

Third alumnus selected as clerk to U.S. Supreme Court in three years



Jason Burnette (J.D.'06)

For the third consecutive year, a Georgia Law alumnus will serve as a judicial clerk with the highest court in the nation. Last fall, Jason T. Burnette (J.D.'06) was selected to serve as a law clerk for U.S. Supreme Court Chief Justice John G. Roberts Jr. for the October 2007 term.

"Supreme Court clerkships are extremely competitive positions, indeed they are the most selective positions available to a recent law school graduate," Dean Rebecca H. White said. "Jason's appointment, which is the third in three years, puts the University of Georgia's law school among a very elite group of law schools that have had a number of graduates serve the court in this manner."

"We are delighted for Jason and feel that his appointment reflects the high caliber of education and training students receive at Georgia Law," White said. "This honor for a law student is the equivalent of a Rhodes Scholarship for a bachelor's degree candidate."

Burnette said he was encouraged to apply for the U.S. Supreme Court clerkship by law school faculty and was further inspired by 2005 Georgia Law alumnus Adam M. Conrad's appointment to serve as a judicial clerk for Justice Clarence Thomas for the 2006 term.

"I was amazed when I heard I

had been selected by Chief Justice Roberts. I was thrilled just to get the interview," Burnette said. "I am looking forward to having an inside view of the Supreme Court and seeing how it comes to reach decisions on the many difficult issues it addresses."

A native of Holly Springs, Ga., Burnette also earned his bachelor's degree in English from UGA. He is currently serving as a judicial clerk for Judge R. Lanier Anderson III of the U.S. Court of Appeals for the 11th Circuit.

During law school, he served as editor in chief of the *Georgia Law Review*, participated in moot court competitions and served as a teaching and research assistant.

University Professor and Hosch Professor Dan T. Coenen, a former U.S. Supreme Court judicial clerk, taught Burnette in contracts and constitutional law classes. "Jason exemplifies everything that is commendable in a young lawyer – sterling character, concern for others, a searching mind, exceptional intelligence and an uninflated sense of self. I am delighted that Chief Justice Roberts saw in Jason the same extraordinary qualities that I witnessed over and over again during his time at the law school," he said.

Anne Proffitt Dupre (J.D.'88), also a Hosch Professor and a former U.S. Supreme Court judicial clerk, said this appointment will open many doors for Jason as he contin-

ues his legal career. "Jason will have a credential and an experience that very few others can match," she said.

By statute, each of the nine U.S. Supreme Court justices can have up to four clerks per term. A typical appointment is for a period of one year.

This clerkship selection brings the total number of Georgia Law graduates who have clerked for Supreme Court judges to seven. The other six Georgia Law alumni who have aided justices sitting on the nation's highest court are:

Benna R. Solomon, a 1978 graduate who clerked for Justice Byron R. White in 1980; **Bruce P. Brown**, a 1984 graduate who clerked for Chief Justice Warren E. Burger in 1986; **Glen M. Darbyshire**, a 1984 graduate who clerked for Justice Thurgood Marshall in 1985; **Dupre**, a 1988 graduate who clerked for Justice Harry A. Blackmun in 1989; **John H. Longwell**, a 1999 graduate who clerked for Justice Stephen G. Breyer in 2005; and **Conrad**, a 2005 graduate who is clerking for Justice Clarence Thomas.

Burnette's appointment places Georgia Law among the top five public law schools in the nation for supplying clerks to the court for the 2000 to 2007 terms. Georgia Law follows the University of Virginia, the University of California-Berkeley, the University of Michigan-Ann Arbor and the University of Texas in this ranking.



Breyer holds Q&A for students



Georgia Law students enjoyed their second opportunity this academic year to talk with a sitting justice of our nation's highest court.



U.S. Supreme Court Justice Stephen Breyer shakes the hand of third-year student Tedra Hobson after the Q&A session. Photos by UGA Public Affairs' Deanna Pieniaszek.

During a 60-minute forum attended by approximately 125 law students and faculty, Justice Stephen G. Breyer addressed topics such as describing his daily role on our nation's highest court and his appointment to the court.

It is not everyday a law student has the opportunity to pose a question, face to face, to a sitting justice of the U.S. Supreme Court. However, students at Georgia Law enjoyed their second such opportunity this academic year in January when Justice Stephen G. Breyer attended a question and answer session at the law school. (Justice Clarence Thomas visited the law school for three days in October.)

