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02/2011 Newsclippings

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Editor: Please tell our readers about your professional background.

Matchett: I attended college at Morehouse, in Atlanta, and then the University of Georgia law school. After clerking for a judge, I made an unusual move: I went directly in-house, rather than private practice. It was a valuable and enlightening experience; I don’t think I ever viewed the practice of law the way a first-year associate does. While many of my colleagues were junior associates focusing on legal research, I was in-house thinking about how to hire the best available legal talent for different legal issues. I was asking myself questions such as, how does this litigation fit into the overall scheme of things for the company? The broader viewpoint I gained early on informs my work as a practicing lawyer today; especially, someone who is very involved with the firm’s diversity efforts.

Editor: Congratulations on being named chair of King & Spalding’s Diversity Committee. How would you describe the firm’s culture with regard to diversity, and how has it changed since you came here?

Matchett: Diversity is absolutely a core value at King & Spalding, and, as with our other core values – providing excellent service, being ethical and hard-working, giving back to our community on many levels – the firm takes it seriously and holds individual lawyers to a very high standard. Diversity is not something off to the side; it is an essential part of what we are as professionals and what we do every day. It’s in our lawyers’ professional DNA to mentor associates, including, of course, women and minority associates, and to encourage people to be open to those who are different from themselves. In my ten-plus years with the firm, I certainly think that diversity as a core value has improved, and this is not an accident. To foster change requires attention, intention, planning and action.

In terms of formal diversity-related efforts, one of the firm’s former chairs, Ralph Levy, kicked off some excellent programs, especially firm-wide training efforts that enabled us to give lawyers more tools both to understand and act on diversity-related matters. Ralph, along with successor Diversity Committee Chairs Kevin Sullivan and Lovita Tandy, brought in outside consultants who interviewed groups across the firm to get a sense of what issues might be different, say, for the corporate teams versus the litigation teams. They made specific observations and recommendations which we continue to implement to this day.

Of course, at bottom, the skills that make for a successful minority or woman lawyer are no different from those required by any other lawyer. However, there are other “layers” to acquiring those skills. There may be differences in communication styles or comfort level in discussing certain things. Once we recognize this, we can put in place some type of training program or assistance to bring awareness to the particular layer and consider how to address it. The whole idea is to arm folks with tools to help them better cope with issues that
can form artificial barriers to performance at the highest level.

Editor: I understand that King & Spalding has recently received a diversity award from Chevron. The firm has also received similar awards from GE and Coca Cola. In addition, the firm consistently appears at the top of "Best Places to Work" lists for women and minorities. To what do you attribute these accolades?

Matchett: It is the culture, the people who are attracted to the firm and those who we try to recruit in the first place. There is no such thing as a King & Spalding cookie-cutter lawyer. People come in great variety, but at their core, they are alike in that generally they are all extremely bright, hard working and ethical. To such a collection of high-achieving professionals, our core values come easily.

Our former firm chair, Walt Driver, used to say, "You can't be smart enough at King & Spalding to be a jerk and still be successful." Being selfish and rude doesn't work with clients, colleagues or staff. It is antithetical to growing and prospering within the firm.

Editor: Does King & Spalding offer scholarships or fellowships to diverse law students?

Matchett: We do. We participate with the Lloyd M. Johnson Scholarship for first-year law students, which is an effort on our part to assist in the pipeline. We also have up to four diversity fellowships that we offer to second-year law students during the summer. These allow us to demonstrate our genuine interest in prospective future associates and to be competitive for highly recruited talent. We have sponsored both programs for quite a few years.

Editor: Are the needs of new associates different from when you were first practicing?

Matchett: Yes and no. Yes in the sense that communication is different today from 25 years ago, when I was a new lawyer. There is far less face-to-face communication, which I think is unfortunate. My bias is that learning the practice of law is an apprenticeship. While law school can teach you how to research and analyze the law, at least 50 percent of how a person learns to be a good lawyer—how to interact with clients, staff and opposing counsel; how to be a good writer; how to structure a deal; how to try a case—comes from personal interaction with an experienced lawyer. Part of the continuing challenge in training new lawyers today is to help both generations understand and cope with these differences.

That said, the skills necessary to be a successful lawyer fundamentally have not changed, and they are not based on gender, ethnicity, or age. It is important to recognize what has changed and what hasn't and not to get confused in that regard.

Editor: You served as president of the Atlanta Legal Diversity Consortium, of which King & Spalding is a charter member. Would you tell us about your work there, and how the firm works with it?

Matchett: The original goal of the Atlanta Legal Diversity Consortium, which started about a decade ago, was to assist law firms and law departments in making diversity a priority. About three years ago, we realized that diversity was by then on the radar screen for just about everybody, and many organizations in addition to ALDC were conducting seminars and training. So we decided to assess ALDC's role: Might there be some unmet need in the diverse legal community that we can address? The answer was yes, and at that point we changed our focus.

If you were to ask any successful firm partner what the key to his or her success was (other than their own individual hard work and intellect), almost
every person would say "mentorship." We turned ALDC into an organization that provides training to fairly new lawyers that captures what lawyers would learn if they had the ideal mentor. Experienced lawyers lead very interactive 60- or 90-minute modules, many of which deal with real-life issues, such as what to do when, as an associate, you fail to deliver on an important project for a partner. The mentee is walked through how to limit the damage and even, hopefully, rectify the situation with the partner.

We may even go through a mock conversation. The idea is to get down in the weeds with the associate and provide tips that can be implemented immediately.

Editor: Several King & Spalding attorneys have been in the news in the past few years for their work in diversity-based associations. The firm also boasts many successful diverse and women award-winning attorneys. Would you tell us about a few?

Matchett: Dawn Jones is an incredible human being, and we are fortunate to have her at the firm. Both extremely hardworking and modest, she is involved in just about everything you can imagine - not just as a member, but as a leader. She has been president of the Georgia Association of Black Women Attorneys, the Georgia Association of Women Lawyers and the Gate City Bar Association. She leads pipeline programs at the firm for which we bring in high school students interested in the law and give them an idea of what it would be like to be a law student and how best to prepare themselves in college.

Brian Basinger is president of the Stonewall Bar Association, a statewide organization that supports LGBT individuals. He is an incredibly bright man who is most impressive because he is not only constantly coming up with ideas, but he is also ready to work on execution. He has risen through the ranks very quickly. Because we've been talking about mentors, I should mention Sam Griffin, a selfless attorney who serves as a mentor to Brian, and who likely let Brian know that there was a place for him at King & Spalding when we were recruiting top talent.

I don't know if we have enough time to discuss Ray Persons! He is one of the top litigation lawyers in the country, and that is no exaggeration. Like Chilton Varner, Ray would be on the short list for almost any major company litigation. We are incredibly fortunate to have him, and the fact that he is African-American is even more special because there are few minority litigation partners of his caliber. Despite constantly trying cases, he managed to sneak in a presidency of the Atlanta Bar Association. He also helped to found the pipeline organization Just the Beginning Foundation, and he continues to be a major supporter of JBF on many levels. He is an outstanding individual.

Partner Carolyn Alford played a key role in our firm's hiring committee. Formerly a hiring partner, she has been recognized nationally as one of the top lawyers in the country under 45.

Carol Brewer was selected as the Outstanding Member of the Year by the Washington, DC chapter of the Organization of Women in International Trade. She is a real trailblazer.

Meanwhile, partner Roberto Aguirre Luzi was appointed co-chair of the Bilateral Investment Treaty and Development Committee of the American branch of the International Law Association. Roberto helps our clients on very complex arbitrations for organizations like the World Bank.

Such people are important role models at the firm, because when minority and women lawyers look around and see people like these, a whole world of possibility opens up.

Editor: Please describe Flexible Strategic Partnering.
Matchett: This idea is a part of the firm's external outreach to work with women and minority-owned firms; meanwhile, it helps our clients achieve some of their own diversity goals. Most small women- or minority-owned firms lack the resources required to handle very complex matters - the discovery aspects of a case may involve hundreds of thousands, if not millions, of documents - so we partner with these smaller firms by providing such resources. King & Spalding has a discovery center with 80 to 125 lawyers whose primary responsibility is to assist in complex discovery, and they will do whatever is required to assist these firms. One of our minority partners, Bobby Woo, was instrumental in founding this program, and he runs it today.

Editor: Do you see the expectations of in-house shifting in terms of having diverse partners on their cases?

Matchett: I see it as an evolution rather than a shift. As law departments and law firms continue on their diversity journey, both are becoming better at measuring the success of their efforts, and more corporations are taking a sophisticated look at whom they hire or which firms they partner with.

Editor: Do you find retention of diverse attorneys to be more of a challenge than recruitment?

Matchett: It can be. It is a continuing challenge to identify, nurture and develop future firm leaders. Most of the people who graduated from law school with me were certain they wanted to be lawyers. I am not sure that is still true today, and I believe this phenomenon has contributed to attrition among associates. Expectations are different and evolving. I have noted, however, that once a person has made a clear decision to pursue a career in the law, it is much easier for both the lawyer and the firm to make mutual investments.

Editor: Where do you see King & Spalding's Diversity Committee in five years?

Matchett: I simply see the committee continuing its focus on observing, enhancing and implementing diversity initiatives. The committee is simply a microcosm of the whole firm, where every day we strive to be better at everything we do.
BODY:

[ILLUSTRATION OMITTED]

Lawrence "Doc" Cohen, CFE

Founder and Former CEO of Deblan Corporation

Founder and CEO of Cookie Associates

(Franchisee of the Great American Cookie Company)

In addition to serving as IFA Chairman in 2006, Lawrence "Doc" Cohen, CFE, has served as a trustee for the IFA Educational Foundation, and on many IFA committees including Franchise Relations, Awards, Long Range Planning and Convention. He served five years as treasurer of IFA, has chaired the IFA Convention Planning Committee and FranPAC, IFA's political action committee. Most recently, he chaired the Multi-Unit Franchisee Development Conference Task Force to design and implement the first IFA conference dedicated to multi-unit franchise owners.

"Doc Cohen has worked tirelessly to move the franchise industry forward and to ensure that the IFA is an organization that benefits the entire community," said IFA Chairman Ken Walker, CFE, chairman and CEO of Driven Brands. "His extensive contribution to the franchise community and to the IFA makes him the ideal recipient of the IFA Hall of Fame Award."

Cohen was the second franchisee in history to assume the position of chairman of IFA and was the first franchisee to earn the designation of "Certified Franchise Executive" given by the IFA Educational Foundation.


Cohen received a bachelor's degree in pharmacy from the University of Georgia and a juris doctor's degree from the University of Georgia School of Law. He was active in the retail pharmacy business for 15 years in Georgia and California before establishing his first GACC franchise. Cohen was the founding president of the Great American Cookie Company's Franchise Advisory Council and has served three times as its president. He is a founding member of the Independent Association of Great American Cookie Franchisees and is a permanent member of...
the Association's Executive Committee.

Special Thanks to the 2010 Hall of Fame Award Sponsor

This award, IFA's oldest and most prestigious, is presented to an IFA member, past or present, who exemplifies the optimum in franchising and has contributed significantly to the advancement of franchising and the franchising community. Sponsoring the Hall of Fame Award for the second year is BDO USA, LLP, a national professional services firm providing assurance, tax, financial advisory and consulting services to a wide range of publicly-traded and privately-held companies. BDO celebrated its 100-year anniversary this year and serves clients through 39 offices and more than 400 independent alliance firm locations nationwide. BDO combines the personal involvement and attentiveness of a trusted advisor with the depth and breadth of resources and services of an established national and international organization. BDO offers the local distinctiveness and client responsiveness that drive successful relationships. As the U.S. member of BDO International, BDO is the world's fifth largest accounting and consulting organization. Working through this global network, they are adept at coordinating services across the country and around the world to help meet the needs of their clients. BDO USA is represented in IFA by Jay Duke, a member of BDO's Board of Directors and Southwest Regional Assurance Partner.
Former DOJ Deputy Attorney General Larry Thompson to teach at Georgia Law

Date: 2011-02-01
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Original Article: http://media-newswire.com/release_1141044.html
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Athens, Ga. – Larry D. Thompson, former deputy attorney general for the U.S. Department of Justice and current senior vice president of government affairs, general counsel and secretary for PepsiCo, has joined the University of Georgia School of Law as a visiting professor this spring. Thompson will teach a course titled "Corporate Responsibility."

"We are thrilled Mr. Thompson has returned to Georgia Law this semester," said Georgia Law Dean Rebecca H. White. "He is one of the nation's finest lawyers, and for our students to be able to take a course from Mr. Thompson is an incredible opportunity for them. He is an outstanding addition to our faculty."

No stranger to UGA, Thompson has been a visiting professor on three different occasions and a guest lecturer several times since 2001; in addition, he has delivered the school's commencement address. While teaching a course on white collar crime at the law school during spring 2001, Thompson was confirmed as the second in command at the Justice Department.

As deputy attorney general, a post he held from 2001 to 2003, Thompson supervised the overall operations of the DOJ and led its National Security Coordination Council, the Corporate Fraud Task Force and the Enron investigation.

In 2004, Thompson became responsible for the worldwide legal function of PepsiCo, one of the largest global convenient food and beverage companies. In addition, he oversees its government affairs organization and The PepsiCo Foundation.

Previously, he worked as a partner in the Atlanta office of King & Spalding and served as the U.S. Attorney for the Northern District of Georgia, where he directed the Southeastern Organized Crime Drug Enforcement Task Force.

Thompson has received a variety of accolades for his work throughout the years, including the Edmund Jennings Randolph Award for outstanding contributions to the accomplishment of the Department of Justice's mission and the Federal Bar Association's Outstanding Litigator Award. He also has served as a Senior Fellow with The
Brookings Institution in Washington, D.C.

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.

Other visiting professors Georgia Law is hosting this spring include Slate magazine's Dahlia Lithwick, who is teaching "The Media and The Courts," and former Georgia Lt. Gov. Pierre Howard, who is teaching "Law and Politics" and is serving as the law school’s Sanders Political Leadership Scholar.

For further information about Georgia Law, see http://www.law.uga.edu/.

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Larry Thompson to teach at Georgia Law

9:53 am, February 1st, 2011

The University of Georgia School of Law announced that Larry Thompson, a former King & Spalding partner and deputy attorney general of the United States in the George W. Bush administration, is teaching a class called "Corporate Responsibility" at the law school this spring.

Thompson is senior vice president of government affairs, general counsel and secretary for PepsiCo.

Read the press release »

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Contributor: Jonathan Ringle in Law schools [ subscribe to rss ]

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The following information was released by the University of Georgia:

Larry D. Thompson, former deputy attorney general for the U.S. Department of Justice and current senior vice president of government affairs, general counsel and secretary for PepsiCo, has joined the University of Georgia School of Law as a visiting professor this spring. Thompson will teach a course titled, "Corporate Responsibility."

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For further information about Georgia Law, see http://www.law.uga.edu/.
Pepsi general counsel to teach at UGA Law

Atlanta Business Chronicle

Date: Tuesday, February 1, 2011, 9:58am EST

Larry D. Thompson, former deputy attorney general for the U.S. Department of Justice, has joined The University of Georgia School of Law as a visiting professor this spring.

Thompson, the current senior vice president of government affairs, general counsel and secretary for PepsiCo (NYSE: PEP), will teach a course titled "Corporate Responsibility."

Thompson has been a visiting professor three previous times and a guest lecturer several times since 2001. While teaching a course on white collar crime at the law school during spring 2001, Thompson was confirmed as the second in command at the Justice Department. As deputy attorney general, a post he held from 2001 to 2003, Thompson supervised the overall operations of the DOJ and led its National Security Coordination Council, the Corporate Fraud Task Force and the Enron investigation.

He also has worked as a partner in the Atlanta office of King & Spalding LLP.
Ex-Justice Department official to teach at UGA

Associated Press - February 2, 2011 4:14 AM ET

ATHENS, Ga. (AP) - The former deputy attorney general for the U.S. Justice Department is set to teach a course at the University of Georgia School of Law.

Larry Thompson, the vice president of government affairs and general counsel for PepsiCo, is a visiting professor at the school this spring. He will teach a course titled "Corporate Responsibility."

The school’s dean, Rebecca White, called Thompson 1 of the nation’s finest lawyers.

Thompson has been a visiting professor to UGA on three different occasions and a guest lecturer several more times since 2001.

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Former Deputy Attorney General to Teach at Georgia Law

Posted By Fahima Haque On February 2, 2011 @ 12:32 pm In News | No Comments

Former Deputy Attorney General Larry D. Thompson has returned to the University of Georgia School of Law as a visiting professor starting this semester.

Thompson served as DAG under President George W. Bush from 2001 to 2003. During his time as DAG he headed the Corporate Fraud Task Force and led the Department of Justice's investigation into the Enron accounting scandal. From 1992 to 1986, he was the U.S. Attorney for the Northern District of Georgia.

After Attorney General John Ashcroft resigned in 2004, Thompson was rumored to be under consideration to replace him. Had he been chosen, he would have become the first black person to head the DOJ. He was also said to be under consideration for the Supreme Court during Bush's time in the White House.

At Georgia Law, Thompson will teach a course on corporate responsibility. He previously was a visiting professor and lectured at the university.

Thompson is the current senior vice president of government affairs, general counsel and secretary for PepsiCo Inc.

Thompson also was a partner at the law firm King & Spalding in its Atlanta office.

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INCOME TAX SNAFU

Deadline extended for overdraft refund filing

The Department of Revenue is extending the deadline to March 15 for taxpayers to provide documentation of any overdraft fees they accrued when the department deposited and then reclaimed their tax refunds, officials announced Tuesday. A revised form has been mailed to the affected taxpayers. Taxpayers have an option to either mail in the completed form or e-mail it to the department. The department has started reissuing the income tax refunds and expects to complete the process later this week, DOR said in a prepared statement. NANCY BADERTSCHER

LEGAL

Ex-deputy attorney general to teach

Larry Thompson, the former deputy U.S. attorney general, will be a visiting professor this spring at the University of Georgia School of Law.

Thompson, the former U.S. attorney in Atlanta and the current senior vice president for government affairs and general counsel of PepsiCo, will teach a course on corporate responsibility. "He is one of the nation's finest lawyers, and for our students to be able to take a course from Mr. Thompson is an incredible opportunity for them," law school dean Rebecca White said in a statement. BILL RANKIN

Obituaries

Dapper retailer was fixture 'on the square'

Bob Gordon, along with his brother, Lawrence, operated a clothing store in Cumming for 18 years, beginning in 1957.

Vent of the day

Marietta is planning the first traffic roundabout. This is just going to freak me out.

LOAD-DATE: February 2, 2011
The bad economy has brought a lot of bad things: debt and foreclosures, for example. But it also had the positive effect of pushing an increasing number of people to do something they always wanted to do --- apply to law school.

"I viewed the economy tanking as a sign that maybe I should pursue this interest that I have and see where it takes me," said Megan McClinton, 27, of Gainesville, a first-year student at John Marshall Law School in Midtown.

