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ASLME Insider - August 2011

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Member Spotlight

This month ASLME’s Member Spotlight features Elizabeth Weeks Leonard for her work on our new issue of the Journal of Law, Medicine & Ethics.

This month ASLME’s Member Spotlight features Elizabeth Weeks Leonard for her work on our new issue of the Journal of Law, Medicine & Ethics.

"I am delighted to have such an incredible group of leading public health and health law scholars contributing to the Symposium," states Leonard.

The Symposium looks at the Patient Protection Affordable Care Act of 2010 (PPACA) from a public health angle, starting with the presumption that the act did not address population-health concerns. Authors explore or refute this presumption from a variety of perspectives including wellness programs, insurance reforms, access to care, obesity, and human rights. Leonard’s introduction from JME 39.3 is this month’s featured article, and available to readers of the ASLME Insider here.

To read more about Leonard and her professional accomplishments, please read the Member Spotlight.
ATLANTA — Dr. and Mrs. Christopher U. Cates, of Atlanta, announce the engagement of their daughter, Caroline Johnston Cates to Tanner David Ivie, son of Mr. and Mrs. Stephen L. Ivie, of Ashburn.

Caroline is the granddaughter of Mrs. Frances Watts Johnston and the late Harry Johnston, of Hiawassee, and Hugh Cates and the late Lois Bizzell Cates, of Atlanta. She is a 2005 graduate of Atlanta’s Marist School where she was Vice President of Student Government. The bride-to-be received her Bachelor of Science degree in Psychology in 2009 from Furman University where she was a Vice President of the Kappa Delta Sorority. She is currently enrolled in the Physician’s Assistant program at Emory University’s School of Medicine.

The groom-elect is the grandson of Charles Glass and the late Madge David Glass, of Covington, and the late Dr. and Mrs. Claude Ivie, formerly of Atlanta. Tanner was the 2004 Valedictorian of Tiftarea Academy. He graduated Magna Cum Laude and Phi Beta Kappa from Furman University in 2008 with a Bachelor of Arts in History and Political Science. He graduated May 2011 from the University of Georgia School of Law Summa Cum Laude and will be employed as a Law Clerk for Judge B. Avant Edenfield, U.S. District Court, Southern District of Georgia, in Savannah.

The couple will be married at Brasstown Valley Resort, in Young Harris August 14. The newlyweds will honeymoon in Hawaii and then reside in Savannah.
SAN ANGELO, Texas — Polygamist sect leader Warren Jeffs has decided to represent himself in his ongoing trial on sexual assault charges, a choice that can bode ill for acquittal.

On Thursday, the 55-year-old leader of the Fundamentalist Church of Jesus Christ of Latter Day Saints fired his seasoned defense team and asked for permission to represent himself.

Before granting the request, 51st District Court Judge Barbara Walther, as she is required to do by law, warned Jeffs of the risks involved and personally discouraged it, saying she had never seen a defendant successfully self-represent in her 30 years of licensed law practice.

"You have a right to represent yourself," Walther said to Jeffs. "You need to understand the substantial risk you are assuming."

Jeffs told Walther he had made the decision to self-represent "only recently."

On Friday, the polygamist sect leader delivered a 55-minute sermon defending plural marriage as being ordered by God and protected by the U.S. Constitution. But he made no opening statement and otherwise spoke only in objection to the introduction of computers and papers from the FLDS’ El Dorado, Texas compound raid in 2008.

The right to self-representation is not only explicitly provided for in both the Texas and U.S. Constitutions, but is well established in case law. In 1975, the U.S. Supreme Court ruled in the landmark case Faretta v California that criminal defendants have a constitutional right to self-representation in state criminal trials.

Jeffs is by no means the only high-profile criminal defendant who has sought to invoke his right to so-called "pro se" representation, but many of the handful of infamous cases in which that has occurred — which involve mostly murder charges — have ended either in convictions or the defendants rehiring their attorneys after realizing how difficult it is to argue a case with no legal expertise.

One of the more recent high-profile cases of self-representation was in 2003 when John Allen Muhammad, the Washington, D.C.-area "Beltway Sniper," fired his legal counsel and was given permission to represent himself, but called his attorneys back after making his opening statement. Muhammad was found guilty and executed in November 2009. Serial killer Ted Bundy also represented himself, and was also convicted.

Some statistics, however, suggest that the conviction rates of self-represented felony defendants who end up at trial are not that different from those who retain legal counsel.

A 2007 study by the University of Georgia School of Law analyzing data from felony court cases from 1998 to 2003 shows that the data that indicate that pro se felony defendants in state courts are convicted at rates equivalent to or lower than the conviction rates of represented felony defendants."

Even so, "It's a common belief that it's a bad idea," said Patrick Metze, the director of criminal clinics for the Texas Tech School of Law, about self-representation.

Metze, who is following the Jeffs trial, predicts Jeffs may rehire his attorneys once he realizes he is in over his head. Metze said the basic proceedings of a trial, everything from the rules of evidence to the way witnesses are called and what they can and can't be asked, are tricky and could cause someone who is unfamiliar with them to get frustrated and give up.

"I would be surprised if he did the whole trial himself," he said. "I would think that, at some point, he would bail and decide that he did need the help, because it's going to get real complicated real fast."

Jeffs' former attorneys declined to say whether they were privy to his plans, but that they fully support his decision to represent himself because it is his legal right as long as he does so knowingly and intelligently. Law also requires that it be done before the jury is sworn in, which was the case.

"It's absolutely his right, it's his choice and I support it," said Deric Walpole, Jeffs' former lead counsel.

After granting Jeff's request, the judge said she wanted the seven attorneys who had been representing him to act as standby counsel.

As far as Walther's decision to allow Jeffs to represent himself, Metze said most judges would allow for it as long as the defendant communicates that they are aware of the risks and doing it willingly.

However, Metze said he would be shocked if Jeffs is successful and that the judge may require him to bring back his legal counsel if she becomes impatient and feels the trial is being obstructed.

"I would say it would be very surprising if he were successful; it would be very surprising to me if he completed the job, even," Metze said. "I think he'll find it's not nearly going to be as much fun as he thinks. He's not going to enjoy it ... And at some point, the judge may have had enough."
David Elmore: Model of a judge

CHATHAM COUNTY lost a valued public servant last week with the death of retired State Court Judge David R. Elmore. Judge Elmore, who died last Wednesday at the age of 91, was born to wear black robes. And he wore them well.

He was fair-minded and knowledgeable. He respected people. He wasn't overcome by ego. He worked hard. He usually remained in good spirits, even during stressful conditions.

In short, he was everything a judge should be.

Judge Elmore, a native Savannahian, retired at the end of 1988, ending a 40-year law career. But even though he hasn't been a fixture at the courthouse in a long time, his peers on the bench still remember him and how well he ran his courtroom.

Like many of his contemporaries, Judge Elmore served his country during World War II. He was in the Army Air Corps. After the war ended, he attended the University of Georgia law school, then returned home to practice law. In 1969, he left private practice to fill a vacancy on the Savannah Recorder's Court bench, then used that a springboard to successfully run for the State Court post in 1976. He served there for a dozen productive years.

Judges who do their jobs well tend not to get noticed by the public. It's the nature of the job. Judge Elmore was one of those judges, and his service merits the public's gratitude.
Banishment for punishment questioned

By Rhonda Cook
The Atlanta Journal-Constitution

7:35 p.m. Tuesday, August 2, 2011

David Nathan Thompson cannot come home to DeKalb County — at least, not for another 15 years.

Unless the Georgia Supreme Court changes its mind about banishment, Thompson, who is bipolar, is limited to 50 of the state's less populated counties that form a U as they hug the state lines with South Carolina, Florida and Alabama.

"It's like banishing a child from their family," attorney McNeil Stokes said a few days after the state Court of Appeals ruled the practice constitutional.

"Georgia has got to stop banishing its citizens — particularly its mentally-challenged citizens — to get rid of them."

Because of Thompson's mental problems, Stokes has asked the state Supreme Court to hear the case even though the court already has ruled twice that it's illegal to limit criminals to as few as one of the state's 159 counties as long as they are not banned from the entire state.

The aim of banishment is to ensure a certain criminal element — like drug dealers, burglars or prostitutes — stays away.

"They were problem characters but maybe not problematic enough that [judges] could send them to jail and be rid of them," said University of Georgia law professor Ron Carlson. "It's a bit of a Southern tradition."

Thompson's crime was aggravated assault. Armed with a 30-06 rifle with a scope, the then 21-year-old fired a bullet into the side of a brick house belonging to a Sandy Springs family related to his stepmother on April 23, 2004. Sharon and Robert Barnaby and their daughter were having dinner at the time.

On that same day, Thompson also shot at a convenience store in North Carolina and a water tower in South Carolina. Then he called his mother and told her what he had done.

Thompson said in Fulton County Superior Court he targeted the Barnabys because he had been denied his inheritance — specifically, a trash can marked with the University of North Carolina logo. His father had committed suicide in May 1999.

"I was still upset by my father's death and y'all were keeping me from getting my father's inheritance," Thompson said in court. "It was never my intention to hurt anyone physically."

The Barnabys did not respond to requests for comment.

Thompson was sentenced to eight years in prison, later reduced to four years, plus 12 years probation.

He was released in April 2008. He went back to prison in July 2009 for another 18 months after he allegedly threatened a North Carolina woman he met online. He was released again on Dec. 30.

He was allowed to live with his mother in DeKalb County for the first year of probation before his banishment to Ware County in South Georgia (chosen because of its distance from metro Atlanta) took effect. Later he was allowed into 49 other counties so he would have better access to mental health care. He now lives in Columbus.

The sentence was a "reasonable length" of time in prison while the banishment ensured "the safety of the Barnaby family," Fulton District Attorney Paul Howard said.

The second North Carolina incident, along with angry outbursts, indicated Thompson was dangerous, prosecutors said.

He had admitted he had mental and emotional problems that "created a violent and at times uncontrollable rage," Howard said.

Thompson, 28, insisted in an interview with The Atlanta Journal-Constitution that he has had "no thought of hurting" the Barnabys.

"I'm basically in a prison without walls," Thompson said.

But his written comments during an online discussion of his case questioned the effectiveness of his banishment.

"How can the banishment be enforced?" Thompson said in a post he confirmed he made on onlineAthens.com. "There's nothing stopping me from coming to Atlanta if I really wanted to. ... There is no border patrol protecting the victim."

Find this article at:
Campbell University Law Faculty Present At Southeastern Association Of Law Schools Annual Meeting

Triangle - RALEIGH, N.C. - Melissa Essary, dean of the Campbell University Norman A. Wiggins School of Law, (http://law.campbell.edu) has announced that four of the school's professors presented at the 2011 Southeastern Association of Law Schools (SEALS) annual meeting July 24-30 in Hilton Head, S.C. In addition, Professor Patrick Hetrick acted as mentor to Osamuda James, a professor from the University of Miami School of Law. The SEALS annual meeting included several program formats, including new scholars workshops, group and roundtable discussions, panels, expos, luncheons, receptions and training seminars, all aimed at enhancing the legal education profession. Essary is an active member of the SEALS steering committee. The presenters were as follows:

- Amy Flanary-Smith acted as moderator for a session she created on recruiting, training and managing adjunct professors.
- Lucas Osborn provided insights along with professors from the University of Georgia, University of Baltimore, University of Houston and Temple University for the workshop "Patent Law in the 21st Century: Overhaul, Tweak, or Status Quo?"
- Sarah Ludington participated in a group discussion titled, "Evolution or Revolution? American Civil Procedure in the 21st Century" that dealt with significant changes in the American approach to litigation over the last decade.
- Lisa Lukasik spoke on Asperger's syndrome and eligibility under the Individuals with Disabilities Education Act in a new scholars workshop panel on Americans with disabilities.

QUOTES:
"We are excited to have participated in the 64th annual SEALS meetings," said Essary, currently an active member of the SEALS steering committee. "The discussion groups, panels and workshops led by professors, including our own at Campbell University, were an excellent enrichment to the law school community."

NEW MEDIA CONTENT:
Campbell Law Facebook:
http://www.facebook.com/home.php?
/profile.php?id=1538131410

DETAILS:
- For more information on SEALS, visit http://www.sealslawschools.org.

ABOUT CAMPBELL LAW:
Since its founding in 1976, the Norman Adrian Wiggins School of Law at Campbell University has developed lawyers who possess moral conviction, social compassion and professional competence, and who view the law as a calling to serve others. The School has been recognized by the American Bar Association (ABA) as having the nation's top Professionalism Program and by the American Academy of Trial Lawyers for having the nation's best Trial Advocacy Program. Campbell Law boasts more than 3,200 alumni, including 2,200 who reside and work in North Carolina. For 23 years, Campbell Law's record of success on the North Carolina Bar Exam has been unsurpassed by any other North Carolina law school. In September 2009,
modernist home in Hillsborough will be open to the ...

Campbell Law relocated to a state-of-the-art building in downtown Raleigh. For more information, visit http://law.campbell.edu.

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Cobb mom opts for new trial in fatal jaywalking case

By Marcus K. Garner
The Atlanta Journal-Constitution
9:16 p.m. Wednesday, August 3, 2011

A Cobb County mother convicted for jaywalking in connection with her 4-year-old son's death has opted to retry the case.

Raquel Nelson's son was killed last year by a hit-and-run driver as she crossed Austell Road with him and her two other young children nearly a half-mile from a crosswalk.

A jury found Nelson guilty of secondary vehicular homicide, crossing roadway elsewhere than at crosswalk and reckless conduct in the April 10, 2010 incident, amid a national outcry for her to be exonerated.

But when sentenced last week to a year of probation, a judge offered Nelson an alternative – a chance to retry her case.

"Ms. Nelson has decided to proceed with a retrial," her new attorney, Steve Sadow, told the Atlanta Journal-Constitution on Wednesday evening, following an email announcing his retention.

"I have taken the case pro bono because her prosecution is morally wrong and unjustified."

Sadow is best known for representing Atlanta rapper Clifford "T.I." Harris in his defense against illegal gun charges in 2008.

Nelson was returning home with her children – she also has daughters, then ages 2 and 9 – and was on the median when A.J. pulled away from his mother and ran to cross the street to follow his older sister, who had made it to the opposite sidewalk.

At that moment, a speeding van hit the boy and Nelson, who was holding her 2-year-old daughter, killing the boy and injuring the mother and toddler.

Jerry Lynn Gay, who had been convicted of hit-and-run twice before, drove away from the scene, but was later arrested.

He was charged with felony hit-and-run and has since served a six-month prison term and must complete four-and-a-half years of probation.

Assistant Cobb County solicitor Anna Marie Baltz told a judge last week that prosecutors only sought supervised release.

"We never intended to seek jail time," Baltz said. "But the State is bound to uphold the law."

Nelson was sentenced to 12 months' probation and 40 hours of community service, but her previous attorney Dave Savoy said his client likely wanted to clear her name.

And she remained undecided following the sentencing, although the judge allowed her a month to make a choice and set a court date for October.

"There's a part of me that doesn't want to go through this again," Nelson said on the "Today" show.

"I sincerely hope that... Morgan does the right thing and dismisses the case before a retrial is necessary."

Find this article at:
One of the best things about the annual conference of the Southeastern Association of Law Schools (besides the lovely environs) is the Labor and Employment Law programming, and this year was no exception. There were three panels and a discussion group all devoted to labor and employment issues. Each one gave us lots to think about, and the level of discussion was excellent. Feel free to chime in with additional impressions (for those who were there) or questions in the comments.

