 2004

Dear Alumni and Friends:

It is with great pleasure that I write to you as dean of the University of Georgia School of Law. I truly appreciate all of the support you have shown me during my first three months as dean as well as during the fifteen months that I served in this position on an interim basis. Your efforts and those of my faculty colleagues, the law school's staff and student body have allowed Georgia Law to advance on several fronts over this period. I would like to take this opportunity to share with you these significant developments.

Faculty

Our faculty continues to strike the very important balance between classroom teaching and scholarly pursuits. Their written scholarship, aimed at helping to further develop the law, continues to be well received, appearing in law reviews such as the Stanford Law Review, Michigan Law Review, Minnesota Law Review, University of Illinois Law Review and the Georgia Law Review. In October, the law school distributed a brochure highlighting this work (also available online at www.law.uga.edu/academics). If you have not yet had the opportunity to review this document, I recommend you take the opportunity to do so. I am confident our faculty's research will both impress and inform you.

As also highlighted in the brochure, several of our faculty were rewarded with new titles for their dedication and hard work. Lonnie T. Brown Jr. and Alexander W. Scherr were promoted to the rank of associate professor of law with tenure in the spring. Lonnie left the University of Illinois to join Georgia Law's faculty in 2002 and specializes in professional responsibility and civil procedure. Alex has been a member of our faculty since 1996. In addition to directing the Civil Externship Clinic and the Public Interest Practicum, he leads courses in dispute resolution; evidence; and interviewing, counseling and negotiation. This summer, Anne P. Dupre (J.D.'88) was appointed to a J. Alton Hosch Professorship. She is the fourth woman in Georgia Law history to occupy an endowed position and teaches Contracts, Education Law, Children and the Law, and Remedies. Michael L. Wells assumed the Marion and W. Colquitt Carter Chair in Tort and Insurance Law, a position formerly held by R. Perry Sentell Jr. (LL.B.'58). Michael has been a distinguished member of our faculty for over 25 years and specializes in torts, constitutional law, constitutional litigation, federal courts and insurance. Shortly after the wonderful black-tie "roast" in June attended by over 400 alumni and friends, Perry was granted emeritus status. Additionally, I am delighted to report that he still maintains an office at the law school and, not surprisingly, pursues an active research agenda.

In the spring, María Eugenia Giménez, associate director of the Dean Rusk Center – International, Comparative and Graduate Legal Studies, was selected as a Fulbright Scholar and, during the summer, was named an honorary professor at the Universidad del Salvador in Argentina. This was the sixth time in Georgia Law history that a member of our faculty has been awarded a prestigious Fulbright grant. In addition, Talmadge Chair and Russell Professor of American History Edward J. Larson was presented with an honorary Doctor of Humane Letters from The Ohio State University earlier this month.

Our faculty was enhanced this fall with the addition of three new members - Peter J. Spiro, the new holder of the Dean and Virginia Rusk Professorship of International Law, and assistant professors Erica J. Hashimoto and Kevin Jon Heller. Additionally, C. Donald Johnson (J.D.'73) was named the interim director of the Dean Rusk Center.

Peter Spiro specializes in international law, the constitutional aspects of U.S. foreign relations, and immigration and nationality law. He was recently ranked among the top 20 legal scholars entering the

field since 1992 on the basis of citation frequency. Previously, he served as a law clerk for U.S. Supreme Court Justice David H. Souter (we now have four former Supreme Court clerks on our faculty) and as a director for democracy on the staff of the National Security Council, a White House position. Peter earned his bachelor's degree from Harvard University and his law degree from the University of Virginia.

Erica Hashimoto joins us from the Office of the Federal Public Defender in Washington, D.C. She 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. She earned her bachelor's degree from Harvard University and her law degree from Georgetown University.

Kevin Heller leads classes in evidence, property and international criminal law. He is a former law clerk of Judge William C. Canby Jr. of the Ninth Circuit U.S. Court of Appeals. After approximately three years of private practice, Kevin wrote and produced television shows in Hollywood for four years. He 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.

Former Ambassador and U.S. Congressman Don Johnson became the interim director of the Dean Rusk Center in June. Don enjoyed a distinguished career in both the public and private sectors prior to his most recent position as vice-chairman of Fleishman-Hillard Government Relations in Washington, D.C. At the Dean Rusk Center, he is responsible for the management of the unit and is working to strengthen and enhance the center's visibility and initiatives. One such effort was the highly successful conference, Agriculture and the WTO: Subsidies in the Cross Hairs, held last month. I look for the Dean Rusk Center to increasingly become one of the leading sources of international legal research and to assist our state in confronting economic and trade issues affecting Georgia and the Southeast.