After years as a substance abuse counselor, McClinton was burned out. She was always being subpoenaed to court and enjoyed working with judges and the district attorney's office, plus her dad was a lawyer and she thought she might be interested in mental health law.

A couple of years later, after first working for her dad, McClinton decided to apply to law school. She took LSAT prep classes and Googled "applying to law school" until she found a website to help her manage the process of letters, transcripts and fees. Her top three choices were Georgia State University, Mercer University and John Marshall, where she is the class representative.

Enrollments up

McClinton is among the hundreds of students who have significantly bumped up applications to local and state schools. The law schools at Emory University, Georgia State and the University of Georgia all saw enrollment increases over the past two years that outpace the national increases recorded by the Law School Admission Council, a trend that school officials say is not unusual for a recession.

"It is fairly common wisdom that when the economy is poor, there is an increase in applications to law school," said Paul Rollins, assistant dean for student affairs and director of admission at the University of Georgia School of Law.

In 2008, applications to UGA law school numbered about 2,300.

By 2010, that number had almost doubled to more than 4,200.

The increase can be attributed not only to an increase in applicants, but an increase in applications per applicant, Rollins said.

"In the past, where students may have applied to seven or eight schools, now it is 10 or 11," he said.

But surely some of the increase comes down to the economic climate. "If they want to go to law school, they are not being lured away by a job," Rollins said.
That was evident by the embarrassment of riches at Emory University School of Law this summer. Though applications were up only 3.4 percent in 2010 (the increase was 9 percent the previous year), a larger-than-expected percentage of students chose to enroll. Admissions staff offered a $6,000 financial incentive in the form of scholarships to select students willing to defer their admission until fall 2011. Twenty-four students accepted.

Small firms a big draw

But a job is what most students desire, and getting one could be one of their greatest challenges --- even with a law degree. The days of law school grads making six-figure salaries at top firms are not over, but are definitely harder to come by.

"I hate that there are so many people who think they are going to graduate and be making big money," McClinton said. "You have to be proactive in networking. With so many people in law school right now, there is that much more competition."

Some students have adjusted by choosing to work for smaller firms or in the public sector instead of the biggest firm that will have them. Law schools have searched for ways to support those ambitions in their curriculum and programs.

For small firms such as Pate & Brody, which has four attorneys statewide, the trend has brought an unanticipated benefit.

"We had a lot of applications and interest over the last couple of years when the economy was especially bad," founding partner Page Pate said. "We are able to compete for graduates who previously would have been hired by one of the larger prestigious firms in town."

Pate, who serves on the UGA alumni admissions board, said things are looking up for law school students. The last couple of classes at UGA are almost 100 percent employed. Still, "law firm hiring will never get back to the way it was five to 10 years ago when firms were very aggressive," he said. "There isn't a lot of excess need to be filled now."

Fortunately, many potential attorneys are weeded out early in the application process, which can cost several hundred dollars depending on the number of applications completed.

"It is a very long and expensive process," McClinton said.

"There were several times when I was like, 'Geez, do I really want to do this?'"

For more students, the answer is yes even as the industry changes.

At Georgia State, the uptick in applications resulted in a 9 percent jump in 2010, when 3,222 students applied for the approximately 500 acceptance slots. The number of applications was a bit lower than the last recession, leading Dean Steve Kaminshine to conclude that even though applications have increased, this recession brings a few unique forces.

"This was the first recession in my lifetime where law firms were actually laying off," Kaminshine said. "That was a powerful message."

In addition, said Kaminshine, the financial crunch may have forced some students to seriously consider if they could afford a legal education, especially if it involved incurring debt.

With the price of law school hovering around $13,000 to $14,000 per year at state schools, debt is nothing to shrug at, though value rankings have made
state schools all the more attractive.

'Degree of discipline'

McClinton hopes by the time her class is ready to graduate, the economy will have improved. And if it hasn't, at the very least, a law degree is still very versatile.

Rita McWhorter, 45, of Atlanta completed her law degree at Loyola University in New Orleans in 2008. It was tough to get a job in Georgia after attending a school out of state. Her goal had been to work in the nonprofit sector, but McWhorter accepted a job at a small firm practicing criminal law.

McWhorter, who passed the bar in 2009, now works as a staff attorney for a state agency. Her law degree, she said, stands on its own.

"Even if you never practice law," McWhorter said, "there is a certain degree of discipline and a certain thought process and reasoning that comes with getting a law degree that you can use somewhere else."

And maybe that's what all these would-be attorneys are banking on.

"Despite the downturn, people are still increasing their employability and earning power with a law degree," said Rollins of UGA.

"But students have to think --- for what they want to do, is it the right move?"

LOAD-DATE: February 3, 2011

********** Print Completed **********

Time of Request: Thursday, February 03, 2011 06:40:30 EST

Print Number: 1862:266601850
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The following information was released by the University of Georgia:

The University of Georgia School of Law's Dean Rusk Center and the Terry College of Business will sponsor a daylong conference titled "The Future of International Trade: An American Perspective" on Feb. 18. The event will explore where the United States currently stands and its future with regard to international trade. Free and open to the public, the conference will be held in the Larry Walker Room of Dean Rusk Hall.

"The United States' increased focus on raising the volume of American exports - combined with the lack of progress in the current round of World Trade Organization negotiations and the global financial crisis - have led some to question the direction in which international trade is headed," Georgia Law third-year student and conference co-organizer C. Blake McDaniel said.

Helping to answer this question will be Deputy United States Trade Representative Ambassador Demetrios Marantis, who will deliver the keynote address.

There also will be panels exploring the business aspects of international trade, including the pros and cons of increased and open international trade; the political challenges to international trade, including U.S.-China trade issues; and the structure future agreements may take, such as whether they will come mostly in the form of bilateral, regional or multilateral agreements.

"This conference comes at a critical time for the U.S. trade agenda and the future of the WTO, and there is a certain need for further understanding in this complicated arena," Director of the Dean Rusk Center C. Donald Johnson said. "This event brings together key policymakers, academics, practitioners and business leaders to provide a road map for the future of the international trade regime."

Check-in will begin at 8 a.m., with the actual conference starting at 9 a.m. Pre-registration is required for participants who would like to be served lunch during the keynote address. For more information and to register, see www.law.uga.edu/future-international-trade-american-perspective.
A homicide justified? Police weigh facts

By JOE JOHNSON - joe.johnson@onlineathens.com
Published Sunday, February 06, 2011

A burglar kicked in Jerry Hendricks' door late one night, waking the Comer man who then killed the intruder with a shotgun blast to the chest.

Madison County authorities reviewed the shooting and exonerated Hendricks, ruling it was a justifiable homicide by a man protecting his home.

"That case was pretty clear-cut," said Clayton Lowe, who was Madison County's sheriff at the time of the 2007 shooting and now is an investigator with the Jackson County Sheriff's Office.

"You don't know what's on someone's mind when they kick in your door in the middle of the night," Lowe said. "If it puts you in fear of your life, you got a right to protect yourself and your family."

Athens-Clarke police now are investigating a death that's somewhat similar, but more complicated.

James and Briana Hood told investigators that a man forced his way into their apartment on Vintage Court about 3:30 a.m. Tuesday, demanded their pills and punched Briana Hood in the face when they refused, according to police.

The couple said James Hood stabbed 26-year-old Christopher Coon in self-defense as the two men struggled, according to police; Coon died soon after at the hospital.

Though police haven't yet determined whether Coon's death was a justifiable homicide, James Hood seeks protection under the so-called Castle Doctrine - a legal tenet that someone's property is his domain and he can stand his ground and even kill to protect himself and his family.

"The notion of the doctrine is one who is attacked in his home does not have to retreat," University of Georgia law professor Ron Carlson said.

"Protection of a person's home and his loved ones justifies forceful resistance to any intruder," he said. "This approach is central to American law and it is well understood by society."

Without a Castle Doctrine, people would have a "duty to retreat," or try to escape danger, even in their own homes, the professor said.

Then-Gov. Sonny Perdue signed Georgia's Castle Doctrine into law in 2006.

"This doctrine is an important pillar of American thinking," Carlson said.
This week's killing in Clarke County is not as clear-cut as the justifiable homicide that happened in Comer three years ago.

Hood wasn't defending his home from a burglar, police said, but stabbed an acquaintance who reportedly knocked on the door before Hood opened it. Hood didn't want the man in his home, but Coon forced his way in and the deadly struggle began, he told police.

Coon is not here to speak for himself, and the version of events from the only witness, Briana Hood, can't be considered reliable because a husband and wife could be considered a "team" that concocts and sticks with the same story, police said.

The Hoods' statements concerning what happened might also be suspect because John Hood is a convicted drug dealer on parole from prison, officials said.

Without objective witnesses, the police are relying on physical evidence to show what happened, according to Capt. Clarence Holeman, commanding officer of the Athens-Clarke police Centralized Criminal Investigations division.

"It makes it a little more challenging when (the Hoods) are the only two people with no witnesses corroborating their stories," he said. "You have to rely on what the crime scene tells you, and the autopsy, and take all that under consideration."

On Friday, three days into the investigation, Holeman was unable to say how the case might turn out.

"In essence, we're taking our time to ensure a proper investigation, and I still can't say that it's a case of self-defense or justifiable homicide," he said. "I'm sure that we'll have a conclusion next week."

Steve Sgarlato, property manager of the duplexes where the Hoods lived, saw signs that seem to back up what the couple told police, he said.

"I saw the hole where the guy pushed him into the wall and Mr. Hood's foot got broken," Sgarlato said. "Briana's face was bruised and swollen, and it looks like (doctors) might have to do some reconstruction on it."

Investigators in Oconee County used physical evidence - and the lack of it - to disprove a Bogart man's claim that he killed in self-defense in 2008.

Richard Harold "Ricky" Gear shot a motorcyclist who followed his daughters home following a road rage incident on Atlanta Highway.

The daughters called home to say someone was following them, and after they arrived home, Gear told deputies, he stood near the end of his driveway and shot the motorcyclist who was trying to run him down.

"We recreated the crime scene and it couldn't have happened the way Gear said it did," Oconee County Sheriff Scott Berry said.

There were no tire tracks where Gear claimed the motorcyclist bore down on him, Berry said, and the autopsy showed that the biker was shot in the back and not as he drove at Gear.
"Justifiable homicide cases are just like any other case - when you get the version of events does it match the physical evidence? Does it match what's on the scene?" the sheriff said.

John Hood will be exonerated if the physical evidence supports the story he gave, according to Berry.

"Under the Castle Doctrine, homes are considered sacred ground," he said.

Originally published in the Athens Banner-Herald on Sunday, February 06, 2011
Ex-deputy AG to teach at UGA

Larry D. Thompson, former deputy attorney general for the U.S. Department of Justice and current senior vice president of government affairs, general counsel and secretary for PepsiCo, has joined the University of Georgia School of Law as a visiting professor this spring.

Thompson, who has served as a visiting professor at UGA three times, will teach a course titled, "Corporate Responsibility."

Other visiting professors Georgia Law is hosting this spring include Slate magazine's Dahlia Lithwick, who is teaching "The Media and The Courts," and former Georgia Lt. Gov. Pierre Howard, who is teaching "Law and Politics."

Originally published in the Athens Banner-Herald on Sunday, February 06, 2011
AUGUSTA - Miss Falin Marie Rogers, daughter of Sue and Carl K. Rogers of Greer, SC was married on September 18, 2010 to Mr. Henry Wayne Syms, Jr., son of Jill and Wayne Syms of Waynesboro, GA. The wedding took place at the Old Medical College in Augusta, with the Honorable Daniel J. Craig officiating. A reception immediately followed.

The bride, who was escorted by her father, wore a wedding dress of ivory organza, embellished with beading and embroidery. She wore a finger tip veil and carried a small bouquet of red roses.

Lorie McKinney and Pamela Johnson, both sisters of the bride, served as Matrons of Honor. The other attendants to the bride were Susan Anderson, cousin of the bride, Jill Rogers, cousin of the bride, Lisa Marinis, friend of the bride. The junior attendants included Bristol Anderson, cousin of the bride, Taylor McKinney, niece of the bride, Kaley Rogers, niece of the bride, Sarah Johnson, niece of the bride. The attendants wore deep red organza dresses and carried white hydrangeas. The flower girls were Brielle and Jasmine McKinney, both nieces of the bride.

Will Syms, brother of the groom, served as best man. Other groomsmen were Wayne Syms, father of the groom, Mike Hood, friend of the groom, and Charlie Weigle, friend of the groom. The ring bearer was Joshua McKinney, nephew of the bride.

The bride graduated the University of North Carolina at Charlotte in 2004 and Oklahoma City University School of Law in 2007. She is the granddaughter of the late Bessie and Wayne Rogers of Peachtree, NC and the late Thelma and Wiley King of Marble, NC.

The groom attended high school at Edmond Burke Academy, received his undergraduate degree from Augusta State University and graduated University of Georgia School of Law in 2000. His grandparents are the late Pearl and Frank Syms of Waynesboro, GA, Sallie Syms and Fay and Billy Cawley of Augusta, GA.

The happy couple honeymooned in eastern Europe and now live in Augusta.

GRAPHIC: Mr. and Mrs. Syms

LOAD-DATE: February 10, 2011
Ambassador to Tajikistan: Who Is Kenneth Gross, Jr.?

Sunday, February 06, 2011

The ambassador to Tajikistan, which is the poorest country of all the former Soviet republics, is Kenneth E. Gross, Jr., who is familiar with Tajikistan from his earlier tour there as the Deputy Chief of Mission from 2002 to 2004. He was nominated by President Obama for his current posting in June 2009, confirmed by the Senate in August 2009, and arrived in Tajikistan in late September.

Born circa 1953, Gross is a career member of the Senior Foreign Service, which he joined in 1987. He earned a B.A. in History from Auburn University in 1975, a J.D. from the University of Georgia School of Law in 1978, and an M.S. in National Security Strategy from the National War College.

At the State Department, Gross’s early overseas postings included Port-au-Prince, Haiti; Kuala Lumpur, Malaysia; Kathmandu, Nepal; and Frankfurt, Germany. He has also served two stints in Iraq, first as Principal Officer at the Regional Embassy Office in Baghdad, where his office represented the U.S. in the four southern provinces, and later as the director of the newly formed Office of Provincial Affairs, which oversees Provincial Reconstruction Teams. At State Department headquarters, Gross has served in the Bureau of Economic, Energy, and Business Affairs as an aviation negotiator, in the Bureau of European Affairs as desk officer for Austria, and in the Bureau of Intelligence and Research as an intelligence analyst. Gross has also served as a Career Development Officer for senior-level officers in the Human Resources Bureau and as director of the Middle East Partnership Initiative Office in the Near Eastern Affairs Bureau.

Gross speaks Tajik, German, and French. He is married to Minoo Rasoolzadeh.

-Matt Bewig

State Department Biography
Testimony before the Senate Foreign Relations Committee (pdf)
Lawmaker proposes relabeling rape victims as 'accusers'
By the CNN Wire Staff
February 7, 2011 9:06 p.m. EST

(CNN) -- A Georgia state lawmaker with a history of operating on the political fringe has filed a bill stripping the term "victim" from rape, stalking and domestic violence cases.

Rep. Bobby Franklin, a Republican from the Atlanta suburb of Cobb County, filed the bill in November but it only recently came to public attention.

Franklin's bill would eliminate the word "victim" from statutes dealing with stalking, rape, obscene telephone contact with a child and family violence and replace it with "accuser."

It also strikes the word "victim" from statutes dealing with electronic pretrial monitoring, HIV testing of criminal defendants and pretrial discovery, the exchange of crucial information between attorneys prior to the start of a criminal trial.

It wasn't clear why Franklin's legislation includes only those specific laws, or whether it would affect how people who file complaints about other crimes, such as child molestation, assault or theft, might be described.

Franklin did not return a telephone message or e-mail to his office on Monday.

The proposed change angered some who felt that Franklin meant the legislation as an attack on rape victims and on women, who comprise the overwhelming majority of victims of sexual assault.

"I am dismayed ... angry ... and shocked by your wacked out ideologies concerning VICTIMS of rape," one commenter wrote on Franklin's Facebook page.

Carolyn Fiddler, the communications director for the Democratic Legislative Campaign Committee, wrote on the organization's website that the legislation diminishes rape victims by questioning whether what happened to them is even a crime.

"Burglary victims are still victims. Assault victims are still victims. Fraud victims are still victims," she wrote. "But if you have the misfortune to suffer a rape, or if you are beaten by a domestic partner, or if you are stalked, Rep. Franklin doesn't think you have been victimized."

In an interview with CNN Monday, Fiddler said she would like to think that Franklin didn't mean to diminish rape victims with the legislation. But she said the language displayed a "lack of empathy and
Lawmaker proposes relabeling rape victims as 'accusers' - CNN.com

There is some merit in the idea of neutralizing legal and courtroom language to help focus potential jurors on the facts of a case, instead of the emotions raised by issues of rape and similar offenses, said Russell Gabriel, director of the University of Georgia School of Law's Criminal Defense Clinic.

"When we assume the facts that a jury is being asked to decide by presuming that an individual is in fact a victim, then we are undercutting some of the foundational principles of our legal system," Gabriel said.

Carol Tracy, director of the Women's Law Center, an advocacy organization, agreed with the call for neutral language, but said neither "victim" nor "accuser" are appropriate. In Pennsylvania, where she lives, the law references "complainants," she said.

"It sounds a little hostile," Tracy said of the term Franklin proposed. "It doesn't have the ring of neutrality to me."

This is the second controversy this month over Republican legislation mentioning rape.

Last week, U.S. House Republicans changed the language in a bill limiting taxpayer funding for abortions after Democrats and others argued it narrowed a longstanding allowance for government funding of abortion in the case of rape by using the term "forcible rape.

Critics said the language would exclude abortion funding for the rape of unconscious or mentally incapacitated women, for instance.

Franklin, who also has filed legislation that would outlaw abortion in Georgia, is known for taking fringe positions that often chafe state House leaders, said Charles Bullock, a political science professor and expert in Georgia politics at the University of Georgia.

"He's been something of a loose cannon since he got in there," Bullock said.

Franklin recently attracted attention for filing legislation that would eliminate the need for Georgia residents to get driver's licenses, saying the government cannot abridge an individual's right to travel.

He has also filed a bill that would abolish all zoning laws in the state.
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Gassed

A Wall Street Journal story about bacteria used to “eat up” methane dumped into the Gulf of Mexico following the Deepwater Horizon oil spill quoted Samantha Joye, a marine scientist at UGA.

“I think they are jumping to a conclusion,” Joye said. “It would take a superhuman microbe to do what they are claiming.”

Out of the spotlight

A Wall Street Journal article about celebrity CEOs quoted Scott Grafton, an assistant professor in the Terry College of Business.

“Dennis Kozlowski loved the attention—he sought it,” Grafton said. “In the NFL, it’s always the coaches who cultivate the media who get in trouble, even if they have early success. You’re better off being conservative, attaining moderate levels of success and staying out of the media spotlight.”

