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B E S T  S C H O O L S  f o r  b a r  e x a m  p r e p a r a t i o n

It's easy to have a high bar pass rate when you get the best
test-takers in the country. But how do law schools with low
LSAT scores score big on the bar? An exclusive National
Jurist study shows that schools perform better on the bar
than their incoming LSAT scores would predict.

BY REBECCA LARSEN
fter getting an undergraduate degree and an MBA from Ohio universities, Tom Siwo went to work for the federal government. But he had wanted to be a lawyer since childhood, and so he applied two years into working after college. The only problem — his LSAT score.

“It was definitely not good enough for Harvard,” he joked.

But Capital University Law School in Columbus, Ohio, was willing to give him an opportunity in 2008. Because of his low LSAT score, he was invited to attend Capital’s Academic Success Protocol Program, which helps potential students practice skills needed for law school just before they enter.

“We spent 8 a.m. to 1 p.m. in mock classes...practicing reading and writing techniques with professors who taught classes,” he said. “It really gave me a heads up on how to think and perform in law school.”

Even more valuable closer to graduation was the school’s bar prep course.

“The entire last semester, we studied what the bar is like and what techniques to use during the summer when we studied in a commercial bar exam class,” he said. “We wrote exams, for example, under conditions faced on the bar.”

All of the preparation and studying paid off. Siwo passed the Ohio bar exam on his first try this past summer and is now practicing law at Bricker & Eckler, one of Ohio’s largest firms.

Siwo’s story is not that unique. While the LSAT is primarily designed to measure success in law school, it has long been known that law school success predicts bar exam success. As such, most law schools have bar exam pass rates that correlate to their incoming LSAT scores.

But some schools, like Capital, buck the averages. The average percentage of first-time test takers passing the bar at Capital in the past five July exams is 90.26 percent, compared to 88.26 for all other Ohio schools. Yet Capital generally admits students with LSAT scores in the 150 to 155 range, lower than most other Ohio schools.

Capital is not alone. There has been a wave of innova-
# Bar Exam Winners

Law schools ranked by bar exam performance in relation to incoming LSAT scores

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**University of Georgia School of Law**
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- Strategies & Tactics for the MBE
- Rigos Bar Exam Series and
- Strategies and Tactics for the Finz Multistate Method
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</table>

Complete list of law schools
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<table>
<thead>
<tr>
<th>JULY 2011 PASS RATES</th>
<th>THEMIS PASS RATE*</th>
<th>STATE PASS RATE*</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>75%</td>
<td>69%</td>
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<tr>
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<td>96%</td>
<td>86%</td>
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<tr>
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<td>88%</td>
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<tr>
<td>Illinois</td>
<td>97%</td>
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<tr>
<td>Missouri</td>
<td>100%</td>
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<tr>
<td>New Jersey</td>
<td>98%**</td>
<td>81%**</td>
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<tr>
<td>New York</td>
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<td>86%</td>
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<tr>
<td>Ohio</td>
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<td>Pennsylvania</td>
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<tr>
<td>Texas</td>
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<td>87%</td>
</tr>
<tr>
<td>Virginia</td>
<td>94%</td>
<td>81%</td>
</tr>
</tbody>
</table>

For more information on Themis jurisdictions, visit ThemisBar.com.

**Themis BAR REVIEW**

* Based on Themis first-time takers who completed 75% or more of their course assignments and on state bar exam first-time takers. For details on the Themis Pass Guarantee policy, see our website.

** Number denotes the overall state pass rate, as New Jersey does not provide the first-time taker pass rate.
The result is a clear curve. We then computed the difference between the average pass rate ratio and what the curve would predict for each school and computed a probability distribution to determine the most extreme deviations. The final result is the chart on page 30, with Louisiana State University Law Center at the top, followed by Campbell University Wiggins School of Law in Raleigh, N.C. and Stanford Law School.

LSU benefits from a unique bar exam based on civil code and no MBE. This makes it easier for in-state graduates to pass the exam, allowing the school to perform better in the study.

Stanford benefits from a large number of people taking the California exam, making it easier for top schools to perform higher than the average. Six California schools place in the top 25 of the study. But which schools perform well is still surprising.

"All the literature says that [the LSAT is] not a great predictor about the bar, but if you go to Stanford or Cal and have high LSAT scores, the probability is that you will pass the bar no matter what," said Marilyn Scheininger, assistant dean for academic achievement at California Western. "But if a school's students don't have high scores on the LSAT, there are things that schools can do to help, and we have done that at California Western. We really want our students to pass the bar and move on into practice."

Campbell also benefits from a very local bar exam with a fair amount of state law. Again, this makes it easier for in-state graduates — allowing three North Carolina schools to finish in the top 10 of the study. But again, it is surprising that Campbell places higher than other schools. The University of North Carolina School of Law performs worse than Campbell on the bar exam and it has a higher LSAT score — 159 compared to 154.

Bar prep courses

While Campbell has always had a strong tradition of high success on the bar exam, it launched a free summer class in 2010 to further help graduates, said Sha Hinds-Glick, director of academic support and bar success.

"The class was based almost entirely on essay writing because 60 percent of the grade on the North Carolina exam is based on essays, and most students don't write many essays while studying for the bar," Hinds-Glick said. "Two afternoons a week,
<table>
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<tr>
<th>State</th>
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<td>$250</td>
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</table>

Some 108 Campbell grads took the class and 106 passed. Including other Campbell students who took the bar, the average passage rate was 92 percent.

Like Campbell, most schools that fare well in the National Jurist study attribute students’ improvement on the bar to new classes, some taken just before or after graduation, some taken much earlier. Classes can be voluntary or mandatory. Some include intensive personal coaching. Most work in concert with — not as a substitute for — commercial bar preparation after graduation.

Most courses are non-credit, but some schools began offering credits for these classes after 2005 when the American Bar Association removed a ban on for-credit, in-house bar prep at law schools.

Capital was among the first offering a for-credit course when the bar changed its rules, said Yvonne Twiss, director of bar services.

“We had anticipated the policy change and were ready to go with a three-credit, pass-fail course,” she said. “It’s not mandatory, but about 95 percent of our students participate.”

The goal is to prepare students for commercial bar prep so that they’re organized and not overwhelmed.

“We eliminate the element of surprise about the volume of material on the bar exam and the manner in which it is tested,” Twiss said. “We help them set the pace that they’ll have to study for the exam. There is some substantive material in the class, but much of it is weekly quizzes and exam essays like those on the bar. They also have conferences with graders about their essays.”

Capital’s course starts in January of the third year of law school. That timing can be tricky because between January and June students are also looking for jobs, thinking about loan repayment and studying for final exams.

“But anything they can do in advance for the bar will pay off in the future,” Twiss said. “When students say it can’t be that bad, I want to convince them that it will be, but they will be just fine.”

The pay-off: The school went from a 62 percent bar pass rate for first-timers in 2003 to being in the 90s and high 80s the past few years.
“Ten years ago, our students didn’t focus at all on the exam until May or June,” she said. “Before 2005, we were mired in the bottom. We went from last in the state to first in the state in four or five years. Our early start approach has put students in an exam game day mode. It’s a great thing to help them achieve their dream. They often say, ‘I barely did it.’”

**Pre-admission help**

Other schools offer pre-law school programs for promising students who have low LSAT scores or weak undergraduate GPAs.

Among them is North Carolina Central University School of Law in Durham, N.C., where attorney Sidney Minter graduated in spring 2011. Minter went through the school’s two-week Performance Based Admissions program before being invited to enroll at NCCU, in part because of a low LSAT score.

“But for that program, I would not be where I am today,” Minter said.

Once admitted, he went on to become editor-in-chief of the school’s law review and was an intern with a judge on the North Carolina Court of Appeals. In his last semester, he took the school’s NC Distinctions class—a three-credit course with a letter grade focusing on state law and offering practice essays.

After graduating, he also went to the school’s free Invest in Success bar prep program, held Fridays and Sundays in early June.

“We received feedback for six weeks on essays and answers to bar exam questions,” he said. “The bar really is something you can study for. I went in knowing what I had to do.”

All that work was in addition to taking commercial bar prep. He passed the exam on his first try in July 2011 and now practices with Teague Campbell Dennis & Gorham in Raleigh.

NC Distinctions has been offered for five or six years.

“We see a correlation between students who perform well and take the course,” said Krishnee Coley, director of academic support at the school.

In 2011, the school’s percentage of first-time passers for the July bar was 76.23 percent—slightly below the state average of 82.19. In 2010, it was 71.5 percent, and in 2009, 79.72 percent.