During a 60-minute forum attended by approximately 125 law students and faculty, Breyer addressed topics such as describing his daily role on our nation's highest court and his appointment to the court.

He also answered more pointed questions such as what impact foreign legal systems should have on the U.S. system, why the Supreme Court is hearing fewer cases and if non-lawyers should be allowed to become members of the judiciary.

In describing the Supreme Court's case

selection process, Breyer said the justices look for cases where there is a need for a uniform, national interpretation of the law. "We do not see ourselves as a correction court," he said.

First-year law student Elizabeth C. Taxel found the justice to be "incredibly humble and down to earth." She was thankful he talked about the "pressures facing law students" to follow a certain career path and appreciated him emphasizing the need to give back to the community.

Additionally, Breyer said some of the best advice he had ever been given came from his father. "[His father said] don't be like a bulldozer and just go straight ahead on your own path. You have to listen to other people that have a point of view ... [and] try to do your own job the best that you can. He said now maybe, if you do your job well, someone will notice and you'll get a better job. On the other hand, they may not. And then, at least, you are left with the satisfaction of hav-

ing done the job as best you could."

Christine A. Saunders, another first-year law student, said the experience was "very refreshing" and appreciated the opportunity to ask a question. "It's nice that the questions were not censored."

Regarding certain court opinions attracting a lot of public reaction, Breyer said it is key for him [and the other justices] to remember that opinions actually need to be written for three audiences – "the other judges who have to apply it, the lawyers who have to be able to argue it and follow it and, in many cases, the public too because they are interested."

Saunders also said the experience was a great honor and that, if she or one of her schoolmates ends up arguing a case before the nation's highest court one day, she hopes that having met two of the current sitting justices will "take some of the edge off."

Former U.S. Attorney General Griffin Bell speaks on DOJ



Former U.S. Attorney General Griffin Bell served as a Visiting Sanders Scholar this spring and spoke about Justice Department practices and policies.

Former U.S. Attorney General and 5th U.S. Circuit Court of Appeals Judge Griffin B. Bell served as a Sanders Visiting Scholar this past spring and spoke to members of the Georgia Law community about U.S. Department of Justice activities and its hiring practices.

“As attorney general, you represent the people of the United States,” he said. “You try to carry out [the president’s] policy, but that is different with cases.”

Bell recalled President Jimmy Carter asking him once, “Who is representing me?” When he replied, “I don’t know,” Bell said the president retained his own outside counsel.

He said one of the biggest questions facing the attorney general today is whether or not that person is “an advocate or a counselor.” Bell said he thinks that person should be a counselor and likened the dilemma to the same question facing corporate America’s general counsels. “Is the general counsel an advocate versus a counselor or watchdog or guard?” Bell said if he were president, he would want an attorney general who “could stand on his own,” be “trustworthy” and be “a counselor that would do what is right.”

Bell had a long distinguished career in both the public and private sectors. In 1958, he was named Georgia Gov. S. Ernest Vandiver’s chief of staff. President John F. Kennedy appointed him as a judge for the 5th U.S. Circuit Court of Appeals in 1961, where he served for nearly 15 years. From 1977 to 1979, he served as the 72nd attorney general of the United States, a post he was nominated for by President Carter. During his tenure as attorney general, it has been said that one of his primary achievements was rebuilding the Justice Department as a “neutral zone” in government.

Over the years, Bell has practiced law with the Atlanta firm King & Spalding, where he has served as partner, managing partner, senior partner and senior counsel, a position he assumed in 2004. While his practice areas are multi-faceted, Bell’s principal focus in recent years has been advice and counsel on matters relating to corporate crime.

Named for Georgia’s 74th Governor and Georgia Law alumnus Carl E. Sanders, Sanders Visiting Scholars are individuals who have distinguished themselves as leaders in public service and the legal profession and are brought to campus to enhance the learning experience of law students.

Placement Statistics: 2006 Graduates at 99.1%

Final placement figures for the Class of 2006 were reported to the National Association for Law Placement in February, nine months after graduation (the standard reporting date).

Total Graduates	247
Total Reporting Employment Status	246
Employed	95.1% of total graduates
Private Practice	58.3% of employed
Business/Industry	6.4% of employed
Government	5.9% of employed
Judicial Clerkships	18.7% of employed
Public Interest	9.4% of employed
Academe	1.3% of employed
Advanced Degree Programs	2.4% of total graduates
Unemployed, Not Seeking	1.6% of total graduates
Unemployed, Seeking	0.4% of total graduates

Class of 2006 graduates obtained employment in 23 different states in the nation, in addition to Washington, D.C., with an average salary of \$79,031.