Facts

David Des Jardines
Electronic Information Manager and Assistant Marketing Manager
UGA Press
B.A., English, Valdosta State University, 1981
Computer Programming Diploma, Athens Technical College, 2001
At UGA: 20 years

Source: Human Resources

THE WALL STREET JOURNAL

 RETIREES

January

Thirty-four UGA employees retired Jan. 1. Retirees, their job classification, department and length of employment are:

Christine J. Barrington, warehouse supervisor, property control, 30 years/9 months; Mary Ellen Blackburn, associate professor, agricultural leadership, education and communication, 28 years/4 months; K. Denise Brown, senior accounting technician, University Health Center, 28 years/4 months; Minnie L. Burgess-Whitlock, building services worker II, South Campus Building Services, 20 years/8 months; Attawa J. Childress, department manager, Office of Sponsored Programs, Office of the Vice President for Research, 29 years/9 months; Stephen E. Condon, project director, Carl Vinson Institute of Government, 25 years/6 months; Joann Davis, laboratory technician II, plant biology, 17 years/10 months; Lorraine A. Davis, senior accounting technician, food administration, 12 years/6 months; Joseph R. Freeman, admissions specialist, biological sciences, 12 years/11 months;  Marc A. Galvin, assistant to the dean, School of Law, 28 years/2 months; Carol L. Gardner, clinical manager, University Health Center, 9 years/11 months; Virginia Goeckjian, research professional II, Wildlife Disease Study, 30 years/3 months; U. Gus Gonzalez, plumber, plumbing shop, 12 years/4 months; Michael E. Healy, senior marketing professional, Georgia Center for Continuing Education Conference Center and Hotel; sales and marketing, 18 years/5 months; Richard N. Johnson, Cortona Program director, art, 31 years; James B. Kau, professor, insurance/legal studies and real estate, 37 years/4 months; Karlene K. Lawrence, editor, Athletic Association, 28 years/3 months; Barbara Ann Lee, administrative associate I, residence hall facilities administration, 9 years/9 months; Edwin Gordon Maner, senior public service associate, Carl Vinson Institute of Government, 17 years/11 months; Kipling D. Martin, HVAC/refrigeration mechanic, building A/C systems, 29 years/3 months; Carl L. McCoy, public service associate, Carl Vinson Institute of Government, 26 years/7 months; Sandra L. Miller, building services supervisor, North Campus Building Services, 5 years/9 months; Bonnie L. Norwood, administrative associate I, Office of Development, 13 years/9 months; Barbara R. O’Neal, county secretary, Cooperative Extension—Northeast District, 25 years/7 months; Tammy C. Pounds, information technology director, ETS/operations and infrastructure, 23 years/7 months; Marsha D. Richmond, administrative associate II, insurance/legal studies and real estate, 17 years/5 months; Gwen C. Roland, public relations coordinator, Southern Region Sustainable Agriculture Research and Education Program—Griffin Campus, 17 years/11 months; William James Schultz, budget specialist, budget division, 18 years/8 months;  E. Daniel Smith, professor, J.M. Tall School of Accounting, 19 years/3 months; Lane J. Stewart, constituent-based director, Office of Development, 17 years/11 months; Susan T. Thornhill, administrative associate I, Office of the Assistant Dean—Griffin Campus, 26 years/2 months; William E. Wade, professor, clinical and administrative pharmacy, 32 years/11 months; Nancy H. Watson, academic adviser III, College of Arts and Sciences—Dean’s Office, 31 years/3 months; and John Paul Williamson, building services supervisor, North Campus Building Services, 28 years/4 months.

While the publishing industry may be focusing more on e-books now, Des Jardines said that “paper books aren’t going away in our lifetime.”
The following information was released by the University of Georgia:

A leading Christian thinker from Princeton University will deliver a lecture entitled "Natural Law, God and Human Dignity," at 4 p.m. Feb. 24 at the University of Georgia Chapel.

Open free to the public, the talk by Robert George, the McCormick Professor of Jurisprudence at Princeton, is sponsored by the UGA Christian Faculty Forum.

"We're an organization of professors from across campus in different disciplines, and every year or two we try to invite a speaker to address the whole campus," said Randy Beck, a professor in the UGA School of Law. "Many of the people involved in Christian Faculty Forum are interested in how Christian theology might relate to various disciplines represented on a university campus. We often bring in speakers to draw some connection between Christian teaching and current scholarship."

The New York Times Magazine hailed George, who also serves as director of the James Madison Program in American Ideals and Institutions at Princeton, as "this country's most influential conservative Christian thinker" for the impact of his opinions concerning topics like stem cell research, same-sex marriage and abortion. He has served on the U.S. Commission on Civil Rights and the President's Council on Bioethics.

George earned a doctorate of philosophy from Oxford University as well as a juris doctorate from Harvard University. He regularly teaches classes on constitutional interpretation, civil liberties and philosophy of law.

Active at UGA since 1993, the Christian Faculty Forum is comprised of approximately 250 faculty and staff members. In the past, the group has invited Christian academicians such as Peter Kreeft, Arthur Brooks, Ravi Zacharias and William Craig to campus.

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LOAD-DATE: February 7, 2011

2 of 2 DOCUMENTS

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February 7, 2011 Monday 5:06 PM EST
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Franklin's bill would eliminate the word "victim" from statutes dealing with stalking, rape, obscene telephone contact with a child and family violence and replace it with "accuser."

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Commencement speaker: Be like a turtle, stick neck out

by Daniel Bell

Bob Berry, the keynote speaker at the first-ever Georgia Northwestern Technical College graduation ceremony, told the more than 300 graduates at The Forum Thursday evening that he wants them to be like turtles now that they are entering the professional world. Click to see a complete list of graduates.

See, for a turtle to get anywhere in life, he has to stick his neck out. Berry encouraged graduates to be bold, to not fear failure, to embrace challenges, and to, well, stick their necks out. He also told them they should be loyal and helpful, and they should continue learning and training and looking for ways to continue their self-improvement.

Berry also told the graduates they should strive to commit the moment to memory. He asked them to look around at their classmates, their instructors, and the people present to celebrate their success and remember the event and the emotion.

"You certainly don't need to remember who the speakers were or what the message was, but you do need to remember tonight," he said.

Berry congratulated those receiving degrees, diplomas and certificates, as well as the friends and family members who supported them while they juggled school and the other factors of life.

He told everyone not to consider graduation a goal line but rather the beginning of something else.

"I can tell you this entire institution — the faculty, the staff, the board of trustees — hold you in the highest esteem," said Berry.

Berry is a senior partner in the law firm of Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP. His specialties include medical malpractice and professional and insurance defense. He holds a juris doctorate degree from the University of Georgia School of Law and a Bachelor of Arts degree from Emory University, and he has been involved in a number of community and civic activities throughout his legal career.

Thursday's GNTC graduation ceremony was the first since the merger of Coosa Valley Tech and Northwestern Tech last summer.
Gelaye appointed new dean of students

On Wednesday, Erka Gelaye was appointed associate vice chancellor for student affairs and campus life and dean of students at the University of Massachusetts.

The decision has come after a national search.

In a press release from the University, Vice Chancellor for Campus Affairs and Student Life Jean Kim expressed her approval of the choice.

Gelaye, who holds a law degree from the University of Georgia and a Bachelor’s of Science degree from the University of Tennessee, is currently the executive officer for the vice chancellor for student affairs at the University of California, Los Angeles. Gelaye will succeed Jo-Anne Vanm, who is retiring after 22 years.

"Erka has significant expertise as a student conduct administrator, policy and research advisor, incubator of new projects, crisis management specialist, student advocate and gifted collaborator with students, faculty, staff and the community," said Kim in a release. "She has broad experience in student affairs, university management and an unwavering commitment to student success. I am delighted to have such a talented, engaged professional to join the leadership team of the student affairs and campus life division."

According to Kim, Gelaye will take her new position on April 4.

Before joining the UCLA staff, Gelaye served as interim director of student judicial affairs and community standards at the University of Southern California.

The Division of Campus Affairs and Students Life include programs and services relating to the student experience on campus, including Career Services, Housing and Residential Life, New Student Orientation and University Health Services.

- Collegian News Staff

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Widespread Panic Comes Full Circle
Celebrating the Band's 25th Anniversary
Dave Schools glances back and speculates on the band's future just months away from the landmark release of its first-ever show

Parents in Schools
CCSD Promotes and Facilitates Family Involvement
Clarke County schools work to enhance parent involvement in children's academic lives

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**Features**

**Dahlia Lithwick**
The Flagpole Interview, Pt. 1

At a time when the most powerful person in American politics may be a Supreme Court Justice—Anthony Kennedy, a Reagan appointee who has functioned as the Court's "swing" vote since the retirement of Sandra Day O'Connor five years ago—it's probably a good idea to pay attention to the Court's activities. That makes Dahlia Lithwick, the Supreme Court correspondent for Slate magazine, an important voice in American journalism. Her highly informed yet accessible reporting and commentary make the intricacies and arcana of the legal system understandable and help place the Court's decisions in their proper context within our lives and politics.

Lithwick recently taught a course as a visiting professor at the University of Georgia School of Law, and she agreed to sit down for a talk with Flagpole on Feb. 2, the day before her trial class.

**Flagpole:** How did you end up here? What led to this?

Dahlia Lithwick: I was invited to do that lecture last year, the Edith House Lecture. I came and I gave it and it was love at first sight. I just loved the school, loved the students, every single person I met, faculty and students. I just really had an amazing experience. A little bit after that Rebecca White [dean of the UGA law school] called and said, "Hey, listen, we have this visiting faculty gig, come teach!" I thought, "I've never taught, but let's try!"

**FP:** So, you've never done this before?

**DL:** No, I mean, I've talked to groups of students, but I've never had a syllabus and a curriculum... and there's this paper at the end of it, so that's all new for me!

**FP:** Before I ask you what you're teaching in your course, I should ask you to talk about your job just a little bit.

**DL:** I'm the Supreme Court correspondent for Slate magazine. I think this is my 12th year doing that. I started covering the Court in '99 and I've been doing it since then. And I had a column in Newsweek for a couple years. So, the course is about the interplay between the media and the courts and the American public. And how we're covering the courts: what we're doing right, what we're doing wrong, why we do it, why we do we, it hasn't changed? [We're] asking questions about whether the court's relationship with the American public has changed as a result. So, it's very "meta"... So much of the way we learn at law school hasn't changed in literally, over a hundred years... Even though it sounds like a strange and obscure topic. I think it's nice for law students to have an opportunity to read stuff that aren't cases, treaties and statutes, and to think in a slightly more "meta" way about courts and the law than maybe a nice book.

**FP:** The kind of journalism you do, the way that you cover the court—that has changed. There hasn't always been a biogapher. There hasn't always been this easily accessible commentary on the Court and what it does. So, I would imagine that's a big part of what you're talking about.

**DL:** It is... The courts are so unique in that they're both dedicated to the notion of transparency—they put their transcripts out there. It's really important, you know, it's the First Amendment, we have a right to see what's going on in courts—and yet, at the same time, they're totally opaque. And not just opaque in that you can't get into the Supreme Court. It's hard to get credentials there, but there's no cameras there, there's no audio there. So, it's a paradox and it's very different from covering Congress, where it's all just out there. So, we've talked a lot in the class—and I think it's what makes it sort of Shakespearean and interesting—is that you're supposed to be covering an institution that
DL: It is... The courts are so unique in that they're both dedicated to the notion of transparency—they put their transcripts out there... it's really important, you know, it's the First Amendment; we have a right to see what's going on in courts—and yet, at the same time, they're totally opaque. And not just opaque in that you can't get into the Supreme Court, it's hard to get credentials there, but there's no cameras there, there's no audio there. So, it's a paradox and it's very different from covering Congress, where it's all just out there. So, we've talked a lot in the class—and I think it's what makes it sort of Shakespearean and interesting—is that you're supposed to be covering an institution that purports to wants to be covered, but that mystifies itself to the point that you almost can't cover it. And you're quite right, I think, that the blogosphere and the advent of women writing about the courts—those things have really changed very quickly. But we're on a collision course, I think, of course, between the media and the Court, because the more access we seek and the more openness we seek, the more it makes their fundamental sense of that need for mystery complicate it.

FP: Sure. And that even goes to the very composition of the Court... We know that the Court's not broadcast, but the confirmation hearings are, and we see these potential justices attempted to be turned inside-out by the Senate. How has that changed the way that the Court operates? This may be too recent of an example, but take a Justice Souter, who was nominated by a Republican president, and it was assumed that he would be a reliable conservative vote on the Court, and turned out to be quite the opposite. Can that happen now?

DL: I think it can happen for some of the same reasons it happened with Souter, which is that the confirmation process has so been drained of substance that the kinds of people we tend to even put up are those very opaque people who we know nothing about... One of the paradoxes of the confirmation process is that by making it so open and so transparently political, we've created a world in which the only nominees that can come up are ciphers; are a total mystery! So, I actually think we've compounded the problem: we've made the Souter problem bigger. And then, over and above that, the justices have adhered to this rule that says, "I'm not gonna talk about anything—I'm not gonna talk about anything general because it's too general; I can't talk about anything specific because it's too specific. I can't talk about cases from the past because they're in the past; I can't talk about cases in the future because they're in the future..."—and created a series of barriers to saying anything. And so, I think the oddity of this process is, it wasn't until very recently that they were open and televised; it used to happen in three hours, on the books. It wasn't this spectacle, but the spectacle has actually caused, I think, these justices to be, weirdly, even more unknowable than they were back in the day. It's become almost completely devoid of substance.

FP: And, yet... even when a nominee like [Chief Justice John] Roberts was presented as a moderate, it was like, "There's no way this guy's a moderate!" And it appears that was true, based on the first few years of his tenure.

DL: I think that's right. I think... that's not a systemic Court issue as much as... I think that the Republican Party has been way more focused on the Court... I think they have
done such a fine job of creating a deep, deep bench of people who feel very, very strongly about the role of the courts and, you know, "We're gonna make constitutional decisions." And they've also done an incredibly good job of messaging that...

**FP:** *All in the name of "non-activism."*

**DL:** Right. So, the American public... you know, you have one side that has both a product to sell and the sales pitch, and you have, I think, the Left in this country that is in a state of complete disarray on the subject of the courts. To the extent that Obama cares about putting up judges that answer Bush judges on the Left, I've seen no evidence of that—I think he's done what Clinton did, which is put up some moderates. And, you know, Obama doesn't talk about the courts; you know, this is a constitutional law professor... And I think it's just not on the radar. And you're seeing that play out not just in terms of Republican nominees that are really steadfast believers in a certain vision, and are able to sort of message that... So, Roberts—we talked about this yesterday in class—we just showed the video of him... testifying that judges are umpires. It's just such a brilliant formulation, even if it's perfectly aspirational—and even fatuous—but it's amazing, and there's been no answer on the Left. In fact, then I showed the video of Sotomayor disavowing the standard—you know, Obama had set this standard of "Well, they may be umpires, but we go for empathy"—remember that? And she's like, "I don't want anything to do with that!" We called it "Sotomayor Throws Obama Under the Bus" yesterday. There's no message.

**FP:** *And yet, she was excoriated by the Right as this Left-wing extremist.*

**DL:** Well, but that also goes to that they've just done a really, very, very good job of setting the entire contours of the battle...

**FP:** *Right: shifting the middle...*

**DL:** Yeah, and I think, credit where credit is due. That's a really profound change. That's the change that is going to seriously imperil Obama's health initiative, you know...

**FP:** *As you said, the whole federal bench... Earlier this week, another federal judge ruled the whole thing unconstitutional, basically.*

**DL:** Mm-hmm... More than anything, I think, that's a testament to the kind of people that Reagan and Bush have been putting on the bench, and how clear the vision is, and how strong the passion is. These aren't constitutional questions; this is a question of, you know, "Do you have the stomach to turn back the clock to pre-Lochner era jurisprudence." And they do! And I really feel like progressives were asleep at the switch when that happened. And I see no evidence that Democrats in this country prepared themselves for what it would mean to have one-third of the federal bench be Bush appointees.

Dave Marr
About the International Franchise Association

The International Franchise Association is the world's oldest and largest organization representing franchising worldwide. Celebrating 50 years of excellence, education and advocacy, IFA protects, enhances and promotes franchising through government relations, public relations and educational programs. Through its awareness campaign highlighting the theme, Franchising: Building Local Businesses, One Opportunity at a Time, IFA promotes the nearly 18 million jobs and $2.1 trillion of economic activity generated by franchising. IFA members include franchise companies in over 90 different business format categories, individual franchisees and companies that support the industry in marketing, law and business development.

Editor's Note: To request a JPG of Lawrence "Doc" Cohen, contact the IFA Media Relations Department at 202-628-8000.

LOAD-DATE: February 14, 2011

February 10, 2011 Thursday 8:55 AM EST

HEADLINE: Emory, Other Law Schools in the State Host Event for Underrepresented Students

BYLINE: Targeted News Service

DATELINE: ATLANTA

BODY:

Emory University issued the following news release:

Georgia's five law schools will present "Law School 101: A How-To Guide for Underrepresented Students on Applying and Getting into Law School" from 6-9 p.m. Wednesday, March 2 at Emory University School of Law, 1301 Clifton Rd., Atlanta.

Law School 101 is presented in cooperation with the Law School Admission Council's DiscoverLaw.org months. From Jan. 15 to March 15, events are held at law schools across the country aimed at high school and undergraduate college students from underrepresented racially and ethnically diverse groups who are interested in law careers.

The event will feature panel discussions on topics ranging from "The Importance of Undergraduate Performance" to a "Law School Admissions Panel." Students also will participate in a mock class led by an Emory Law professor. Alumni and current law students will be on hand to discuss their experiences in law school and in the legal profession.

Admission is free, but registration is required.

In addition to Emory, Georgia's law schools include: Georgia State University Law School, Atlanta's John Marshall Law School, Mercer University's Walter F.
ATHENS, Ga., Feb. 10 -- The University of Georgia issued the following news release:

The University of Georgia has challenged the Oxford Union Society to a formal debate for the fourth time, and the Oxford Union has accepted this challenge. Several of the organization's best debaters will compete against an elite UGA team in a hybridized British/American-style debate on March 8 at 7 p.m. in the UGA Chapel. This fourth installment will be an opportunity for the UGA team to even the all-time score, as they are currently down in the series two losses to one win.

"Like its previous iterations, the 2011 debate will be a hugely exciting event and it will showcase some of the best young thinkers and speakers from both campuses," said Kelp Trivedi, director of the UGA at Oxford Program. "The topic is timely, provocative, and well chosen. I look forward to a hard-fought debate, hopefully ending with a well-deserved UGA victory."

Kavita Pandit, associate provost for International Education at UGA added, "The debate draws attention to the very valuable and long-standing international academic partnership between UGA and Oxford. It also provides an outstanding example of the way in which an international education equips UGA students to compete with the very best and brightest students around the world."