On Thursday was:

**Collective Bargaining Issues as Several Sports’ Labor Contracts Expire**
- Moderator: Professor Jonathan Card, Wake Forest University School of Law
- Speakers: Professor Gabriel Feldman, Tulane University Law School;
- Professor Robert Barry, Boston College Law School;
- Professor Timothy Davis, Wake Forest University School of Law;
- Professor William Gould, Stanford University School of Law

Then on Friday:

**The State of Labor and Employment Law in Light of Recent Supreme Court Decisions**
- Moderator: Professor Jeffrey Hirsch, University of North Carolina School of Law
- Speakers: Professor Theresa M. Beiner, University of Arkansas at Little Rock; William H. Bowen School of Law;
- Professor Henry Chambers Jr., University of Richmond School of Law;
- Professor Cynthia Nance, University of Arkansas School of Law;
- Professor Suzanne Malveaux, The Catholic University of America, Columbus School of Law;
- Professor Marcia McCormick, Saint Louis University School of Law

**Discussion Group: Should Employment Claims Continue to be Arbitrated?**
- Moderator: Professor Ariana Levitron, University of Louisville, Louis D. Brandeis School of Law
- Discussants: Professor Richard Bales, Northern Kentucky University; Salmon P. Chase College of Law;
- Professor Thomas Burch, The University of Georgia School of Law;
- Professor Andrea Dottin, Atlanta’s John Marshall Law School;
- Professor Michael Green, Texas Wesleyan University School of Law;
- Professor Dennis Nolan, University of South Carolina School of Law;
- Professor Marcia McCormick, Saint Louis University School of Law;
- Professor Kathryn Sabin, University of North Carolina School of Law;
- Professor Steven Ware, University of Kansas School of Law;
- Professor Michael Yenck, Roger Williams University School of Law

**Toshiba & Iqbal in the Workplace**
- Speakers: Benjamin Cooper, The University of Mississippi School of Law;
- Professor Suzanne Malveaux, The Catholic University of America, Columbus School of Law;
- Professor Joseph Salerno, University of South Carolina School of Law;
- Professor Suja Thomas, University of Illinois College of Law

I missed Thursday’s panel, so I can’t comment on the focus of that discussion, but if any readers were there, please chime in in the comments. Friday’s summary of the Supreme Court cases focused on North American Stainless, the third-party retaliation case, Staub, the car’s paint case (and we all agreed that was a terrible analogy); Writing, Arizona’s immigration employment law case, Wal-Mart, the gender class action, and Concepcion, the arbitration case. Not only was each case interesting on its own, but the comparison and contrasts between them were fascinating.

The arbitration discussion group had a very broad focus on how arbitration works or should work in the employment law (rather than labor) context. Discussants came from a variety of perspectives, and the discussion involving members of the audience was especially interesting. It is not clear that management or employee advocates are as interested in arbitration as they once were.

Finally, the panel on Iqbal and Twombly was very illuminating about the effects those decisions have had on employment discrimination cases. Maybe not surprisingly, employment discrimination case dismissals have risen significantly at a greater rate than other types of cases since Twombly, as the two Supreme Court decisions have come to be known. At the same time, the conditions may be getting riper for rule reform in the next few years to reverse those effects.

MMR
Jaywalking mother opts for new trial

Thursday, August 04, 2011 11:11 AM

ATLANTA, Aug. 4 (UPI) -- The Georgia mother convicted of jaywalking in an incident that left her 4-year-old son dead will ask for the case to be retried, her attorney said.

Raquel Nelson, sentenced last week to a year of probation in the case that left her son A.J. dead, was convicted of secondary vehicular homicide, failure to use a marked crosswalk and reckless conduct, The Atlanta Journal-Constitution reported Thursday.

In the sentencing hearing Wednesday, the judge gave Nelson an alternative to probation -- a chance to retry the case.

"Ms. Nelson has decided to proceed with a retrial," her attorney, Steve Sadow said. "I have taken the case pro bono because her prosecution is morally wrong and unjustified."

A law professor said the judge's offer of a new trial is rare.

"If the results of the jury decision are either contrary to the evidence or supply what the judge feels is an unfair result, a new trial can and sometimes is granted," said University of Georgia law school professor Ron Carlson said.

Cobb County attorney Barry Morgan declined to comment on the judge's offer.

Nelson was standing on the median holding another child when her son A.J. pulled away from her and ran into the street to follow his sister, who had safely crossed.

A.J. was struck and killed by a van driven by Jerry Lyn Guy, who fled the scene; Guy has been convicted of hit and run twice before.

Guy received what some perceived as a slap on the wrist for the boy's death; he was charged with felony hit-and-run, served a six-month prison term and must complete 4 1/2 years of probation.

Assistant Cobb County solicitor AnnaMarie Baltz said last week prosecutors didn't ask for his imprisonment.

"We never intended to seek jail time," Baltz said. "But the state is bound to uphold the law."

(Source: UPI )
(Source: Quotemedia)

Sponsored Link: American girl spotted at high-end Zurich hotel bar. She was running up a $5,000 tab with a group of bankers, and found a secret way to make a fortune with gov't-issued gold bullion, even if gold NEVER goes up another penny in value. Full story here.

Rating:

+ Comments (0)
The trial of Warren Jeffs, the leader of the Texas polygamous sect who was accused of sexually assaulting underage girls, will likely go down in history as another example of the peril of representing yourself in court.

A jury yesterday convicted Jeffs of two counts of sexual assault. Here’s a WSJ report, which notes that the prosecution wrapped up its case by playing an audio tape of Jeffs’s sexual encounter with a 12-year-old girl, he is heard on tape calling it a “heavenly session.”

As we noted earlier, Jeffs fired his lawyers on day one of the trial. His behavior at trial was odd, to put it mildly; he would sit mutely for hours but then, on occasion, sermonize about religious freedoms and the history of polygamy. Yesterday, he stood silently for most of his 30-minute closing argument before uttering “I’m at peace.”

Houston criminal defense lawyer Dick DeGuerin told WSJ that an attorney could have mounted a potent defense, particularly challenging how the evidence against Jeffs was gathered. “He had some very strong factual and legal defenses,” DeGuerin said.

Does the Jeffs case suggest there should be limits placed on a person’s right to represent himself in court?

This article in the Standard Times in San Angelo, Texas, where the Jeffs trial was held, offers a nice analysis of self-representation, a right provided by both the U.S. and Texas and U.S. Constitutions. In 1975, in Faretta v. California, the U.S. Supreme Court ruled that criminal defendants have a constitutional right to self-representation in state criminal trials.

Despite the seeming risks involved, statistics suggest that the conviction rates of self-represented felony defendants who end up at trial are not that different from those who retain legal counsel, according to the Standard Times, which describes a 2007 study by the University of Georgia School of Law.

The study surveyed felony court cases from 1998 to 2003, concluding that pro se felony defendants in state courts are convicted at rates equivalent to or lower than the conviction rates of represented felony defendants.

Still, one has to believe that in a high-stakes, emotionally-charged prosecution like the one Jeffs faced, the advice of counsel is useful.

The question now is what sort of sentence Jeffs might be facing. The jury could send him to prison for the rest of his life.

According to this AP account, prosecutors have brought criminal charges, including sexual assault and bigamy, against 11 members of the Fundamentalist Church of Jesus Christ of Latter-day Saints, the religious group led by Jeffs.
NewsMakers

Posted: August 7, 2011 - 12:08am

Jenifer Scott George

New job title: Advanced practice registered nurse
Company: Live Well MD

Related work experience: Worked approximately 13 years at Mayo Clinic Jacksonville in the Department of Plastic and Reconstructive Surgery. The next two years were spent in private practice at Ponte Vedra Plastic Surgery in north Florida.

Education: Graduated magna cum laude from the University of North Florida where she earned her bachelor of science in nursing and her master of science in nursing for primary care nurse practitioner. She is nationally board certified in family care.

Jan Bass

New job title: Director of marketing
Company: Goodwill Industries of the Coastal Empire, Inc.

Duties: Bass is responsible for the overall marketing strategy for Goodwill Industries' workforce development, business services and retail/donation division through the promotion of the organization's mission. Bass serves as the public relations arm to promote community awareness and coordinate partnerships within the 33-county region that Goodwill Industry services.

Related work experience: Bass served as the community developer/economic planner from 2003 to 2010 for the city of Richmond Hill. Bass was an intelligence analyst for the U.S. Army from 1996 to 2003.

Education: She received a bachelor of arts degree from Western Carolina University and is completing a master's degree in education from Armstrong Atlantic State University.

Heidi Vigil

New job title: Senior Group Leader IT
Company: Target

Duties: She has been promoted into a senior leadership role in Target's Import Warehouse/Target.com fulfillment center.

Related work experience: She began her career with Target in July 2005 as a warehousing group Leader. She relocated to Target's facility in Savannah in 2006 as an outbound group leader.

Education: Bachelor's degree in management and marketing from Colorado State University-Pueblo.

James Tisdale, Ph.D.

New job title: Registrar
Company: University of South Carolina Beaufort

Related work experience: Tisdale comes to USCB from Colorado Springs, Colo. He has served as a higher education enrollment management administrator for 14 years at various institutions in addition to being a SunGard Banner consultant for 12 years.

Mark C. Magliaro

New job title: Premiere account executive
Company: EarthLink Business
Duties: Magliaro will be responsible for business-to-business sales of integrated voice and data, nationwide IP networks, equipment and systems, Internet services, mobile voice and data, conferencing, Web hosting, online faxing and retention of an existing customer base.

Related work experience: Magliaro joined Southern Co.'s wireless communications division, SouthernLINC, in January 2000, serving Savannah-area businesses and was promoted to Strategic Industry Manager in April 2004 responsible for Major Accounts in Georgia, Alabama, Mississippi and the Florida panhandle.

Education: Bachelor of Science in marketing from Saint Leo University, Tampa, Fla.

David Fenstermacher

New job title: Counsel in the Corporate/Healthcare Practice Group

Company: Hunter Maclean law firm

Related work experience: Fenstermacher served as a partner at Parker, Hudson, Rainer & Dobbs in Atlanta, where he practiced law since 1995. His healthcare regulatory background includes Certificate of Need regulations, medical staff matters, Medicare/Medicaid, Stark law, HIPAA and litigation experience. He is a member of the Georgia Academy of Healthcare Lawyers and the State Bar of Georgia.

Education: Fenstermacher earned a J.D. from the University of Georgia Law School in Athens in 1995 and a B.S. from Washington and Lee University in Lexington, Va., in 1991.

Ben Baxter

New job title: Market manager

Company: Forsyth Farmers Market

Duties: He will take over the day-to-day responsibilities for running the market.

Related work experience: Baxter has been an architectural project manager and has worked on several historic building in Savannah.

Sophia Lee

New job title: Education coordinator

Company: Georgia Historical Society

Duties: Develops and coordinates the statewide distribution of educational resources, such as the curriculum for Today in Georgia History, for teachers, students, and history professionals. She also manages training and professional development workshops for Affiliate Chapters and for teachers.

Related work experience: GHS program intern working on the NEH Landmarks and Today in Georgia History projects; student teacher at West Ashley High School in Charleston, S.C., where she taught 10th-grade world history; intern at the U.S. Capitol for U.S. Rep. Joe Wilson and in the Education Programs Department at the Truman Presidential Library in Independence, Mo.

Education: Bachelor's degrees in history and secondary education from the College of Charleston.

Kinney designated 'Premier Advisor'

Honor/Award: Wells Fargo Advisors has designated Alan D. Kinney, CIMA, senior vice president-investments, as a member of the firm’s “Premier Advisors Program.”

Background: Kinney has been a financial advisor with Wells Fargo Advisors for one year and has 28 years experience in the brokerage industry.

Silver receives Lions Club commendations

Honor/Award: Murray M. Silver Jr. received the Lions Club International President’s Letter of Commendation, Beacon of Hope Award and Extension Award at the Lions Club of Pooler Charter Night on July 30.

Background: Silver is vice president of the Lions Club of Savannah, sponsor of the newly chartered club in Pooler. As zor chairman and certified guiding Lion, Silver drafted members to the Pooler club and oversees its organization, for which he received the Extension Award from district governor Joe Bill Brannon.

Silver was named a Beacon of Hope by Lions Club International president Sid Scruggs, and international director Jay Patel presented Silver with the President’s Letter of Commendation, the third highest honor bestowed by LCI.
Redmond attends training at home office

Honor/Award: Mary Redmond of South Guyton, a representative for Woodmen of the World Life Insurance Society, recently returned from a special ‘Sure Start’ career training school held at the organization’s home office in Omaha, Neb. Redmond is a local representative of Woodmen of the World and serves members in and around the Savannah and Effingham County area.

Black recognized for more than 50 years of service

Honor/Award: Morrison Dental Associates’ Harold A. Black, DDS, was recognized last week by St. Joseph’s/Candler Hospital for more than 50 years of service with the hospital system.

Background: Black, who has also worked with Memorial University Medical Center for more than 50 years, is the former dental chief of staff for St. Joseph’s/Candler and has performed dental procedures for a variety of St. Joseph’s/Candler patients. Black is the only dentist in Savannah currently working with medically compromised patients such as adults with autism.

Sperry Van Ness local advisors recognized

Honor/Award: Sperry Van Ness International recently released its sales performance ranking for 2011. The Savannah/Hilton Head office was ranked No. 17 nationwide, and four advisors were ranked in the top 100 advisors nationwide.

The following local advisors for Sperry Van Ness|GASC Commercial were recognized: Tom DeMint, CCIM; Vonnie Majewski CCIM; Jim Bryant; Adam Bryant, CCIM.

Background: Sperry Van Ness has more than 900 affiliates in 44 states, and the local advisors were competing with offices in much larger markets, such as New York, Boston, Chicago, Los Angeles, Orlando and Atlanta.

Linstroth to consult on proposed hotel

Honor/Award: Journeyman Austin/Hutchinson Hotel Holdings, the designated developer for the Trade Center Hotel, has announced that Tommy Linstroth of Trident Sustainability Group will serve as a LEED consultant on the proposed convention center hotel on Hutchinson Island.

Georgia Southern student wins national scholarship

Honor/Award: Georgia Southern University student Jeffrey Hupman was awarded a $10,000 scholarship from the Public Company Accounting Oversight Board, a nonprofit corporation. The Tampa, Fla., native has achieved a 3.93 GPA, and is the first student from the university to be awarded the competitive national scholarship.

Background: A member of Beta Alpha Psi, Beta Gamma Sigma and Phi Kappa Phi honor societies, Hupman is a senior, double majoring in finance and accounting.

Chatman joins local board of directors

Honor/Award: Mary B. Chatman, senior vice president of patient care services at Memorial University Medical Center, has joined the Savannah Technical College Local Board of Directors. She was sworn in at its July meeting.

Background: Chatman has more than 21 years of progressive experience in academic medical centers working in a variety of settings, including inpatient, support services, wellness and home care.

Pharmacist elected to Georgia Pharmacy Association Board

Honor/Award: Christine Somers, Pharm.D., of Savannah, has been elected to serve as president of Region One of the Georgia Pharmacy Association. GPhA’s 12 regions represent the pharmacists of the state and as such, each region president serves on the board of directors of the association. Region presidents also plan and host regular meetings and facilitate activities as well as handle concerns for region members.

Local Longhorn Steakhouse managing partner honored

Honor/Award: Statesboro resident Maurice Jackson, managing partner of LongHorn Steakhouse in Pooler, has been presented with Darden Restaurants’ top honor: the Joe R. Lee Diamond Club Award, named after the company’s retired chairman and CEO.

Background: Now in its 14th year, the award is presented annually to managing partners throughout North America who demonstrate outstanding results by extending Genuine Western Hospitality and achieve top financial performance in the company’s previous fiscal year. Jackson was among 18 managing partners selected this year from more than 350 LongHorn restaurants in North America, making this a truly exclusive membership.
Cobb mother chooses a retrial

By Marcus K. Garner
The Atlanta Journal-Constitution

5:00 a.m. Monday, August 8, 2011

Raquel Nelson will have her day in court — again. The mother convicted by a Cobb County jury on three misdemeanor counts after her 4-year-old son was killed by a hit-and-run driver has chosen a new trial rather than accept a year’s probation.

“Ms. Nelson has decided to proceed with a retrial,” her new attorney, Steve Sadow, told The Atlanta Journal-Constitution. Sadow said he will handle the case for free “because her prosecution is morally wrong and unjustified.”

Nelson’s conviction last month garnered international media coverage, much of which drew similar conclusions. Despite the furor, Cobb County Solicitor General Barry Morgan said in an email Thursday that his office “will move forward” with the new trial, scheduled for Oct. 25. Morgan said he could not comment further because the case is pending.

On the night of April 10, 2010, Ashley Jones was trying to cross Austell Road just feet from 4-year-old Aaron “A.J.” Newman, his mother and his two siblings, 9 and 2.

“I don’t think she should’ve been blamed,” Jones said.

But Anna Marie Baltz, the Cobb County assistant solicitor who prosecuted the case, said during the sentencing hearing that Nelson was clearly culpable under Georgia law.