“Our LSATs may be lower than some

<table>
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<tr>
<th>State</th>
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<th>Costs</th>
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<td>B, (Common Law and Sales of Goods), To, RP, Conf, Ev, Civ, BA (Corp, Agency or Partnership), Commer Law (CP or SecTrans), Wills, Ethics</td>
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<td>Oklahoma</td>
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<td>Admin, Agency, CP, Conf, Consumer, Corp, Creditors’ Rights, Fam, Fed Estate &amp; Gift Tax, Partnerships, Pleading &amp; Practice, Pr, Rem, SecTrans, TR&amp;E, UCC, Wills</td>
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<td>Oregon</td>
<td>July 24-25, 2012</td>
<td>Admin, Agency, Civ (Or, &amp; Fed), Conf, K, Corp, Crim, Ev (Or, &amp; Fed), Fed Tax, Legal Ethics (Or, rules only), Partnerships, RP, UCC, SecTrans, To, TR&amp;E, Wills</td>
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<td>BusO, Employ Discrim, PR, Civ, RP, Crim, Fam, To, Conf, Fed Con, UCC, Sales, K, Fed Tax, Wills, Trusts, and Decedents’ Estates</td>
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<td>Utah</td>
<td>July 24-25, 2012</td>
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<td>West Virginia</td>
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<td>Wyoming</td>
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<td>Admin, BusO, Civ, CP, K, Crim, Domestic, Ev, Mortgages, Oil and Gas, Property, SecTrans, TR&amp;E, Water Law</td>
<td>$600</td>
</tr>
</tbody>
</table>
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Help throughout law school

Nova Southeastern University Shepard Broad Law Center in Fort Lauderdale, Fla., has an extensive program. In July 2011, graduates surpassed the statewide average on the General Florida Bar with a passage rate of 87.5, compared with a rate of 82.2 percent for Florida law schools as a whole.

And yet, current first-year students at Nova have a median LSAT of about 150, among the lowest at Florida law schools.

The first year of law school includes mandatory bar preparation, introducing basic skills like essay writing and answering multiple choice questions, according to Linda Harrison, professor and associate dean of the Critical Skills Program.

An optional class in essay writing is held the second year. The third year features a mandatory course in advanced legal analysis for all students taking the Florida bar. After graduation, there is a free, optional, non-credit course where students are tested weekly on skills needed for the bar with personal coaches to review progress. Students simultaneously take a commercial bar review course.

It was back in 2004 when Nova decided it had to act to improve the school's bar pass rate, Harrison said.

"We chose to go the non-credit route, even though other schools started offering credit when the ABA changed in its rules," she said.

Harrison believes students' LSAT scores are related to chances for bar success.

"But we level the playing field for students with weaker LSATs," she said.

California Western School of Law in San Diego also follows the non-credit route for bar prep. In the first year, the school provides tutoring for students who need it. That's because the first year features topics heavily tested on the California bar. In the second year, students start taking sample tests. According to Marilyn Scheiniger, assistant dean for academic achievement at California Western, the school's goal is to be at or above the overall pass rate for state test takers.

"For seven of the eight last bars, we've done that," she said.

Student LSAT scores generally run from 152 to 157 at the school.

The main reason for offering credit in bar prep classes is so that more students take the courses and thus presumably help schools improve bar performance rankings that help attract new students.

But California Western uses "the carrot rather than the stick approach," Scheiniger said.

"We partly subsidize the cost of their commercial bar review class if they participate in our bar skills classes," she said.

Tim Chinaris, associate dean for academic affairs at Faulkner University Law School in Montgomery, Ala., said his law school has not added special bar skills classes to its curriculum.

"We do a rigorous evaluation of first-year students, and we're not afraid to let them know about it," he said. "We don't want them to waste their money when they're at a risk of academic failure."

Other schools also indicated they are getting tougher on first-year students and offering extra help to ensure that they make the grade in law school and on the bar. Eliminating students with problems can end up raising the bar passage rate. ■
How to select a Bar Exam Prep Course
By Linda Chan

Many bar exam review courses and tutoring services have cropped up in the past five years. With technological developments, and low fees to get into the business, almost anyone thinks they can start a bar prep business. Search craigslist.org or ebayclassifieds.com, and you could find up to five ads from first-time passers looking to tutor for $50 to $125 per hour, former bar graders offering practice exam critiques, or alternative bar prep resources advertising services tailored for certain parts of the exam.

With everyone claiming to have a secret to passing the bar exam, how does a candidate decide on a bar review course? Since most people want to take the exam only once, consider the following before investing $1,000 - $10,000 on bar prep services:

- **Comprehensive outlines:** If the materials are not accurate, you could end up studying the wrong rules. Beware of outlines, flashcards, checklists, and other study materials with few references for the substantive law. With no case citations, statutes, or other legal sources, how can you investigate discrepancies between what you learned in law school, and what the prep course says? The bar prep provider may claim simplicity and efficiency, but if you do not know where the law comes from, how can you find out if it is right?

- **Legitimate referrals:** Beware of Yelp, self-serving press releases, testimonials, and review sites. A bar prep course that issues press releases on its own through low cost wire services or has sparkling five stars from many positive reviewers in a short period of time could mean an advertising agenda to improve search engine optimization, sham reviewers, or paid referrals. Get the names of former students and interview them.

- **Personal adviser:** What are the tutor’s qualifications? Does the adviser address individual needs? If the adviser has a supplemental job such as a law firm business, are you just extra money?

- **Technology:** Must you travel to a classroom just to watch videos, or can you get lectures on specific issues on mobile devices and study anytime, anywhere?

- **Feedback:** Do you get unlimited essay reviews? Who does the critiques - former bar graders or attorneys trained with canned comments?

- **Price:** Is there a money-back guarantee? Does the tutor demand huge amounts of cash upfront or charge onerous interest rates (e.g. 10%) for payment plans? Do you have to pay a deposit to use the bathroom key?

- **Success Rate:** How many former students passed the exam with the tutor? How many other students signed up for the program? If a tutor spends too much time discussing how he passed the exam, or “inside information” to passing, the adviser may not have enough teaching ability to help you pass. A qualified tutor assesses your needs.

Linda Chan is a former pre-tester and grader of the California bar exam. Her bar exam column will appear monthly at Nationaljurist.com. She is also a private California bar exam tutor, a freelance writer, and a communications consultant.
Bouhan, Williams & Levy LLP attorneys named corporate Super Lawyers

Sonny Seiler, Walter Hartridge recognized for their expertise

www.bouhan.com

(SAVANNAH, Ga.) – Bouhan, Williams & Levy LLP attorneys Frank “Sonny” Seiler and Walter Hartridge have been named corporate Super Lawyers in the Super Lawyers Corporate Counsel Edition. Super Lawyers is a rating service of outstanding lawyers from more than 70 practice areas who have attained a high-degree of peer recognition and professional achievement. Super Lawyers Corporate Counsel Edition features attorneys selected from the Super Lawyers list with a concentration in the business practice area. The edition goes to in-house counsel and CEOs of Fortune 1000 companies.

Frank “Sonny” Seiler has an extensive litigation practice which includes defense of personal injury claims, medical malpractice, products liability law, prosecution of serious personal injury claims, white collar criminal cases, and divorce/domestic relations matters. Seiler is well known for serving as lead defense counsel in the Jim Williams murder trials that were later made famous by their inclusion in John Berendt’s book “Midnight in the Garden of Good and Evil.” The publication Best Lawyers in America, Woodward/White, has listed Seiler since 1983 and he was named by the American Trial Lawyers Association to the Top 100 Trial Lawyers in the state.

Several positions of note which Seiler has held include President of the State Bar of Georgia, as well as serving on the Board of Governors of the State Bar of Georgia. He is a past member of the Eleventh Circuit Court of Appeals Committee on Lawyer Qualifications and Conduct and has also served as Chairman of the Board of Trustees for the Institute of Continuing Legal Education. Seiler was named to the State Judicial Nominating Commission by Governor Carter in 1973 and served on this Commission under three different governors. He is a Fellow of the American Bar Foundation and a fellow of the International Academy of Trial Lawyers.

Seiler graduated from the University of Georgia with a B.B.A. in 1956 and received his J.D. in 1957. A native of Savannah, Seiler and his family have owned the Georgia Bulldog mascot for 56 years. Seiler has received the University of Georgia School of Law Distinguished Service Award and was the recipient of the William W. Franklin 1988 Volunteer of the Year Award. He is a past president of the University of Georgia National Alumni Association. Seiler and his wife Cecelia received the National Alumni Merit Award, the highest recognition given by the University to its Alumni. The Seiler family has been named the University of Georgia 2011-2012 Family of the Year for their service to the university.

Walter Hartridge has a broad-ranging litigation practice which includes complex commercial litigation, class action suits, defense of personal injury claims, prosecution of serious personal injury claims, medical malpractice, products liability, construction litigation, securities litigation and maritime litigation. His extensive litigation experience includes serving as lead trial counsel in a number of major adversary proceedings in the United States Bankruptcy Court for the Southern District of Georgia, serving as co-lead counsel in a major class action brought against the directors of a company for breach of fiduciary duty, and successfully defending or concluding several class action suits. He has handled a number of major limitation actions and has represented various maritime interests in asserting maritime liens against vessels.