The Oxford Union was founded in 1823 as an arena for the free exchange of ideas among students, and it soon became the forum for political debate in Oxford. Many British prime ministers have served as past presidents of the Oxford Union, and world figures such as Robert Kennedy, Mother Theresa, Yasser Arafat, Jimmy Carter and Nelson Mandela have addressed its members. The union team will be a hand-selected group of "all-stars."

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The UGA team assembled specifically for this event represents a wide field of expertise, and includes: Elizabeth Allan, Honors student and Carl Vinson Institute Fellow; Bobby Rosenbleeth, Honors student, Model U.N. co-director and member of the executive board of the Roosevelt Institute at UGA; Cameron Secord, Phi Kappa Society and a School of Public and International Affairs graduate student; Robert Mulholland, UGA Debate Union assistant coach and M.A. student in the department of speech communications; John Turner, UGA Debate Union assistant coach and M.A. student in speech communications; and Alleen Shawcross, former librarian and chief justice of Demosthenian Literary Society.

The debate topic is "Resolved: China's economic and military rise threatens the interests of the United States and Great Britain in the 21st century." This topic will likely address such issues as human rights and federal policy toward atrocities committed in foreign countries, alliances and stabilizing influences on the Korean peninsula, and throughout the Eastern Hemisphere, Western debt in
the region, and the recent round of high-level talks during the State Visit of China's President Hu. The UGA team will argue the affirmative position, and the Oxford Union Team will argue the negative.

The moderator is Peter Appel, professor in the UGA School of Law, who teaches in the areas of property, natural resources law and environmental law. A former debater himself at Yale, Appel has served as the moderator for the UGA v. Oxford Debate on two previous occasions.

Distinguished judges for the event include Steve Wrigley, UGA vice president of government relations; Wyche Fowler, former U.S. representative, senator and ambassador; Annabelle Malins, Her Majesty's Consul General in Atlanta; Colleen McEdwards, CNN international news anchor; Cecil Staton, Georgia state senator who earned his doctoral degree from Oxford University; and Ian Archer, sub-warden of Keble College and former proctor of the university.

For over twenty years, UGA has fostered one of the leading study-abroad programs in Oxford. In 2007, the program opened a new facility for student use, a fully-renovated, 11,000 square-foot Victorian mansion in the heart of north Oxford. UGA continues to be one of only three American programs—and the only program at a public university—to operate year-round. Many UGA students join the Oxford Union upon arriving in Oxford. Because of UGA's status in Oxford as a respected sister institution (UGA students hold associate membership at Keble College during term); a healthy rivalry has developed between Oxonians and UGA. For any query with respect to this article or any other content requirement, please contact Editor at hissyndication@hindustantimes.com

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Congressional Republicans (and some Democrats) want to stop the EPA from regulating greenhouse gas emissions so much, that, over the past two weeks, they've introduced several new bills that would strip EPA of authority to regulate these precursors to global climate change. What they don’t seem to have considered is that in their newfound determination to hamstring EPA, they may well open the door to federal regulation of GHGs from a source that conservatives will come to dislike even more than EPA: the federal courts.

The new congressional bills take several different forms. One, introduced by West Virginia Sen. Jay Rockefeller, would suspend EPA's authority to regulate GHGs for two years. The most wide-ranging, introduced by Wyoming Sen. John Barrasso, proposes to strip EPA of all authority over GHGs, rescind several regulations that EPA has already promulgated, and declare that other laws (such as the Endangered Species Act) cannot be used to regulate climate change. The most recent, a draft bill announced by Michigan Rep. Fred Upton and Oklahoma Sen. James Inhofe and named the "Energy Tax Prevention Act of 2011," takes a middle course and would rescind certain EPA regulations and remove EPA authority to regulate GHGs but preserve certain new rules for cars. (Upton's House committee held hearings on this bill on Wednesday, and Sen. Inhofe testified.)

These measures may put EPA's opponents in a worse predicament in the long run. Before the modern era of national environmental regulatory laws, courts were often the institutions addressing environmental problems when legislatures wouldn't respond. Lawsuits against nuisances—some dating back to the 1600s and earlier—were among the first legal responses to what were then called "noisome stenches" and today are called environmental problems. Nuisance suits have been used to attack everything from smelly pigsties to giant factories. Although most of these lawsuits proceeded in the state courts, federal courts got involved as well, especially in cases of interstate nuisances. In the early 20th century, the state of Georgia brought a successful nuisance claim in the U.S. Supreme Court against the Tennessee Copper Company, which operated a polluting smelter in Ducktown, Tenn., just north of the Georgia-Tennessee border. The environmental devastation produced was dramatic; the hillsides around the plant still bear scars from the pollution over a century after the court's decision. For these interstate nuisances, the court applied judge-made federal common law. Authorities from state and international law offered guidance for the content of the rule to apply, but otherwise the courts chiefly relied on their own sound judgment to decide the shape of the nuisance rules. And in formulating a remedy for the nuisance, courts imposed some wide-ranging injunctions. In Georgia v. Tennessee Copper Co., for example, the Supreme Court entered a detailed ruling specifying emission levels for the factory for several years.

Two developments altered this approach to environmental disputes: First, in a series of (mostly non-environmental) cases, the Supreme Court withdrew federal courts from the business of developing separate bodies of federal common law except in unusual circumstances. Second, starting in 1970, Congress entered the environmental arena with a vengeance, enacting statutes like the Clean Air Act, the Clean Water Act, and the basic hazardous waste laws within a few short years. With these detailed statutes in place and agencies like the EPA dominating pollution control, the role played by federal courts in environmental regulation diminished.

Indeed, some doubted whether common-law nuisance lawsuits could even be brought after the enactment of these detailed federal statutes. Even though the Clean Air Act and the Clean Water Act contain provisions that arguably preserve preexisting common law actions, the Supreme Court made clear that these new statutes displaced the need for federal court involvement where Congress "has occupied the field through the establishment of a comprehensive regulatory program supervised by an expert administrative agency." (Suits based on state nuisance law still survive after the enactment of the federal pollution laws.)

But in recent years, the challenges posed by global climate change have sent environmental advocates scurrying to the courts, Congress, and federal agencies in efforts to address the problem of GHG emissions. In 2007, the Supreme Court held in
Massachusetts v. EPA that the EPA not only had the authority to regulate GHGs as pollutants under the Clean Air Act but also had the obligation to do so if it concluded that these pollutants would harm human health and the environment. Since the EPA had publicly endorsed the view that GHGs would lead to global climate change, regulations of some kind were a near-certainty. George W. Bush's EPA dragged its feet in responding to this mandate, only issuing a proposed rule in the last few months of his administration. Since then, the Obama administration has issued several new rules and findings that harness the Clean Air Act to address GHG emissions. Although the Clean Air Act may be an inefficient way to deal with the complexity of climate change, and although these regulations do not constitute a comprehensive regulatory response to the problem of GHGs, these new rules were certainly a significant start.

At the same time, some environmentalists have returned to the courts to treat global climate change as a nuisance. They've had some victories and also had some setbacks. The U.S. Supreme Court decided in December to review one of the environmentalist victories and on April 19 of this year, it will hear Connecticut v. American Electric Power. In that case, the 2nd Circuit held that states and private environmental organizations could sue polluters—again under a federal common-law nuisance theory. The Obama administration (which represents the interests of the Tennessee Valley Authority, a major federally run power producer, in the suit) has urged the court to dismiss it, arguing that the new Clean Air Act regulations (which were not around when the 2nd Circuit issued its decision) constitute a comprehensive regulatory scheme that displaces federal common law. A win on this ground would heighten EPA's role over GHGs while also ensuring more predictable results than what might come from various court rulings in different nuisance lawsuits around the country.

Over on Capitol Hill, however, lawmakers are now busily pulling the rug out from under the EPA. The list of regulations that Obama's lawyers argued have displaced federal common law mirrors the list of regulations specifically rescinded in the Upton/Inhofe draft bill. If that bill becomes law, it will create a vacuum of regulation over GHGs which the federal common law could rush in to fill. Even if the bill goes nowhere, work on it certainly undermines the impression that the regulatory scheme comprehensively displaces federal common law, since that scheme is apparently so fragile.

To be sure, Barraso's bill (unlike the Upton/Inhofe draft) attacks the litigation strategy directly. It provides that "[n]o cause of action, whether based on common law or civil tort (including nuisance) or any other legal or equitable theory, may be brought or maintained, and no liability, money damages, or injunctive relief arising from such an action may be imposed" for global climate change. This provision would appear to wipe out all climate change-related lawsuits, ever, whether they are premised on federal or state common law, eliminating lawsuits like AEP v. Connecticut as well as all state lawsuits. This wholesale erasure of future litigation undoubtedly pleases the anti-lawyer crowd, but it also completely undermines any commitment to the states being allowed to experiment with new laws and address climate change through their own legal systems. Of course, fealty to an abstract concept such as federalism often disappears in the face of a policy (such as same-sex marriage) that an advocate of federalism may hate more than an imbalance in state/federal relations.

The argument that the new Clean Air Act regulations have displaced federal common law is but one in the arsenal that the Obama administration and the private petitioners have advanced in court to kill the AEP case. Nevertheless, the displacement argument will likely have appeal to Justice Anthony Kennedy, a key member of the majority in the Massachusetts v. EPA case, because it means that someone's regulating GHGs. If Kennedy is not persuaded to dismiss AEP, then the lower court decision will likely stand. (The court will have only eight members participating; Justice Sotomayor was a member of the 2nd Circuit panel in the case below and is therefore recused. An even split of the court affirms the pro-environmentalist decision below.) Upton and Inhofe are clear that they want the federal courts to butt out of the global climate-change debate; they filed an amicus brief in AEP telling the court just that. Short of working on a true comprehensive regulatory scheme for GHGs such as a cap-and-trade system or carbon tax, however, congressional Republicans would be better off leaving EPA's rules alone for now if they want to avoid what may be an even more invasive fate: regulation by federal injunction.

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Peter A. Appel is an associate professor at the University of Georgia School of Law, where he teaches environmental law, natural resources law, and property.

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CALANDAR OF EVENTS

FEB. 11
Georgia Auto Insurance Claims Law. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics and three trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

FEB. 17-18
Social Security Law. Sponsored by the Institute of Continuing Legal Education in Georgia. Ten CLE hours, including one ethics, one professionalism and six trial practice hours. At the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

FEB. 17-21
21st Anniversary Tropical Seminar. Sponsored by the Institute of Continuing Legal Education in Georgia. Twelve CLE hours, including two ethics, one professionalism and six trial practice hours. At Intercontinental Playa Bonita Resort & Spa in Panama City, Panama. Register at www.iclega.org.

FEB. 18
The Future of International Trade: An American Perspective. Sponsored by the University of Georgia School of Law's Dean Rusk Center and the Terry College of Business. Starts at 9 a.m. in the Larry Walker Room of Dean Rusk Hall on the university's North Campus in Athens. Register at www.law.uga.edu/news/8957.

FEB. 24
Advanced Debt Collection. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics, one professionalism and three trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

FEB. 24
Technology Show and Tell. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one half trial practice hour. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

FEB. 25
Employers' Duties and Problems. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one professionalism and one trial practice hour. From 8 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

FEB. 28
Beginning Lawyers Program. Sponsored by the Institute of Continuing Legal Education in Georgia. From 8 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

MARCH 2
Eminent Domain. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one professionalism and one trial practice hour. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

MARCH 3
Fundamentals of Health Care Law. Sponsored by the Institute of Continuing Legal Education in Georgia. Six and a half CLE hours, including one ethics and one and a half trial practice hours. From 7:45 a.m. to 4 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

MARCH 4
Workers' Compensation Law for the General Practitioner. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics, one professionalism and three trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

MARCH 4
Integrity: Good People, Bad Choices and Life Lessons From the White House. Sponsored by the Institute of Continuing Legal Education in Georgia. Three and a half CLE hours, including one ethics and one professionalism. From 7:45 a.m. to 12:45 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

MARCH 17
19th Annual Product Liability Seminar. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics, one professionalism and four trial practice hours. From 7:45 a.m. to 3:45 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

FOR ATTORNEYS ONLY:
Need Local Counsel For A Federal Case In
States News Service
February 10, 2011 Thursday

LENGTH: 797 words

HEADLINE: UGA AT OXFORD TO HOST UGA V. OXFORD UNION DEBATE IV
BYLINE: States News Service
DATELINE: Athens, GA

BODY:

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For more information on UGA at Oxford, see http://www.uga.edu/oxford/.
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Augusta YDC takes honors at mock trial competition


By Tracey McManus
Staff Writer
Friday, Feb. 11, 2011

For 10 teens who know the gut-wrenching feeling of standing before a judge, it took one last trip to a courtroom to be able to stand with their heads high.

This time, their hands weren't bound by handcuffs. They filed past the defendant's seat linked strongly together, but it wasn't by shackles.

On Feb. 5, those 10 teens from Augusta Youth Detention Center sat in a courtroom at the University of Georgia School of Law as prosecutors, witnesses and defense attorneys. They felt the glory of being the ones to yell an objection or to call a witness to the stand. For one day, the court was theirs. In a way, it's really theirs forever now.

Those teenagers, all convicted of felonies, became the first students from Augusta YDC to ever compete in the Northeast Georgia Regional Mock Trial Competition. It was also the first time a team of students from any detention center had competed in Athens.

"We had a lot to prove," said Xavier Parker, 18. "In our situation, a lot of people believed we had no chance. So we really had it in our minds we could do this ... as far as people doubting us, we had to prove them wrong."

The team argued a fictional civil case against seven other high schools from the Athens region. Each school split its teams into a defense and plaintiff side and went up against other schools' opposite sides in rounds.

They walked away with two outstanding attorney awards, a most effective witness award and a new sense of accomplishment.

"It really was like a perfect day," explained Jodarian Woods, 18.

The months that led to their day in court were a whirlwind of excitement, nerves and uncertainty, Assistant Public Defender Alexia Davis said.

After Davis approached YDC about forming a mock trial team in November, she enlisted
five other attorneys from the public defender's office to train the teens and organize their entries.

The attorneys turned a classroom at YDC into a makeshift courtroom and schooled the youths on handling evidence and cross-examination techniques.

For two months, teachers said, the members threw themselves into their roles, vanishing into the mindset of an attorney or a witness, and building a desire to win so strong it kept them up at night.

It was a channel to show their talents that, when asked, every one of them said they had never felt before.

"They absolutely and beyond proved that they are very talented, brilliant kids," public defender Holly Chapman said. "Many rules of evidence that attorneys can't even remember, (they) picked up so quickly."

Every day leading to the competition, however, was a reminder that their hearts could break with one signature.

Until the last day before they departed for Athens, the team was not sure if the Department of Juvenile Justice commissioner would give it an exception to the rule that no juvenile leaves the Augusta campus.

"It wasn't until the day before when we got the OK," said Della Hughes, Augusta YDC's after-school coordinator. "But it never stopped them from practicing."

Days before the competition, the group enlisted the help of State Judge David D. Watkins to critique their arguments.

Watkins watched their tones and their demeanors, and nowhere did he find the image of a teen lost in the system.

"Honestly, it brought me to tears," he said. "It was that impressive. I honestly felt that they had grasped the concepts and were able to put them into practice in ways that rivaled some of the attorneys I see in (my) courtroom."

Not only did their performance impress a state judge but it also ignited a fire within them.

"It made me feel good, and it changed my whole demeanor," said Brandon Williams, 17. "Now I can stay on my game. If I don't go to the Army, I can go to school and become a lawyer. It's something I know I could do."

If it was ever hazy before their perfect day in court, it's now clear that working toward a goal fills some kind of void.

The others talk about medical school, law school and professional sports as though they know those achievements can now be guaranteed.

They admit it was heartbreaking to leave UGA without the regional title -- only one team could move on in the competition -- but they walked away with much more.
"It was my first time experiencing it, so I was sad the whole way back," Williams said. "But we did so well they're expecting us to come again. They're looking forward to us coming again."

Links:
HEADLINE: A new day in court; Team takes honors at mock trial competition
BYLINE: By Tracey McManus< Staff Writer

BODY:

For 10 teens who know the gut-wrenching feeling of standing before a judge, it took one last trip to a courtroom to be able to stand with their heads high.

This time, their hands weren't bound by handcuffs. They filed past the defendant's seat linked strongly together, but it wasn't by shackles.

On Feb. 5, those 10 teens from Augusta Youth Detention Center sat in a courtroom at the University of Georgia School of Law as prosecutors, witnesses and defense attorneys.

They felt the glory of being the ones to yell an objection or to call a witness to the stand.

For one day, the court was theirs. In a way, it's really theirs forever now.

Those teenagers, all convicted of felonies, became the first students from Augusta YDC to ever compete in the Northeast Georgia Regional Mock Trial Competition. It was also the first time a team of students from any detention center had competed in Athens.

"We had a lot to prove," said Xavier Parker, 18. "In our situation, a lot of people believed we had no chance. So we really had it in our minds we could do this ... as far as people doubting us, we had to prove them wrong."

The team argued a fictional civil case against seven other high schools from the Athens region. Each school split its teams into a defense and plaintiff side and went up against other schools' opposite sides in rounds.

They walked away with two outstanding attorney awards, a most effective witness award and a new sense of accomplishment.

"It really was like a perfect day," explained Jodarian Woods, 18.

The months that led to their day in court were a whirlwind of excitement, nerves and uncertainty, Assistant Public Defender Alexia Davis said.

After Davis approached YDC about forming a mock trial team in November, she enlisted five other attorneys from the public defender's office to train the teens and organize their entries.

The attorneys turned a classroom at YDC into a makeshift courtroom and schooled the youths on handling evidence and cross-examination techniques.

For two months, teachers said, the members threw themselves into their roles, vanishing into the mindset of an attorney or a witness, and building a desire to win so strong it kept them up at night.
It was a channel to show their talents that, when asked, every one of them said they had never felt before.

"They absolutely and beyond proved that they are very talented, brilliant kids," public defender Holly Chapman said. "Many rules of evidence that attorneys can't even remember, (they) picked up so quickly."

Every day leading to the competition, however, was a reminder that their hearts could break with one signature.

Until the last day before they departed for Athens, the team was not sure if the Department of Juvenile Justice commissioner would give it an exception to the rule that no juvenile leaves the Augusta campus.

"It wasn't until the day before when we got the OK," said Della Huges, Augusta YDC's after-school coordinator. "But it never stopped them from practicing."

Days before the competition, the group enlisted the help of State Judge David D. Watkins to critique their arguments.

Watkins watched their tones and their demeanors, and nowhere did he find the image of a teen lost in the system.

"Honestly, it brought me to tears," he said. "It was that impressive. I honestly felt that they had grasped the concepts and were able to put them into practice in ways that rivaled some of the attorneys I see in (my) courtroom."

Not only did their performance impress a state judge but it also ignited a fire within them.