“These cases are inherently difficult because they are unintentional,” she said. “But the state is bound to uphold the law.”

It was nearing 10 p.m. when several riders got off the northbound No. 30 Cobb County Transit bus and gathered on the three-foot median in the center of Austell Road.

As they waited to cross to their apartment complex, A.J. snatched his hand away from his mother. Jones said, and chased after his older sister, who was safely on the other side.

At that moment, a white van barreled down the road.

“He had to have been going 60 mph,” Jones told the Journal-Constitution in her first interview since the incident. “He actually sped up, and jumped in front of another car while we were walking across the street.”

Jones dodged the van, but A.J., who was just to her left, took the full brunt of the speeding vehicle, she said.

“He went flying,” she said. “And when he landed, his little head was cracked open.”

The van also hit Nelson, who was holding her 2-year-old daughter, and skidded up onto the sidewalk before driving away.

In the driver’s wake were tire marks on the sidewalk, a bent traffic sign, A.J.’s shoes in the middle of the road next to a puddle of his blood, and a young mother using CPR to try to save her son.

The driver, Jerry Lynn Guy, had two previous hit-and-run convictions. When police located him, he admitted hitting A.J. and driving away. A plea deal got him six months in jail and the remainder of a five-year sentence on probation.

A Cobb County police investigation also laid culpability on Nelson.

‘Ms. Nelson failed to supervise Master Newman when he failed to yield to all traffic when he attempted to cross Austell Road not within a crosswalk,’ read the investigators’ report obtained by the AJC.

The jury convicted Nelson of secondary vehicular homicide, failure to use a crosswalk and reckless conduct. The judge offered her a choice: Accept one year of probation or undergo a new trial.

Those who find fault with her conviction say that jaywalking was a reasonable choice, given the alternative, which was to walk with the three children, in the dark, a distance of three-tenths of a mile to reach a signal light and crosswalk.

An AJC analysis of the spot found that an adult walking to either of the nearest crosswalks, then back to the apartment complex on the other side of the street, would have to take more than 1,200 paces. The trip would have taken 15 to 20 minutes.

‘The jury didn’t understand circumstances,” said Sally Flocks, CEO of a nonprofit pedestrian advocacy group, PEDS. “I would love to have the jury actually look at the transit stop, have to cross at that stop, and maybe have them walk all the way down to the signal.”
Mark Rosenberg, president of the nonprofit Task Force for Global Health, also faults the road design.

"We have all paid for and continue to design roads that are going to kill people," said the former U.S. assistant surgeon general and former director of the CDC's National Center for Injury Prevention and Control.

Lives can be saved, he said, by "changing the roadways, where people stand when they get off buses, and where they cross the street."

Ron Carlson, an endowed chair of the University of Georgia's law school, faults the law.

"How could this woman be charged with vehicular homicide if she wasn't in a car?" he asked.

The law, read by Baltz to jurors during the first trial, says in part: "Whosoever shall cause the death of another person, without any intention to do so, by violating [Georgia's crosswalk law], shall be guilty of homicide by vehicle in the second degree when such violation is the cause of said death."

Carlson finds that problematic.

"I think some legislative review is in order to see if that is a provision that overreaches," he said. "I would strongly recommend legislative action to review that law."

Find this article at:
Harkin chooses steak fry guest

Times Bureau  The Quad-City Times | Posted: Wednesday, August 10, 2011 10:24 pm | 1 Comment

INDIANOLA, Iowa - U.S. Sen. Tom Harkin, D-Iowa, announced Wednesday that political consultant and commentator Paul Begala will be the featured guest at the 34th annual Harkin Steak Fry on Sept. 18 at the Indianola Balloon Field.

"Paul Begala is one of the nation's smartest, most savvy political strategists, and he's no stranger to Iowa," Harkin said in a statement. "Ruth and I look forward to welcoming him back to our state and to Paul sharing his thoughts on the political landscape at this year's event."

Begala, 50, served as an adviser to former President Bill Clinton and was the chief strategist for the 1992 Clinton-Gore campaign. He also is a former co-host of CNN's "Crossfire" program and was a partner with James Carville in a political consulting team and teaches at the University of Georgia School of Law.

First held on a farm in Madison County, the Harkin Steak Fry has become a noteworthy political event in Iowa.

Past special guests have included presidents Barack Obama and Clinton, Sen. Al Franken, D-Minn., and all of the major Democratic presidential candidates in 2003 and 2007.

General admission tickets for the steak fry, which will be from 1-4 p.m. Sept. 18, cost $30 and include refreshments and a steak dinner. More information is available at www.tomharkin.com or by calling (515) 277-9966.
Marvin Isenberg Notice/Obit: Marvin Isenberg’s Obituary in The ... http://www.legacy.com/obituaries/atlanta/obituary-print.aspx?n=marv...
With noticeable building renovations—including the Georgia Museum of Art and Stegeman Coliseum—completed over the last year, the face of campus has been reshaped since last fall. Here's a look at how the campus facilities have changed:

**Ongoing projects**

Construction is wrapping on the Special Collections Libraries building, located on the corner of Hull and Waddell streets. Collections will move this fall with an official opening slated for early 2012.

Construction on the 115,000-square-foot Special Collections Libraries building should be complete in late August or September. Over the summer libraries staff boxed up collections to begin the moving process. The Harrell Rare Book and Manuscript rooms. The goal is to have this building ready by fall 2012.

The Tanner Building on Fulton Street also was renovated this summer to provide a studio for students of the environment and design college.
Completed over the summer

5 District Energy Plant Number One, located at the corner of Baxter and Newton streets, should become fully operational Sept. 1. It became partially operational in May. The plant will supply heating and cooling to the Special Collections Libraries Building, now under construction, as well as to other buildings planned for the future.

6 The School of Law's Hirsch Hall was renovated this summer. On the first floor, the exterior passageway was enclosed and the adjacent courtyard was redesigned and refurbished. This project helped add square footage for community and student spaces. Interior views from the building have been opened up to the courtyard, allowing for natural light throughout the area, including the replacement of one of the interior courtyard walls entirely with glass. Additionally, a three-level grand stairway was constructed just inside of this three-story glass curtain wall.

7 The State Botanical Garden has made layout changes to the Alice Hand Callaway Visitor Center and Conservatory. The gift shop has moved to the entrance lobby. A reading area has also been added to the gift shop. The welcome desk now faces the entrance. The art exhibit space is now in the alcove of the Conservatory great room, which now has more plants. The new coffee shop will be opening soon. The old café space on the lower level has been converted to the Gardenside Room, a rental space overlooking the International Garden.

8 The Vision Clinic in the University Health Center was renovated this summer. The two-year-old clinic now has two additional exam rooms, two additional testing rooms, additional optical space and two new offices.

9 The Office of International Education has moved from downtown to 1324 S. Lumpkin St. across from the Spec Towns Track and Butts-Mehre Building. This renovated building was formerly the home of the Delta Phi Epsilon sorority.

10 After two years in the Visual Arts Building, The Georgia Review has moved across the street to Room 706A on the seventh floor of the main library.

11 In housing, Payne Hall received a heating and air conditioning upgrade. Mary Lyndon Hall was renovated with an elevator to be more accessible for those with disabilities.

12 The fourth floor of Pharmacy South is now ready for occupancy. Renovations are being planned for the RC Wilson Pharmacy Building to create new lab space on the second floor.
Completed over the past year

The Georgia Museum of Art expansion and renovation was completed in January with a Jan. 28 dedication. The museum now has an additional 16,000 square feet of new galleries, an outdoor sculpture garden, an expanded lobby and additional storage space. The new gallery space will accommodate continuous viewing of the museum's permanent collection in the areas of early Italian Renaissance painting, 19th- and 20th-century American art, folk art and decorative arts. Special exhibitions will be on view in the C.L. Morehead Jr. Wing.

Parking Services

In Parking Services, lots remain the same as last year, though many lots have been restriped. Most construction projects impacting lots finished up over the summer. One change is that now enforcement times for all lots and decks are now posted on all entrance flag signs.

Lot E01 at the intramural fields is now one-way only. Lot N02 on Oconee Street received additional gravel, safety lights, defined spaces and added car spots.

Scooter parking, no longer available in sidewalk corrals, has been moved to surface parking in 18 lots across campus. Now there are 579 spaces (159 more than last year).
The Stegeman Coliseum concourse renovation was completed in November and a dedication ceremony was held in January. The project added an expanded concourse and lobby space to allow better mobility for spectators, a new ticket sales area, a new merchandising area, a first aid room, graphics highlighting academic and athletic success and signage to help patrons find their way around the building. The renovation also modernized and added restrooms and upgraded the concession areas.

The ceramics building opened in November on East Campus. The 15,500-square-foot building features indoor and outdoor kilns, undergraduate and graduate studios, faculty studios, classrooms, lecture space, storage space, a glaze calculation room with a spray booth, a computer lab and a clay mixing and storage room. The building features operable windows and central corridors large enough to accommodate a forklift and the volume of clay and glazing material required by the discipline.

Reed Plaza, a pedestrian area containing expanded restroom and concession services for Sanford Stadium, is complete and a dedication ceremony was held Sept. 3. The plaza connects Sanford Drive and East Campus Road and is located at the foot of Reed and Memorial halls. It provides an additional 30,000 square feet of athletic patron space and has 24 new points of sale for football fans, including an expanded menu. Reed Plaza also will be used on non-game days for student affairs activities and outdoor lectures.

At the Grady College of Journalism and Mass Communication, the fourth and fifth floors of the building each received a new glass façade. The fourth floor had interior renovations to make room for a permanent home for the New Media Institute and the James M. Cox Jr. Center for International Mass Communication Training and Research (formerly located on the third floor). The fourth floor also features new graduate student offices, a conference room, a graduate seminar room, classrooms and an open computer lab for Grady students. This project was completed shortly after school started in August last year.

Bus changes

Campus Transit had one bus route change. The Ag Hill route will now turn right on Sanford Drive (instead of continuing straight on Cedar Street) stopping at Physics, Memorial Hall, Park Hall and Bolton Dining Hall before arriving at Russell Hall. The eastbound route is unchanged, traveling directly to East Campus via University Court, Cedar Street and East Campus Road. The route change is meant to alleviate overcrowding and missing riders from the East Campus area to central campus. For more campus transit information, visit www.transit.uga.edu or call (706) 369-6220.

Ramsey

The Ramsey Student Center will be open weekdays from 6 a.m. until 11 p.m., Saturday from 9 a.m. until 9 p.m. and Sunday from noon until 11 p.m.

For this fall new suit/dress hanging lockers with digital locks are being placed in strategic areas of the building. Over the past year, carpeting in large areas of the facility has been replaced, tile in shower areas has been replaced and new faucets and fixtures in the locker room bathrooms were installed.

Annual exercise equipment replacement and expanded cardiovascular opportunities are scheduled for fall.

A new indoor rock-climbing wall, designed in part by the student climbing staff was installed last September. Also last fall, the Wellness Resource Center moved to Room 245C on the second floor. (For new programs at the Ramsey Student Center, see Bulletin Board, page 8).
The University of Georgia issued the following news release:

One of the most "academically talented" and "diverse" classes in the history of the University of Georgia School of Law began the three-year pursuit of a law degree this week. The Class of 2014, comprised of 225 students, has a median Law School Admission Test score of 165, which is a school record.

In addition, this is the second consecutive year in which the 75th and 25th percentile LSAT scores are 166 and 162 respectively, which also are school bests. These results place 65 percent of the class in the top six percent of LSAT test takers nationwide. The median undergraduate grade point average of the class is 3.6.

Moreover, almost 30 percent of the entering class indicated they are members of a minority group, which also is a school record.

"We are extremely pleased with the students starting law school this fall," Georgia Law Associate Dean for Administration Paul B. Rollins said. "More than 3,200 prospective students applied to the law school. In evaluating these applications, our goal was to enroll an academically talented group of students with diverse backgrounds and various experiences that would enrich the learning environment in the School of Law. The caliber of this class is evidence of our success, and I am confident these students will continue the law school's proud tradition of serving as leaders in our state, region and nation."

Students in the Class of 2014 are from 26 states and 88 undergraduate institutions. The most common undergraduate schools represented are UGA (58), Furman University (11), the Georgia Institute of Technology (10), Emory University (8), Georgia State University (7), Georgia Southern University (6), the University of South Carolina (6) and Florida State University (4). The most popular undergraduate degrees are political science, history, economics, philosophy, psychology, finance and English.

For more information on Georgia Law, see http://www.law.uga.edu/.

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D.C. Sex-Offender Registry Deemed Constitutional

The D.C. Circuit Court of Appeals has denied a constitutional challenge to a Washington, D.C. law that requires certain people to register as sex offenders and authorizes the police to publicize a person's status as an offender.

Grant Anderson, who was convicted in 1988 of assault with intent to commit rape while armed and released from prison in 2009, brought a constitutional challenge to some of the law's provisions, including that sex offenders must register with other states where they may relocate, work or go to school and the law's "active notification" rule, which authorizes police to affirmatively warn people about offender via such methods as phone calls and door-to-door visits.

Anderson alleged that these provisions were unduly punitive, violating his rights under the Constitution and D.C. Human Rights Act.

But the D.C. circuit rejected the contention that the law is excessive. "Although we do not doubt that active notification makes [the law] more burdensome to sex offenders ... the effectiveness of registration depends on making vulnerable people aware of the presence of sex offenders in their communities," Circuit Judge Thomas Griffith wrote for the unanimous panel.

Here's a link to the ruling and here's a report from the Legal Times' BLT blog.

University of Georgia Law School professor Erica Hashimoto handled the appellate briefing for Anderson, who brought the suit on a pro se basis.

Hashimoto did not immediately respond to a Law Blog request for comment.

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The BLT: The Blog of Legal Times

August 16, 2011

D.C. Circuit Upholds Sex-Offender Registry

A federal appeals panel in Washington today rejected an argument that the District of Columbia's sex-offender registry is an unconstitutional example of ex post facto punishment.

The challenge to the registry was brought by Grant Anderson, who according to the panel's opinion is required to register as a sex offender for the rest of his life. A jury convicted Anderson in 1988 of attempted rape and other charges. While he was serving his sentence, the D.C. Council in 2000 passed its Sex Offender Registration Act.

Anderson brought the case pro se. U.S. District Judge Richard Roberts granted motions by the District government and the U.S. Justice Department to dismiss the case. On appeal, the U.S. Court of Appeals for the D.C. Circuit appointed a student and professor from the University of Georgia School of Law to argue for Anderson as amicus.

The decision today from a three-judge panel of the D.C. Circuit says the D.C. registry should be viewed as a civil system of regulation and not as an additional criminal penalty. The opinion notes, for example, that the registry is housed in an administrative agency, not in a court office or in an agency charged with carrying out punishment.

"We see no reason to think that the Council's aim with [the registration act] was different from that of the many other legislatures that have passed similar laws," Judge Thomas Griffith wrote for the unanimous panel. Judges Merrick Garland and Karen Henderson joined the opinion (PDF).

Griffith wrote that Anderson failed to support his other claims, including violations of the Fifth and Eighth amendments.

Ariel Levenson-Waldman, senior counsel to D.C. Attorney General Irwin Nathan, wrote in an e-mail today: "We are pleased that the court of appeals confirmed the constitutional validity of the Council's regulatory law dealing with this important issue."

A message left with Erica Hashimoto, a University of Georgia associate professor who handled amicus briefing in the case, was not immediately returned today.

Updated at 1:27 p.m.

Posted by David Ingram on August 16, 2011 at 12:41 PM in Crime and Punishment, D.C. Courts and Government, Justice Department, Politics and Government | Permalink

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Comments

I read of an incident a few years ago where a 13 year old boy (legally too young to consent to sex under any circumstances, in that state) forcibly raped a 14 year old girl (old enough to conditionally consent, via a close-in-age exemption).

But since a 13 year old cannot ever consent to sex, according to state law, they also cannot commit rape, since rape requires intent on the part of the rapist, as well as one-sided consent. Charges were filed against the victim, for what amounts to statutory rape (it is established fact that sex occurred between her and someone too young to consent).