I am delighted to report that three visiting professors elected to return to Georgia Law and teach this academic year. Former U.S. Deputy Attorney General Larry D. Thompson, who recently accepted a position as general counsel of PepsiCo, is currently leading a seminar in anti-terrorism and criminal law enforcement. George T. Smith (LL.B.'48), the law school's current Carl E. Sanders Political Leadership Scholar, is once again teaching Law and Politics and continues to host several renowned guest lecturers in his class each semester (speakers this fall included former Governor Roy E. Barnes (J.D.'72) and former Congressman D. Douglas Barnard Jr.). Also returning is James P. Nehf, from the University of Indiana-Indianapolis, who leads classes in contracts, commercial paper and consumer law.

Additionally, Visiting Professor William R. Corbett, from Louisiana State University, is teaching Torts and Labor Law this semester. Kelly A. Casey (J.D.'98) is serving as a visiting assistant professor of law. She follows Elizabeth A. Weeks (J.D.'99) in this position aimed at launching outstanding Georgia Law graduates into the ranks of legal academia. Kelly instructs in the areas of patent law and international intellectual property.

This year, one of our priorities is to add full-time faculty members who will further enrich our academic offerings. The scholars we are seeking will teach in the areas of health law, contracts and torts, among other subjects.

Classroom teaching continues to be supplemented by distinguished lecturers and speakers. Over the past year, the school was privileged to host an en banc session of the Supreme Court of Georgia and a number of symposia and lectures on issues such as: establishing democracies in post-war Iraq and Afghanistan, planned by the staff of the Georgia Journal of International and Comparative Law and featured former U.S. Army Chief of Staff Gen. Eric Shinseki in a rare public speaking appearance; a debate on same-sex marriage, organized by Colin S. Wright (J.D.'04) and fellow law students; "smart growth," which was the focus of the 16th Annual Red Clay Conference and included an address by Georgia Environmental Protection Division Director Carol Couch; employment discrimination, which was the topic of the 2004 Edith House Lecture delivered by University of California-Berkeley Law Professor

Linda Hamilton Krieger; Georgia's voter redistricting, the subject of the fall Sibley Lecture given by Stanford Law Professor Pamela S. Karlan; and agricultural trade, convened by the Dean Rusk Center and featured international and domestic authorities from senior levels of government, the private sector and the legal profession.

Additionally, in April, Georgia Law organized a day for reviewing the impact of the landmark *Brown v. Board of Education* case and the integration of our law school. The program included the 97th Sibley Lecture delivered by Chester C. Davenport (LL.B.'66), the law school's first African-American graduate, and a panel of several prominent African Americans who all have a connection to Georgia Law. Serving on the panel were Mr. Davenport; Georgia Supreme Court Justice Robert Benham (J.D.'70), the second African-American graduate of Georgia Law and the first African American to serve on Georgia's Supreme Court; then-law student Francys Johnson (J.D.'04); Albany State University Assistant Professor Sharon "Nyota" Tucker (J.D.'74), the first African-American female graduate of Georgia Law; and Northern District of Georgia U.S. District Court Senior Judge Horace T. Ward, the first African American to seek admission to Georgia Law.

Associate Professor Larry E. Blount, the law school's first full-time African-American professor, served as the *Brown v. Board* panel moderator. This was one of Larry's last official acts for the law school as he passed away just over a month later, two weeks before his 54th birthday. He is survived by his wife Sandra; three daughters, Carlene, Kendra and Erin; his mother; a sister; two brothers and three grandchildren. Larry taught at Georgia Law for over 28 years and served as a mentor and friend to countless students and alumni during this period. Last month, a portrait of Larry was presented to the law school and became part of the institution's historic collection.

The law school lost another longtime faculty member earlier this year, Robert N. Leavell, Law School Association Professor Emeritus. Professor Leavell, who had just turned 80, died from complications suffered in an automobile accident in July. He led courses in the areas of corporations, equity, securities regulation and legal profession for over a quarter of a century at Georgia Law before retiring in 1989. He is survived by his wife Carroll; two daughters, Elizabeth and Deidre; a brother and a sister. We will greatly miss both of these dedicated members of the law school community.