Hartridge served for 34 years as a member of the Board of Governors of the State Bar of Georgia. He served two terms as a member of the Judicial Qualifications Commission of Georgia and is included in the publication The Best Lawyers In America, Naifeh and Smith, in the categories of Business Litigation and Maritime Law. He is a past member and Vice-Chairperson of the State Disciplinary Board Review Panel of the State Bar of Georgia and a past Trustee of the Institute for Continuing Legal Education in Georgia. Hartridge is a member and past Chairman of the Southeastern Admiralty Law Institute and is a member of the Maritime Law Association of the United States. He is also a member of the Georgia Defense Lawyers Association and a Fellow of the American College of Trial Lawyers. He has been recognized as a Super Lawyer in Georgia since 2005. He is also designated as a top attorney in business litigation in the Corporate Counsel Edition of Super Lawyers.

After receiving his B.A. with Distinction from the University of Virginia, Hartridge did postgraduate work at the University of Munich in 1957-1958 and received an LL.B. from Harvard Law School in 1961.

The current issue of Super Lawyers magazine features the list. Super Lawyers selects attorneys using a rigorous, multiphase rating process. Peer nominations and evaluations are combined with third party research. Each candidate is evaluated on 12 indicators of peer recognition and professional achievement. Selections are made on an annual, state-by-state basis. The objective is to create a credible, comprehensive and diverse listing of outstanding attorneys that can be used as a resource for attorneys and consumers searching for legal counsel. More information about the honor can be found online at www.supertlawyers.com.
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Founded in 1886, Bouhan, Williams & Levy LLP is a broad-based, general law practice with an emphasis in corporate, business and transactional law and civil litigation on the local, national and international levels. The firm provides services to a range of clientele including major corporations, small businesses, professional entities, insurance companies, financial and lending institutions, non-profit corporations, individuals and public sector boards and authorities. Bouhan, Williams & Levy LLP and its attorneys have consistently been named to prestigious groups such as the 2011-2012 U.S. News & World Report's Best Law Firms Rankings, Best Lawyers in America, Georgia Lawyers, Rising Stars, Georgia Trend's Legal Elite, and the American Trial Lawyers Association's Top 100 Attorneys in Georgia, among others. Bouhan, Williams & Levy LLP is headquartered in the Armstrong House at 447 Bull Street in Savannah, Georgia.

PROMINENT INTELLECTUAL PROPERTY ATTORNEY JOINS KILPATRICK TOWNSEND IN SILICON VALLEY

Kilpatrick Townsend & Stockton announced the addition of attorney William Lambert to its internationally-recognized Intellectual Property Department. Dr. Lambert joins Kilpatrick Townsend's Silicon Valley office as Counsel on the Health and Life Sciences and Electronics and Software Teams.

Dr. Lambert focuses his practice on patent prosecution and client counseling, including the preparation of validity, infringement, and freedom-to-operate opinions. He has expertise in the chemical, pharmaceutical, biomedical, materials, mechanical, and electronic industries.

Dr. Lambert joins Kilpatrick Townsend from Finnegan. He has also worked as patent counsel for a Bay Area pharmaceutical start-up company, co-founded a start-up electronic packaging company, and was a member of the technical staff with AT&T/Lucent Technologies Bell Laboratories at Murray Hill for 17 years. Dr. Lambert is a named inventor on 11 patents and the author of more than 50 scientific articles in peer-reviewed journals.

He earned his J.D. from the University of New Hampshire School of Law (formerly Franklin Pierce Law Center), his Ph.D. in Chemical Physics from the California Institute of Technology, and his B.A. in Biochemistry from the University of California, Berkeley.

McANDREWS, HELD & MALLOY ANNOUNCES THREE NEW BOARD MEMBERS, FOUR NEW PARTNERS

McAndrews, Held & Malloy, Ltd., one of the nation's preeminent law firms specializing in intellectual property and complex technology law, is pleased to announce the elevation of three of the firm's veteran attorneys to its Board of Directors and the promotion of four attorneys to partner.

The new board members at McAndrews, Held & Malloy include the following:

Merle S. Elliott concentrates on patent litigation, licensing and counseling and works on a wide variety of complex technologies, particularly in the area of medical devices. Her practice also includes patent prosecution before the U.S. Patent and Trademark Office, where she handles cases that involve innovations in chemical and mechanical engineering. She is a member of the bars of the U.S. District Court for the Northern District of Illinois and the Court of Appeals for the Federal Circuit.

Christopher M. Scharff's practice includes all areas of intellectual property, with an emphasis on patent litigation. He has represented clients in large-scale patent disputes on technologies that include orthopedic implants, GPS software and food processing equipment, to name a few. He is a member of the bars of the U.S. District Court for the Northern District of Illinois and the U.S. Court of Appeals for the Federal Circuit, and is registered to practice before the U.S. Patent and Trademark Office.

Philip H. Sheridan counsels clients in all aspects of intellectual property
law. He has prosecuted patent applications in a variety of electrical, software and mechanical technology areas, including hearing aid and hearing protection devices, imaging systems and image processing, medical devices, telecommunications and data networks, data storage, and video processing. He is a member of the bar of the U.S. District Court for the Northern District of Illinois and is registered to practice before the U.S. Patent and Trademark Office.

The new partners at McAndrews, Held & Malloy include the following:

Francisco Castro, Ph.D., has built a diverse practice that includes patent prosecution and counseling. He advises clients in the fields of telecommunications, imaging, photonics, semiconductors and nanotechnology. Dr. Castro is a member of the bar of the U.S. District Court for the Eastern District of Virginia and he is registered to practice before the U.S. Patent and Trademark Office.

Pramod Chintalapoodi focuses on strategic patent portfolio development, with an emphasis on patent prosecution in the technology and software industries. Chintalapoodi has drafted and prosecuted over 300 patent applications before the U.S. Patent and Trademark Office. He is a member of the bar of the U.S. District Court for the Northern District of Illinois.

Kevin A. O'Connor, Ph.D., concentrates on patent prosecution, opinion preparation, interference practice and litigation. He has extensive experience in managing global patent portfolios and advises clients in a variety of freedom-to-operate and due diligence projects. He is a member of the bar of the U.S. District Court for the Northern District of Illinois and is registered to practice before the U.S. Patent and Trademark Office.

Daniel S. Stringfield's practice includes intellectual property litigation, transactions, licensing, due diligence and the preparation and prosecution of patent and trademark applications. He is a member of the bars of the U.S. District Courts for the Northern District of Illinois, District of Colorado and the Eastern District of Texas and is registered to practice before the U.S. Patent and Trademark Office.

KASWOTIZ EXPANDS IP LITIGATION GROUP IN NEW YORK WITH MICHAEL EISENBERG

Kasowitz, Benson, Torres & Friedman LLP is pleased to announce that Michael Eisenberg has joined the law firm's intellectual property litigation group as a partner in the firm's New York office. He was formerly counsel with the patent litigation group at Weil, Gotshal & Manges LLP.

Mr. Eisenberg's practice focuses on intellectual property and related appellate matters. He represents clients in patent, copyright and trade secret litigation across a wide range of industries including semiconductors, computer hardware and computer software. He also has extensive experience in reexamination proceedings before the U.S. Patent and Trademark Office. Among the high-profile cases on which he has worked are Apple v. Motorola, representing Apple, and Micron v. Rambus, representing Micron.

Mr. Eisenberg received his law degree from George Washington University, where he was a member of the Law Review. Prior to law school, Mr. Eisenberg received a Masters degree in Physics from Florida State University and a Bachelor's degree in Physics from Washington University in St. Louis. Mr. Eisenberg clerked for Judge Timothy Dyk of the U.S. Court of Appeals for the Federal Circuit.

VENABLE STRENGTHENS NATIONAL PATENT PROSECUTION/LITIGATION PRACTICE WITH ADDITION OF FIVE-ATTORNEY GROUP, INCLUDING THREE PARTNERS

Venable LLP notably strengthens its patent prosecution and litigation
practices with the arrival of three new partners - Michele Van Patten Frank, Toni-Junell Herbert, and Mark Shanks; Of Counsel Therese Finan; and Associate Fabian M. Koenigbauer to the firm's Washington, DC, office.

Mr. Shanks, Ms. Herbert and Ms. Frank are all patent prosecutors, strategic portfolio counselors and IP transactional attorneys, as well as litigators. They focus on medical devices, biotechnology, pharmaceutical, mechanical, and computer technologies. Ms. Finan is a patent prosecution and portfolio advisor who also counsels on the full range of trademark matters, including clearing marks, securing brand ownership, and maintaining registration. The attorneys all previously practiced at Patton Boggs LLP.

Ms. Frank, who earlier in her career was a patent examiner at the U.S. Patent & Trademark Office, specializes in patent counseling and portfolio management, transactions and due diligence, and advice on setting up in-house intellectual property departments. She represents clients before the USPTO and advises emerging companies in making strategic patent decisions.