Last I heard about the case, the prosecutor saw nothing wrong with charging the victim of forcible rape with a sex crime (even going so far as to offer the rapist immunity in exchange for testimony in the statutory rape case against the victim). If the girl is convicted, she will have to register as a juvenile sex offender; "Luckily" for her, that registration is expunged when she turns 18. But if the prosecutor had charged her as an adult, she would be (if convicted that way) required to register for life, due to the "victim" being only a child.

Posted by: Bergman | August 17, 2011 at 10:11 AM

Please, please, don't automatically do this to people. Many one-time offenders used bad judgment on/and are serving, already, long and excessive sentences and don't deserve to go to their graves with this label.

Posted by: Debbie | August 17, 2011 at 12:12 AM

Verify your Comment

Previewing your Comment
ATHENS, Ga., Aug. 17 -- The University of Georgia issued the following news release:

The University of Georgia School of Law recently announced the promotion of Paul B. Rollins to associate dean for administration. In this role, he will be responsible for supervising all phases of the admissions process for the law school's degree programs in addition to the oversight of legal career services and professional development and the shared oversight of student affairs and the registrar's office.

"Paul has done outstanding work for our law school, and I am very pleased he will be taking on this enhanced role," Georgia Law Dean Rebecca Hanner White said. "Strong leadership is part of what makes us one of the nation's finest law schools, and I know Paul will continue to build on this tradition of excellence."

Rollins joined the law school in 2008 as the director of admissions. Three years later, he was promoted to assistant dean for student affairs before being elevated to his current position.

Prior to coming to Athens, Rollins was the assistant dean for student services at the University of South Carolina School of Law. He also served as a litigation associate for Wyche, Burgess, Freeman & Parham in Greenville, S.C. and as a judicial clerk for Judge James C. Turk of the U.S. District Court for the Western District of Virginia.

Rollins earned his bachelor's degree in political science magna cum laude from the University of South Carolina and his law degree from Yale University.

Georgia Law recently hired senior attorney David P. O'Brien from Alexandria, Va. to serve as its legal career services director. O'Brien comes to UGA with almost 20 years of extensive practice experience in a variety of legal fields, along with serving as an adjunct professor at American University Washington College of Law.

Since graduating from Cornell Law School in 1992, O'Brien has worked for large corporations and nonprofits, has served as outside and in-house counsel, has litigated cases in state and federal courts, and has managed teams of professionals both nationally and internationally.

"We are delighted David is joining us this fall," White said. "His unique and varied background in the legal profession will allow him to provide students with inside knowledge on a wide range of career opportunities, and I am confident they will benefit greatly from his expertise as they navigate this challenging job market."

O'Brien's portfolio includes serving as chief counsel for the Missing Children Division of the National Center for Missing and Exploited Children; as senior vice president and chief litigation counsel for Wachovia Securities, the nation's third largest securities broker-dealer at the time; and as special counsel for the law firm Wilson Sonsini Goodrich & Rosati in Palo Alto, Calif.
and Reston, Va.

He earned his bachelor's degree cum laude from Harvard University and his law degree cum laude from Cornell University, where he was a notes editor for the Cornell Journal of Law and Public Policy. For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

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Vernon Forrest trial | ‘Felony murder’ charge complicated case

By Marcus K. Garner
The Atlanta Journal-Constitution

4:31 p.m. Thursday, August 18, 2011

DeMario Ware is shown on tape robbing, and running from – but not killing – former world champion boxer Vernon Forrest. So why was Ware convicted for murder?

This is the question Ware’s attorney, Michael Mann asked. And he said, this was the quandary faced by the Fulton County jury that handed down Ware’s verdict Thursday.

The count of felony murder – participating in a felony that causes a killing, either directly or indirectly, and in particular in this case, during an armed robbery – isn’t uncommon in Georgia criminal trials. But it was the sticking point in this one.

And that’s why Mann is appealing the verdict.

"After speaking to the jurors, a number of them said they were confused by the language of the indictment, that stated that the felony murder was committed during the commission of the armed robbery," Mann told the Atlanta Journal-Constitution after Ware was convicted and sentenced to life imprisonment without parole. "He got the same sentence as if he put the gun in Vernon Forrest’s mouth and pulled the trigger.”

While unable to see what goes on in the jury room, legal professionals recognize the challenge set before jurors.

"The concept of felony murder is an acquired understanding," Fulton County Superior Court Judge Alford J. Dempsey Jr., said in court Wednesday responding to a jury question about the charges. "For a lay person, it’s a difficult thing to grasp.”

Certainly, the 22-year-old Ware robbed Forrest at gunpoint on the night of July 25, 2009. Ware has admitted as much for the record.

But a different man, allegedly Charman Sinkfield, pulled the trigger, minutes after Ware’s stick-up, nearly a mile away from the scene of the robbery and following a chase in which Ware found himself fleeing his victim.

Ware and Sinkfield are two of the three men, along with alleged getaway driver Jquante Crews, accused of playing some role in the 2009 robbery-turned-murder. With the three being named in a seven-count
indictment that includes malice murder, the felony murder counts, armed robbery, aggravated assault, and gun possession while committing a felony, the jury has a lot to consider.

"The state has to prove that the defendant committed the underlying felony, and that it was foreseeable that anybody committing that felony could cause someone to lose their life," said Don Samuel, a defense attorney asked about this case. "Even if the death was unintentional."

But former DeKalb County district attorney J. Tom Morgan countered that it is likely Ware's actions tie him to the murder under Georgia's party to a crime laws.

"If the jury finds that he was committing a felony such as aggravated assault or armed robbery, whether the defendant meant for him to die or not, he was committing a felony that resulted in [Forrest's] death," Morgan said.

Thursday afternoon, Mann complained that this tactic was misleading to jurors.

"The felony murder is used abusively by the state of GA when (prosecutors) are unable to get a conviction of murder," he said.

The night of Forrest’s death, he was approached by Ware at a convenience store on Whitehall Street. Forrest had stopped in this poor neighborhood just outside downtown Atlanta to put air in one of the tires of his Jaguar sports coupe. He had planned to take home his godson, who was riding with him, then go out to meet with friends.

Sinkfield and Ware targeted the boxer because of his flashy car, according to testimony, and Ware robbed Forrest at gunpoint, taking Forrest's gold championship ring and a diamond-encrusted Rolex watch.

When Forrest produced his own gun, he chased Ware across an I-20 overpass to an apartment building on Fulton Street, where Ware strong-armed his way in to hide.

Returning to his car, Forrest met Sinkfield, who had been with Ware at the convenience store. The two men exchanged words and Forrest turned his back on Sinkfield to leave.

Sinkfield allegedly fired 10 times at Forrest's back, connecting seven times and killing the boxer.

Sinkfield was picked up by Crews, who drove away in Ware's car, according to testimony, and met at Ware's home, where Crews was given the stolen items to dispose of.

Both Crews and Sinkfield are awaiting trial on the same charges as Ware, with Sinkfield facing the death penalty.

Although Ware admitted to firing on a chasing Forrest, his shots never connected.

Even so, in closing arguments for the prosecution, Fulton County assistant district attorney Peter Johnson told jurors Ware was responsible.

"Mr. Ware set this all in motion," Johnson said.
Samuel said the defense should have painted Sinkfield’s actions distinctly different from Ware’s actions.

"Somehow, the defense attorney is going to have to divorce the armed robbery from the death," he said.

That may have happened.

Testimony has Sinkfield encountering Forrest some minutes after Ware was able to lose the boxer. Sinkfield even arrived at the place where he and Forrest meet in a different car than the one Crews was driving to rescue a frightened Ware.

Gwinnett County District Attorney Danny Porter, however, said time lapses between the initial felony and the killing don’t separate the parties involved if they are acting on the same plan.

"When they first met up and agreed to commit the crime, the first step in the conspiracy is satisfied," Porter said.

Atlanta defense lawyer Bill Morrison said that a jury could look at Ware as somewhat of a victim since when he did actually shoot at Forrest, the prize fighter was chasing him with his own gun.

But, Morrison pointed out, "the fact that Ware had a gun makes his case that much more difficult."

Morgan noted that the jurors, who are asked not to consider penalties, are unaware that felony murder carries the same sentence as malice, or premeditated murder: life imprisonment.

"The jury, in their mind is thinking it’s less than malice," Morgan said of felony murder. "Prosecutors will argue [to the jury], ‘if you find him not guilty of malice murder, certainly he committed felony murder."

University of Georgia law school endowed chair Ron Carlson said the state’s party-to-crime law is broad, but said the jury has to focus on the overall plan – or lack thereof – by the defendants.

"The jury is going to be asking themselves, ‘Did these guys plan to kill anybody that got in their way?’” Carlson said. “In a deal like this everybody is culpable. The question is; what is the level of culpability of each individual actor?"

Carlson depicted a sort of "good robber/bad robber” scenario:

"If one of the two guys going into a bank and says to the other, ‘in and out, nobody gets hurt,’ and the second guy, who is a hot head, shoots up the place and somebody gets killed, surely they are both responsible under the party to a crime laws. The jury will assess both the level of seriousness of each actor, and they’ll likely give some leniency to the one who was not bloodthirsty.”

But Samuel said things could become even trickier.

"Even if the victim shoots your codefendant in self defense, and your codefendant dies, you’re culpable," he said.

In the bank robbery scenario, Porter’s sees that even Crews, the alleged getaway driver in Forrest’s slaying, deserves his place on the murder indictment.
"The guy who's outside waiting in the getaway car is just as much an armed robber as the guy who goes into the bank," he said.

What the jury will do, however, is anybody's guess.

"If trial lawyers knew what juries thought, we'd sell shoes for a living," Porter said.
When law enforcement officers cross the line

Geoffrey Asher just returned home from buying auto parts, and after coming out of a shed where he stored the parts, a sheriff's deputy was pointing a gun at him.

He didn't know the deputy had followed him for speeding, and officers didn't have the right to arrest him, then break into his home to search for evidence of crimes they had no reason to believe he even committed.

That's what a federal jury decided this month when they awarded the Lumpkin County man $58,000 in a civil rights lawsuit.

"The damages included $45,000 in punitive awards, which is almost unheard of in a civil rights case involving law enforcement officers," said Athens attorney Matt Karzen, who represented Asher.

"It was a loud and clear message from the jury that what happened to my client was a gross violation of his rights," he said.

Judges routinely dismiss cases or suppress evidence because officers didn't follow the law, mostly because they made honest mistakes, Karzen said. Authorities who trampled over Asher's rights were exceptions, he said.

"It is heartbreaking to me, especially as a former prosecutor, when law enforcement officers break the law the way these defendants did," Karzen said. "In addition to attacking the foundations of our personal liberties, that kind of behavior makes it difficult for the vast majority of law enforcement officers who follow the rules to do their jobs effectively."

Karzen served nearly a dozen years as a prosecutor in Colorado and in Clarke and Oconee counties, and has been a criminal defense attorney the past five years.

The Fourth Amendment of the U.S. Constitution guarantees "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures," and states that "no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

There are exceptions, however, and police can search without warrants if they believe a crime is actively being committed, fear for someone's safety, or get consent from the property owner.

But Asher never agreed to a search, and the Lumpkin County sheriff and his deputies spent seven hours rummaging though his home before they got a judge to sign a warrant, according to documents filed in U.S. District Court in Gainesville.

Asher, a former U.S. Army Ranger and military police officer wasn't defiant, but held his ground even at the point of a gun because he knew his rights, Karzen said; his steadfastness made deputies think Asher was "anti-government."

He told the deputy to holster his gun if all he wanted was to write a speeding ticket, and when the deputy threatened to shoot him in the head, Asher told him to calm down and "wait for adult supervision," according to Karzen.

Deputies searched Asher's pickup and found handguns, all legally owned and which he used for target shooting, the attorney said.

Lumpkin County Sheriff Mark McLure soon arrived and used a credit card to slip the lock of Asher's front door, according to court documents.

McLure and several deputies found things inside -- like drugs Asher retained from when he was a medical intern, and the sizeable collection of a firearms enthusiast -- and concluded that he might be a "militia nut," according to documents.

He was arrested and charged with several felonies, including possession of an illegal firearm, but that charge stemmed from a deputy removing a barrel extension from a rifle, making the barrel shorter than what the law allows, Karzen said.

A judge later dismissed all charges.

"Never in the thousands of criminal cases I've handled as a prosecutor and a defense attorney have I ever seen violations of
When law enforcement officers cross the line

someone's rights this egregious," Karzen said.

"Most of what I've seen were reasonable, honest mistakes by good cops," he said. "This was the first time I was involved in a situation where law enforcement officers knowingly violated someone's rights and lied about it in court."

Officers sometimes conduct searches without consent or warrants, and judges often rule the searches were legal if the constitutional violation was a "reasonable mistake," Karzen said.

But judges also cite such mistakes as grounds for dismissing cases or suppressing evidence.

For example, Karzen said, an officer might stop a car with a broken tag light then smell alcohol while speaking with the driver.

"He might have had just one beer an hour ago, and gets arrested for having the odor of beer," Karzen said. "The judge later drops the charge because of a typical, innocuous Fourth Amendment violation."

Anyone who has been stopped by a traffic cop or questioned by an officer was in a Fourth Amendment situation, University of Georgia law professor Donald E. Wilkes Jr. said.

"The primary purpose of the Fourth Amendment is to preserve a healthy balance between the individual and the state, to prevent the government from engaging in activities which might catch more criminals but nonetheless are unacceptable in a free society," Wilkes said.

"At the most basic levels, the police are the most coercive force in America," Wilkes said. "They carry guns, they have the power to arrest and to conduct searches and seizures, and the purpose behind the Fourth Amendment is to prevent police from over-awing the citizenry.

"The Fourth Amendment is there so we don't end up with a police state."

Athens attorney Jeff Rothman, who specializes in DUI cases, looks for Fourth Amendment violations in every case he handles.

"With the ever-increasing use of roadblocks, it's very difficult to drive anywhere in Athens without the possibility of being stopped by police without some suspicion of wrongdoing," Rothman said.

"We battle the Fourth Amendment war every day, arguing whether it's reasonable to stop people without suspicion of criminal activity," he said.

State and local police conducted a massive DUI crackdown on St. Patrick's Day in 2009, arresting more than 140 people at checkpoints in Clarke and Oconee counties.

Rothman convinced a judge to drop charges against a couple of clients who were arrested that night because police had no legal basis for stopping their cars, he said.

"The reason they were stopped was because the officers told them they thought they were trying to avoid the roadblock, but they made legal, proper U-turns, and that does not count as sufficient reason to believe a crime was committed," he said.

"People don't realize how important their Fourth Amendment protections are until they are intruded upon."

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Meet bobby soper

August 21

Meet bobby soper

Bobby Soper is the president of Mohegan Sun at Pocono Downs. Soper, 39, is a native of Atlanta and is a graduate of the University of Georgia, where he earned a BBA in economics. He also earned a law degree at the University of Georgia. He and his wife, Jackie, have two children: Gabriella, 11, and Dalton, 7. They live in Shavertown.

You've been at the casino since 2005 and have been its president since Day One. What do you enjoy the most about your work? "Interacting with people. The casino is a dynamic environment. You have thousands of people that come in here every day from all walks of life. It's often said that casinos are great 'people-watching' places, and certainly as a manager, to be able to interact with such a diverse group of people makes every day interesting. And that holds true for our team members as well. We've got over 1,600 team members here, and they all have different backgrounds and, in our case, are all very passionate about our organization. To be able to have such an incredible team and to be able to work side by side with them brings a lot of gratification."

When you were going for your law degree, you probably didn't envision running a casino. "I thought I was going to be a securities attorney. That was my focus in law school. My cousin in Connecticut was the manager of the Mohegan Tribe at a time when they opened the initial Mohegan Sun. She worked for the tribal government and she let me know they were looking for attorneys and asked if I'd be interested. I was fresh out of law school, newly married and the opportunity of being associated with a casino was exciting. Even though I was barred in Georgia and already had a job lined up, we decided to take the risk, move to Connecticut and try out the casino world."

And you liked it? "I liked it. I spent four years in the capacity of senior counsel for the organization. We were able to raise over a
billion dollars, both from Wall Street and from banks. I got to work with the best attorneys in the country on those transactions. It was an incredible experience for a young attorney. I was also able to work side by side with the CEO of the casino and learned a lot of the operations. Ultimately, he selected me to be a senior vice president for the casino, and over time, I was delegated more and more responsibility and more and more divisions of the company. And then ultimately, I was selected to open up this property and manage this property."