Georgia Law in the news

EPA emissions regulation to change

In a recent U.S. Supreme Court ruling, the EPA must consider regulating carbon dioxide and other gases found in automobile exhaust. Environmental law expert Peter A. Appel predicted in *The Atlanta Journal-Constitution* that the EPA will defer the regulation until the next administration takes over in 2009. "In this political setting, here's a great chance for [the] EPA to wring its hands and dither, and just wait until there's a new administration."

The Atlanta
Journal-
Constitution

Murder case to be tried on the scene

The Brian Gene Nichols trial is scheduled to be tried in the same courthouse where he allegedly shot and killed a judge, a court reporter and a sheriff's deputy, before killing a fourth – a customs agent – at another location. The case received national media coverage during the 26-hour manhunt for Nichols, and now legal experts claim a fair trial may not even be possible. Commenting on the case to *The New York Sun* and the *Los Angeles Times*, criminal procedure sage Ronald L. Carlson said, "This is not going to be one of those 'What the heck, judge, everyone saw him do it' cases."

THE NEW YORK
Sun

More law firms expanding to Far East

Troutman Sanders is the first Atlanta-based law firm to branch out into one of the world's fastest-growing major economies. The firm recently opened an office in China's capital of Shanghai to serve its multinational clients. C. Donald Johnson (J.D.'73), director of the Rusk Center and former ambassador, said to the *Atlanta Business Chronicle*, "[China's] going to be the fastest-growing part of the world. To place yourself to take advantage of that is a great strategy."

Municipal bond tax case may see Supreme Court

In February, the U.S. Supreme Court was poised to decide whether it would hear a Kentucky case that challenges states' rights to exempt their own bonds from taxation if they tax the interest paid on other states' bonds. Tax law authority Walter Hellerstein said there was a "high probability" that the case would be heard. "Ohio says 'x,' Kentucky says 'y,' and in our system only the Supreme Court can resolve this," Hellerstein told a Reuters news agency reporter. The story ran in the *Los Angeles Times*, where Hellerstein stated, "The court may uphold so-called dual taxation . . . States are allowed greater leeway to discriminate when they are acting as a market participant rather than a regulator."

Los Angeles Times

Local murder trial expenses adding up

While the murder trial of Brian Gene Nichols has already cost Georgia taxpayers more than \$1.2 million, the final cost is expected to rise above \$2 million. These mounting expenses had elicited taxpayer complaints when Prosecutorial Clinic Director and former District Attorney Alan A. Cook told *The Atlanta Journal-Constitution*, "The cost is shocking, particularly in a case where the question of factual guilt appears to be clear." Cook went on to say, however, when the death penalty is sought, defense costs "justifiably ratchet up" because "the ultimate penalty is like no other."

– Compiled by Nikki Girard

PIP partners with local service group to provide legal advice to artists

This spring, Georgia Law's Public Interest Practicum began collaborating with a local service group, Nuçi's Space, to bring free legal information to the music and arts communities.

Working under legal supervision, law students are providing consultation and education to artists located in Athens-Clarke and Oconee counties who cannot afford an attorney.

Clients can get consultation, advice and referrals about legal questions including those involving housing, families, consumer debt, benefits and health care.

Inspired by Georgia Lawyers for the Arts, which provides advice and education to artists and art organizations throughout Georgia, this new service should complement those already available to artists and musicians.

Red Clay Conference opens discussion on current environmental topics

Land use, urban sprawl and water management were some of the headlining topics of the 19th Annual Red Clay Conference, titled "When Red Clay Meets Black Asphalt," held earlier this spring.

This year's keynote speaker was Robert J. Glennon, the Udall Professor of Law and Public Policy at the University of Arizona Rogers College of Law and author of the book *Water Follies: Groundwater Pumping and the Fate of America's Fresh Waters*.

Glennon discussed major environmental problems, such as threats to our water supply caused by excessive groundwater pumping.

Conference panel topics included: sign ordinances, takings and inverse condemnation, new urbanism, Georgia's state-wide water management plan and land use regarding coastal marshes and wetlands.

Attorneys, professors and experts in water use and land conservancy served as panelists.