She earned her J.D. at American University (1994), and a B.S. at Union College (1988).

Ms. Herbert is a patent counselor and prosecutor, and IP auditor, who is also a first-chair trial attorney in interference and patent infringement matters. With a particular focus on drug development, she analyzes, negotiates, and prepares the extensive documentation required for patent rights acquisition in the U.S. and in international venues, and advises clients on patent validity and potential for enforcement and infringement. Her clients have included investors large and small, among them investment banks, venture capital groups, and corporations.

Ms. Herbert received her J.D., with honors, from the University of Baltimore School (1990), after earning a B.A. at the University of Colorado, Boulder (1980). She clerked for Judge Phillip Baldwin of the U.S. Court of Appeals for the Federal Circuit (1988-'89).

Mr. Shanks is an experienced IP litigator who represents U.S. and foreign companies in all facets of patent and trade secret litigation spanning a wide range of technologies, including biotech, pharmaceuticals and mechanical devices.

He also counsels clients on the development of patent portfolios, the monetization of IP assets through licensing and enforcement, and performs the due diligence associated with IP transactions, mergers and acquisitions. He further prepares and prosecutes patent applications in a variety of technologies relating to biotechnology, pharmaceuticals and chemical processing.

Mr. Shanks earned his J.D., with distinction, from the University of Iowa (1987), and a B.S. from Iowa State University (1985).

Ms. Finan is a patent and trademark attorney who has worked most extensively in the areas of biotechnology, nanotechnology, pharmaceuticals, and medical devices. She advises U.S. and overseas clients in all phases of the patent process, including both U.S. and foreign application and prosecution procedures, through to reexamination, infringement, and validity issues.

Ms. Finan received her J.D. from Widener University School of Law (1993), and a B.S. from Pennsylvania State University (1984).

JOHNSON & ASSOCIATES CHANGES NAME TO JOHNSON, MARCOU & ISAACS, LLC

George Marcou and Bill Isaacs Join Jim Johnson As Equity Partners of Boutique IP Firm
Johnson & Associates, a boutique intellectual property law firm specializing in biotechnology, pharmaceutical, medical device, engineering and computer science patent law, announced today that George T. Marcou and William "Bill" O. Isaacs, II are joining James "Jim" D. Johnson as equity partners of the firm. As a result, the firm is changing its name to Johnson, Marcou & Isaacs, LLC.

Marcou, located in Washington D.C., brings more than 24 years of extensive experience prosecuting and litigating intellectual property rights for both domestic and foreign clients, including client counseling, drafting and prosecuting applications before the United States Patent and Trademark Office, and negotiating licensing agreements. He has drafted a number of validity and infringement opinions and has extensive experience in the litigation of intellectual property rights, including computer software patents.

Isaacs, based in Atlanta, brings more than 13 years of experience in advising clients on a broad range of intellectual property matters, such as patents, copyrights, trademarks, and trade secrets. He focuses primarily on patent issues in the aerospace, mechanical, electrical, software, medical device, and financial services sectors, including the areas of patent prosecution, licensing, client counseling, intellectual property due diligence in corporate transactions, and invalidity, non-infringement, patentability, and freedom-to-operate opinions. Isaacs' experience includes drafting and prosecuting domestic and international patent applications for computer software and hardware, semiconductor lasers and amplifiers, medical lasers, lithotripters and other ultrasound technology, optical systems, medical devices, mobile communications, aerospace systems, financial services, and business methods.

ROBERT STOLL, FORMER U.S. PATENT COMMISSIONER, JOINS DRINKER BIDDLE

Robert L. Stoll, the former U.S. Patent and Trademark Office Commissioner for Patents who was instrumental in the passage of landmark patent reform legislation last year, is joining Drinker Biddle & Reath LLP as a partner in the firm's Intellectual Property Practice Group.

Stoll, a key figure in the USPTO's support of the 2011 America Invents Act's passage and a leader in implementing many of its provisions, has spent his career educating businesses and governments worldwide on the impact patents have on economic development. Based in Drinker Biddle's Washington, D.C., office, Stoll's addition further strengthens the firm's IP practice.

Stoll spent 29 years with the USPTO, serving not only as Commissioner for Patents, but also as Dean of Training and Education, Director of the Office of Enforcement and Administrator of the Office of Legislative and International Affairs. During that time, he developed programs to educate foreign officials on a variety of IP issues, directed the office's federal legislative priorities, led many US delegations to foreign meetings and improved the speed and quality of the patent review process.

WOOD HERRON & EVANS GROWS CINCINNATI OFFICE, THREE ATTORNEYS JOIN PATENT PRACTICE

Wood Herron & Evans LLP, the region's largest intellectual property (IP) law firm, is pleased to announce growth in its Cincinnati office. Three attorneys joined the firm, adding to its industry-leading patent practice.

Lisa M. Allen will support the firm's patent practice in the biotech, chemicals, and materials science fields. Lisa is a native of Kennesaw, GA. She obtained her B.S. in engineering science and French from Vanderbilt and her law degree from Georgetown University.

Derek J. Somogy will support the firm's patent practice in the mechanical arts. He obtained his B.A. in physics from the College of Wooster and his law degree from The Ohio State University.
Jason D. Sopko will support the firm's patent practice in the electrical arts and its litigation team. Jason earned his B.S. in electrical and computer engineering at The Ohio State University and his law degree at Cleveland Marshall. Before joining Wood Herron & Evans, Jason served four years in the U.S. Air Force Judge Advocate General's Corps (JAG).

VALOREM LAW GROUP WELCOMES PATENT LITIGATION ATTORNEY TO FIRM

Martin LeFevour Joins Chicago-Based Litigation Firm

Valorem Law Group is pleased to announce that Martin LeFevour, a veteran patent litigation attorney, has joined the firm. LeFevour has represented entrepreneurs, small businesses and large corporations in patent, trademark and copyright infringement matters, unfair competition and unfair trade issues, trade secret issues and employer-employee disputes involving ownership of rights to intellectual property.

Valorem Law Group is a Chicago-based business litigation firm that is comprised of skilled, courtroom BigLaw refugees who consider themselves revolutionaries, risk-takers and entrepreneurs at their core. Before coming to Valorem, LeFevour was a patent litigator at a large law firm and assisted companies, in various, wide-ranging fields including the optical touch, electronic trading and medical device area with intellectual property matters, patent litigation, patent prosecution and transactional matters, as well as company acquisitions and related due diligence.

DUANE MORRIS NAMES WOODY JAMESON TO HEAD FIRMWIDE INTELLECTUAL PROPERTY PRACTICE

Duane Morris LLP has appointed Louis Norwood "Woody" Jameson, a well-known IP litigator, to lead the firm's nationally ranked Intellectual Property Practice Group. As of January 1, 2012, Jameson succeeded Lewis Gould, Jr., who assumed the chairmanship of the group in 1999 and led it through more than a decade of significant expansion. Jameson is also the managing partner of the firm's Atlanta office.

Duane Morris has 140 intellectual property lawyers, patent agents and support staff working across all intellectual property disciplines and technologies. Industry publications, including Intellectual Property Today, IP Law & Business and IP Law360, have consistently ranked Duane Morris among the leading law firms in the United States handling IP work.

Jameson practices in the area of intellectual property law and litigation with particular emphasis on patent litigation. Early in his career, Jameson litigated a broad range of intellectual property disputes in all areas of patents, trademarks, copyrights and false advertising. Over the last 15 years, his practice has become much more patent litigation oriented, with recurring representations of a number of Fortune 200 companies in defense of patent litigations throughout the United States.

Jameson is a 1988 magna cum laude graduate of the University of Georgia School of Law and a 1984 graduate of the University of North Carolina. Chambers USA: America’s Leading Lawyers for Business included Jameson in its listing of leading IP lawyers in Georgia in 2009, 2010 and 2011.

KENYON & KENYON LLP ANNOUNCES THREE NEW PARTNERS

Kenyon & Kenyon LLP, a leading intellectual property law firm, has announced the election of three new partners: Patrice P. Jean, Ph.D. and Georg C. Reitboeck of the New York office, and Whitney Remily of the Washington, DC office.

New Partners:
Patrice P. Jean, Ph.D., based in the firm's New York office, focuses primarily on patent litigation involving pharmaceutical, chemical and biotechnological inventions. She has been practicing intellectual property law at Kenyon for nearly a decade. Dr. Jean earned a J.D. from Columbia University, a Ph.D. and M.A. in Molecular Biology from Princeton University, and a B.S. in Biochemistry from Xavier University.

Georg C. Reitboeck, based in the firm's New York office, focuses on patent litigation. He joined Kenyon in 2003 and has experience in all phases and aspects of patent infringement cases in US courts. He earned a Ph.D. and masters degree in law from Vienna University and an LL.M. in Intellectual Property and Antitrust Law from New York University. His doctoral thesis on the issue of employee inventions was published in 2003 and has been cited repeatedly by the Austrian Supreme Court.