You've got a very big job at a place that never closes. What do you do to relax? "Both myself and my wife like to be involved in the community, so we're both heavily involved in a lot of community organizations and a lot of nonprofit organizations. For fun, I certainly like to spend time with my children. We like to hit the amusement parks and travel. And sometimes, I like to take long weekends to a beach and do nothing."

Hobbies? "I collect sports memorabilia. And I like to play fantasy sports, especially fantasy football."

Atlanta teams, we assume? "I am a Falcons fan. Absolutely. And the Atlanta Braves. And I'm a big fan of the Georgia Bulldogs."

Music? "Anything '80s. Whether it's glam rock, or '80s hard-rock, or '80s R&B. It's all '80s. It was the prime part of my childhood and teenage years."

Favorite vacation spot? "Cancun."

Favorite city? "Atlanta. It's just an opportunity to visit old friends and catch up."
Favorite food? “Anything chocolate.”

Always in the fridge? “Bacon.”

First car? “1980 black Volkswagen Rabbit.”

Favorite movie? “The Hangover.”

Favorite TV show? “Cheers.” And from today, ‘Boardwalk Empire’.


Favorite quote or phrase? “Luck is what happens when preparation meets opportunity.”

Most influential person? “For me, it’s twofold. Personally, my parents instilled the values that I have today, so they were certainly the most influential in that regard. And my mentor was my boss, Bill Velardo, who mentored me in the gaming industry. He’s passed away, but he taught me everything in the industry, including the importance of relationships and respect and humility.”

Proudest professional moment? “Opening the first casino in Pennsylvania. We established precedent and paved the way for other casinos, as well as the regulatory body. It was an incredible team effort that required unusually long workdays for many, many people. And the smiles that you saw on all of their faces when we opened was very memorable. It required a lot of working parts and a lot of hard work from all of our team members and it resulted in a very historical moment, not only for our organization, but for the commonwealth. It was certainly a memorable day.”

Alan K. Stout writes about area people for the Meet feature. Reach him at 970-7101.

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Law school alumni service awards given

Athens Banner-Herald

Published Monday, August 22, 2011

The University of Georgia School of Law's alumni association recently honored longtime U.S. District Court Judge Dudley H. Bowen Jr. and Columbus attorney James E. Butler Jr. with its Distinguished Service Scroll Award for their dedication and service to the legal profession and the law school.

Given annually, this award is the highest honor bestowed by the Law School Alumni Association.
Monday, August 22, 2011

On the Rise: Jeffrey P. Shiver
By Greg Land, Staff Reporter

At 34, Jeffrey P. Shiver has already developed a reputation as a tough adversary in the courtroom, and he says he and partner Alan J. Hamilton "take every case with a view to taking it to trial."

"I like litigating because it's the closest you can get to professional sports, competing against other professionals," says Shiver, who played baseball as a youth in South Georgia and plays racquetball and jogs these days. But his favorite pastime may also give a clue as to his trial technique.

"What I really love is diving and spearfishing; spearfishing is the most fun you can have," he says. "You just float on the surface of the water until your fish is 20 or 30 feet below, then hold your breath and glide down with your spear. He can see you, and will start to kind of swim away, and you have to be very smooth—you've got your spear and your sling—and you go in easy."

With a smile and a quick hand gesture, Shiver pantomimes releasing the spear, his imaginary prey suddenly skewered.

Shiver's pretty good at skewering defense attorneys, too, toting up millions of dollars in awards as a member of Law & Moran before setting up shop with Hamilton in June.

"He just ran cases from beginning to end, primarily working with me on every case," said Peter A. "Pete" Law, who hired Shiver away from defense firm Peters & Monyak in 2008. "Jeff did a lot of legwork and heavy lifting."

Law recalls a 2009 case in which a man was awarded $1.5 million after being injured when a load of plywood slipped off a forklift at Home Depot.

"He did all the prep work, voir dire, just an exceptional job," says Law. Shiver, Law adds, is "very aggressive; he can really move a case along to its maximum potential quickly. And he can deal with problem lawyers very well: He won't back down, he just keeps on the issue to get the point you need to get to."

Cruser & Mitchell defense attorney J. Robb Cruser, who has handled a few cases across from Shiver, including one in which Cruser sat on the losing end of a $3 million verdict in a DeKalb County car wreck, speaks highly of his courtroom competitor.

"He's very consistent, both in trial and non-trial cases—he gives you his word, and it's not a problem," says Cruser.
Shiver, the son of a dentist and a schoolteacher, is a native of Nashville, Ga., in Berrien County. After graduating from the University of Georgia with a degree in risk management and insurance ("I thought I was probably going to law school; insurance would be my backup," he says), Shiver spent a year touring the country with a traveling Coleman camping gear exhibit.

Then he spent a year clerking at Butler, Wooten & Fryhofer as "kind of a jack of all trades," indexing and delivering documents, or anything else that needed to be done, while prepping for the LSAT.

"It was a wonderful opportunity to see a plaintiffs' firm at the highest level," Shiver says. "There was a lot of downtime: I'd go and read transcripts of Jim Butler cross-examining people, and I got to see him work up close in one big case."

After getting his law degree from UGA in 2004, Shiver spent four years at defense firm Love Willingham (now Peters & Monyak), where he was quickly immersed in complex med-mal work.

"It was a tremendous opportunity to try cases," says Shiver, recalling that partner Jonathan C. "Jon" Peters "wasn't afraid to give an associate a lot of responsibility. Sometimes it was like learning to drink from a fire hose."

"I wanted to do plaintiffs' work, and when I heard Pete Law was looking for somebody, I looked him up," he says.

While with Law & Moran, Shiver took part in several trials that ended with multi-million dollar awards, frequently assuming key duties. In his biggest win as lead lawyer thus far, Shiver last year convinced a DeKalb County jury to award more than $3 million in an auto accident case that left a man partly pinned under a car and injured his wife.

Although the man died before trial from unrelated causes, Shiver says he still gets calls from the widow, anytime she needs advice. Shiver says he enjoys developing a close relationship with his clients and their families.

"I like pretrial work, doing case work-ups," he says. "I like witness work, and I like getting to know my clients, sitting at their kitchen tables, getting to know them, discussing the tragedy that happened to them and how we can bring that tragedy before a jury. They're putting their entire trust in you, and I really like that."

Shiver also loves trials, but he doesn't glamorize them.

"Trials are petrifying and exhilarating at the same time," he says. "When you're in trial and come home at night, it's like another day's work—you've still got so much to do. It's such a pressure cooker; then, once I stand up to address the court, it all goes away."

Shiver recalls his first time addressing a jury, a harrowing courtroom debut during which Rockdale County Superior Court Judge Sidney L. Nation repeatedly interrupted Shiver's opening statement to chide the young lawyer about arguing his case prematurely, and threatened a mistrial.

"I remember that first opening statement, looking at the Rockdale County jury looking at me, waiting for me to say something," he says. "Then I realized, 'They look like people I know; she looks like my Aunt Carol, he looks like Uncle Josh. I can talk to these people.'"
Monday, August 22, 2011

**On the Rise: Michael L. Goldberg**

By Greg Land, Staff Reporter

Even before plaintiffs' lawyers Brian D. "Buck" Rogers and his young partner Michael L. Goldberg joined forces with friendly rival Joseph A. Fried three years ago to form Fried Rogers Goldberg, they were winning substantial awards for clients. Since then, the personal injury boutique has been racking up millions in verdicts and settlements in Georgia and across the country, finding particular success in the specialty of trucking accidents, including a $10 million verdict in federal court last year.

"Anytime we have a case of disputed liability that looks like it's going to trial, it's best to get Michael in early," says Rogers. Expressing admiration for his younger colleague's trial technique, Rogers says Goldberg "only has one weakness in front of a jury: kryptonite."

A conversation with Goldberg soon reveals what may be the key to his success in the courtroom: He loves a good yarn and has even written a number of children's stories based on the characters he dreamed up for his own kids' bedtime tales.

"I've always been a storyteller," says Goldberg, kicking back in his firm's conference room with an easy grin. "I think it started with my dad; he always told me stories: Uncle Remus, B'rer Rabbit—I guess I've incorporated that into my own stories."

As if to illustrate his point, Goldberg launches into one of several "great trial stories," this one involving the case of a woman whose career as a dentist was ended by a wrist injury in a car wreck. About an hour after the jury retired to deliberate, they sent a note to the judge reading, "If we find for the plaintiff, do we have to award damages?"

"I had to let Buck deal with it," says Goldberg. "I was having heart palpitations."

Instructed that they had to award damages, the panel then asked whether zero was considered an award; the judge said it was.

"We spent 15 minutes preparing our clients for the worst, then they came back with a $1 million judgment for the woman, and zero for the husband's loss of consortium claim," he says, shaking his head.

A native of Augusta, Goldberg said he never wanted to be anything but a lawyer. "My dad's a pediatrician, my mother's a nurse. It's all doctors in my family; I'm the first lawyer."

Goldberg's wife is also a nurse, and his background may help explain why Rogers says Goldberg is the firm's go-to guy for complex medical cases. "He gets the medicine," says Rogers.

Goldberg attended Mercer University on a basketball scholarship—he still plays frequently—then
went to law school at the University of Georgia.

After graduating in 1997, Goldberg went to work defending insurance cases at Dennis, Corry & Porter, where he met Rogers and another lawyer with whom he later set up shop, James S. Strawinski.

"[Jim] did defense work, and I did plaintiffs," says Goldberg. "We tried it out for awhile, but soon there became conflicts and it became apparent that I needed to be with a plaintiffs' firm."

Goldberg threw in with Rogers in January 2006, coming out of the gate in March with a $3.5 million settlement for a trucker injured by a utilities truck as he worked on the side of the road.

"I was impressed with his legal mind," recalls Rogers. "I was a young lawyer, and he was even younger. As I've described it, you start out practicing and you feel like you're accomplishing what you want to be doing. Then you see the field starting to thin out, and I saw that Michael was gaining ground."

Heftier awards followed, and in 2008 the duo teamed with Fried to form the current firm.

"We kept meeting with clients, and they'd say, 'Yeah, we're also supposed to meet with Joe Fried.' We just figured we might as well get together," says Goldberg.

Goldberg says the firm has handled cases in 20 states, the vast majority involving trucking cases, although they still handle other catastrophic injury cases. So far this year, the firm has garnered three multimillion-dollar settlements in South Carolina, including a $14.5 million settlement in a case in which a father and daughter died and another child was severely injured.

In an appeal of the award breakdown for the injured DeKalb dentist, Goldberg successfully argued before the Georgia Supreme Court that a prearranged high-low agreement with one of two defendants who ultimately was cleared of liability should not be used to reduce the award levied upon the at-fault defendant.

"Michael is very adaptable at trial," says Rogers. "He really keeps his cool in heated cross-examinations; many lawyers get excited, but Michael remains ice-cold in some of the nastiest exchanges I've seen."

Defense attorney Thomas G. "Woody" Sampson II of Thomas Kennedy Sampson & Tompkins waxes almost biblical when asked his impression of Goldberg's abilities.

"He is a great lawyer, good friend and all-around good guy," said Sampson. "He is not on the rise. He has risen! I know; he has whupped me twice."

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Rapid results

UGA scientists use inexpensive gold nanoparticles to accurately diagnose flu within minutes

By Sam Fahmy
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Arriving at a rapid and accurate diagnosis is critical during flu outbreaks, but until now, physicians and public health immune system proteins known as antibodies with gold nanoparticles. The gold nanoparticle-antibody complex aggregates with any virus present in a sample, and a commercially available device measures the intensity with which for polymerase chain reaction. PCR can only be done in highly specialized labs and requires that specially trained personnel incubate the sample for three days, extract the DNA and then amplify it many times. The entire process, from

School of Law to host free conference on civil and human rights issues

The School of Law's Georgia Law Review will host a free conference exploring current and future civil and human rights issues. The event takes place Aug. 26 from 8 a.m.-4 p.m. in the Larry Walker Room of Dean Rusk Hall on North Campus.

Titled “Civil Rights or Civil Wants,” the symposium continues the commemoration of the 50th anniversary of desegregation at UGA with panels on immigration, international civil rights, education and privacy.

Panelists include international law scholar Amos Guiora from the University of Utah College of Law; immigration law and policy expert Dean Kevin R. Johnson from the University of California, Davis School of Law; general counsel for R.E.M. Bertis E. Downs; and Christian Turner from Georgia Law, who specializes in the regulation of information.

For more information, or to register, visit www.law.uga.edu/glrsymposium.

Parking Services wins worldwide award

The International Parking Institute recently named UGA Parking Services as the 2011 worldwide parking organization of the year. UGA competed against thousands of parking organizations including universities, hospitals, municipalities and private entities for this award.

Parking Services' commitment to customer service has resulted in the increased safety, security and physical appearance of its parking facilities; the development of more customer-driven solutions to parking challenges; the maintenance of fiscal responsibility and accountability; the enhancement of staff training and morale; and technology being infused throughout its programs.
CCRC director helps build world's largest carbohydrate research facility

By Helen Fosgate
hfosgate@uga.edu

From his office in the Complex Carbohydrate Research Center off Riverbend Road, Alan Darvill has a front-row seat to an annual rite of spring: Turtles crawl out of the river, lay their eggs along the sandy bank and then drag themselves back to the safety of the water.

Darvill revels not only in the beauty of his wooded setting, but also in the overwhelming success of the CCRC—grants totaling more than $180 million over 25 years—and, more importantly, he said, in "the assembly of a top-flight faculty, who serve as a model for successful collaboration."

Since it was established in 1986, the CCRC has grown into the largest center for carbohydrate research in the world. But what goes on at the Complex Carbohydrate Research Center, and why do scientists study carbohydrates need their own building?

"Studying carbohydrates is difficult because of their complex chemical structures," said Darvill, in his lifelong British accent. "It requires specialized methods, equipment and labs. We study the role of carbohydrates in biology—in our bodies, in plants and animals, and also in microbes, including fungi, bacteria and viruses."

Unlike proteins and nucleic acids, carbohydrates are branched and orders of magnitude more complex than other polymers. Darvill has been fascinated with carbohydrates since graduate school, where he studied the role of plant cell walls in controlling plant growth.

After earning a bachelor's degree in biology at the University of Wolverhampton—and a Ph.D. in plant physiology at Aberystwyth University, United Kingdom, Darvill came to the U.S. via the University of Colorado, where he met Peter Albersheim, professor of biochemistry and molecular biology.

Darvill said it was there that the idea to gather a nucleus of scientists to study carbohydrates was discussed extensively. After shopping their idea around to various universities, they ultimately came to UGA because it offered the best opportunity for collaboration across academic and departmental lines.

In 1986, they became co-directors of UGA's Complex Carbohydrate Research Center, the country's first center dedicated solely to the study of carbohydrates.

Darvill grew up in Redditch, a small town in northeast Worcestershire, England. He met his wife of 36 years, Jan, "over the test tubes" at Aberystwyth University, where she was studying biology.

As the CCRC marks its 25th anniversary at UGA this year, Darvill marvels at the success of its programs and people. Today CCRC scientists work across four broad inter disciplinary programs to determine the role of carbohydrates in growth and development, host-pathogen interactions and diseases processes.

One research program focuses on carbohydrates in biomedicine. Scientists study the roles of glycoproteins and proteoglycans in animal growth and development, disease and cancer. Researchers in the plant sciences program study plant and cell structures, and the biosynthesis and biological functions of primary cell walls.

A third program in synthetic carbohydrate chemistry works to develop new, improved cancer and bacterial vaccines, glycosidase inhibitors and compounds to boost the immune response. A fourth research program develops new analytical techniques, including nuclear magnetic resonance spectroscopy, mass spectrometry and computational methods, to characterize complex carbohydrates.

FACTS

Alan Darvill
Director, Complex Carbohydrate Research Center
Regents Professor of Biochemistry and Molecular Biology, and Plant Biology
Ph.D., Plant Physiology, Aberystwyth University (United Kingdom), 1976
B.S., Biology, University of Wolverhampton (England), 1973
At UGA: 26 years

SCHOOL OF LAW

Coenen named associate dean for faculty development

By Crissinda Ponder
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School of Law faculty member Dan T. Coenen has been named the School's new associate dean for faculty development. In this role, he will work closely with the law school's faculty, especially its junior professors, to expand and promote scholarly activities.