"It made me feel good, and it changed my whole demeanor," said Brandon Williams, 17. "Now I can stay on my game. If I don't go to the Army, I can go to school and become a lawyer. It's something I know I could do."

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"It was my first time experiencing it, so I was sad the whole way back," Williams said. "But we did so well they're expecting us to come again. They're looking forward to us coming again."

Reach Tracey McManus at (706) 823-3424 or tracey.mcmanus@augustachronicle.com

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DA's office welcomes new assistant

Amber Pittman
apittman@covnews.com
678-750-5000
February 13, 2011

The Newton County District Attorney's Office recently welcomed a new assistant district attorney, hired to lead the prosecution of cases of child abuse, felony sexual assault cases against adults and crimes against the elderly.

Peter Boehm has been a prosecutor for 15 years. He graduated with a Bachelor of Arts in history and political science from Northwestern University and received his juris doctor from the University of Georgia Law School. He has practiced in the district attorney's offices in Gwinnett, Fulton and DeKalb counties, as well as privately with Stone and Boehm in Duluth, and has experience in prosecuting crimes against children and cybercrime as well as child forensic interviewing.

"I believe that (Newton County District Attorney) Ms. (Layla) Zon's desire to establish a Special Victims Unit in the District Attorney's Office shows her commitment to protect these most vulnerable members of the community," said Boehm. "I am truly excited about joining her office and the opportunity to focus on pursuing justice for victims of such terrible abuse," he said.

"It is important to have a dedicated prosecution team to these cases because by their very nature, these cases involve complex legal issues within a specialized area of criminal law," said Zon. "In addition to that, these cases must be handled sensitively because they involve potential victims whose voice in the criminal justice system hinges upon the expertise and dedication of a committed advocate for their rights. This unit will not only focus their efforts on the prosecution of these cases, if justice demands it, but also on education and prevention within our two counties, and on providing assistance to law enforcement and community organizations who seek to assist in these goals.

"Mr. Boehm is uniquely equipped to handle these responsibilities and brings a vast amount of experience to further this effort. He has both the legal expertise and the commitment to share his knowledge and experience within our community. With that combination, I trust that our office will be stronger and our community will be safer," she said.

Boehm’s wife, Kimberly, is an attorney in Duluth. The couple has two daughters, ages 3 and 6, and are active in their church where he serves on the board of the
preschool.

http://www.covnews.com/section/1/article/17489/
new tools to view immune system to treatment for rheumatoid arthritis

Prestegard's research was just published in the journal Nature Chemical Biology.

The new structural knowledge at how IgG binds to the body through receptors could offer a point of therapeutic intervention, though current research is only a first step in that direction. More immediately important, it opens the entire subject of immunochemical reaction becomes unbalanced, the result can be a serious disease, such as rheumatoid arthritis.

According to the authors, the findings presented in the new research have, "significant implications for possible improvements in intravenous IgG therapy for patients suffering from severe cases of rheumatoid arthritis." Prestegard said that work from the laboratory of Jeffrey Ravetch at Rockefeller University on the importance of specific glycans to the anti-inflammatory activity of the IgG antibody has been particularly important in motivating the UGA studies of glycan accessibility.

While the new findings could apply to treatment of many diseases, the possibility of their adding to the understanding of rheumatoid arthritis alone would be significant, said Prestegard.

Art scholar to lecture Feb. 15

Edward Shanken, a leading scholar of interdisciplinary new media art, will deliver a lecture, "From the Space Race to the Telematic Embrace and Beyond: A Research Trajectory," Feb. 15 at 4 p.m. in Room 171 of the Miller Learning Center. The lecture is hosted by UGA's Ideas for Creative Exploration, an interdisciplinary initiative for advanced research in the arts with additional support from the Willson Center for Humanities and Arts.

Shanken is the author of Art and Electronic Media, a survey published in 2009. In his lectures, he weaves together the histories of art, science and technology and urges audiences to think beyond the traditional boundaries of the arts.

Shanken earned master's and doctoral degrees in art history from Duke University after receiving an M.B.A. from Yale University. He is a researcher in the Amsterdam School for Cultural Analysis at the University of Amsterdam and a member of the media art history faculty at Donau University in Krems, Austria.

Conference to explore the present and future of international trade

On Feb. 18, the School of Law's Dean Rusk Center and the Terry College of Business will sponsor a day-long conference, entitled "The Future of International Trade: An American Perspective," that will explore where the U.S. currently stands and its future with regard to international trade. Free and open to the public, the conference will take place in the Larry Walker Room of Dean Rusk Hall.

Demetrios Maranitis, deputy U.S. trade representative and ambassador, will deliver the keynote address. There also will be panels exploring the business aspects of international trade, including the pros and cons of increased and open international trade; the political challenges to international trade, including U.S.-China trade issues; and the structure of future agreements might take, for instance whether they will come mostly in the form of bilateral, regional or multilateral agreements.

Check-in will begin at 8 a.m.; the conference will start at 9 a.m. Pre-registration is required for attendees who would like to be served lunch during the keynote address. For more information, check-in will begin at 8 a.m.; the conference will start at 9 a.m. Pre-registration is required for attendees who would like to be served lunch during the keynote address. For more information, and to register, visit www.law.uga.edu/future-international-trade-american-perspective.

Author Eileen Myles to give reading

Poet and fiction writer Eileen Myles will read from her work on Feb. 21 at 7 p.m. in Athica Gallery, 160 Tracy St. in Athens. The next day, Feb. 22, she will meet with UGA students and faculty for a coffee hour/question-and-answer session at 10:30 a.m. in Room 261 of Park Hall. Both events, sponsored by the UGA Creative Writing Program, the President's Venture Fund, the Willson Center, Verse publication and the English department, are free and open to the public.

Myles is professor emeritus at the University of California San Diego, where she directed the writing program from 2002-2007. She has since served as the Hugo Writer at the University of Montana and as the Fannie Hurst Professor of Critical Thought at Bennington.
By Kal Yancey Gilmore  
kgilmore@uga.edu

From his humble beginnings as a barefoot doctor in China to his relentless pursuit of an education to prepare him for a career in rabies research, Dr. Zhen Fu has dedicated his life to battling rabies in the realm of public health.

Now, called upon to share his expertise with China, India and South Korea, Fu looks into the future and predicts a success that will bring him full circle. "In another 10 to 15 years, rabies should be brought under control in China," he said.

At 15, Fu underwent one year of basic medical training. It was 1976 and Fu, with no hope of furthering his education, embarked on what would become a lifelong career. For 18 months, he traveled his native Hubei province to vaccinate children against diseases like tuberculosis, polio, measles, mumps and rubella. He also worked in a local medical clinic.

"In those days there was a shortage of doctors in the rural areas," he said. "The university was closed due to the Cultural Revolution. So there was no medical school; there were no doctors trained."

Four patients laid the groundwork to change Fu's life: bitten by animals, all feared they had contracted rabies. At that time in China, there were no diagnostic tests to confirm its presence. The only treatment consisted of 21 shots in the abdomen, which carried dangerous side effects. Patients who did not take the vaccinations, but developed rabies, faced death.

"That was the most difficult dilemma in many ways," said Fu, recalling what it was like to explain the risks to each patient. "You could not get rabies from the vaccine, but you'd get symptoms like rabies."

The side effects could last a lifetime.
"The whole experience got me interested in rabies," he said. At 18, after growing up in a society where he'd been offered few choices about his future, Fu was given the opportunity to take a college entrance exam and subsequently enrolled in Hubei's re-opened university.

"At that time, rabies was not on my mind. I just wanted to go to university," he said. "Medicine was on my mind. Medicine was one of the areas I applied for."

Fu studied at New Zealand's Massey University Faculty of Veterinary Sciences, and later became a researcher at the Wistar Institute, where researchers were developing a rabies vaccine for humans and an oral bait vaccine for animals. Wistar's director, Dr. Hilary Koprowski, became Fu's lifelong mentor.

At UGA, Fu is the only member of the College of Veterinary Medicine's pathology department who isn't a pathologist. Instead, he studies and teaches others about the pathogenesis of diseases.

"Hopefully, by understanding the disease process, we can design a vaccine, but most important is the potential for designing therapeutics," Fu said. "With rabies, part of our research is trying to figure out if we can stop the disease process. Actually we have had very good results and might be able to do so."

A consultant since 1997 for China, Fu is helping the government develop its public health policy on rabies control, and also on the establishment of four diagnostic centers—including one in Hubei—where rabbits and other diseases can be properly diagnosed. China's dedication to controlling rabies is for him a personal victory.

**SCHOOL OF LAW**

Former Department of Justice deputy attorney general teaches corporate responsibility course at law school

By Cindy H. Rice  
cindyh@uga.edu

Larry D. Thompson, former deputy attorney general for the U.S. Department of Justice and current senior vice president of government affairs, general counsel and secretary for PepsiCo, has joined the School of Law as a visiting professor. Thompson is teaching a course entitled "Corporate Responsibility."

"We are thrilled Mr. Thompson has returned to Georgia Law this semester," said Dean Rebecca H. White. "He is one of the nation's finest lawyers, and for our students to be able to take a course from Mr. Thompson is an incredible opportunity for them. He is an outstanding addition to our faculty."

Thompson has been a visiting professor at UGA on three occasions and a guest lecturer several times since 2001. In addition, he has delivered the law school's Commencement address. While teaching a course on white collar crime at the law school during spring 2001, Thompson was confirmed as the second in command at the justice department.

As deputy attorney general from 2001-2003, he supervised the overall operations of the justice department and led its National Security Coordination Council, the Corporate Fraud Task Force and the Enron investigation.

In 2004, Thompson became responsible for the worldwide legal function of PepsiCo. He oversees its government affairs organization and the PepsiCo Foundation.

Previously, he worked as a partner in the Atlanta office of King and Spalding and served as the U.S. attorney for the northern district of Georgia. He also has served as a Senior Fellow with the Brookings Institution in Washington, D.C.

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.
The International Franchise Association issued the following news release:

Former International Franchise Association Chairman Lawrence "DOC" Cohen, founder and former CEO of Debina Corporation and founder and CEO of Cookie Associates, a leading franchisee of the Great American Cookie Company (GACC), was named today to the IFA Hall of Fame during the association's 51st Annual Convention being conducted in Las Vegas.

The Hall of Fame Award is the oldest and most prestigious award conferred by the IFA and is presented to an IFA member who exemplifies the optimum in franchising and has made significant contributions to the advancement of franchising and the franchising community.

"Doc Cohen has worked tirelessly to move the franchise industry forward and to ensure that the IFA is an organization that benefits the entire community," said IFA Chairman Ken Walker, CFE. "His extensive contribution to the franchise community and to the IFA makes him the ideal recipient of the IFA Hall of Fame Award."

In addition to serving as IFA chairman in 2006, he has served as a trustee for the IFA Educational Foundation, Inc., and on many IFA Committees including Franchise Relations, Awards, Long Range Planning and Convention. He served five years as treasurer of the IFA, has chaired the IFA Convention Planning Committee and FranPAC, IFA's political action committee. Most recently, he chaired the Multi-Unit Franchisee Development Conference Task Force to design and implement the first IFA conference dedicated to multi-unit franchise owners.

He was the second franchisee in history to assume the position of chairman of
the IFA and was the first Franchisee to earn the designation of "Certified Franchise Executive" given by the IFA Educational Foundation.


Cohen received a B.S. degree in Pharmacy from the University of Georgia and a Juris Doctor degree from the University of Georgia School of Law. He was active in the retail pharmacy business for 15 years in Georgia and California before establishing his first GACC franchise. Cohen was the founding president of the Great American Cookie Company's Franchise Advisory Council and has served three times as its president. He is a founding member of the Independent Association of Great American Cookie Franchisees and is a permanent member of the Association's Executive Committee.

Contact: Alisa Harrison, 202/628-8000, aharrison@franchise.org

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Bulldog jersey means the world to Eunice family

Posted: Feb 14, 2011 4:45 PM EST
Updated: Feb 15, 2011 9:07 AM EST

By Jade Bulecza - bio | email

VALDOSTA, GA (WALB) - The University of Georgia football team is memorializing a young man who dreamed of playing for the bulldogs.

James Eunice drowned while duck hunting last month. UGA football Coach Mark Richt sent the Eunice family a special gift to honor the teenager.

John L. Eunice is the proud father of 17-year-old James Eunice who's now an honorary Georgia Bulldog. This jersey has Eunice's Valdosta Wildcat number 23.

"We're just so very proud of what the university of Georgia did what coach Richt did Jay and Malcolm and the words Jay and Malcolm spoke afterwards," said John L. Eunice.

At Eunice's funeral, Crosspointe Pastor David Rogers read a note UGA Coach Mark Richt wrote to the family. He said he was praying for the family and wanted to send them a Bulldog jersey he believes James Eunice would've earned.

Wildcats Jay Rome and Malcolm Mitchell recently signed to play at Georgia. They pulled the jersey out of a box, and it was presented to the family. "It really caught me off guard when the whole event came up," said John L. Eunice.

Eunice was going to attend UGA and planned to walk onto the football team. "He had talked to several people about walking on the team," said Lindsey Eunice. "He had just the most amazing heart of anyone I ever met he would do anything for anyone the fact that coach Richt did this for him means the world to my family means the world to me."

"He just wanted to be an example of what it meant to be a follower of Christ he did that in his classes he that when he was playing sports," said Tammy Allbritton Eunice, James' mother.

John A. Eunice, James' brother is at UGA law school and told us he's forever grateful to the coach for his generosity and he's truly a class act.

James Eunice not only made bulldog team, the pastor says he made the team of Christ.

James Eunice's dad says he was a Georgia fan before and will now be a huge Georgia fan for the rest of his life.

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Historic UGA desegregation trial re-enacted

5:06 pm, February 14th, 2011

As part of the University of Georgia’s commemoration of its desegregation 50 years ago, the School of Law’s Davenport-Benham Black Law Students Association will re-enact the 1961 courtroom battle that acknowledged the rights of African-American student Charlayne Hunter and Hamilton Holmes to attend classes.

A panel discussion featuring Georgia Supreme Court Justice Robert Benham, U.S. District Court Judge Horace T. Ward and local attorney Kenneth W. Dious will follow the re-enactment.

The event will be held at UGA’s Hatton Lovejoy Courtroom at 3 p.m. on Feb. 25. Registration is requested.

Read the press release »

One Response to “Historic UGA desegregation trial re-enacted”

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February 14th, 2011 at 11:56 pm

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Troy University issued the following news release:

Close to 250 college students from throughout the southeast will receive training on topics ranging from writing and reporting to landing their first journalism jobs during the Southeast Journalism Conference's 2011 Convention at Troy University, Feb. 17-19.

The students, representing 21 colleges and universities, will have the opportunity to hear presentations from media professionals during the three-day event, while also having the chance to put their journalistic skills to the test during on-site competitions, according to Dr. Jeff Spurlock, SEJC president and associate director of TROY's Hall School of Journalism and Communication.

"Hosting the SEJC convention is a fantastic opportunity to showcase Troy University and the Hall School of Journalism and Communication," Dr. Spurlock said. "Our hope is for those who are attending the convention will say to themselves that TROY has an outstanding journalism program that is tough to beat."

After an opening ceremony on Friday, participants will take part in workshops and on-site competitions throughout the day. The workshops will cover such topics as photography, sports media relations, resume building, feature writing, newspaper sports reporting, broadcast sports play-by-play, desktop publishing and advertising sales.

Participants will have the opportunity to compete on-site in the categories of Media Law, Media History, News Reporting, Sports Reporting, Photography, Radio Anchoring, TV Anchoring, Public Relations, Current Events, Copy Editing, Entertainment Writing, Feature Writing, Media Ethics and Editorial Writing.

The Best of the South Awards Banquet will round out events on Friday. Frank LoMonte, executive director of the Student Press Law Center in Arlington, Va., will be the keynote speaker for the event.

LoMonte is an experienced commercial litigation attorney who joined SPLC after practicing with the Atlanta-based law firm of Sutherland Asbill & Brennan LLP and clerking for federal judges on the Northern District of Georgia and the Eleventh Circuit U.S. Court of Appeals. Before law school, LoMonte was an award-winning investigative journalist and political columnist in state Capitol bureaus in Florida and Georgia and in Washington, D.C., with the Morris newspaper chain. LoMonte graduated magna cum laude from the University Of Georgia School Of Law, where he was a senior editor of the Georgia Law Review.

The conference will wrap up on Saturday with an on-site competitions awards luncheon, beginning at 11:30 a.m., in the Trojan Center Ballrooms. Speakers for the luncheon will be Glenn Halbrooks, Stefanie Hicks and Jeff Sanders, all anchors with WAKA-TV news in Montgomery.
Participating universities include: Arkansas State, Austin Peay State, Belmont, Florida A&M, Georgia College, Harding, Lipscomb, Louisiana Tech, Mississippi State, Nicholls State, Samford, Southeastern Louisiana, TROY, Union, Alabama, Louisiana-Lafayette, Mississippi, Southern Mississippi, Tennessee-Martin, West Alabama and West Florida.

Contact: Clif Lusk, 334/670-3196, clusk@troy.edu

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LOAD-DATE: February 16, 2011
Re-enactment set for desegregation trial

Athens Banner-Herald
Published Tuesday, February 15, 2011

The University of Georgia will hold a re-enactment of the trial that led to the court-ordered desegregation of UGA in 1961, followed by a panel discussion featuring two of the UGA Law School's first six black graduates.

The re-enactment is scheduled for 3:30 p.m. Feb. 25 in the School of Law's Hatton Lovejoy Courtroom.

It will be followed by a panel discussion featuring state Supreme Court Justice Robert Benham and Athens lawyer Kenneth I. Dious, both among the first blacks to graduate from the UGA Law School; U.S. District Court Judge Horace T. Ward; and Atlanta Journal-Constitution reporter Maureen Downey.

People interested in attending are asked to register at www.law.uga.edu/re-enactment-rsvp to ensure adequate seating.

Originally published in the Athens Banner-Herald on Tuesday, February 15, 2011
UGA plans to reenact desegregation trial

The University of Georgia School of Law plans to hold a reenactment of the legal trial that led to the university's desegregation. The event is set for 3:30 p.m. on Feb. 25 in the law school's Hurt Lovejoy Courtroom. It will be followed by a panel discussion.

Among the panelists will be Georgia Supreme Court Justice Robert Benham and lawyer Kenneth I. Dious, two of the law school's first six black graduates, as well as U.S. District Court Judge Horace T. Ward, who was denied admission to the law school in the 1950s and became the first black federal judge in Georgia. Maureen Downey, who writes about education policy for The Atlanta Journal-Constitution, will also be on the panel.

The reenactment is a part of the observance of the 50th anniversary of UGA's desegregation.
Ellen Podgor Named White-Collar Crime Research Professor

Stetson University College of Law [1] in Florida has named Ellen S. Podgor as the inaugural Gary R. Trombley Family White-Collar Crime Research Professor.