Whitney Remily, based in the firm's Washington, DC office, counsels chemical and pharmaceutical companies in all areas of patent law. Ms. Remily earned a J.D. from Georgetown University, an M.A. in Organic Chemistry from Johns Hopkins University, and a B.A. with a double-major in Chemistry and Biology from Cornell University.

LOAD-DATE: February 14, 2012
Bhutan, or the “Land of the Thunder Dragon,” is the only remaining Buddhist Himalayan kingdom. Hidden in the eastern Himalayas between Tibet and India, this tiny country is a place of wonder and timeless mystique that few have heard of, and with a tourist tax of $250 per day, few ever have the chance to visit. Bhutanese people are said to be the happiest on earth and instead of measuring its wealth in Gross Domestic Product, Bhutan uses the standard of Gross National Happiness. Despite the kingdom’s fairly recent historical transition from an absolute monarchy to a parliamentary democracy, no formal legal training exists in Bhutan. There are very few lawyers, or “Jabrnis,” and most people appear before the courts pro se. The few Bhutanese lawyers that do exist often receive poor training in India, and are taught little, if anything, about Bhutanese law.

When we learned through the Dean Rusk Center of the Royal University of Bhutan’s efforts to create the nation’s first law school, we naturally leapt at the opportunity to help. The director of the College of Business, Lhato Jamba, recognized the acute need for legal education and created a plan to slowly add law classes to the business school’s curriculum until there are enough classes for a legal program. During our time in Bhutan, Sir Jamba assigned us the task of creating a course book for a future intellectual property class. As is the case in many developing nations, intellectual property is a fairly new area of law in Bhutan. Because of this, intellectual property case law is practically nonexistent, so governing statutes largely guided our research. To supplement our statutory explanations, we utilized non-binding international case law to illustrate various underlying policies.

Undoubtedly the most enriching parts of this fascinating work were the unique memories and relationships that we created. While working in the tiny village of Gedu, strong relationships were easily formed with members of the college. We were two of only a handful of outsiders in the country, so almost everyone that we met had previously heard of us. We went on hikes, visited local temples and were frequently invited for dinner or tea. We also learned to cook Bhutanese and Indian cuisine from friends of ours in the village. Perhaps our most memorable experience was a weekend spent with the college Administration Officer, Jigme Tobgay, and his family at their home near the famous Tiger’s Nest monastery. Simply spending time with Jigme’s family, sitting in their living room, eating traditional dishes and sharing stories allowed us to truly enjoy the Bhutanese way of life.

Through our travels with Sir Jamba, we were also afforded the opportunity to meet various Bhutanese high officials and religious leaders, including a Lama who came to the college for an important ceremony. We dressed in traditional Kira and Gho and were treated as guests of honor, allowing us to take part in the receiving of the Lama, and were seated in an important position directly behind him during the ceremony. These experiences enriched the already rare opportunity to work on the cusp of a developing legal system, and truly offered invaluable understanding and insight into the importance of the complex relationship between culture and law.

Brittany Bolton and James Wilson wearing traditional Bhutanese dress, Kira and Gho
ORROW, Ga., Feb. 1 -- Clayton State University issued the following news release:

The Clayton State University Department of Teacher Education will inaugurate its Education Speaker Series on Monday, Feb. 6 with a talk by this year's Georgia Teacher of the Year, Jadun O. McCarthy, an English Language Arts teacher from Northeast Health Science Magnet High School in Bibb County.

McCarthy's presentation will be from 4:30 p.m. to 5:45 p.m., in the Clayton State Theatre, room 132 of the University's Arts & Sciences Building. This event is free and open to the public.

As Georgia Teacher of the Year McCarthy, a University of Georgia law school graduate, serves as an advocate for public education in Georgia.

"Every child deserves a great teacher. Children don't deserve okay or adequate teachers; every child that walks into a public school deserves a great teacher. I am humbled to be a representative of the tremendous teachers in this state and finalists sitting behind me," he said upon receiving the award. "If we could replicate the teachers in this room we wouldn't need No Child Left Behind because there would be no children left behind."

"Jadun McCarthy is going to be a great representative of the teaching profession in Georgia," adds State School Superintendent Dr. John Barge. "He has such a compelling story about how education has impacted his life."

A product of the Bibb County School District, McCarthy initially was going to pursue a career in law. The night of his graduation from the University of Georgia School of Law, he realized that, instead of working in a system that locks up people, he would rather follow in the footsteps of the people who provided him the tools to be successful; his teachers.

For further information on the Clayton State Education Speaker Series, contact Dr. Ruth Caillouet, chair, Department of Teacher Education, at (678) 466-4741 or RuthCaillouet@Clayton.edu For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

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CLAYTON STATE TO INAUGURATE EDUCATION SPEAKER SERIES WITH GEORGIA TEACHER OF THE YEAR

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ATLANTA - It started out as a one-on-one interview about his latest book, but it ended with former UGA Athletic Director and Football Coach Vince Dooley saying he'd probably fire current University President Michael Adams if he were his boss.

My hypothetical question to the coach was whether he would renew Adams' contract if the roles were reversed.

"I do think that from time to time that it's necessary to move on, to make a change," Dooley told 11Alive News on Thursday.

"He thought in my situation that it was time to make a change and didn't renew mine, so I would say that he's at the point where I could also say the same thing about him," he added.

Dooley insisted his answer was not sour grapes over the fact that Adams did not grant him a contract extension eight years ago.

He devotes several pages to Adams in his new book, "History and Reminiscences of the University of Georgia."

Much of isn't flattering.

He praises his former boss for expanding the university and for his fundraising abilities, but he also borrows several critical quotes from others who have written about Adams.

Like the late Pulitzer Prize winning author...

He also quotes from a column by Boston Globe sports writer Bob Ryan who helped kill any chance Adams had to become NCCA President by calling him "a clever and ruthless politician...not a leader, a schemer and intimidator."

I also asked Dooley about an account in his book where he said Adams seemed to offer to let him keep his job if he would call off an audit by the UGA Foundation.

"Did he flat out ask you to see if you could do something about that?" I asked.

"Well, he did, uh, I felt like he was trying to make a deal with me," Dooley answered.

"He might not feel that way, but I did," he added.

Turns out Dooley had nothing to do with the audit and had no sway over it anyway.

Adams survived the highly critical audit and is as powerful as ever.

In his book, Dooley recounts more than two centuries of UGA history with several other examples of controversy and resignations.

He puts Adams' leadership near the top of the questionable column.

"He's the most controversial President since Alonzo Church and that was back before the Civil War," Dooley said.

In his book he also criticizes how UGA handled one of its biggest controversies, one that cost President Fred Davison his job.

"Because of what was known as the Kemp affair, he ended up resigning," Dooley said.

Davison was forced out in March of 1986 following embarrassing national publicity over remedial English teacher Jan Kemp.

She filed a Federal lawsuit claiming she was fired for blowing the whistle on preferential treatment of athletes.

The university claimed it was for disruptive conduct and failure to conduct adequate scholarly research.

After a jury found in her favor, Kemp won her job back and more than a million dollars in damages.

"The message is to restore academic integrity to the classrooms across the nation," Kemp said at the time of her
February 1986 verdict.

Dooley said he met with Kemp for more than an hour-and-a-half when she first raised her complaints.

"Eighty per cent of the complaints really had no basis at all, but there were some things of concern that really needed to be looked into," he told 11Alive News.

Dooley said the University made a huge blunder by failing to listen to Kemp and by trying to make an example out of her.

"They virtually stonewalled her and I thought that was a bad mistake; the other mistake was going to trial," he added.

Dooley admitted the Kemp scandal hurt UGA's reputation and its recruiting efforts for years, but he's proud that it led to higher academic standards that eventually spread throughout the SEC.

"The rest of the conference adopted what we did, so from that standpoint that was a positive," he added.

Kemp went back to teaching at UGA, but died at age 59 in 2008 from what her son told the Associated Press was complications from Alzheimer's disease.

(One footnote for the record: I covered the Jan Kemp trial and remember people criticizing UGA's law school when Jan Kemp won her case.

What many people apparently didn't know was that the lawyer for the university defendants was a Mercer graduate, hired by Georgia's Attorney General.

Jan Kemp's two attorneys were UGA grads, one a former scholarship athlete in golf, and one taught at UGA's law school.

As my English teacher wife would say, "Now, that's irony." )
Loyola Law School professor argues for diversity in interest of whites...
IS students hold ‘mock trial’ | The Post-Searchlight

Bainbridge, Georgia (GA) – News, Sports, Community Information, Shopping and Deals

Gifts for all Occasions!!!
ATTORNEY FOR THE PROSECUTION, Alex Jacobik, who is interested in pursuing a law degree, receives tips from Judge George Floyd following the mock trial.