"I am so pleased Dan will be serving as associate dean for faculty development," said Georgia Law Dean Rebecca Hanner White. "Dan is one of our finest scholars, and I am delighted our junior faculty will be working with and learning from Dan in his capacity as associate dean."

Coenen, who also holds the Harmon W. Caldwell Chair in Constitutional Law, began teaching at Georgia Law in 1987 and has received numerous honors for his work both in and out of the classroom. In 2003, he was named a University Professor, a title awarded to only one UGA faculty member a year. He also is a recipient of the Josiah Meigs Award, the university's highest honor for excellence in teaching.

Specializing in contracts and constitutional law, Coenen's scholarship includes The Story of the Federalists: How Hamilton and Madison Reconciled America. He has had numerous articles appear in such journals as The Yale Law Journal, the Duke Law Journal and the Michigan Law Review.

Coenen previously served as a judicial clerk for U.S. Supreme Court Justice Harry A. Blackmun and for Chief Judge Clement F. Haynsworth Jr., of the U.S. Court of Appeals for the Fourth Circuit. He also practiced law at the firm Robinson, Bradshaw & Hinson in Charlotte, N.C.

Coenen earned his bachelor's degree from the University of Wisconsin and his law degree from Cornell University.
Happiness = Success
Still active at age 75 and beyond, five senior Atlanta lawyers reflect on career midpoints and agree the key to success cannot be faked
By Michelle Hiskey, Special to the Daily Report

German philosopher Arthur Schopenhauer is credited with saying, "The first 40 years of life gives us the text: The next 30 supply the commentary." As the Daily Report highlights the accomplishments of up-and-coming attorneys under 40, we asked successful attorneys nearly twice that age to reflect on the first half of their careers.

They recall that in the 1960s and 1970s, Atlanta's legal community was beginning to grow out of a mostly male fraternity in which almost everyone knew one another. When these attorneys were putting down roots, today's sprawling firms of hundreds of lawyers were almost unthinkable, as were today's technological and marketing changes.

"What surprised me was that the same characteristics from their heyday are true today," says Robin M. Hensley, who interviewed veteran Georgia attorneys for her 2009 book, "Raising the Bar: Legendary Rainmakers Share Their Business Development Secrets."

"Operating with integrity, giving back to the community through pro bono work, leadership, caring about clients," she says. "Those are still keys to success."

The veteran attorneys we interviewed equate happiness with finding a profession that demands engagement.

Their reflections follow.

S. Jarvin Levison, 83, Arnall Golden Gregory

"In those early years, success probably meant developing enough clientele to make a decent living," recalls Jarvin Levison, who was admitted to the State Bar of Georgia in 1950 at age 22. A typical lawyer in his peer group, he says, "lived in a cheap apartment and maybe had an old car. My first paying job was $3,800 as a trial lawyer for the IRS in New York City, and I thought that was fantastic."

"I was considered competent by clients and my peers in the legal field," says Levison. "I was enjoying my practice and involved in the community and in the development of the Republican Party in Georgia."

He adopted the habit of leaving his office at night with his briefcase, heavy with materials for his tax law practice. One of his mentors, tax attorney Randolph W. Thrower, always took a briefcase home.
well into his 80s. Levison cut back on taking work home after major cervical surgery at age 71.

Today, he continues to practice law and stays engaged in community activities. He serves on the boards of three nonprofits. His touchstones for success remain simple.

"Success is to keep active, serving clients and not having to be concerned with the financial success of the firm," he says. "But then I am 83 with my children and grandchildren healthy and financially able to manage for themselves. ... It is difficult to envision what a young lawyer would today define as a successful legal career as they start at such a different level of compensation and legal work."

Miles J. Alexander, 80, Kilpatrick Townsend & Stockton

Asked to reflect on the first half of his career, Miles Alexander reflects on the life of S. Phillip Heiner, who started the Atlanta Legal Aid Society's volunteer Saturday Lawyers Program. Heiner, whose life was cut short in his 40s, had a plaque in his office that read, "No man is really a man who has lost all the little boy in him."

"Phil was the quintessential example of a successful under-40 lawyer, and I have always loved that quote," Alexander recalls. Alexander still takes a boyish pleasure in his work and is tickled by his wife's comment that "immaturity makes him young."

What makes Alexander happiest has been practicing with people he likes, being mentored and mentoring others, building a reputation for civility and "making sure I had plenty of time to do pro bono work. If you don't, you are in the wrong firm."

"Find the thing you want to do, even if you might make less money," he says. "You'll have a happier life, and in the long run, you'll have more professional success if you are happy."

He says he faced the same hard balancing of time and priorities that confront mid-career professionals today. "I would have spent more family time than I did. You never get back the birthday you missed or the kids' ball game ... [but] the law is a jealous mistress. It is all encompassing. The client's welfare ought to be part of your life. You have to really care. It can't be faked. Unless you have that, you should not be practicing."

He adds: "At the end of my career and life, I have rarely regretted what I have done, only what I have not done."

Harold E. "Hal" Abrams, 78, Abrams, Davis, Mason & Long

Hal Abrams had days when his heart was not completely into the task at hand, but he says he never just went through the motions. He likes his clients, and the pleasure of those relationships is inseparable from business success.

"You need to be genuinely happy with what you're doing. It reflects in your work, and people can tell if you are not happy," he says. "Some people may be able to get by, but in the long haul, they won't do as good or be as successful."

Decades of change, through greater specialization and firm expansion, affirms Abram's outlook. He was admitted to the bar in 1958 and by 1963 had made partner at Kilpatrick, Cody, Rogers & McClatchey. He was the firm's 13th lawyer, and over 45 years he saw it grow to more than 600
lawyers.

Eventually focusing on tax law, Abrams enjoyed working with individual clients, families and companies. He designed estates and succession plans and says helping plan for the future gave great personal satisfaction.

"I like being creative," he says. "I liked the tax area because I liked the people I was servicing. Not every little thing was pleasant, and there were things I would have rather not have had to do, but I would always do the best I could or get someone else who could. When you are close to a client, what is important to that client is important to you, too."

A steady family life also figures into Abrams' sense of purpose and security. He and his wife have been married 53 years, with two children and four grandchildren. "That has helped, to have a very stable home and relationships," he says.

Clay C. Long, 75, McKenna Long & Aldridge

By necessity, Clay Long equated happiness with financial success early in his career. Orphaned at age 11, he left the small Alabama town of Demopolis to study in Atlanta. "I was hungry. I knew that in the long run, I was on my own," he says. "There were no assets to fall back on."

Early career plans for ministry and a college professorship evaporated when he discovered the intellectual attraction of law. Long organized his life into three parts: the firm, civic projects and family.

"That was my key to success and happiness, and I believe for lawyers to do this work for a long time, it's important to strike and maintain a balance, and be loyal to each of those demands," he says. "It's not always easy."

Long enjoyed building trust with clients and learning their varied industries, from cookies to cable to Coca-Cola bottling. Long also ran a firm that grew "like crazy, from four lawyers to 500 or so. Building something and seeing it grow was an additional reward," he says.

The firm allowed him freedom to delve into civic projects "and help make the system work." Long chaired the MARTA board, and on the final inspection before the Lenox Station opened, the MARTA general manager told Long, "One day you'll drive by and know that you were a part of making this happen." The satisfaction from investing in volunteer work made Long stick with it.

Today, an attorney adopting Long's three-pronged approach faces barriers that did not exist when he was younger. Atlanta's sprawling population makes civic engagement harder for attorneys of any age. Technology can be a barrier to "the time to sit, reflect and think through issues, to be creative and let your mind soar," Long says. "Too many people can set your agenda rather than you setting it yourself. That's something that must be harnessed."

Emmet J. Bondurant, 74, Bondurant Mixson & Elmore

"I don't think I ever regarded what I was doing as particularly successful," says Emmet Bondurant. "Frankly, I define success as doing something as well as one is capable of doing it."

Bondurant stays at his best by keeping to a consistent exercise regimen, something he has done since
1965. He runs at 6 a.m. and aims for three to four miles before breakfast. During long trials, he would run in the early evening to boost his energy level for the next day's preparations.

"I found that to be my psychotherapy," he says of his daily mileage. "You must maintain your physical and mental health and the energy and concentration to work at this level. Practicing law in Atlanta is a fast-pitch league, not slow pitch."

Personal regimens helps ground senior attorneys like Bondurant through changes unforeseen at age 40. "There may be prophets and seers in this profession, but I am not one of them," he said. "There were firms in Atlanta and New York that I thought would outlast the Washington Monument that no longer exist."

He cites "discipline, accuracy, hard work, preparation" as keys to success.

"Those are the rules of gravity for any practice," he says. "If you are not willing to pay that price, if you are only in the law for the money, you will not get intellectual satisfaction, and you will never be a successful lawyer."

Bondurant doesn't think about what he might have done differently. "I'm not terribly introspective," he says. "One does the best one can, and the past changes nothing. There's no point dwelling on it. You deal the best that one can with the issues confronted."

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Intrigue with a Southern twist | CharlotteObserver.com & The Charlotte... http://www.charlotteobserver.com/2011/08/22/2545508/intrigue-with...

Intrigue with a Southern twist

Stephen Dey
Charlotte author Robert Whitlow debuts his latest Grisham-esque work - while quietly incorporating his faith.

In 1996, Robert Whitlow had an idea. A simple story of a young lawyer, a secret inheritance, and an enigmatic, ominous society. He told his wife, "My wife just looked at me and said, 'You need to write that,'" says Whitlow. "And really, that was all the encouragement I needed."

Whitlow spent two years completing the story. "When it was done, I just decided, 'Well, why don't I try to get it published?'"

From there, his path was enviably smooth. Publisher Thomas Nelson released his first novel, "The List," in 1998, and his 11th novel, "Water's Edge," hit bookstores in August.

Whitlow's novels are a commingling of legal intrigue, Southern culture and fast-paced thrill – all with a Christian bent.

"Two of the basic axes of writing are to write what you know and to write what you are passionate about," he says. "What I pretty much do is write what I live, so I don't have to research!"

Whitlow's work as a lawyer grounds his novels' intricate plots of legal scheming, but the distinctively Southern flair of his character-driven prose distinguishes Whitlow (and has drawn comparisons to John Grisham).
Intrigue with a Southern twist. Wtlow is a graduate of Furman University in Greenville, S.C., and of the University of Georgia School of Law. "I know Southern people, Southern ways," he says in a relaxed Georgian drawl. "All of my books are either in Georgia, South Carolina, or North Carolina, because those are the states I have lived in."

But that doesn't mean stereotypical settings. "When you write what you're familiar with, you can actually avoid stereotypes and bring texture to the characters," Whitlow says. "If I were writing about Minnesota, I would be more prone to be stereotypical about it, because I have never lived there and seen the nuances of life."

Whitlow has relished creating the idiosyncratic characters that populate his novels. "I really enjoy the development of believable, credible characters that express their ideas about things in a way that makes sense in the context of their world."

Southern culture and quirky characters abound in "Water's Edge." Grief-stricken from his father's death and emotionally numb after losing his job and breaking up with his girlfriend, Tom Crane journeys to his hometown of Bethel, Georgia, to close his father's law practice. Unanswered questions regarding his father's death, cryptic files about certain clients, and a scandal that threatens to capsize the small town set the plot churning.

"There has been so much interest and so much publicity about Ponzi schemes," Whitlow says. "These things have been around for decades, but there is just a heightened public awareness of that whole phenomenon, and I thought I could make that a part of my book."

This highly topical issue is tempered by the main character's personal struggle with despair. "He had shut down emotionally because of what had happened, and that needed to be dealt with. Maybe some guys will read this, and say, 'You know, there's a part of me there.' I'm looking for themes to have possible depth of feeling and emotion to them."

And faith also plays an important part. "(It) is just something that's part of the story to these people," he says. "My goal is not to write a religious novel but to write a novel about people, some of whom have religious convictions. It would not be consistent with our culture if I ignored that."

Religion and law may seem to be an odd match at first glance. "There's a lot of praying that goes on in the courtroom," he laughs. "Juries will pray. You don't see it on TV, but it happens. It happens in real life," he says. "The intersection of beliefs and the law is pervasive. Whatever the belief is."

Two of Whitlow's novels have been adapted to film, "The List" and "The Trial," both available on DVD, and a third, "Jimmy," is in preproduction for this fall.

Whitlow has lived in Charlotte for 15 years and has been married to wife Kathy for 30. They have four children and three grandchildren. He continues to practice law and writes daily. "I have an idea when I sit down of what the beginning and the end is," Whitlow says of his writing, "but the middle is the journey of discovery for me."
Atlanta police lapses could imperil prosecutions

By Greg Bluestein
Associated Press / August 24, 2011

ATLANTA—Hundreds of arrests made by the Atlanta Police Department could be vulnerable to legal challenges, prominent defense attorneys say, after an audit showed dozens of officers lost their arrest powers because they failed to meet state training requirements.

The audit showed at least 51 of Atlanta's 1,800 or so officers lost their powers of arrest because they failed to complete at least 20 hours of training each year as required by state law. The department wouldn't release the names of the officers, but the tally could grow as investigators work to finish reviewing 600 remaining files.

"We're aware of this situation and we're taking it seriously," said Atlanta police spokesman Carlos Campos. "We're moving aggressively and efficiently to fix it."

The training flaws could jeopardize criminal convictions as well as pending cases, said defense attorney Page Pate. He said attorneys could readily challenge the convictions of suspects they arrested without a warrant by challenging the officer's training background. And search warrants signed by officers who lost their arrest powers are also vulnerable to legal challenges, he said.

"If we had a client whose house was searched by one of these officers, then you could challenge," he said. "And if you could throw out a search warrant, especially in drug cases, that usually ends the case."

Atlanta police administrators realized the problem late last year when a training supervisor noticed that officers coming back from extended leaves often had training issues that needed to be addressed. But it's unclear why the full extent of the training lapses wasn't revealed until results of an ongoing audit were released in August.

"Right now we're really focusing on a fix rather than a post-mortem on how it happened," said Campos. "The fact is we're here, and that's what we need to focus on."

The department has ordered a quarterly review of all records, and is working to complete the review of the department's roughly 1,800 officers. Some 26 of the 51 officers were removed from the streets to clear up the training issues, and officials are working with the other 25. Clerical errors in the records of 250 other officers were quickly fixed, Campos said.

Meanwhile, the department's attorneys are bracing for an onslaught of challenges once the review is complete. However, they say they don't expect many convictions to be overturned.

"I don't think it's going to be as easy as some suggest. We certainly take the position that the arrests will hold up," Campos said. "But we're aware that there may be some challenges, and that will be up to the courts. But it's far more complex issue than just saying, 'The arrests are no good.'"

University of Georgia law professor Ron Carlson said such challenges would be an "uphill battle" for defense attorneys who would have to clear several legal hurdles, including proving the officer was unable to determine probable cause for an arrest because of the training lapse.

"There may be a few that are out there where those circumstances don't necessarily coalesce," said Carlson, who specializes in evidence and criminal procedure. "Those are the ones that are ripest for a challenge. There is a chance that a few fish will make it through the net."

Steve Sadow, a defense attorney based in Atlanta, said he agreed. He said he would tend to focus his energy on challenging pending cases, since overturning a conviction is more unlikely.
"The criminal defense lawyer's emphasis will be pending cases, although some will try to reopen closed cases," he said. "But that's like trying to push a rock up hill."

The review comes as The Associated Press revealed that the Georgia Bureau of Investigation is probing a rural police department over training issues. The GBI said it's investigating a deadly shooting involving an East Dublin police officer who had gone more than a year without mandatory training on the use of deadly force. Records show the officer should have lost his arrest powers several months before the May 2010 shooting.

The Atlanta audit showed the officers failed to get at least 20 hours of training each year covering department policies and other police matters, a requirement put on the books in 1990. The state also requires at least one of those hours to be on the use of firearms and another on when to use force.

Experts say police certification agencies in some other states play a proactive role in alerting police departments and officers when training lapses occur.

In Georgia, however, the Peace Officer Standards and Training Council requires the officers and law enforcement departments to track the training. Executive Director Ken Vance said officers are told on the first day of their training that they are responsible for maintaining the 20 hours of training.