Podgor is a former prosecutor and criminal defense attorney, and she has written more than 50 articles and is the co-author of many books. Among those books are the "White Collar Crime in a Nutshell," "Understanding International Criminal Law" and "Mastering Criminal Law."

She is also editor of the White Collar Crime Prof Blog [2], which has a readership of two million.

Trombley, who established the professorship, is a white-collar defense and criminal defense attorney at Trombley & Hanes P.A. [3] in Tampa and a member of the College of Law's Board of Overseers. Trombley received the Attorney General's Outstanding Performance in Trial Practice Award while serving as Assistant U.S. Attorney in the Middle District of Florida. He has served as a member the Florida Bar's Board of Governors.

Trombley is also a Stetson Law alumnus.

Stetson Law was founded in 1900 and is Florida's oldest law school. It is in the Gulfport-St. Petersburg area and has a satellite campus in Tampa.

In September 2010, Podgor testified before Congress on the issue of overcriminalization, and she is frequently quoted by newspapers as a disinterested authority on criminal matters in the news.

In 2010, Podgor received the Robert C. Heaney Award, the highest honor given by the National Association of Criminal Defense Lawyers. She is a member of the American Law Institute and serves on the board of directors of the International Society for the Reform of Criminal Law. She also serves on the board of trustees of the Southeastern Association of Law Schools. Podgor is a former member of the board of directors of the National Association of Criminal Defense Lawyers and past chairwoman of the Criminal Justice Section of the Association of American Law Schools.

Podgor has held Stetson's Culverhouse Chair and LaRay Hightbaugh Sr. Research Chair, and she was the inaugural associate dean of faculty development and electronic education. Before joining Stetson's faculty in 2005, she was a tenured professor at the Georgia State University College of Law. She has taught at other law schools, including St. Thomas University College of Law, has been a visiting professor at University of Georgia School of Law, George Washington University Law School and has held a visiting endowed chair position at University of Alabama School of Law.

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Article printed from Main Justice: http://www.mainjustice.com
URL to article: http://www.mainjustice.com/2011/02/16/ellen-podgor-named-white-collar-crime-research-professor/
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Mary Frances Early gave the keynote address at this year's Freedom Breakfast. She spoke about growing up in segregated Atlanta during the 1960s and why she transferred to UGA to finish her master's degree.

Law students will re-enact legal trial that desegregated university

By Cindy Rice
cindyh@uga.edu

A re-enactment of the legal trial that desegregated the University of Georgia will take place Feb. 25 at 3:30 p.m. in the School of Law's Hatton Lovejoy Courtroom. It will be followed by a panel discussion featuring Georgia Supreme Court Justice Robert Benham, U.S. District Court Judge Horace T. Ward, Atlanta Journal-Constitution reporter Maureen Downey and attorney Kenneth J. Diouss. The events are open free to the public, but help ensure adequate seating pre-registration at www.law.uga.edu.

Horace Ward
Robert Benham

eedu-re-enactment-req is required.

“This is a chance to take a step back in time, to hear actual dialogue from the trial and to witness firsthand some of the issues that were raised,” said Sarah L. Wooten, second-year law student and event co-organizer. “I am confident that the law student portrayal of this case and the legal panel discussion will provide new insights of this momentous event that shaped UGA and paved the way for change.”

In 1961, the Charlayne Hunter and Hamilton Holmes trial concluded with then-U.S. District Court Judge William A. Bootle declaring that “[t]he two plaintiffs are fully qualified for immediate admission to [the] university and would already have been admitted had it not been for their race.” Now, 50 years later, the testimony of Holmes and Hunter will be heard again in a See TRIAL on page 8

Hollowell do premiere on

By Emily Williams
emwi@uga.edu

The premiere campus screening of Donald L. Hollowell: Frontier for Equal Justice, originally for Jan. 10, has been rescheduled for Feb. 22 at 7 p.m. in Mast Hall at the Georgia Center for Continuing Education Conference Center and Hotel.

Hollowell, a legendary civil rights attorney in the 1950s and 1960s, was lead counsel in Holmes v. Hodges, the landmark case that secured admission to UGA for Charlayne Hunter (now Hunter Gault) and Hamilton Holmes, the first African Americans to register for classes at the university. To

OFFICE OF PROCUREMENT

Minority and Small Business Expo to help campus departments, vendors build purchasing relationships

By Matt Weeks
mweeks@uga.edu

UGA departments looking to build new purchasing relationships with vendors will get their chance at the Minority and Small Business Expo on March 28. A variety of vendors will be on-hand from 8 a.m.-2 p.m. in the Tate Student Center to meet and greet buyers from departments across campus.

“The departments don't have to walk around, the vendors come to them,” said Annette Evans, procurement officer at UGA. “There are so many P-cards on campus now, that it's also an opportunity to meet vendors and ask them if they take credit cards.”

Departments that elect to participate should e-mail procurement at ugaexpo@uga.edu. Along with registering, department purchasers will be asked to fill out a questionnaire about what products they regularly buy from vendors to let them know which departments to approach at the expo.

“Maybe you have something you need printed, and you don't know a local vendor,” Evans said. “There might be some local printers who attend the expo, and you'll get an opportunity to meet them and learn more about their business.”

This will give you potential sources for the next time you have a printing job.”

In addition to networking opportunities, the expo will include three informational sessions that vendors can attend to learn more about doing business with UGA.

In addition, it helps to maintain and strengthen busines
Above, left: Athens Mayor Nancy Denson (right) presents a plaque to keynote speaker Mary Frances Early during the 2011 Martin Luther King Jr. Freedom Breakfast in the Grand Hall at the Tate Student Center. Early's address is available online at www.youtube.com/UGA#p/u/O/GsScIOTqLY. Above, right: Early addresses a group of kindergarten, fourth- and fifth-grade students at J.J. Harris Elementary Charter School.

The assembly and community reception were held in observance of the 50th anniversary of the desegregation of UGA. Early sang a song with the children and answered their questions about her role in the civil rights movement.

TRIAL from page 1

courtroom setting along with other highlights from the proceedings.

Further exploring the desegregation of UGA will be two of the law school's first six African-American graduates, Benham (J.D.'70) and Dious (J.D.'73), along with Ward, who was denied admittance to the School of Law during the 1950s and later became the first African American to sit on a federal bench in the state of Georgia. Downey, who has written about local, state, and federal education policy at the Atlanta Journal-Constitution for the past 12 years, also will participate in the panel, which will be moderated by School of Law professor Lonnie T. Brown.

This event is part of the observance of the 50th anniversary of the desegregation of UGA and is presented by the School of Law's Davenport-Benham Black Law Students Association.

DOCUMENTARY from page 1

that won the release of Rev. Martin Luther King Jr. from the Reidsville State Prison and his effective defense of Preston Cobb, a 15-year-old black youth who was sentenced to die in Georgia's electric chair.

"Even though the film chronicles a broad spectrum of Hollowell's civil rights triumphs and achievements, there's major coverage in the film related to the desegregation of the University of Georgia, beginning with Ward and culminating in the admission of Charlayne and Hamilton," Daniels said. "I am delighted his social activism and civil rights work will be viewed by a whole new generation."

The film was narrated by Hunter-Gault, who went on to graduate from UGA with a journalism degree in 1963. As a journalist, she won Peabody and Emmy awards for her work. Others who played a key role in UGA's desegregation were interviewed in the film, including former Georgia Gov. Ernest Vandiver; Vernon E. Jordan Jr., and Federal Judge Constance Baker Motley, members of Hollowell's legal team in the Holmes case; Federal Judge Horace T. Ward, the first person to challenge UGA's discriminatory admissions policies and co-counsel in the Holmes lawsuit; and Judge William Bootle, the judge who handed down the desegregation decision.

The world premiere of the documentary was held at the Woodruff Fine Arts Center in Atlanta on April 15. The documentary viewing was followed by a panel discussion featuring Jordan, Ward, Mary Frances Early and moderator Judge Glenda Hatchett, star of the television courtroom series Judge Hatchett. Actress Jasmine Guy was the special guest host. Louise Hollowell, Donald Hollowell's widow, also was honored at the event. The documentary was developed in partnership with UGA's Center for Teaching and Learning and the Russell B. Library for Political Research and Studies.

The School of Social Work recently established a professorship named in honor of Hollowell, who died of heart failure in 2004. The Donald L. Hollowell Distinguished Professorship of Social Justice and Civil Rights Studies is the first distinguished professorship named for an African American at UGA. A search is currently under way to fill the professorship.

Bulletin Board
The following information was released by the University of Georgia:

Writer: Cindy H. Rice, 706-542-5172, cindyh@uga.edu

Legal and environmental issues currently affecting the Georgia coast will be the focus of the University of Georgia School of Law's 23rd Annual Red Clay Conference. Titled "Coastal Change: A 'Shore' Thing," the conference will take place March 4 beginning at 8:30 a.m. in the Larry Walker Room of Dean Rusk Hall.

"The potential for economic growth in coastal industries and tourism provides the state of Georgia with great opportunities, while also spotlighting important questions about the preservation of our most valuable natural resources," second-year law student and conference co-chair Lindsey M. Green said. "This conference will address a variety of significant legal and environmental issues affecting the Georgia coast, with a focus on the tension between increasing development and its environmental impacts."

Specific issues to be covered include the Savannah Harbor Expansion Project, the silviculture exemption to the Clean Water Act, the legal implications of sea level rise, and development due to increased population and tourism.

Expanding on the topic of growth in Savannah will be the city's mayor, Otis S. Johnson. Also delivering a keynote address will be Altamaha Riverkeeper Sonja Cox. Other participants include representatives from the Center for a Sustainable Coast, the Georgia Forestry Commission, the Skidaway Institute of Oceanography, Coastal Conservation League, the Southern Environmental Law Center and the U.S. Army Corps of Engineers. In addition, there will be notable academics and leading practitioners in the field of environmental law contributing to the discussion.

Attendance is free for the UGA community. For all other registrants, a $10 preregistration/$20 day of registration fee will be charged. Continuing legal education credits are available (6 CLE credits for $30). For more information or to register, see www.law.uga.edu/red-clay-conference.

Sponsored by the law school's Environmental Law Association, the Red Clay Conference was established to increase public awareness of environmental issues of regional, national and international significance through a series of educational presentations and open forum discussions.

For more information about the UGA School of Law's Environmental Law Association, see http://www.law.uga.edu/.

LOAD-DATE: February 22, 2011
Advocates to rally for pre-k funding

Children’s advocates, teachers and parents plan to rally today at the Capitol, calling for Gov. Nathan Deal and lawmakers to commit to supporting Georgia’s lottery-funded pre-kindergarten program. The rally starts at noon on the north steps of the Capitol and falls on the day when Deal is expected to release his proposal for ensuring the long-term financial stability of both pre-k and the popular HOPE scholarship program. The pre-k budget already is slated to be cut by $20 million, and additional reductions — including shorter program hours — are expected to be announced.

NANCY BADERTSCHER

EDUCATION

UGA desegregation case gets review

The University of Georgia on Saturday will hear from two prominent Atlanta judges before re-enacting the legal trial that led to the university being desegregated five decades ago.

Georgia Supreme Court Justice Robert Benham and Senior U.S. District Justice Horace Ward will head a panel discussion of the case at the UGA School of Law’s Hatton Lovejoy Courtroom. Atlanta Journal-Constitution columnist Maureen Downey and attorney Kenneth Dious also will participate. Anyone interested in attending are asked to register at www.law.uga.edu/re-enactment-rsvp to.

BILL RANKIN

Obituaries

Professor helped raise Emory's profile

Vicky Finnerty was the first tenured female professor in Emory University's biology department.

Vent of the day

Now that I live in Chattanooga, I get to work in 10 minutes, we have fiber optics all over town, and I can buy beer on Sundays.

LOAD-DATE: February 22, 2011
Judge bars APS from investigating school official
A Fulton County Superior Court judge Monday signed a temporary restraining order barring Atlanta Public Schools from investigating a school official who allegedly intimidated and retaliated against an APS staff during an ongoing test tampering probe by state investigators.

Fulton Superior Court Judge Craig L. Schwab held a hearing just hours after special investigators appointed to investigate APS by Gov. Sonny Perdue last year sought to halt an APS internal investigation of Executive Director Tamara Cotman. APS opened the internal probe after receiving an anonymous complaint accusing Cotman of directing school principals at a meeting last November to write “‘Go to Hell’ letters to the governor, the GBI and special investigators involved in this investigation.”

Investigations last year alleged APS had any efforts that could affect its own investigation would be viewed as obstructing justice. Nevertheless, APS hired private counsel to investigate Cotman’s behavior and then failed to disclose it to the governor’s investigators, according to the TRO brief.

APS’s internal probe led Cotman to fire a principal who had attended the meeting and been asked by APS’s general counsel to recount what she had witnessed, according to the TRO. APS assigned the unidentified principal and temporarily reassigned Cotman last week, but only after details of the November meeting were publicized by local news media, according to the TRO best. Governor’s investigators last week notified APS of their objections to the district probe, citing what they claimed was a history of intimidation and retaliatory tactics against school personnel. They sought the TRO immediately after receiving a reply from APS attorneys. J. Tom Morgan and Robert S. Highsmith Jr. stating that APS has done nothing to obstruct the cheating probe and would “continue to conduct investigations of possible misconduct by its employees.”

NORTHEASTERN CIRCUIT Superior Court Judge Jason J. Deal presides over the Hall County Drug Court and the Dawson County Treatment Court, which handles both drug and DUI arrests, and has been a leader in communicating the value of such programs to other lawyers, one of whom happens to be his father, Gov. Nathan Deal.

The younger Deal was skeptical about the methodology of drug courts until the first time he visited one, he said. “I thought it was a huge-a-thug program.” said Deal. From what he overheard from the hallway outside, “They were giving out candy bars and clapping for people doing what they were supposed to be doing.”

He became a convert the first time he actually sat in on drug court, back when he was a prosecutor. He watched a young defendant approach the judge, who asked him why he was fulfilling the requirements of drug court. Deal was surprised by the answer: “I don’t want to let my family down. I don’t want to let you down. And I don’t want to let down all the people in drug court.”

Bankruptcies continue to generate big fees
SHERRY MUTRANGER
s mutants@alm.com

IT'S BEEN A GOOD TIME to be a bankruptcy lawyer. Though it's been almost three years since the economy began its meltdown, several massive bankruptcies are continuing to generate big fees for attorneys.

Take, for instance, the Lehman Brothers Holdings Inc. bankruptcy, which — as widely reported by major news outlets — crossed the $1 trillion fee threshold several months ago. Lawyers are earning more in the Lehman bankruptcy because the largest-ever Chapter 11 case involves restructuring $699 billion in assets and $613 billion in debt.

But Lehman isn’t the only fee machine. A quartet of other top pending corporate bankruptcies, based on assets at the time of filing, also are generating big attorney paydays. Those other megabankruptcies — all resulting from the 2008 economic collapse — involve Motors Liquidation Co., General Motors Co.’s bankruptcy vehicle; Thornburg Mortgage Inc.; Washington Mutual Inc.; and Capmark Financial Group. Here’s an update on those cases.

The fees in the Lehman case can be traced to its massive liabilities, plus complex legal work related to derivatives, the company’s business structure and even insolvency cases in other jurisdictions. 

Candidate fee hikes would benefit JQC
BILL WOULD RAISE qualifying fees for judicial seats by 1 percent of expected salary

KATHLEEN MADDALY JONER jonera@alm.com

IN THE MIDS of a lean fiscal year, state legislators are considering raising the qualifying fees for judicial candidates to shore up the Judicial Qualifications Commission’s budget.

House Bill 262, sponsored by Rep. Timothy Bearden, R-Villa Rica, would raise qualifying fees charged to candidates running for various judicial seats — from state Supreme Court justice to the lowest level — by 1 percent of expected salary. 

Read the test of House Bill 262 at DailyReportOnline.com.
Judge Deal: 'Drug court is the only thing that works'

Deal, from page 1

"I don’t remember ever hearing people say they were staying out of trouble because they didn’t want to let their probation officers down," Deal said. He began to see the power of positive reinforcement, combined with swift justice, within a community of peers.

"It’s not a liberal thing, I’m a conservative," said Deal during a conversation in his chambers. For defendants with substance abuse problems, who tend to spiral deeper into legal trouble as addiction advances, Deal said, "Drug court is the only thing that works.""}

Having a judge whose father is now the governor certainly created a conversation point among his colleagues on the bench. Attendees at the Council of Superior Court Judges annual conference in January mentioned it frequently and wondered if it helped ensure that the governor himself made a visit to Athens to meet with the judges and brief them on the budget.

The younger Deal went on the budget in 2005, after serving as district attorney and assistant DA, a Hall County Magistrate Court judge and an associate in the law firm of the Chandler Humansick & McKennon. "I graduated from the University of Georgia School of Law in 1996. The soft-spoken, low-key judge has little to say about his father, himself once a juvenile court judge and prosecutor, but a lot to say about his work, especially his drug court.

Deal talks about thebenefits of these programs with anyone who wants to know—including visitors organizing similar programs in other counties and his family. Deal even invited his father to speak at a drug court graduation ceremony—an invitation the governor accepted.

The success stories told at graduations are deeply moving, Deal said, "If you don’t cry at drug court graduation, you have no soul."

Less than two months into the new governor’s term, the drug and treatment-court models have become part of the conversation at the Capitol. The governor touched on the need to reduce Georgia’s burgeoning prison population in his inaugural address. Supreme Court Chief Justice Carol W. Hunstein said in her State of the Judiciary address last week that Georgia has the highest incarceration rate in the country, spending more than $1 billion a year on corrections. She suggested the state would be wise to stop locking up addicts, the mentally ill and others who are "a greater threat to themselves than to society," and use non-prison alternatives. Several hours after her speech to the Legislature, Hunstein joined the governor and legislative leaders from both parties to announce support for correction reform. The governor noted the state currently spends far more on inmates than on most ad

Drug court is the only thing that works. The Georgia Department of Audits and Accounting did a performance audit of the Judicial Branch’s Adult-Felony Drug Courts in 2009. At that time, the state had drug courts in 75 of the 159 counties. The report suggests that opportunities exist to expand the use of drug courts and benefit from the lower sentencing costs and lower recidivism rates. The report said that drug court graduates showed a 7 percent rate of repeat convictions within two years, compared to 29 percent for a control group. The $13.54 average daily cost of drug court was 80 percent less than other sentencing options.

Those who are accepted into the program first plead guilty to their felony drug charges and are sentenced to drug court rather than the traditional prison and probation route. By agreeing to go into drug court, the participants may get reduced jail time, but they commit to a myriad of requirements that would not be part of a traditional sentence, including counseling, life skills training, 12-step group meetings, and full-time work study. They also pay a mandatory fee for the program — $500 in Hall County. The program has five phases and lasts a minimum of two years, longer if they fail—which many people do. If they miss a meeting or a counseling session, they get a sanction such as an additional community service. If they fail a drug test, they go jail—for a day or up to 30 days. If they fail again, they can be terminated from the program, sent back to jail and given further sanctions by other courts.