By Carolyn lamon
BHS students hold ‘mock trial’

Published 12:32pm Friday, February 3, 2012

Bainbridge High School’s Mock Trial students appeared in court Thursday, with the Honorable Judge George Floyd, State Court of Decatur County, presiding. The practice, or dress rehearsal session, was conducted in the main courtroom of the Decatur County Courthouse in the early evening, as the students went through the procedures of trying a criminal case: State of Georgia vs. Danielle Capulet. The case is pre-scripted by the Young Lawyers Division of the Georgia Bar Association.

Social studies teacher James Robinson advises the students, who are in the final stages of preparing for competition at the regional tournament in Albany, Ga., on Feb. 11.

The students are coached by local attorneys, in an effort to help them gain an understanding of the legal system while developing skills in listening, speaking, reading and reasoning.

Robinson, who has engaged students in mock trial procedures and courtroom protocol for 10 years, said some students sign up just for the experience, while others are interested in pursuing a career in law. One former student, Mellori Lumpkin, went on to study law at the University of California-Berkeley, and another, Claire Whitehead, is currently a student at the University of Georgia, preparing to study law.

The mock trial opened with the prosecution and defense attorneys each presenting opening arguments to the jury, and each side proceeded to make its case by presenting witnesses and entering exhibits into evidence before giving closing arguments.

According to the case’s script, Danielle Capulet was charged with murder, felony murder and aggravated assault in a fatal shooting. The defense team presented the argument that she was only defending the life of her son, while the prosecution claimed the woman loved guns and had a “lust for power.”

Closing arguments were presented and at that point the court was dismissed, without a decision from the jury, as is the mock-trial custom. The “jury” is comprised of attorneys who then critique the students on style.

The team of lawyers for the prosecution were Alex Jacobik, Kayla Wagner and Jill Overman. Thursday’s presenting defense team was James Clemons, Katie Roland and Cassandra Henry. Witnesses for the prosecution were Caitlin Cato, Nikki Catt and Anye Miller. Defense witnesses were Paige Braswell, Ty Jones and Carolyn Nixon, who took the role of the defendant, Danielle Capulet.

Spectators in the courtroom included attorneys and judges of the Bainbridge-Decatur County Bar Association, as well as Judge Ronnie Joe Lane, Donalsonville, of the Pataula Judicial Circuit Superior Court. At the conclusion of the trial, they gave comments and tips for improving the student performances.

Judge Lane said he had previously covered the mock trials and thought the students this year showed improvement over past years.
"One objection I'd have made was that you weren't asking questions...you were testifying...making statements, instead of asking questions," Lane said. "That would be objected to in a real court."

"Lawyers ask questions and witnesses give answers," he explained as he also gave suggestions concerning voice inflection and body language or movement techniques.

District Attorney Joe Mulholland, of the South Georgia Judicial District, also gave some tips for the "attorneys," saying that the biggest thing to work on is dealing with adversity.

"It's important to be able to adapt to what others (witnesses) say and come up with something on the fly," he said. Mulholland said he has judged the finals in past years and he believes this team has the ability to do well.

Superior Court Judge Wallace Cato told the students, "You guys did a good job. I'm very impressed with the presence of mind shown. The first time I tried a case I was scared to death, and my knees were shaking."

He then advised them to walk and move proudly and with assurance. "From the time you enter the courtroom the spotlight is on you," he said. "All eyes are watching you, especially the members of the jury." He concluded his remarks by saying, "All in all I was very impressed. Some of you did better than some lawyers I know."

Judge Floyd concluded by saying it was obvious the students have put a lot of work into the case and emphasized the suggestions given are only meant to help them. He was complementary of the use of objections and responses made by both the prosecution and defense teams.

The Bainbridge High School Mock Trial team is sponsored financially by the Bainbridge Decatur County Bar Association and the Decatur County Schools Foundation.
Palmer enters race for judge

BY ALEX MCRAE

The Newnan Times-Herald

Emory Palmer has announced his campaign for Superior Court Judge in the Coweta Judicial Circuit. Palmer is seeking the office currently held by Superior Court Judge Allen B. Keeble, who is retiring at the end of the year. The election will be held on July 31.

The Coweta Judicial Circuit includes Coweta, Carroll, Heard, Meriwether and Troup counties. Currently there are two candidates, Palmer and a current senior assistant district attorney, Kevin McMurry.

"I appreciate Judge Keeble's years of service on the bench," Palmer said. "My committee and I have been working behind the scenes but wanted to wait until Judge Keeble formally announced his retirement before coming out publicly. Now that Judge Keeble has done that, I am excited to announce my campaign for Superior Court judge, and I look forward to working hard and earning the trust and support of the people of the circuit."

"I have decided to run for this seat because of my deep devotion to the highest ideals of the law and my commitment to giving back to a community that has given so much to me," he said. "Any success I have had in life is a direct result of being raised here and around the people in this circuit. I have a deep love for this place and want to use my talents to benefit the people of this community by serving as Superior Court judge."

"I firmly believe we need a judge who is experienced, fair yet tough, and committed to justice while treating everyone before the court with dignity. Most importantly, we need a judge who is ready to make the tough decisions."

Palmer plans to host a kick-off fundraiser in Newnan this month and announced the formation of a 45-member campaign steering committee, including community leaders from every county in the circuit.

Committee chairman, Newnan attorney Taylor Drake, said, "Emory will be an excellent judge. He has a keen mind, a solid sense of fairness and an abundance of common sense. As a citizen and a lawyer, I am so pleased that someone as qualified as Emory is seeking a public service position that means so much to our community."

LaGrange Attorney Matt Alford is the committee's treasurer. "Emory has the right experience and the
right character for this job," Alford said. "We need Emory on the bench and that's why I have committed to working hard to help him win this election."

Carrollton Attorney Tommy Greer, also a member of Palmer's committee, said, "Emory has the temperament and the right experience for a Superior Court judge. The circuit needs him on the bench. I plan to work hard to help him get there."

Palmer enlisted in the United States Marine Corps after graduating from Newnan High School in 1987. During four years in the Marine Corps Palmer earned parachutist wings and served an extended tour during Operation Desert Shield/Desert Storm. During Desert Storm he was deployed with the Marine Corps Signals Intelligence detachment for the 13th Marine Expeditionary Unit and participated in amphibious operations in Kuwait and the Persian Gulf.

Palmer attended West Georgia College and graduated from Georgetown University with a B.S. in International Affairs. He earned his law degree from the University of Georgia.

In 1999, Palmer was admitted to practice law in Georgia and is currently admitted in all Georgia state courts, the United States District Court for the Northern and Middle Districts of Georgia, and the 11th Circuit Court of Appeals.

Palmer has been admitted pro hac vice in numerous state and federal jurisdictions in all parts of the country. Palmer has been a partner at the firm Carr & Palmer since 2003 and has tried cases all over Georgia. His practice focuses on litigation, including trials and appeals of complex commercial litigation and professional liability cases.

He is a member of the State Bar of Georgia, Coweta Bar Association, Atlanta Bar Association and the Defense Research Institute. Palmer was named a Rising Star by "Super Lawyer" in 2006 and 2009, a Legal Force "Best Lawyer in Atlanta" and is a Georgia Supreme Court Approved Mentor.

Palmer and Jennifer, his wife of 13 years, reside in Newnan and have two sons who attend Coweta County schools. They are active members of Newnan First United Methodist Church, where Palmer teaches Sunday school and served for several years on the administrative board.

Palmer is a Cub Scout Den Leader for the Boy Scouts of America, Pack 41 and has coached baseball and football teams for both sons. The Palmers are active supporters of Angel's House, where Jennifer serves on the board.
Celebrated teacher to speak at Clayton State

By Jeylin White (150)

"Every child deserves a great teacher," declared Georgia's Teacher Of The Year award winner.

"Children don't deserve OK, or adequate, teachers. Every child that walks into a public school deserves a great teacher."

The educator who made that declaration is Jadun McCarthy, an English Language Arts teacher at Northeast Health Science Magnet High School, in Bibb County. He is scheduled to be the keynote speaker for Clayton State University's "Education Speaker Series" on Monday, Feb. 6. The event is free, and open to the public.

It will be held from 4:30 p.m., to 5:45 p.m., in the Clayton State Theater, room 132 of the University's Arts & Sciences Building, and is sponsored by the Teacher Education Department.

McCarthy is a native of the Bibb County School District, who changed his mind about pursuing a career in law, to focus on becoming a teacher. It was during his graduation from the University of Georgia School of Law, he said, when he realized his dream was to become a teacher.

"As Georgia Teacher of the Year, McCarthy will serve as an advocate for public education in Georgia," said Clayton State University Spokesman John Shiffert. "Instead of working in a system that locks up people," said Shiffert, "[McCarthy] said he would rather follow in the footsteps of the people who provided him the tools to be successful — his teachers."