He said there's no easy way to determine which officers haven't complied because the council's computer system can't handle it. The system is upgrading its software next month, but in the meantime officials look at compliance by a case-by-case basis.

Roy Bedard, a law enforcement consultant who's been involved in Georgia training cases, said these types of lapses often happen in smaller cities but shouldn't take place in major departments like Atlanta.

"Georgia kind of relies on each officer to maintain their own certification. That's a huge problem waiting to happen," said Bedard. "And at the end of the day, they're going to have to change it."

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Emmet J. Bondurant, Esquire, to Receive 2011 American Inns of Court Lewis F. Powell, Jr., Award for Professionalism and Ethics

ALEXANDRIA, Va. --(BUSINESS WIRE)--Emmet J. Bondurant, Esquire, a preeminent Atlanta attorney, has been selected to receive the prestigious American Inns of Court 2011 Lewis F. Powell, Jr. Award for Professionalism and Ethics. Justice Randy J. Holland of the Supreme Court of Delaware, will present the award at the annual American Inns of Court Celebration of Excellence, hosted by Justice Sonia Sotomayor, at the Supreme Court of the United States on November 5, 2011.

The Powell Award is presented annually to recognize a lifetime devoted to the highest standards of ethical practice, competence, and professionalism. This award is conferred upon a senior lawyer nominated from among the country's most respected practitioners, judges, government officials, journalists, philanthropists, or other community leaders and selected by a panel of representatives from both the judiciary and the American Inns of Court. Previous winners include former Justices Powell and William J. Brennan, Jr., Justice Anthony M. Kennedy, and last year, Mark O'Neill, Esquire.

Bondurant founded the Atlanta firm Bondurant, Mixson & Elmore, LLP, in 1977. Despite notable success as an antitrust attorney, he has devoted decades to pro bono work on behalf of indigent defendants. Bondurant argued and won the apportionment case Wesberry v. Sanders before the Supreme Court at age 26. In other pro bono work, he won exoneration of a man wrongly convicted of a brutal child murder and attained reversal of a death sentence for a mentally disabled inmate; he got loyalty oaths for teachers, and electrocution as a means of execution declared unconstitutional. In Hishon v. King & Spalding, Bondurant took on a major firm's gender-based denial of partnership and won before the Supreme Court. After tireless effort to overhaul the state's public defender system, he started Georgia's first statewide indigent defense system and served as chair of the Georgia Public Defenders Standards Council from 2003 to 2007.

Bondurant graduated Phi Beta Kappa from the University of Georgia in 1958 and first in his class from its law school in 1960; he earned an LLM from Harvard Law School in 1962. Best Lawyers in America named him 2010 Lawyer of the Year for antitrust and "bet the company" litigation, and The National Law Journal has called him one of the country's top 10 trial lawyers. Bondurant helped found the state's first three American Inns of Court, and has served on the American Inns of Court Board of Trustees.

The American Inns of Court fosters excellence in professionalism, ethics, civility, and legal skills. The American Inns of Court membership includes more than 28,000 federal, state, and local judges, lawyers, law professors, and law students in more than 350 chapters across the United States. Additionally, there are more than 85,000 alumni members. The organization is headquartered in Alexandria, Virginia. More information is available at www.innsofcourt.org.

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INTELLECTUAL PROPERTY LAW

August 24, 2011 08:35 ET

McKeon Meunier Expands With Addition of Stephen Schaetzel

IP Litigator Adds Depth to Firm’s Offerings

ATLANTA, GA--(Marketwire - Aug 24, 2011) - IP attorney Stephen (Steve) Schaetzel has joined McKeon, Meunier, Carlin & Curfman, LLC as a Principal, adding further strength and depth to the intellectual property firm's growing litigation practice.

"Steve has an outstanding record of success in IP litigation," said Gregory J. Carlin, firm founder and Principal. "We are really impressed with his experience and the results he's achieved for his clients. Steve's a highly talented attorney with an impeccable reputation and we're very pleased to welcome him."

Schaetzel joins McKeon Meunier from King & Spalding, where he was a partner in the Intellectual Property Practice Group. His experience includes involvement in more than 100 IP cases, and he has served as lead counsel before both trial and appellate courts. Schaetzel has appeared before the Northern District of Georgia and has argued complex matters before the Federal Circuit, the Fourth Circuit, the Fifth Circuit and the Eleventh Circuit. He has obtained and defended temporary restraining orders and preliminary injunctions, presented Markman hearings, and briefed and argued summary judgment motions. He is also a skilled and experienced representative before the Trademark Trial and Appeal Board, having been involved in dozens of oppositions and having served as lead counsel for the Applicant in the largest contested registration proceeding ever litigated before the TTAB and the Federal Circuit.

Most recently, Schaetzel has represented the Board of Regents of the University System of Georgia in the Northern District of Georgia in a copyright case involving issues of electronic reserves and fair use in the non-profit educational context (Cambridge University Press et al v Patton et al). His other notable cases include multi-million dollar settlement awards for clients that have included Glock (patent and trade dress infringement), BellSouth (trademark infringement, false advertising, unfair business practices) and Tommy Hilfiger (counterfeiting).

Schaetzel has been repeatedly named to The Best Lawyers in America (2004-), Intellectual Property Law and as a Georgia "Super Lawyer" (2004-, Intellectual Property Litigation), most recently in 2011. In addition, he is ranked by Chambers USA (Intellectual Property, Georgia, 2009- ) and is recommended in the Legal 500 (2010-) for his strategic portfolio work.

Schaetzel previously served as an adjunct faculty member of the University of Georgia School of Law, where he taught patent law for more than 12 years, and is currently a member of the adjunct faculty of Emory University School of Law. He is involved in various civic organizations, including the Northside Youth Organization ("NYO"), Georgia Tech Athletic Association, Atlanta Volleyball Association, American Junior Golf Association, EverybodyWinds Atlanta, and Peachtree Road United Methodist Church.

Schaetzel graduated from Georgia Institute of Technology in 1979 with a Bachelor of Industrial Engineering and earned his law degree from the University of Georgia in 1982. He then joined Jones & Askew, an intellectual property firm. In 2000, he joined Kilpatrick Stockton as a partner. He chaired the Trademark and Copyright Team for Kilpatrick Stockton from 2002 until the fall of 2006, when he joined King & Spalding.

About McKeon Meunier

McKeon, Meunier, Carlin and Curfman, LLC is an intellectual property law firm that protects the technology innovations of corporate, institution and university clients. McKeon Meunier combines big firm experience and technical expertise with the flexibility and value of a smaller specialty practice to deliver services that include patent prosecution, strategic IP counseling, portfolio management, IP transactions/due diligence, technology transfer, opinions, trademarks, copyright and litigation services.

www.mzplaw.com
Friday, August 26, 2011

To friend or not to friend?
It can be difficult for judges to properly gauge the risks of engaging in social networking
By J. Randolph Evans and Joshua B. Belinfante, Special to the Daily Report

Like countless others, attorneys and judges are increasingly using Facebook and other social networking websites to connect with friends, supporters and contacts. Unwittingly, this contact can leave judges susceptible to complaints over folks "friending" them, including attorneys and parties who may appear before the court. Complaints can include allegations of favoritism, ex parte communications (usually via Facebook posts) and outside-the-record information (including in some situations improper investigations into litigants' and their counsel's background). While these kinds of allegations are not new, the challenges of the very public nature of social media are new and different. For the unwary, the first encounter could be a motion for recusal or, worse yet, a complaint with the Judicial Qualifications Commission. As a result, these issues warrant special consideration by the bench and bar alike as the law continues to develop.

Neither the ABA Model Rules or Georgia Judicial Canons speak directly to the use of social media networking, and state bar committees around the country have reached different conclusions as to the propriety of such conduct. These disparate results make it difficult, if not impossible, for a judge to properly gauge the risks of social networking.

What are the rules?
When ethical concerns about social media have been examined, the focus has often been on the ABA Model Code of Judicial Conduct ("Model Code"), namely: (1) Rule 1.2 and its comments, which require a judge to always act in a manner that "promotes public confidence in the independence, integrity, and impartiality of the judiciary, and [to] avoid impropriety and the appearance of impropriety"; (2) Rule 2.4(C)'s prohibition of judges conveying or permitting others to convey the impression that any person or organization is in a position to influence the judge; (3) Rule 2.9(A)'s ban on most ex parte communications; and (4) Rule 2.11(A)'s requirement that a judge disqualify herself or himself "in any proceeding in which the judge's impartiality might reasonably be questioned."

What have other states said?
Increasingly, Facebook, Twitter and similar social networking websites have been the subject of ethics committees around the country. Because the Model Code's language is very broad, and because of the dearth of authority on the issues, these opinions from other jurisdictions are important as a starting point for deciding where the boundaries should be. Most often, the opinions address Facebook. Yet, the analysis applied is often useful in evaluating any of the social networking sites.

Importantly, at least one state has decided that Facebook membership for judges could lead to per se violations of its judicial ethics code. Specifically, the Florida Judicial Ethics Advisory Committee
established a bright line rule that judges may not be Facebook friends with a lawyer who may appear before that judge, because the designation may impermissibly "convey[] or permit[] others to convey the impression that [the attorneys] are in a special position to influence the judge." Jud. Ethics Advisory Comm., No. 2009-20 (Fla. Nov. 18, 2009). Florida jurists' campaigns, however, may establish a Facebook campaign page for the judge, and attorneys who appear before the judge could be "fans" of that page, because the judge would not actively select fans on a page administered by a third party.

New York chose a different, case-by-case approach with this admonition: Judges should carefully monitor their activity on social networking sites in order to comply with applicable ethical rules. The New York committee noted that judges must "consider whether any such online connections, alone or in combination with other facts, rise to the level of a "close social relationship" requiring disclosure and/or recusal." N.Y. Advisory Comm. Jud. Ethics, Opinion 08-176 (Jan. 29, 2009); see Model Code R. 2.11(A). The New York committee acknowledged that being a Facebook friend perhaps was no different than normal socialization between judges and attorneys, but the public nature of Facebook and the access it allowed into friends' private lives raised concerns.

South Carolina concluded that a magistrate judge may join Facebook, noting that Facebook could actually be an important and useful tool for judges, who should strive to integrate with their community. Advisory Comm. on Standards of Jud. Conduct, No. 17-2009 (S.C. Jud. Dept. Oct. 2009). The committee found no prohibition to "friending" law enforcement officers, but also made clear that the judge should follow all relevant ethical rules while participating in Facebook.

Finally, North Carolina subjected a judge to disciplinary proceedings for posting comments on an attorney's Facebook "wall" during and regarding an active lawsuit. In re Terry, No. 09-234 (N.C. Jud. Standards Comm'n Apr. 1, 2009).

What are the rules in Georgia?

The Georgia Code of Judicial Conduct largely follows the Model Rules. See, e.g., Canons 2, 3(B), 3(E). Although it appears to be a matter under consideration by the Georgia Judicial Qualifications Commission, nothing in Georgia's Code of Judicial Conduct expressly considers Facebook or other social media, and no opinion of the Judicial Qualification Commission has yet specifically addressed the topic of Facebook, the Internet or social networking. That said, some additional canons should be considered. For example, judges may not post comments about a pending case pursuant to Canon 3(B)(9)'s warning that judges shall not publicly comment on a pending matter if such comment might "reasonably be expected to affect [the] outcome." Though limited by the United States Supreme Court's decision in Republican Party v. White, 536 U.S. 765 (2002) (allowing a judge to publicly state his or her personal views on disputed issues), Canon 7 prevents a judge from publicly endorsing candidates for public office. Consequently, judges should be cautious before "liking" or "becoming a fan" of political candidates on Facebook as some might interpret such acts as an endorsement.

What is the best course?

Based on Georgia's rules, the safest course for Georgia judges involves three steps: (1) create a Facebook presence through a profile; (2) do not "friend" or accept "friend" requests; (3) use the "create a page wizard" to set up a public figure page (sometimes called a "fan" page); and (4) post the following disclaimer on all pages. Some recommended language for the disclaimer for the Facebook personal page might be as follows:
Thank you for visiting this page. Consistent with the highest standards which apply to judges, this page is for informational purposes only. As a result, it contains information about me for friends and others, but does not accept friend requests. If you would like to learn more, please also visit my fan page.

For judges who just must have a personal page, they should only "friend" those who really are friends and then use the privacy settings to so that only friends can communicate through the page. The same rules would then apply to their Facebook friends that apply to their outside-the-Internet friends.

Since Georgia judges are elected, it is permissible to have a fan page. This permits supporters and others to become a fan and learn more. It also provides a vehicle for communicating to fans. Importantly, however, this is a one-way street. Fans can join. And judges can communicate to all of the fans. However, it does not permit individual communications which might be the basis for allegations of favoritism, bias or ex parte communications. In this way, fans are more like donors on a financial disclosure report than "friends" who might trigger questions of impropriety by litigants.

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years, Elizabeth Lynch Hammond, he is survived by his son, Edward H. Hammond III; and daughter-in-law, Susana Pimienta Chamorro of Austin, Texas; and granddaughter, Amelia Maria Hammond; a daughter, Elizabeth Powell Hammond Pyle; a son-in-law, Russell Townsend Pyle; and grandsons, Charles Mc Alpin Pyle, Edward Hammond Pyle, Thomas Hammond Pyle, Duncan Jepson Pyle of Chestnut Hill, Mass.; a daughter, Sarah Paige Hammond; son-in-law, Aaron Taverniti Keckley; granddaughter, Elizabeth Jane Hammond Keckley; his friend and former wife, Page Smoot Hammond of Salisbury; and very special cousin, Elizabeth Powell of Athens.

Mr. Hammond wrote his own obituary.

A service for the burial of the dead will be held at St. Paul's Episcopal Church, Church Street, Berlin, on Sunday at 2 p.m., with burial to follow in the family plot in the churchyard.

In lieu of flowers, the family asks that donations be made to Saint Paul's Church Endowment Fund and the Calvin B. Taylor House Museum.

Arrangement are in the care of Burbage Funeral Home in Berlin.

LOAD-DATE: September 3, 2011

Targeted News Service

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August 27, 2011 Saturday 11:08 PM EST

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HEADLINE: Deal Appoints Five to Public Defender Standards Council

BYLINE: Targeted News Service

DATELINE: ATLANTA

BODY:

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

Gov. Nathan Deal today tapped five new members who will join the Georgia Public Defender Standards Council. The Georgia Public Defender Standards Council is a nine-member independent agency within the executive branch of the state government whose mission is to ensure that clients receive adequate and ethical legal representation.

Donna Avans Seagraves

Seagraves has worked as a public defender in Georgia for 24 years. Seagraves received her law degree from the University of Georgia School of Law and went to work with the Legal Aid Office in Athens as an assistant public defender. From there, she moved to the Fulton County Public Defender’s Office and and then served as the public defender for Jackson and Barrow counties. Seagraves was appointed circuit public defender for the Piedmont Circuit when the Georgia Public Defender Standards Council was created. She has tried hundreds of criminal cases. She is interested in indigent defense policy, having served as vice president and Indigent Defense Committee member of the Georgia Association of Criminal Defense Attorneys, president of the Piedmont Bar Association and secretary of the Georgia Association of Circuit Public Defenders. She and her
husband, Brian, live in Athens and have one son.

G.S. "Gator" Hodges

Hodges was elected to the Butts County Commission in 2008. He works for CSX Transportation. Previously, Hodges served the public for 10 years as a police officer with the Bryan County Sheriff's Department and the Henry County Police Department. He grew up in Hinesville and graduated from Bradwell Institute. He attended Georgia Southern University, where he studied Criminal Justice. He is a graduate of the 2007 Leadership Butts County course and was the chairperson of the 2009 class. He is also a graduate of the Georgia Academy for Economic Development. Hodges was appointed by the Georgia Speaker of the House to the Middle Ocmulgee Water Council. He also is the chairman of the Subcommittee on Economic Development for the Association County Commissioners of Georgia and is currently in the Leadership Georgia Class of 2010. Most recently, Hodges was named by Georgia Trend Magazine to its "40 Under 40" list in October of 2010. Hodges lives in the Stark community with his wife, Keri, and their son, Noah. Hodges is an active member of Rock Springs Congregational Methodist Church in Milner.