One of the criticisms of drug courts by defense attorneys is that the requirements are harder on their clients than traditional sentencing, according to Deal and his drug-court defense attorney, Harold M. Walker Jr.

Walker said he gives critics the same answer, "As a defense attorney, I’ve never had a client come to me later and say, ‘I want to thank you for helping me take the easy way out.’ I have had clients stop me in public later and say, ‘I want to thank you for helping me get into drug court and tell you how it saved my life.’ That’s very gratifying."

Like school systems, drug courts are different in each county, although they share many features. Deal’s drug court is open to first-time felony drug offenders, but not those with multiple arrests or arrests for trafficking drugs.

During Deal’s Hall County Drug Court session on Friday, he presided over a packed courtroom in the afternoon. But the day began with a 9 a.m. meeting in the judge’s chambers at a long conference table, crowded with the defense attorney, the prosecutor, two counselors, an investigator and a high school student from other courts who came to watch.

"This is one of the oldest drug courts in the state. It’s considered a model for others. They are very generous and open with sharing information," said Coweta County Magistrate Court Judge Joseph A. Wyenton, who presides over the Coweta County Drug Court, formed last October. Wyenton and several others from the Coweta court spent Friday observing in Deal’s court.

In the morning meeting, the drug court staff reviewed the status of the participants, discussing each one’s progress. They almost sounded like calm but concerned parents discussing their children. "He just needs some maturing," the judge said of one who was struggling to find a job. Another was AWOL— not answering his phone or showing up for required meetings the previous week. (It turned out he was in jail on another charge, but he showed up in court that day, anyway—in an orange jumpsuit and chains.) While the staff talked, they signed birthday cards and a sympathy note to hand out to drug court participants.

They determined that four participants would go back to jail for failing drug or alcohol screenings. One was to be dropped from the program and would receive a harsher sentence.

The judge barely had a few minutes to eat a serving of tuna for lunch in his chambers—he was interrupted several times before heading into court for the 1 p.m. weekly session.

Outside the courtroom, the participants, aged 17 to 60, were gathered before the doors opened. Punctuality is part of the program. If participants are late for any of the requirements, they are sanctioned and possibly jailed.

Before the judge entered, the bailiff had everyone rise. When the judge came in, he opened court by leading the pledge of allegiance, hand over heart.

For the next four hours, the judge talked to the drug court clients, bringing them up to the podium one by one to ask them questions about their progress and their experiences, having each one answer so that the entire group could hear. He only took the first two to illustrate dramatically how the program works.

The first, a middle-aged woman, was given the "star award" for the week because of her efforts. She had relapsed previously and moved back into recovery. "I’m just enjoying being clean and trusting that with the help of drug court and my higher power that I’ll be able to complete this program," she said.

The second, a young woman, had been expelled from the residential treatment program she was in for failing to follow the rules. The soft-spoken judge told her, almost kindly, that she was being terminated and instructed her to "go to the deputies." She was handcuffed and led out the side exit.

Three more people who failed drug screens were also cuffed and taken into custody, but most told successful stories. One reported an A average in school. Many mentioned that their chief benefit was being able to reunite with children or grandchildren and earning back their family’s trust. One young man who appeared to be in his teens carried a baby in his arms. Another young man told the court the program made him a "better father."

"It’s behavior modification, pure and simple," Deal said during a break. He mentioned that his mother, first lady Sandra Deal, has visited his drug court. "My mother was a teacher," Deal said. "This is just another way of teaching."

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UGA law school to re-examine desegregation case

By Bill Rankin
The Atlanta Journal-Constitution

2:24 p.m. Tuesday, February 22, 2011

The University of Georgia law school this Friday will hear from two prominent Atlanta judges before re-enacting the legal trial that led to the university being desegregated five decades ago.

Georgia Supreme Court Justice Robert Benham and Senior U.S. District Justice Horace Ward will head a panel discussion of the case at the UGA School of Law's Hatton Lovejoy Courtroom. Atlanta Journal-Constitution columnist Maureen Downey and attorney Kenneth Diouss will also participate. Persons interested in attending are asked to register at www.law.uga.edu/re-enactment-rsvp to ensure seating.

Find this article at:
ATHENS, Ga., Feb. 23 -- The University of Georgia issued the following news release:

University of Georgia School of Law professor Randy Beck has been appointed the first holder of the Justice Thomas O. Marshall Chair of Constitutional Law. This chair was established by Angie Fitts Marshall in honor of her late husband, Thomas O. Marshall Jr., and is designed to strengthen the programs of the law school by supporting the work of a full professor of outstanding national reputation.

A dedicated teacher as well as scholar, Beck joined the Georgia Law faculty in 1997. He teaches Property, Trusts and Estates, Christian Perspectives on Legal Thought and Constitutional Law. His scholarship includes articles in journals, such as the American Journal of Legal History, the Northwestern University Law Review and the UC Davis Law Review.

Beck has been honored on numerous occasions with the law school's John C. O'Byrne Memorial Award for Furthering Faculty-Student Relations as well as with its C. Ronald Ellington Award for Excellence in Teaching.

Prior to joining the legal teaching academy, Beck served as a judicial clerk for U.S. Supreme Court Justice Anthony M. Kennedy and Judge Patrick E. Higginbotham of the U.S. Court of Appeals for the 5th Circuit. He also worked for more than five years as a general litigation associate with the firm Perkins Cole in Seattle, Wash. and was an attorney-advisee in the U.S. Department of Justice's Office of Legal Counsel. He graduated first in his class from Southern Methodist University School of Law and earned his undergraduate degree from Baker University.

A 1948 Georgia Law graduate, Marshall had a long and distinguished legal career that included service as a judge for the Superior Courts of Georgia Southwestern Circuit, the Court of Appeals of Georgia and the Supreme Court of Georgia, where he was chief justice from 1986 to 1989. Prior to entering law school, Marshall served in the navy during World War II, where he earned the Bronze Star and Navy Unit Commendation.

The State Bar of Georgia annually honors Marshall, who passed away in 2003, with the presentation of the Chief Justice Thomas O. Marshall Professionalism Award to lawyers and judges who have demonstrated the highest professional conduct and paramount reputation for professionalism. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

LOAD-DATE: March 9, 2011

********** Print Completed **********
Pro & Con: Does Georgia need tougher laws against illegal immigrants?

7:21 p.m. Wednesday, February 23, 2011

YES: Taxpayers shoulder the costs of undocumented workers.

By Matt Ramsey

In recent weeks, much has been said and written about efforts in the Legislature to enact common-sense state reforms aimed at addressing the issues posed in Georgia by the federal government’s failure to secure our nation’s borders.

One of them is my bill, HB 87, which beefs up enforcement to prevent illegal aliens from getting government benefits and tightens-up what forms of identification can be accepted to receive those benefits. The bill also requires the use of E-Verify by private employers to ensure that job opportunities are protected for those legally eligible to hold them.

Incredibly, the rhetoric being put forth by many opinion writers and special interest groups such as the ACLU fails to even acknowledge the devastating social and economic consequences in Georgia resulting from the presence of 425,000 illegal aliens (more than Arizona). The special interests have apparently decided on an opposition strategy based on hysterical and fact-free political scare tactics rather than real debate.

Those who oppose the enforcement of immigration law and support open borders may find the arguments made by opponents of HB 87 compelling. Thankfully, the vast majority of Georgians believe enforcing the rule of law and protecting taxpayer-funded benefits and services for those eligible to receive them, as well as jobs, are critical and necessary goals.

Opponents of HB 87 raise concerns about costs of enforcement, while failing to mention the huge cost borne by taxpayers in subsidizing hundreds of thousands of people in this country in violation of our very liberal immigration laws. One study estimates the total cost to Georgia’s state and local taxpayers is a whopping $2.4 billion per year. The common refrain by the opponents of this legislation that illegal immigration is “solely a federal issue” is patently ridiculous when you consider it is state and local taxpayers who are footing the bill.

Another argument we often hear is that HB 87 will have a detrimental impact on our agriculture industry’s labor pool. This argument is often made without mention of the existing H-2A visa program that provides a legal avenue to import an unlimited number of temporary foreign workers for our ag industry. Beyond that, no one will ever convince me that Georgia’s future economic prosperity depends on those who are in our country illegally.
Perhaps the most misleading rhetoric in this debate has been the attempt to discredit the use of the free, easy and effective employment eligibility verification system known as E-Verify. Statements have been made about the "inaccuracies" inherent in the system. Let me report the facts. Based on FY 2009 data, E-Verify instantly verifies 97.4 percent of all employees as eligible to work. The very small percentage who are not instantly verified are given the right to appeal before an employer can take action. Further, the 16,000 Georgia employers already enrolled in this user-friendly system will tell you it takes a matter of minutes to enroll and adds less than a minute to the hiring process.

Those who rely on illegal labor know that the use of E-Verify will deter illegal employment and they will stop at nothing to prevent its use. Critics of this measure continue to attempt to obscure the simple fact that E-Verify protects jobs for Georgians legally eligible to hold them and that there is absolutely nothing about the use of the program that will prevent a single employer in Georgia, in any industry, from employing a legal work force.

The citizen support for legislation aimed at addressing this issue has been overwhelming, and I encourage Georgians to remain engaged on this critical issue. Georgians should continue to strive to separate fact from fiction. So should many opinion writers.

State Rep. Matt Ramsey, R-Peachtree City, is an attorney.

NO: Unconstitutional Arizona-style laws are a bonanza to lawyers.

By Charles H. Kuck

From the perspective of a lifelong Republican, I am always troubled when the state Legislature starts looking at ways to "fix" a problem by getting the government more, rather than less, involved in the lives of its citizens. That is absolutely the case with the pending legislation on immigration. A detailed review of HB 87 and its Senate companion, SB 40, reveals that these bills do not reform illegal immigration, nor do they enforce laws related to illegal immigration.

What they do is increase taxes on every resident of Georgia by increasing government regulation, create unfunded mandates for every county and city in Georgia, and create new private rights of action against every Georgia polity, resulting in hundreds of lawsuits that will drain taxpayer coffers and result in little, if any, real change in illegal immigration.

This legislation is popular because it gives the perception that the state is doing something that the federal government purportedly is not — enforcing federal laws on illegal immigration.

The problem with this notion is twofold.

First, the federal government is doing more than it has ever done in enforcing the laws on undocumented immigration. The Obama administration is spending literally billions of taxpayer dollars building fences, hiring border patrol agents, detaining undocumented immigrants and actually deporting 400,000 people last year, a record.

Second, these proposals do not create any greater degree of enforcement than already exists under state and federal law. By Sept. 30, 2013, everyone arrested in Georgia is going to be run through the
Secure Communities program, and if they are unlawfully present in the United States, they are being held for Immigration and Customs Enforcement to pick up within 48 hours.

Without discussing the deleterious details of this program (DWH — Driving While Hispanic), it has resulted in a record number of cases filling our immigration court dockets.

So, if these bills do not reform immigration, do not effectively increase enforcement, and do not make Georgia safer, what will they do? They will increase taxes on Georgians, force cities and municipalities to hire previously unnecessary personnel, and make litigation lawyers smile.

These proposals have as their main thrust a desire to make Georgia like Arizona. The bill is designed to make it so hard to live as an undocumented immigrant in Georgia, that such immigrants will leave the state. If this bill accomplishes its purpose it could result in the departure of more than 1 million people, along with their tax money, investments, talent and businesses.

There are also at least two provisions that will never be enforced, and which will be struck down as unconstitutional or pre-empted before they even go into effect, for the same reasons that similar provisions in the Arizona bill were struck down. Those dealing with unconstitutional police stops and nondefinitions of reasonable cause beg for a judge to overturn this law.

The authorizing of private lawsuits against government agencies looks like a lawyer’s full employment act, and business-destroying mandates and penalties best dealt with under federal law will simply shut down businesses and cause greater unemployment.

These proposals are bad public policy and bad for Georgia. If our legislators really want to fix the immigration problem they should all take a day and go to Washington, and demand that Congress fix our immigration system, rather than trying to put a Band-Aid on a gaping shotgun wound.

Charles H. Kuck, an immigration attorney, is an adjunct professor of law at the University of Georgia, and a past national president of the American Immigration Lawyers Association.

Find this article at:
http://www.ajc.com/opinion/pro-con-does-georgia-850454.html
FEB. 28
Beginning Lawyers Program. Sponsored by the Institute of Continuing Legal Education in Georgia. From 8 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 2
Eminent Domain. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one professionalism and one trial practice hour. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 3
10th Annual Product Liability Seminar. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics and four practice hours. From 7:45 a.m. to 9:45 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 4
Proving Damages. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics and five and a half trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 11
Winning Settlement Strategies. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics and three trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 12
Coastal Changes: A "Shore" Thing. Sponsored by the University of Georgia School of Law. CLE hours are available. Begins at 8:30 a.m. at Dean Rusk Hall in Athens. Register at www.law.uga.edu/red-clay-conference.

MARCH 15
E-discovery. Co-sponsored by the Corporate Counsel and the General Practice and Trial law sections of the State Bar of Georgia and the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one-half ethics, one professionalism and six trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 16
Landlord and Tenant Law. Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one trial practice hour. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

MARCH 17
ERISA Litigation. Co-sponsored by the State Bar of Georgia Employee Benefits Law Section and the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one professionalism and one trial practice hour. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclaga.org.

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Law school will host reenactment of desegregation trial

February 25, 2011 by CHARLES HICKS
Filed under Diversity, News

If students walk into the law school today, they may think they’ve entered a time machine.

The University’s chapter of the Black Law Students Association will be presenting a re-enactment of the 1961 legal trial that admitted Hamilton Holmes and Charlayne Hunter-Gault—the first black students to attend the University.

Sarah Wooten, a second-year law student, is the publicity chair responsible for the event.

"Since the school is celebrating 50 years of desegregation, the idea behind it was that we wanted to celebrate desegregation through the law school as law students and re-enact the trial that led to desegregation," Wooten said. "The people doing the re-enactment are all UGA law students."

The reenactment will be followed by a panel discussion featuring Georgia Supreme Court Justice Robert Benham, U.S. District Court Judge Horace T. Ward, Atlanta Journal-Constitution reporter Maureen Downey and Athens attorney Kenneth I. Dious.

Second-year law students, Chris Bruce and Sherida Jones, will be playing Hamilton Holmes and Charlayne Hunter-Gault respectively. Bruce also serves as the vice president of BSLA.

"As law students, our schedules are very hectic," Bruce said. "However, we all embraced the significance of this event and wanted to portray that to the audience. This trial is the reason many of us are able to be here at Georgia Law."

Jones also looks forward to being part of the event.

"I am honored to portray Mrs. Hunter-Gault," she said. "She was a true pioneer in a pivotal period of growth for the University and the state."
Civic club installs 'Freedom Shrine'

February 26, 2011

Copies of America's founding documents are installed at a Dougherty County elementary school. - Pete Skiba, staff writer

Updated: 10:53 PM Feb 25, 2011

Posted: 12:00 AM Feb 26, 2011
Reporter: Pete Skiba, staff writer
Email Address: pete.skiba@albanyherald.com

Recommend Be the first of your friends to recommend this.

Exchange Club of Albany President Barney Knighton unveils the Freedom Shrine, copies of America's founding documents at Sylvester Road Elementary School with Deborah Jones, school principal and Joshua Murfree, superintendent of schools looking on Friday.
ALBANY, Ga. — A hallway in a Dougherty County school now holds copies of 30 documents that outline the foundation of America.

The Exchange Club of Albany installed a "Freedom Shrine" at Sylvester Road Elementary School Friday morning. The shrine is a collection of photographic reproductions of essential documents of liberty, freedom and justice for all.

Among the documents reproduced are the Mayflower Compact, the U.S. Constitution and Bill of Rights, and the Declaration of Independence.

"We hope that dedicating the Freedom Shrine will remind all citizens of the courage, dedication and sacrifice of their forefathers," Exchange Club President Barney Knighten said. "We want to help young people learn how important it is to make certain that our precious freedom is preserved."

At the club's lunch meeting Friday, members gave out six $500 livestock check awards to help students with their college expenses. Although the scholarships had been given for a couple of years, this was the first time they were given as "The Butch Griffin Youth Livestock Scholarships."

Known as a tireless, dedicated club member, Griffin was chairman of the livestock show at the annual Exchange Club Fair for about 35 years. He was instrumental in starting the scholarships. He died in October.

To further honor the passing of their friend and fellow Exchangite, Griffin's membership button was ceremoniously handed to his wife Kay.

Remembering Griffin as "Mr. Butch," scholarship winner and regular livestock competitor Kaitlyn Cawley of Tifton said she appreciated all that Griffin had done for the 4-H Club and Future Farmers of America members who had shown their livestock at the fair.

"I've known Mr. Butch forever," Kaitlyn said. "We've shown here forever. I love Mr. Butch."

The scholarship winner said she would be attending Abraham Baldwin Agricultural College with the intention of earning a law degree at the University of Georgia after her undergraduate work.

Maggie Hart of Colquitt plans to attend the agricultural college for undergraduate work and also attend the University of Georgia to earn a master's degree in agricultural communications.

Taylor Miller of Turner County has goals including a nursing degree from Georgia College and State University. She'll then attend the University of Georgia to become a physician.

Ineisha Ezell is headed to Valdosta State University for a nursing degree, and Reese Giddens said he will pursue an English degree and then attend the University of Georgia for a law degree. Both are also from Turner County.

Caleb Studstill of Wilcox County was unable to attend the scholarship presentation.
Law & the Arts

Attorney in contest to provide free legal services

By JULIE PHILLIPS - julie.phillips@onlineathens.com
Published Sunday, February 27, 2011

Artists and musicians are just that - artists and musicians. Most don't get into the arts knowing much about the business end of things, but nonetheless hope to earn a living, or at least be fairly compensated for their work. Sure, there are those who are savvy in both fields, but for those who aren't, there are people like Deborah Gonzalez.

Gonzalez, an art, music and entertainment attorney, moved from New York to Athens in 2007, taking a job with the University System of Georgia. But, she says, she missed her work as an arts-based attorney, and in a town with a vibrant arts scene like Athens, she wanted to contribute.

In 2008, she was granted reciprocity to practice law in Georgia, and last year became Of Counsel with local firm Timmons, Warnes, & Anderson (TW&A) LLP. In the fall, she began offering up her services to local artists and musicians with a Pro Bono Music Law Clinic at Nuci's Space.

"I was so fascinated," she says of Nuci's Space, adding she'd never heard of a musicians' resource center like it before. "It's why I wanted to be able to help out.

Free legal clinics have been offered for several years at Nuci's as part of the Public Interest Project at the University of Georgia, led in part by Alexander Scherr, associate professor of law at UGA

Those clinics target issues such as housing, consumer debt and health care. Gonzalez expanded the service with issues specific to the arts, like copyrights, branding, publishing contracts and agreements with concert venues.

Musicians can face all kinds of difficult situations, from tracking down a club owner for payment to finding their music posted on a website without their permission.