Students

Like our faculty, Georgia Law's students are a great source of pride for our institution. This year's entering class arrived in mid-August sporting excellent academic credentials. The Class of 2007, comprised of 235 students, boasts an undergraduate median grade point average of 3.65, tying a record high, and a median Law School Admissions Test score of 162. Additionally, the top quarter of the first-year class scored a 164 or higher on the LSAT and earned a 3.82 or better undergraduate GPA.

This class is also the first to include more females than males, 126 women and 109 men. Moreover, for the first time in the law school's 145-year history, there are now more female students than male. The J.D. student body is currently comprised of 350 women and 342 men. Additionally, the law school's minority population represents 20 percent of the J.D. student body, with African Americans comprising the majority of this total (87 students).

In keeping with the law school's commitment to provide the finest legal education to state residents, 80 percent of first-year students hail from Georgia. The Class of 2007 includes graduates from 81 institutions and from 22 states. The schools supplying the largest number of students are the University of Georgia (60), Emory University (14), Berry College (7), the Georgia Institute of Technology (7), Washington and Lee University (7) and Duke University (6).

This year's Master of Laws program includes 11 students from almost as many countries. These legal professionals, including one Fulbright scholar, are from Chile, China, the Czech Republic, Ghana, Hungary, India, Korea, Mexico, Russia and Sweden.

Our students are staying busy studying for class, serving on the school's journals and in its clinical programs, preparing for moot court and mock trial competitions, and connecting with their classmates through various social organizations. This fall, our National Moot Court team, sponsored by the Atlanta office of Hawkins & Parnell, once again won the regional competition (along with awards for Best Brief and Best Oralist) and will compete for the national title in New York next month.

Study and work abroad initiatives continue to be popular, with increasing interest in opportunities in South America and Europe. To this end, Georgia Law has partnered with the Atlanta office of Kilpatrick Stockton to provide three students with summer employment in the Ministry of Legal Affairs in Guyana through the year 2009. Also, the school is pursuing a residential semester-long program at the University of Oxford in conjunction with The Ohio State University Moritz College of Law to commence in the spring of 2006. All of these activities aid in producing well-rounded, quality legal professionals who can immediately make a contribution once employed.

The graduating Class of 2003 enjoyed excellent job placement statistics despite the challenging economic climate. In February, nine months after graduation (the traditional reporting deadline set by the National Association for Law Placement), 98 percent of our graduates were placed and currently reside in 15 different states. Furthermore, 74.9 percent of the Class of 2004 were placed when they received their diplomas in May. Both of these placement statistics affect the law school's ranking among its competitors. Therefore, if you are seeking to hire, please consider a Georgia Law graduate and make your offer prior to graduation or the following February, the nine-month reporting deadline.

The Office of Legal Career Services continues to implement new initiatives to help legal employers find the best Georgia Law graduate to suit their needs. Interview programs have been expanded in California, New York and Washington, D.C. The popular August in Athens early interview initiative and Visiting Career Consultant program also continue to be a success. Thus far this semester, 579 employers have sought interviews through on- and off-campus programs and roughly 450 have requested resumes and applications.

This year, I am pleased that the law school, for the first time, hosted a swearing-in ceremony for the most recent graduating class. The affair was held in November at the Old Courthouse in Decatur. Stone Mountain Circuit Superior Court Judge Robert P. Mallis (J.D.'68) was instrumental in the organization of the event and was joined by fellow alumni Chief Judge Linda W. Hunter (J.D.'80) and Judge Daniel M. Coursey Jr. (J.D.'66) to swear in these newest members of the bar.

Alumni

This summer, the Law School Association proudly presented Distinguished Service Scroll Awards to Gary B. Blasingame (J.D.'61) and James "Jimmy" B. Franklin (LL.B.'64) for their dedicated service to the law school and legal profession. Over the years, Gary has actively participated in the LSA serving as president, treasurer and district representative. He has served the State Bar of Georgia as a member of its board of governors, disciplinary board and as secretary. Currently, he is a member of the law school's Board of Visitors and the Georgia Bar Foundation, having previously held the positions of president and trustee. Gary is also affiliated with the American College of Trial Lawyers, Georgia Trial Lawyers Association and the Association of Trial Lawyers of America.

Jimmy Franklin's contributions to the law school are also numerous and include serving as president of the LSA and on the institution's Board of Visitors. He has been involved with the State Bar of Georgia in a variety of positions including president (2001-02), secretary (1990-92 and 1998-2000), board of governors (1978-89) and executive committee (1988-89, 1990-91 and 1998-present). In addition, Jimmy has chaired a number of state bar committees including the general counsel overview, evaluation and planning, and the advisory committee on legislation. He is currently president-elect of the Georgia Trial Lawyers Association and serves as a trustee of the Institute of Continuing Legal Education and the Lawyers Foundation of Georgia.