Lamar Paris

Paris is serving his third term as Union County's sole commissioner. Paris graduated from the University of Georgia with a bachelor's in Business Administration. He is the Immediate State Past President of the Association County Commissioners of Georgia. Paris serves on several local and regional boards and committees. He has also served on the Georgia EPD Watershed Committee and the Senate Local Sales Tax Study Committee and is currently a member of the State Regional Water Council. Paris is a lifelong member of the First United Methodist Church of Union County. He and his wife, Dinah, have one daughter, Jessica, who also graduated from the University of Georgia.

Ron Cross

Cross, of Evans, chairs the Columbia County Commission. He graduated high school in Greenville and Anderson Junior College in Anderson, S.C., and he attended Furman University. He moved to Augusta in 1967 to begin work for Smith and Coleman Mechanical Engineers, then became the chief engineer for the Medical College of Georgia. Cross has worked in both residential and commercial construction. In 1982, he started CCI Construction Corporation, a commercial, industrial and institutional construction company. Cross worked at CCI Construction until he was elected to office in 2002. He is currently serving his third term as chairman. Cross has been active in several state and regional initiatives, including: the CSRA Regional Transportation Roundtable Executive Committee as chairman, the Association County Commissioners of Georgia Board of Managers, the Savannah-Upper Ogeechee Regional Water Planning Council as chairman, the Governor's Water Contingency Planning Task Force, the Governor's Energy Council and the Clarks Hill Partnership. Cross and his family are members of Wesley United Methodist Church in Evans.

David Sims

Sims is a graduate of the Walter F. George School of Law at Mercer University, where he served as president of the Student Bar Association. He practiced law in Savannah for 20 years, handling both civil and criminal cases. There, he was president of the Trial Lawyers Club and president of the Savannah Bar Association. Sims worked for 13 years as a claims counsel for Nationwide Insurance in Atlanta before he retired. He is currently of counsel with the Atlanta law firm of Insley and Race and has emeritus status with the State Bar of Georgia and in Vinings.

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University of California's non-union employees may receive merit raises

Under a new plan aimed to keep the institutions competitive, non-unionized University of California employees making less than $200,000 will be eligible for raises this year, UC President Mark Yudof said in an open letter to the institutions' chancellors.

Members of senior administrations, including the president, are not eligible for the raises, Yudof said. Unionized employees are exempt because they continued to receive raises provided for in their contracts throughout the past four years. The one-year program will allow for raises starting at a 3 percent cost-of-living increase, but provide enough flexibility to reward meritorious service, Yudof said.

Connecticut state college employees avoid layoffs with political bargain

About 470 state college employees will stave off layoffs thanks to a deal struck between the state employees' union and the governor, The Chronicle of Higher Education reported. The deal, which includes a concession in the form of a temporary wage freeze, ensures that state employees will not face layoffs for the next four years. It also means that most of the 3,000 termination notices sent to state employees in June will be rescinded, the Chronicle reported.

—Matt Weeks

Don't over schedule child's activities

Hustling your child from ballet recitals to T-ball games and from scouting events to theater rehearsal may not be the best way to raise a well-rounded child, said Diane Bales, a child development specialist at UGA.

"The concern developmentally with over scheduling is young children through elementary school still learn a lot through play," she said. "That unstructured time, the opportunity to make their own decisions and set their own rules, is very important. Kids who have a lot of organized activity have less of the

department head for pharmaceutical and biomedical sciences and is overseeing the development of a new bachelor's degree program in pharmaceutical sciences. The College of Pharmacy currently has no undergraduate programs. He will be working with the Office of the Vice President for Research during his fellowship year.

Sanchez is a professor in the department of infectious diseases and holds adjunct status with the department of population health. She serves as section head for microbiology and molecular biology in the Athens Diagnostic Laboratory and since 2006 has directed the Georgia Veterinary Scholars Program, funded through Merial. She will be working with the Office of the Provost.

Ferrara was the Aderhold Distinguished Professor in 2010, and he is the associate department head and graduate coordinator in the department of kinesiology. He was the founding president of the World Federation of Athletic Training and Therapy and has been a leader in the Paralympic movement. A former Fulbright Scholar, he will be working with the Office of International Education during the academic year.

"For anyone interested in administration or in experiencing the full breadth of the University of Georgia, the Administrative Fellows program is an excellent experience," said William Vencill, a professor in the department of crop and soil sciences, who previously served as an Administrative Fellow from 2008-2009. "Whether or not a fellow ultimately chooses to pursue an administrative position in the future, the program provides a better appreciation for and understanding of how the university operates."

ON THE WEB
http://provost.uga.edu/index.php/resources/fellowships/administrative-fellows-program/
Children who don’t get enough time to play often have trouble making decisions when they get older.

In a 2007 report in Pediatrics entitled “The Importance of Play in Promoting Healthy Child Development and Maintaining Strong Parent-Child Bonds,” researchers said that play contributes to the cognitive, physical, social and emotional well-being of children and youth.

“We’re starting to see children who can’t play well,” Bales said. “They’re always wanting an adult to tell them what to do, when to do it and how to do it.”

Children who play less are less creative as they get older and have trouble developing more complex problem-solving skills, according to Bales.

Source: College of Agricultural and Environmental Sciences

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**FACS faculty will co-chair Financial Therapy Association conference**

By Denise Horton
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Practitioners and academics representing the fields of financial planning and mental health providers, including certified financial planners, family therapists, psychologists, counselors and social workers, will gather for the second annual conference of the Financial Therapy Association, Sept. 11-13 at the Hotel Indigo and Classic Center in Athens.

FTA was formed two years ago after 30 individuals met in California and agreed there was a need for a group focused on the confluence of issues that arise around finances and relationships, according to Jerry Gale, associate professor of child and family development in the College of Family and Consumer Sciences. Gale and Joseph Goetz, FACS assistant professor of housing and consumer economics, are co-chairs of this year’s conference.

“The formation of the Financial Therapy Association was a loud acknowledgement that finances are intertwined in the health of relationships and physical health as well,” said Goetz. “This is a holistic perception of financial wellness, in which it’s not just about the dollars, but about the other areas of clients’ lives.”

The conference will include more than 40 sessions and contain a mix of research presentations by faculty and graduate students, as well as treatment-based sessions by psychologists and financial planners who have years of practice working with clients.

Goetz and Gale agreed that they would like to see a future where students pursuing degrees in financial planning take courses in relationship and family therapy.

Likewise, they agree that students interested in counseling careers should have a base understanding of financial planning.

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**Grant from page 1**

Peach State LSAMP), which will be administered by the Office of Institutional Diversity.

The new grant’s title, “Strengthening the STEM Pipeline in the Peach State: Recruitment, Retention and Research,” refers to the continuation of the previous grant’s success from 2005-2011, said Michele Cook, interim associate provost and chief diversity officer at UGA.

“It is a competitive grant process. A successful renewal is based on meeting the goals of the first stage, which showed that we were good stewards of the $5 million we originally received in 2005,” Cook said. “In the first phase, we considered ourselves to be building the STEM pipeline. Now, we’re strengthening that pipeline.”

PSLSAMP, led by Angela Birkes in UGA’s Office of Institutional Diversity, is part of a nationwide effort by NSF to increase the number of minority students successfully completing STEM baccalaureate degree programs and to increase the number of minority students interested in and academically prepared to pursue graduate study in the disciplines of math and science.

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**Entering law class sets record for LSAT, diversity**

By Cindy Rice
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One of the most academically talented and diverse classes in the history of UGA’s School of Law has begun its three-year pursuit of law degrees.

The Class of 2014, comprised of 225 students, has a median Law School Admission Test score of 165, which is a school record.

In addition, this is the second consecutive year in which the 75th and 25th percentile LSAT scores are 166 and 162, respectively, which also are school bests. These results place 65 percent of the class in the top 6 percent of LSAT test takers nationwide. The median undergraduate grade point average of the class is 3.6.

Moreover, almost 30 percent of the entering class indicated they are members of a minority group, which also is a school record.

“We are extremely pleased with the students starting law school this fall,” said Paul B. Rollins, Georgia Law’s associate dean for administration. “More than 3,200 prospective students applied to the law school. In evaluating these applications, our goal was to enroll an academically talented group of students with diverse backgrounds and various experiences that would enrich the learning environment in the School of Law. The caliber of this class is evidence of our success, and I am confident these students will continue the law school’s proud tradition of serving as leaders in our state, region and nation.”
The Juvenile Justice Information Exchange

Longest Serving Juvenile Court Judge Steps Down at age 95

Written by: Staff on Aug 29, 2011

Judge Cohn

About the only time Judge Aaron Cohn left the familiar confines of his native Georgia and his hometown of Columbus, was to fight with General George Patton's 3rd Cavalry during major campaigns in Europe during the Second World War.

Judge Cohn, it seems, likes things the way they are, enjoys his Georgia, his Columbus and, since 1965, his bench on the juvenile court in that west Georgia city up against the Chattahoochee River.

Today, however, Judge Cohn is doing something surprising. He is stepping down, in itself not remarkable occurrence, until you understand that he is the nation's longest serving juvenile court judge, and that he does so at the age of 95.

He will, he said, come in for work for two more days, and will formally retire the last day of August.

Judge Cohn is Georgia, through and through. He graduated from Columbus High School and went on to finish law school at the University of Georgia. In between, he found time to play tennis for the University of Georgia.

He may have been a Georgia boy from a smaller community in the Deep South, but he had an impact in some far-away places. He was recognized in the late 1970s for his service in Luxemburg during the War. And in 1982, was honored by the U.S. Holocaust Memorial Commission for his role in liberating the concentration camp at Ebensee, Austria in 1945.
Superior Court Judge Bobby Peters said he has known Judge Cohn for more than 30 years. During that time, he says, he found him to be respectful to everyone in the court room, professional and someone who always had the best interest of the kids in mind.

“He could have gone anywhere,” said Judge Peters. “He certainly could have made a lot more money. But he was totally devoted to the juvenile court and to the kids.”

Cohn, Judge Peters said, never took much time off of work. Now, he says, at age 95, maybe he’ll have more time to work on his tennis game.

http://jjie.org/longest-serving-juvenile-court-judge-steps-down-at-age/20918
Instructors: Mike Healy, Ed.D. is certified to teach MBSR by the Center for Mindfulness at the University of Massachusetts. Jamie Baker Roskie, J.D. and managing attorney, UGA School of Law's Land Use Clinic, has trained with Dr. Healy to teach MBSR. This workshop draws largely on Jon Kabat-Zinn's MBSR program at the Center for Mindfulness, University of Massachusetts.

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US Fed News

August 31, 2011 Wednesday 7:06 PM EST

LENGTH: 415 words

HEADLINE: SCHOOL OF LAW DEBUTS WASHINGTON PROGRAM

BODY:

ATHENS, Ga., Aug. 31 -- The University of Georgia issued the following news release:

The University of Georgia School of Law will launch a new program this spring that will allow approximately 15 students to live and work in Washington, D.C. for a semester while earning course credit.

"The Washington D.C. Semester in Practice program is an exciting new opportunity for our students to have a full-time clinical experience while in law school," said Georgia Law Dean Rebecca Hanner White. "Importantly, they will gain that clinical experience in our nation's capitol, providing our students with a distinctive legal experience they could gain nowhere else."

Participants in the program will have the opportunity to live in housing maintained by UGA in the Washington, D.C. area while working 35 hours per week at legal positions with federal-level governmental agencies and in the D.C. headquarters of major national organizations, among other placements.

In addition to their externship hours, students will complete a non-clinical course taught by a professor from a Washington, D.C. law school and a clinic seminar class, earning a total of 13 credits for the semester.

Jessica Heywood, a 1997 graduate of Georgia Law, will be responsible for recruiting and maintaining ongoing contact with externship sites, teaching the clinic seminar class, and serving as a supervisor and mentor to students participating in the program.

Heywood has lived and worked in Washington, D.C. for the past nine years. She moved to the area in 2002 and worked as an associate in the law firm of Robins, Kaplan, Miller and Ciresi before joining The Catholic University of America Columbus School of Law, where she served as director of the Office of Career and Professional Development, as an instructor for the school's legal externship program, and, most recently, as director of employer outreach.

Previously, Heywood served as a judicial clerk for Judge G. Ernest Tidwell of
Unemployment claims for lawyers, legal staff rose in July
By Meredith Hobbs, Staff Reporter

Unemployment rose in July for Georgia lawyers and support staff, even though the number of legal industry workers filing claims so far this year has decreased from 2010.

Last month, 54 lawyers and 176 support staff in private practice filed for initial unemployment benefits, according to the Georgia Department of Labor. That compares to 46 lawyers filing for unemployment in June—a 17 percent increase. For support staff, it is a 12 percent increase over the 157 people who filed claims in June.

A total of 230 Georgia legal industry workers filed claims in July—up 13 percent from June. That total was the highest since April, when 234 lawyers and staff filed claims. It was the second-highest total number of monthly claims filed by legal workers this year.

Even though July unemployment claims increased from June—and from the same period last year—the total claims filed by Georgia lawyers and staff this year have decreased compared to 2010.

Legal staff continue to be disproportionately affected by layoffs. So far this year, 1,526 total legal workers have filed for unemployment, compared to 1,655 in 2010—an almost 8 percent decrease. But the number of claims filed by legal staff has decreased at a slower rate. Total staff claims have dropped 6 percent so far this year—from 1,276 from January to July 2010 to 1,196 for the same time period this year.

The total claims filed by Georgia lawyers for the year so far have dropped more sharply. From January through July, 330 lawyers have filed claims, compared to 379 for the same period in 2010—an almost 13 percent decrease.

Nationally, 1.1 million people in the legal services industry were laid off in July, according to the Bureau of Labor Statistics. That is an increase over layoffs in May and June—as well as a slight increase over layoffs in July 2010. Legal industry layoffs increased by 1 percent for July 2011, compared to July 2010.

The Foundation for Improvement of Justice has made four of its six annual Paul H. Chapman Awards to members of the Atlanta legal community for work ranging from legal assistance for low-income cancer patients to freeing a man wrongfully convicted of murder.

• William V. Custer IV of Bryan Cave and Holly A. Pierson of Morris, Manning & Martin were honored for their pro bono work overturning the murder conviction of Claude Hames, who had been in prison for seven years after he was convicted of felony murder in 2002 in the accidental shooting death of his brother while the two were hunting on their family farm in Walton County.
• Claudia Barnes and Kellie Wiggins, both board members of the Atlanta-based Crime Victims Advocacy Council, have lobbied for changes to laws involving crime victims in the state Senate and House of Representatives and led support groups for people who've lost a loved one to homicide. Barnes is the widow of Fulton County Superior Court Judge Rowland W. Barnes, who was slain during the 2005 courthouse shooting by Brian Nichols. Wiggins lost her sister in a botched robbery seven years ago.

• Richard Hyde, the investigator for the Judicial Qualifications Commission of Georgia, was recognized for his investigations of judicial malfeasance over the last three years that have triggered the resignation or removal of 21 judges statewide. He was the first non-lawyer named a "Newsmaker of the Year" by the Daily Report in December.

• The Women's Cancer Legal Project, an initiative of the Atlanta Legal Aid Society, was recognized for its work providing civil legal representation to low-income female cancer patients, survivors and caregivers, such as writing wills, helping clients gain public benefits and establishing guardianship for minor children.

Each awardee will receive $10,000 and be honored at the Lawrenceville-based nonprofit, whose mission is to improve local, state and federal justice systems.

In a separate award, Atlanta Legal Aid's Women's Cancer Legal Project has been awarded $35,000 from The Atlanta Women's Foundation. Haley A. Schwartz, now the project's director, started the initiative in 2005 as the Breast Cancer Legal Project while she was working at Atlanta Legal Aid as an Equal Justice Works Fellow.

Paul B. Rollins has been promoted to associate dean for administration at the University of Georgia School of Law. Rollins joined the law school in 2008 as admissions director from the University of South Carolina School of Law, where he was assistant dean for student services. In his new role he will oversee the law school's admissions process as well as legal career services, professional development and other duties.

Wilson L. White of Kilpatrick Townsend & Stockton has been elected vice-chair of the board of the Partnership Against Domestic Violence, which provides support to domestic violence survivors and their children in metro Atlanta. White is the first male in the group's 35-year existence to serve in this role.