To be able to help artists on a larger scale, Gonzalez recently entered a plan for an online contest - the "Dockers Wear the Pants" contest.

If she earns enough votes, she'll win $100,000, which she plans to use to offer no-to-low-cost legal services for musicians and artists by way of an escrow account to be established by TW&A.

Gonzalez says she hopes to see musicians and artists take interest in the legal aspect of their work - even if it's just to ask for help. "My goal is to help musicians see a music attorney as a member of their team, who's on board to help them from the beginning," she says.

Part of her inspiration, she adds, is Athens.

"I didn't know if I'd like it when I moved here," she says, noting she wasn't familiar with the arts scene. "But I love it. Athens is an incredible city," she says.

Vote for Deborah Gonzalez's plan to provide no-to-low-cost legal services to musicians and artists at http://bit.ly/enXVx.
Contact Gonzalez at dgonzalez@classiccitylaw.com.
Large-scale gas discharge in the Gulf of Mexico could result in oxygen-depleted areas.

wake-up call’

assive flux of gas, in addition at BP well blowout in Gulf

cummenting the amount of hydrocarbon gases released by the blowout is critical to understanding the discharge's extent, the fate of the released hydrocarbons and potential impacts on the pelagic oceanic systems. The researchers examined the daily discharge of gas (nearly one mile) from the well and the released gas clotted in the deep, oxygen-depleted water column. In the supplementary online materials, the researchers provide high-definition photographic evidence of the gas hydrates forming the plume waters.

Joye said the methane and other gases likely will remain deep in the water column and be consumed by microbes in a process known as oxidation, which can lead to low-oxygen waters. "We're not talking about extensive toxic areas offshore in the Gulf of Mexico," Joye said. "But the microbial degradation of the methane and other hydrocarbons, such as pentane, have significant health implications for humans and potentially for marine life.

The study concludes that separating the gas-induced oxygen depletion from that due to liquid hydrocarbons is difficult, absent further research, because all hydrocarbons contribute to oxygen depletion. Therefore, documenting the total mass of hydrocarbons discharged is critical for understanding the long-term implications for the Gulf's microbial communities, food chain and overall ecosystem.

Joye's team examined samples from 70 sites along the leak, including the R/V Walton Smith during late May and early June 2010. They combined their data with estimates of the volume of oil released to arrive at a figure that allows scientists to quantify, for the first time, the gas discharge in terms of equivalent barrels of oil.

"This study highlights the value of knowledge gained from deep sea hydrocarbon research but also knows..."
Aging with grace

An article about how adopting a rosy outlook can help people live to be 100 in the Chattanooga, Tenn. Times-Free Press quoted Leonard Poon, director of the Institute of Gerontology in the College of Public Health.

"Your perception of what is happening to you is very, very important," Poon said. "It is the lens that we look through in interpreting what's happening to us."

Pet supplies minus


"If the owners of a pet supply store offered a coupon for free ice cream from a nearby shop to people who come visit their store, they may attract a lot of people who have no interest in pet supplies, just free ice cream," she said.

The New York Times

Wasped out

A New York Times article about using wasps' natural abilities to detect odors like a bloodhound, quoted Glen C. Rains, an associate professor in the department of biological and agricultural engineering.

"We devised a way of detecting the change in behavior of the wasps that would tell us when they detected an odor," Rains said. "Pavlov's dog, when you rang the bell, would always salivate. Well, wasps don't salivate, but we found some specific behaviors they did do."

A change of words

A CNN story about a bill put forward in Georgia's House of Representatives that would eliminate the word "victim" from certain legal statutes and replace it with "accuser" quoted Russell Gabriel, director of the School of Law's Criminal Defense Clinic, and Charles Bullock, a professor of political science at UGA.

"When we assume the fact that a jury is being asked to decide by presuming that an individual is in fact a victim, then we are undercutting some of the foundational principles of our legal system," Gabriel said.

Speaking on the reputation of the bill's sponsor, Rep. Bobby Franklin, Bullock said: "He's been something of a loose cannon since he got in there."

Dissenting voices

Sonja West, an assistant professor in the

FACULTY PROFILE

Amy Trauger landed her back on the

Geography professor

By Philip Lee Williams
philipwilliams@uga.edu

Amy Trauger's childhood is a tale of two farms—one in the rocky and rugged soil of northern Minnesota and the other in much more fertile land in the southern part of the state. The contrasts in topography and geography and in how those farms were managed would become, over time, her personal and professional focus and would help lead her to UGA.

Two other facts strongly shaped Trauger: the divorce of her parents when she was 3 and doctors' discovery when she was 4 that Trauger had juvenile diabetes. Because she would need plenty of healthy, unprocessed food, her mother, raising Trauger and her brother alone near a small town in northern Minnesota, became a farmer while also holding down a full-time job in an hour's drive away.

Trauger, a warm, friendly woman talks with great passion about her research and teaching duties here, "I chemicals and machines, and every was for sale—there was no recipe economy like what we had known the northern part of the state. My parents stopped being a farmer. There was place for it."

Later, as a college student at University of Minnesota-Duluth decided to dig into the issue of women farming, and what she found surprised her. By the late '90s, the number of farmers in the state was declining and the number of women who far had steadily increased. She decided to write her senior capstone research project on women farmers in the state and used census data, short interviews with women farmers and survey about their farming experience.

In her research program at UC which is now extending to talking with women in agriculture in India and other places—Trauger draws on a life's work of knowledge of women in farming. "I have lived on farms all my and my mother's changing roles: farm operations throughout her "I was intrigued," said Trauger. "But
States News Service  
February 28, 2011 Monday

LENGTH: 379 words

HEADLINE: GEORGIA SUPREME COURT CHIEF JUSTICE HUNSTEIN TO SPEAK AT UGA SCHOOL OF LAW

BYLINE: States News Service  
DATELINE: Athens, GA

BODY:

The following information was released by the University of Georgia:

Supreme Court of Georgia Chief Justice Carol W. Hunstein will deliver the 29th Edith House Lecture at the University of Georgia School of Law on March 9 at 3:30 p.m. The event will take place in the Hatton Lovejoy Courtroom of Hirsch Hall and is free and open to the public.

Hunstein will share her insights on being a woman in the judiciary and, more generally, on being a woman in the field of law during her presentation titled "Women and the Law: We've Come a Long Way ... Maybe."

Featured in the July 2010 ABA Journal article "Tipping the Scales: How Southern Women are Remaking the Face of Justice," Hunstein was appointed to the Supreme Court of Georgia in 1992, becoming the second woman in history to serve as a permanent member of this court. Prior to this appointment, she served on the Georgia Superior Court of DeKalb County, where she was the first female president of the Council of Superior Court Judges and chaired the Georgia Commission on Gender Bias in the Judicial System.

Additionally, she was district director for the National Association of Women Judges, has chaired multiple state commissions on child support guidelines, and has been a member of the Justice Center of Atlanta and the Georgia Campaign for Adolescent Pregnancy Prevention advisory boards. She also is the former chair of the Georgia Commission on Access and Fairness in the Courts.

In the course of her career, Hunstein has received many honors. Some of these include a commendation for outstanding service from the Georgia General Assembly, the Margaret Brent Award from the American Bar Association's Commission on Women in the Profession, and the Commitment to Equality Award from the State Bar of Georgia's Committee on Women and Minorities in the Profession. She was also named a Rosalynn Carter Honorary Fellow in Public Policy by Emory University's Department of Women's Studies.

The Edith House Lecture Series is hosted annually by the Women Law Students Association in honor of one of the first female graduates of Georgia Law. House, a native of Winder, Ga., was co-valedictorian of the law class of 1925, the first class to graduate women.

For more information on the UGA School of Law, see www.law.uga.edu/.

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clinical assistant professor at Georgia Health Sciences University. He earned his undergraduate degree from Georgia Tech and his dentistry degrees from Georgia Southern University and the Medical College of Georgia. He and his wife, Maggie, have three children.

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February 28, 2011 Monday 11:45 PM EST

LENGTH: 739 words

HEADLINE: Deal Names Six to Boards

BYLINE: Targeted News Service

DATELINE: ATLANTA

BODY:

Gov. Nathan Deal, R-Ga., issued the following news release:

Roy C. Kilpatrick, Board of Commissioners of the Georgia Student Finance Commission

Kilpatrick is a retired owner and CEO of Kilpatrick Realty & Insurance Agency in Swainsboro. He served as president of Middle Georgia Independent Insurance Association, Altamaha Basin Board of Realtors, Swainsboro/Emanuel County Chamber of Commerce, Swainsboro Rotary Club and the Independent Insurance Agents of Georgia. Kilpatrick also served on the board of the Georgia Association of Realtors and the Independent Insurance Agents of America. He has received numerous awards from Independent Insurance Agents of Georgia for outstanding service. Kilpatrick earned his undergraduate degree from Georgia State University and his master's degree from Northwestern University. He and his wife, Thelma, live in Statesboro.

Paul Brower, Georgia Real Estate Commission

Brower is an associate broker in the East Cobb office of Harry Norman Realtors. He is a member of the National Association of Realtors, director of the Georgia Association of Realtors, serves on the Communications and Public Relations Committee of the Atlanta Board of Realtors and is a member of the Cobb Chamber of Commerce. Brower served for 24 years as vice president of corporate relations for Gold Kist Inc. in Atlanta. Brower is past chairman of Georgia Public Policy Foundation, Georgia 4-H Foundation, National FFA Organization Sponsor Advisory Board, Georgia Agribusiness Council and the Farm Foundation in Chicago. He served as director of Georgia Chamber of Commerce, Georgia Council on Economic Education, and was president of the National Agri-Marketing Association. Brower also served 14 years as a delegate for the University of Georgia College of Agricultural and Applied Economics to the Council on Agricultural Research, Extension and Teaching of the National Association of State Universities and Land Grant Colleges in Washington. He earned his
undergraduate and graduate degrees from California Western University and attended postgraduate business courses at Harvard Business School, Wharton Business School and Pennsylvania State University. He and his family live in Marietta.

Patrick Millsaps, State Ethics Commission

Millsaps is an attorney with clients statewide. He has served on the Board of Governors of the State Bar of Georgia, the Board of Visitors for the University of Georgia School of Law and the Board of Directors for the Georgia Alliance of Boys and Girls Clubs. He earned his undergraduate degree from Samford University and his law degree from the University of Georgia. Millsaps and his wife, Elizabeth, have three children. They live in Camilla.

George Scott McCoy, Jr., Board of Trustees of the Herty Foundation

McCoy is a retired grain merchandising specialist for White Commercial Corp. He formerly served as president and chairman of the Board of McCoy Grain Exchange of Davisboro. McCoy spent two years as an associate manufacturing engineer on the C-5A program with Lockheed Georgia Corp. He received his Bachelor's of Science from Georgia Tech. McCoy and his wife, Pendery, live in Sandersville. They have two children and four grandchildren.

Kerry Jackson Cook, Board of Trustees of the Georgia Firefighters Pension Fund

Cook is a 29-year firefighter veteran. He retired from the Decatur Fire Department, where he served on the City Retirement Board from 1999 to 2002. He is a former chairman of the Hall County Republican Party. He currently serves as Chief Bailiff for Judge Gene Roberts in the State Court of Hall County. He and his wife, Ann, live in Chestnut Mountain. They have two children and one grandchild.

Richard G. Bennett, Jr., D.M.D., Georgia Board of Dentistry

Bennett is partner at Northeast Georgia Dental Group in Gainesville. He is a member of the American Dental Association, the Georgia Dental Association, Northern District Dental Society, Academy of General Dentistry and the Hinman Dental Society. Bennett also serves on the board of Emile T. Fisher Foundation for Dental Education, is chairman of Good News Clinics and is a board member and clinical assistant professor at Georgia Health Sciences University. He earned his undergraduate degree from Georgia Tech and his dentistry degrees from Georgia Southern University and the Medical College of Georgia. He and his wife, Maggie, have three children.

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Looking back 50 years at two UGA students who changed history and state

2:34 pm February 28, 2011, by Maureen Downey

Hamilton Holmes and Charlayne Hunter wore the first black students admitted to UGA, and went on to become among the most accomplished. (AJC file photo)

When the University of Georgia admissions office interviewed Turner High School graduate Hamilton Holmes in 1961, the college staff asked the valedictorian, senior class president and co-captain of the Turner football team several shocking questions. They asked if he had frequented prostitutes or red light districts. They asked if he had been arrested. And though Holmes answered truthfully "no" to all those insulting questions, UGA noted on his application that he was "evasive" in his responses. And that was enough to reject a student for whom UGA would have rolled a red carpet from Athens to Atlanta had he had been white.

UGA didn't suggest that Holmes' high-achieving classmate, Charlayne Hunter, was evasive, although the admissions staff kept her waiting for her interview while taking white students at regular seven to 10 minute intervals. When they finally invited Hunter into the office for her session, they grilled her for an hour. And then they denied Hunter—who was ranked third in her high school class—admission to UGA because the college lacked dorm space.

These despicable acts of racism were brought to life vividly and expertly Friday by the Davenport-Benham Black Law Students Association and the UGA School of Law in a re-enactment of the trial that enabled Holmes and Hunter to become UGA's first African-American students. The event marked the 50th anniversary of the desegregation of UGA.

Along with more than 250 others, I watched the brilliant re-enactment. And then I had the honor of joining a panel with federal Judge Horace T. Ward, who, as a young Northwestern Law School grad, represented Holmes and Hunter 50 years ago, and two of the UGA law school's earliest black graduates, Georgia Supreme Court Justice Robert Benham and Athens attorney Kenneth I. Dious.

Ward understood UGA's transparent tactics to "legally" bar qualified black students from admission. He was kept out of UGA law school in the 1950s because the admissions staff also deemed him "evasive" in his answers.

Holmes and Hunter turned out to be among UGA's most successful graduates. In 1963, Holmes became the first black student admitted to the Emory University School of Medicine. Holmes, who died in 1995 after a coronary bypass operation, became the the head of orthopedic surgery at Grady Memorial Hospital and an assistant professor at Emory School of Medicine.
Looking back 50 years at two UGA students who changed history and...

Hunter-Gault wrote for the New Yorker and The New York Times and spent 20 years on the MacNeil/Lehrer NewsHour, before moving to South Africa in 1997 with her husband Ronald Gault. She now divides her time between Martha’s Vineyard and South Africa.

On hand to witness the re-enactment were Holmes’ widow, retired APS teacher Marilyn Holmes, and her daughter, Alison. Also, Ann Hall, the daughter of the presiding judge in the case, Federal Judge William Augustus Bootie, attended with her son and husband from Macon.

Bootie died in 2005 at age 102. Prior to his death, Bootie talked about the UGA desegregation case, saying, “Someone asked me the other day, ‘Wasn’t it hard to make the decision to let blacks in?’ I said it wasn’t hard at all. Once you decide what’s right, the making of it is easy. Right is right.”

Bootie’s ruling on Jan. 6, 1961, ended 176 years of segregation at UGA. In his decision, he noted that Holmes and Hunter "would have already been admitted had it not been for their race and color."

The judge ordered immediate admission of the pair, who, a few days later, had to be spirited off the campus because a mob of students threw bricks at Hunter’s dormitory. Her windows were shattered, and she and Holmes were temporarily suspended by the school for “safety reasons.” Both students returned to campus two days after the riot and stayed until they earned their degrees in 1963.

The historic ruling certainly didn’t end the debate over school integration, a debate that goes on today.

While the South once led the nation in integrating its schools, it’s become a leader in the resegregation of classrooms, largely as a result of housing trends. Today, the argument is that that it doesn’t matter whether black, white and Hispanic students attend the same schools, only whether they attend good schools.

But it’s not easy to create a “good” school in a racially isolated classrooms if too many children are grappling with poverty, lack of health care, poor nutrition, housing evictions and job losses.

One of the byproducts of the resegregation of Southern schools is that our schools are also becoming more solidified in their poverty. (According to Kids Count Data, 35 percent of African-American children and 27 percent of Latino children live in poverty, compared to 11 percent of white children.)

See this blog for part 2 of this discussion:

–By Maureen Downey, for the AJC Get Schooled blog
Integrating schools based on test scores and achievement

Part two of the blog on the UGA desegregation anniversary: In that blog, I noted the national retreat from the notion that classrooms need to be a rainbow hue, that the focus now is not whether black, white and brown children go to the same schools, but whether they go to good schools.

But the problem is how to create good schools when schools that are high minority are also often high poverty. And kids from poor families bring far more challenges to the classroom—homelessness, job losses, evictions, nutrition deficits, lack of space for the students to do their homework, parents unable to help kid with school work because they hold two jobs.

A classroom with three or four such children can cope; a classroom with 12 may crumble under the weight of so many kids in crisis.

Speaking to that exact situation, here is a New York Times story on how Wake County, N.C., once considered a role model in school integration, is evolving. (Take a look at the entire story if you have time.)

In 2000, after courts ruled against using race-based criteria, Wake became one of the first districts in the nation to adopt a system of socioeconomic integration. The idea was that every school in the county (163 at present) would have a mix of children from poor to rich. The target for schools was a 60-40 mix — 60 percent of students who did not require subsidized lunches and 40 percent who did.

Then in 2009, a new conservative majority was elected to the Wake school board, and last spring it voted to dismantle the integration plan. Instead, families would be assigned to a school nearer their neighborhood. This meant a child who lived in a poor, black section of Raleigh would be more likely to go to a school full of poor black children, and a child living in a white, upper-middle-class suburb would be more likely go to a school full of upper-middle-class white children.

In most places that would have been it. Not here. This is a well-educated labor force (50 percent of employees are college graduates) that works in the high-tech Research Triangle and is predisposed to finding new ways to solve complex problems.

And that's just what they set out to do. Two weeks ago, civic leaders here unveiled their proposal for a third generation of integration: integration by achievement. Under this plan, no school would have an overwhelming number of failing students. Instead a school might have a 70-30 mix — 70 percent of students who have scored proficient on state tests and 30 percent who are below grade level.

The plan — believed to be the first of its kind in the nation — was developed by community leaders who sound nothing like the civil rights leaders of the 1960s. They sound more like members of the Chamber of Commerce — which they are. "We believe our proposal is consumer friendly," said Harvey A. Schmitt, president of the Greater Raleigh Chamber. "We believe it will sell well in a market of high expectations."

Advocates of the plan believe that schools balanced by achievement won't look too different from schools balanced by socioeconomic. That's because there is a strong statistical correlation between wealth and test scores; generally the wealthier a child's family, the higher the child's test scores.

Mr. Schmitt thinks that both racial and socioeconomic integration have been proxies for academic integration; that what a parent — white, black, Hispanic, Asian — wants most for a child is to attend an academically successful school, and that race and wealth have been roundabout ways to accomplish that.
He says integration by achievement will be good for business because no matter where a family lives in the county, their children can attend a high achieving school. “Companies can come into this market and not have to pay extra for employees to send their children to private schools,” he said.

—From Maureen Downey, for the AJC Get Schooled blog

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