"I wanted to have the same influence on someone that many of my wonderful teachers had on me," said McCarthy. "I wanted to stop some young man, or young woman, from stumbling onto the wrong path."

McCarthy serves as the head coach of his school's Academic Bowl Team, is chairman of the school's "Bridging the Gap," Eight-Step Process Achievement Initiative team, and is a member of the Georgia Association of Educators.

According to the Department of Education's web site, since 2007, he has been
recognized each year as one of Northeast High School’s End of Course Test Start Teachers. He also serves as the Junior and Senior Class Advisor, coordinates the Junior/Senior Prom and all Senior activities, including the annual Senior Class Trip to Orlando. Students have recognized him as the 2008, 2009, and 2010 Advisor of the Year.

#At the banquet where he was announced as the state’s leading teacher, McCarthy told a room full of teachers and dignitaries he was humbled to be a representative for the “tremendous teachers” in the state of Georgia, and commended the other teachers — present at the event — on their hard work and dedication.

#“If we could replicate the teachers in this room, we wouldn’t need No Child Left Behind — because there would be no children left behind,” he said at the ceremony.

#“Jadun McCarthy is going to be a great representative of the teaching profession in Georgia,” added State School Superintendent John Barge. “He has such a compelling story about how education has impacted his life.”

#As Georgia Teacher of the Year, McCarthy will represent Georgia teachers by speaking to the public about the teaching profession, and possibly conducting workshops and programs for educators. He will also compete for the 2012 National Teacher of the Year honor.

#For more information on the Clayton State Education Speaker Series, contact Dr. Ruth Caillouet, chairperson, Department of Teacher Education, at (678) 466-4741, or at: RuthCaillouet@Clayton.edu.
People You Should Know: Joan T.A. Gabel

By CBT Staff
Dean, University of Missouri Trulaske College of Business

Job description:

My job is hard to describe, but I am responsible for the success of the Trulaske College of Business as an academic unit, a community partner and as a component of the university as a whole. My priorities include cultivating an environment of learning and innovation for our students, recruiting and retaining excellent faculty and nurturing their research, building partnerships with the business community, strengthening alumni engagement and generating support for all of the above.

Years lived in Columbia:

Almost two years.

Original hometown:

I was born in New York City but grew up in Atlanta.

Education:

I received a bachelor’s degree in philosophy from Haverford College and a doctorate of law degree.
Community involvement:

I serve on a series of University of Missouri committees, including my role as co-chair of the Law School Dean Search Committee, member of the Center for Digital Globe Executive Board, and member of the Missouri Innovation Center Advisory Board, among others. I am also a member of the Emerging Issues Committee with the Columbia Chamber of Commerce and a member of the Mid-Missouri Entrepreneurial Summit 2012 Planning Committee. I’m in the early stages of a working relationship with the Assistance League. But truly, my community involvement is focused on supporting my kids’ activities around town.

Professional background:

I served previously as a DeSantis professor and chair of the Department of Risk Management/Insurance, Real Estate & Legal Studies at the Florida State University (FSU) College of Business. I was also director of international relations for the College of Business at FSU. I joined FSU in 2007 after serving on the faculty of the Robinson College of Business at Georgia State University for 11 years. At Georgia State, I was the interim director of the Institute of International Business and faculty director of the Atlanta Compliance and Ethics Roundtable.

A favorite recent project:

A point of pride for the Trulaske College of Business and for me is the creation and establishment of our new execMBA Program, scheduled to usher in the first class of students this fall. The program is innovative and exciting, allowing us to serve a whole layer of working professionals here and beyond whom we were previously unable to touch. I am also proud of the Entrepreneurship Alliance (EA), sponsored by David Spence, which launched last fall. The EA engages students from across campus in our University-wide entrepreneurship minor focused on experiential learning opportunities that develop future entrepreneurs and leaders across disciplines.

A Columbia businessperson I admire and why:

There are several. It is hard to choose among so many leaders with such success and high character. What I especially admire is that in Columbia, we have a vibrant culture of community partnership. For example, leaders at Shelter Insurance, the major banks and accounting firms, among others, partner with us on research and student programs. With regard to entrepreneurship, this city has cultivated remarkable successes with businesses such as MBS Textbook Exchange, JES Holdings, Maly Realty, Veterans United Home Loans and others. I admire the entrepreneurs who are creating exciting new projects, including Brian Null of Mo.com and The League of Innovators, housed in Museo and led by Brent Beshore. I am also so pleased that Tim Wolfe, an accomplished business leader and a Trulaske College of Business alumnus, is now leading the University of Missouri System. What they’ve all done is great, but what I admire is that they give back and work with us to develop the next generation, and that’s really something.

Why I’m passionate about my job:

from the University of Georgia.
I think I have the best job in the world. Not only do I work with accomplished and intelligent people, but I also interact with and influence the next generation of business leaders. Life is never dull, and the work is incredibly rewarding.

**Biggest career obstacle I’ve overcome and how:**

Before coming to the University of Missouri to interview, I had never set foot on campus. As a new face, I had a steep learning curve to climb. I have been working to acclimate to the university community and establish partnerships with my peers and colleagues. I am very lucky to be part of a supportive network.

**What people should know about this profession:**

It’s a difficult job with many moving parts. The reward of seeing each graduating class, each new program and each impactful faculty publication is more than sufficient. It’s a fantastic profession.

**What I do for fun:**

I travel with my family, I read and I walk MKT Nature and Fitness Trail.

**Family:**

My husband, Gary, is an assistant principal at Gentry Middle School. We have three children who are happily enrolled in the Columbia Public Schools.

**Favorite place in Columbia:**

I love Kaldi’s Coffeehouse. Not only does the place have a great vibe, but its policies on fair trade sourcing and commitment to environmental stewardship are commendable. Plus Kaldi’s was founded by a highly engaged Trulaske College of Business alumna, Tricia Zimmer Ferguson.

**Accomplishment I’m most proud of:**

Personally, I am most proud of my family. Professionally, without a doubt the offer of deanship for the Trulaske College of Business was my proudest moment. It feels like the culmination of much hard work.

**Most people don’t know that I:**

I grew up in a household of football and baseball fans, and the first basketball game I ever attended was here at Mizzou. It’s easy to add basketball to the sports I already enjoy in a place like this.

**Department:**
Professor sees diversity's benefits

By MEAGAN FRYE - news@onlineathens.com

Published Friday, February 3, 2012 Updated: Saturday, February 4, 2012 - 12:04am

Diversity in the classroom benefits white students as much or more than it does minority students, an expert told a crowd gathered at the University of Georgia’s North Campus Chapel on Thursday evening.

Professor Robert Garda, an expert in education law from Loyola University’s New Orleans College of Law, spoke on "The Benefits of Diversity for White Students," a lecture hosted by the UGA School of Law and College of Education, focusing on academic and social benefits white students receive in multiracial schools.

Garda became interested in multiracial diversity when he and his wife were forced to decide whether their daughter would attend private or public schools.

His wife was pushing for private school, while he learned toward public school. When searching for statistics, he was surprised by how little he found. During his fact-finding mission, he did find a few Supreme Court cases that stated diversity helps whites learn because classroom discussion is livelier, more spirited and more enlightening.

He also discovered that 553 social scientists concluded diversity promotes complex and critical thinking. White children in multiracial schools also tend to have higher math scores than students who attend private school.

“We are all biased, but we can be fixed,” Garda said. Bias is automatic and exists across all racial and ethnic groups, he said.

The brain automatically categorizes information, which can lead to generalizations and negative stereotyping. This bias can be reversed.
Professor sees diversity's benefits

if a child is immersed in a multicultural setting early, he said.

"Integrated schools eliminate bias and reduce racial stereotypes," Garda said, "and these benefits spill over into the business world."

Businesses need leaders who have had experience with diversity, not just people who are from minority groups, he said.

Employees with cross-cultural competence, a term which Garda describes as being able to adapt to new ideas and social situations, are essential for a business to be profitable. Today, one-third of the people entering the workforce are minorities, but that figure will grow to more than half in the next 40 years. Businesses are seeking out minorities and diverse groups, and it is more important than ever to be comfortable in multicultural and multiracial settings.

"If your kid is someone who is someday hiring, you want them to be able to see the quality of the candidate instead of the color of their skin because they're going to have a lot of colorful candidates. It is critical they can see the quality through the color," Garda said.

Cross-cultural competence is a critical human resource requirement for corporations that have espoused a global business strategy, and multi-cultural skills will help a person move up the career ladder.

However, Garda pointed out, schools today are still segregated by race.

"Our schools are more segregated today than they were in the '60s," Garda said, "yet our country is more diverse than it's ever been."

To be more cross-cultural, people should support voluntary integration plans and consider diversity when choosing schools and neighborhoods, Garda said.