Earlier in the year, the LSA established a new award to honor those individuals who have devoted a large part of their careers to public service. The first Law Dawgs to receive the Alumni Distinguished Public Service Award were Theodore "Ted" W. Kassinger (J.D.'78) and Janice A. Mays (J.D.'76). Ted, recently appointed deputy secretary of the U.S. Department of Commerce, has enjoyed a long record of public service. Prior to his new position, he served as general counsel for the Commerce Department for three years and served as an attorney for the U.S. Senate Committee on Finance, the U.S. Department of State and the U.S. International Trade Commission.

Janice Mays has been a member of the U.S. House of Representatives Ways and Means Committee for nearly 30 years. Initially, she was one of three tax counsels for the body and then served as its chief counsel and staff director from 1993 to 1995. Today, Janice holds the title of democratic chief counsel.

I would like to take this opportunity to thank the 2003-04 leaders of the law school's alumni boards. Last year, Jerry B. Blackstock (J.D.'69) chaired the Board of Visitors, Julia W. Lumpkin (J.D.'90) led the LSA and Douglas R. Kertscher (J.D.'94) directed the Younger Law Alumni Committee. This year, these instrumental groups will be under the leadership of S. Lark Ingram (J.D.'78), James B. Ellington (J.D.'87) and Daniel B. Snipes (J.D.'95) respectively.

Additionally, I would like to express my appreciation to those of you who financially contributed to the law school during recent months. The fiscal year 2003-04 was very successful for Georgia Law, with nearly \$2.5 million in pledges and gifts recorded. Chief among these are a pledge from R. Dale Hughes (J.D.'86) and his wife Cynthia to create the Hughes-Green Family Scholarship Fund, honoring their parents; a gift from Otis A. Brumby Jr. (LL.B.'65) to establish a professorship in First Amendment law to be shared between the law school and UGA's Grady College of Journalism and Mass Communication; and a pledge from Bruce W. (J.D.'51) and Catherine Kirbo to support the Kirbo Trust Endowment Faculty Enhancement Fund and to provide immediate funding for a new faculty workshop series, geared toward facilitating scholarly exchange and growing our school's academic reputation.

The law school is progressing well with its capital campaign, having already raised over \$6 million of our \$17 million goal. Alumni Otis Brumby, Roy Barnes, John B. Copenhaver (J.D.'79) and Neal J. Quirk (J.D.'87) have recently joined the 16-member committee, chaired by Dean Emeritus J. Ralph Beard, to raise these crucial funds. Another new member of our fund-raising team is Anne S. Moser, who replaced Ron D. Hill in June as the law school's director of development. Anne has 12 years of fund-raising experience and most recently worked at UGA's College of Environment and Design. Previously, she served as a major gifts officer at Wheaton College, located in Massachusetts, and as a regional development director at the National Kidney Foundation.

Private contributions have enabled the law school to successfully weather the continued reductions in state funding the institution has experienced over the last few years. Our development effort continues to be focused on two main areas - scholarships, to recruit the most talented students, and faculty enrichment funds, to hire and retain the best legal scholars and to enhance our learning environment. With your continued support so critical to our success, I know the law school will advance further into the ranks of the top law schools in the nation.

Alumni events continue to provide a great opportunity for the law school faculty, staff and students to connect with its former graduates. We hope that you find value in traditional activities such as homecoming, reunions and gatherings at the state bar meetings. This fall, we also hosted a reception to bring together student scholarship recipients with their benefactors. However, we do understand there is a need for something greater from this institution. As such, Georgia Law will be exploring additional ways to build on this connection and has introduced an educational breakfast series, geared toward addressing current affairs and their importance to the legal world. For example, our first breakfast, held earlier this month, focused on the U.S. Patriot Act, its impact and future challenges and featured U.S. Department of Homeland Security General Counsel Joe D. Whitley (J.D.'75).

This academic year, our faculty and staff are conducting an in-depth self study in preparation for the American Bar Association/Association of American Law Schools reaccreditation process in 2005. This is a necessary process as the school seeks to identify its strengths and to capitalize on its potential, while recognizing its weaknesses and minimizing their impact. You will hear more about our progress in the coming year as we seek your input as we move forward. Please know your comments are greatly appreciated and my door is always open.

Sincerely,

Rebecca Hanner White

Dean and J. Alton Hosch Professor of Law