Garda eventually won his argument for his daughter to attend public school. He said she is loving the contacts she has been able to make there, where her best friend is Asian.
Alvan Arnall

Family-Placed Death Notice

ARNALL, Alvan ALVAN ARNALL Newnan. Alvan Arnall passed away Friday, February 3, 2012. He was born in Newnan, Georgia on February 24, 1938. He was the son of Ellis Gibbs Arnall and Mildred Siernons Arnall. He was a graduate of Staunton Military Academy, The University of the South, where he was a member of Kappa Alpha Order Fraternity, and the University of Georgia Law School, where he was a member of the Phi Delta Phi Legal Fraternity. Having completed Marine Corps Officer Candidates School during several summer sessions during college, he thereafter served three years active duty as an officer in the U.S. Marine Corps during which time he was twice promoted. Following Marine Corps service, he engaged in the practice of corporate law with Arnall Golden Gregory for thirty-two years retiring at the end of 1998. He was a member of the State Bar of Georgia and had been a member of the Atlanta and American Bar Associations. Mr. Arnall was admitted to practice before various courts including the United States Supreme Court. Having been active as a lawyer in the frozen food industry, he was a member of the Distinguished Order of Zerocrats and the Honorable Order of Golden Penguins. He was a founding member of the Georgia Innocence Project and served as Chairman of the Marine Corps Association of Georgia Lawyers. He was active with the Atlanta Volunteer Lawyers Foundation and the Legal Clinic for the Homeless. He was a member of Trinity Presbyterian Church, an honorary life member of the Piedmont Driving Club, American Legion Post 140, the Honorable Order of Kentucky Colonels, the Hardeman Province Court of Honor of the Kappa Alpha Order, and numerous other organizations. Mr. Arnall is survived by his wife, Carol Lowry Arnall; daughter, Ashley Arnall Felton; son, Taylor Gibbs Arnall, and beloved grandchildren, Jackson Taylor Felton, Benjamin Arnall Felton, and Caroline Delaney Felton. Receiving of friends will be Tuesday, February 7 at 12:00 at Trinity Presbyterian Church followed by a Memorial Service at 1:00. In lieu of flowers, donations may be made to a charity of your choice.

Published in The Atlanta Journal-Constitution on February 5, 2012
James V. Painter Successfully Defends Plastic Surgeon in Medical Malpractice Claim
PRWeb
Published 04:35 p.m., Monday, February 6, 2012

Hull Barrett, PC successfully represents physician in wrongful death suit.

Augusta, GA (PRWEB) February 06, 2012

In 2006 the plaintiff's spouse sustained a chemical burn to his lower leg and foot while at work. During the first visit to the operating room Hull Barrett's client excised the dead tissue and put cadaver skin over the burn. After several post operation days the client felt the wound was not healing and after consultation with the patient a grafting procedure was performed. The patient died post-surgery and a wrongful death suit was filed. (Case Number: 2008RCCVO1821)

James V. Painter led the successful defense of the client against the plaintiff's claim that her husband lost his life due to the client's alleged failure to obtain an appropriate patient history; failure to evaluate the specific and increased risk factors for deep vein thrombosis and pulmonary embolism; and failure to treat the patient with measures to decrease the risk of deep vein thrombosis and pulmonary embolism. Mr. Painter filed a Motion to Dismiss showing through expert witnesses that the standard of care was met in the treatment of the patient. Expert witnesses who were deposed recognized this as an exceptionally rare case and noted that the clot most likely was not formed from the surgery and therefore prophylaxis would not have changed the unfortunate outcome. The motion also was based upon an assertion that Plaintiff's expert witness was not qualified to give opinions as to the standard of care applicable to the client. According to court documents, the expert was not qualified under O.C.G.A.§24-9-67.1, the motion was granted and Hull Barrett, PC's client and his group were dismissed from the suit. The ruling was not appealed. (Superior Court of Richmond County Georgia/Case Number: 2008RCCVO1821)

Mr. Painter graduated from The University of Georgia School of Law in 1994 and is admitted to practice in Georgia, South Carolina and New York. Chairman of Hull Barrett's litigation department and team leader of the firm's medical negligence practice group, Mr. Painter's practice focuses on representing hospitals, physicians, nursing homes and other health care providers throughout Georgia and South Carolina. From pre-suit investigation through final judgment, Mr. Painter has obtained numerous medical malpractice defense verdicts in State and Federal Courts. He also handles comprehensive general insurance defense, including suits involving allegations of premises liability, product liability, defamation, breach of contract, worker's compensation, and automobile and trucking liability. Mr. Painter is a diplomat in medical professional liability with the American Board of Professional Liability Attorneys (ABPLA) and has been recognized by his peers for inclusion in Georgia Super Lawyers & The Best Lawyers in America® in the field of medical malpractice law.
About Hull Barrett, PC
Hull Barrett, PC is a full service law firm with 27 attorneys with offices in Augusta and Evans, Georgia, and Aiken, South Carolina. The firm is engaged in a general civil practice providing a broad range of legal services with an emphasis on general litigation, trials and appeals; securities and corporate law; mergers, acquisitions and public offerings; local government law and eminent domain actions; health care; intellectual property; taxation; public finance; commercial real estate; construction law and disputes; employment law; banking law; insurance law; trusts, estate planning and probate; First Amendment and media law; medical malpractice defense and environmental matters. Hull Barrett represents a broad client base of major corporations, small businesses, professional entities, financial and lending institutions, local governments, public authorities, public utilities, railroad companies, insurance companies, health care institutions and individuals.

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For the original version on PRWeb visit: http://www.prweb.com/releases/prwebTop-Law-Firm-GA/Medical-Malpractice/prweb9165593.htm
Eugene H. Methvin, 77, a veteran editor and writer in the Washington bureau of Reader's Digest whose stories included organized crime, civil liberties and international affairs, died Jan. 19 at his home in McLean.

He died of complications related to dementia, said his daughter Helen Methvin Payne.


He began his Washington journalistic career in 1958 as a general assignment reporter with the old Washington Daily News. In 1960, he joined Reader's Digest, where he remained on the staff until 1996. Mr. Methvin was a contributing editor to the magazine for six more years until retiring in 2002.

In those 42 years, Mr. Methvin contributed more than 100 articles to the magazine. A 1965 article, titled “How the Reds Make a Riot,” won a public service award in magazine journalism given annually by the Society of Professional Journalists.

Eugene Hilburn Methvin was born in Vienna, Ga., where his parents published a weekly newspaper. He graduated in 1955 from the University of Georgia, where he played football. He did postgraduate study at the University of Georgia law school, then served three years in the Air Force as a fighter pilot.

Mr. Methvin was a past president of the Washington chapter of the Society of Professional Journalists, which in 1995 named him to its hall of fame. He was a member of Immanuel Presbyterian Church in McLean.

His wife of 41 years, Barbara Lester Methvin, died in 2000 after being struck by a car as she crossed the street in front of their home.

Survivors include two daughters, Helen Methvin Payne of Arlington and Claudia Methvin of Edinburg, Va.; and two granddaughters.
— Bart Barnes

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Health-Care Case Tests Supreme Court’s Ban on Live Broadcasts

By Seth Stern - Feb 6, 2012

The historic U.S. Supreme Court battle over President Barack Obama’s signature health-care legislation -- with 5 1/2 hours of arguments planned over three days on a matter that affects every American and may influence the 2012 elections -- will test the justices’ refusal to allow live broadcasts of their proceedings.

Lawmakers and media organizations are pressing for live television coverage, or failing that, live audio, in a case that will determine whether the government can force people to obtain insurance. The length of the arguments has few precedents in modern court history, and the case will be the court’s highest profile since the battle between George W. Bush and Al Gore in the 2000 presidential election.

“This is the focusing event and this puts more pressure on the court just because of the high level of interest,” said Lawrence Baum, a political science professor at Ohio State University in Columbus.

The court has given no indication it will relent on its ban of live broadcasts, and court observers said it’s unlikely. Even as Americans have come to expect live coverage of news events, the justices have made their marble courtroom a technology-free zone, barring spectators from using recording devices, telephones and cameras. The court releases its own audio recordings at the end of the week and has never allowed video, even on a delayed basis.

National Interest

Justices are considering requests from a dozen lawmakers and more than 30 media organizations, including Bloomberg News, seeking live coverage. They say that there’s a strong national interest in watching live arguments over an issue that touches everyone and affects the economy and presidential election.

Arguments over the health-care law should be broadcast live because the 2010 measure is “the most sweeping thing that’s passed Congress since Medicaid, Social Security and civil rights,” said Senator Charles Grassley of Iowa, the top Republican on the Senate Judiciary Committee.
“It will take the mystery out of the court system and help educate people about the judicial branch like they’re educated about Congress now that Congress is televised,” Grassley said in an interview.

There’s no established procedure for how the court would decide whether to allow live broadcasts. All nine justices probably will make the decision behind closed doors, said Richard Davis, a political science professor at Brigham Young University in Provo, Utah and author of “Justices and Journalists: The U.S. Supreme Court and the Media.”

**TV Concerns**

If there’s not unanimous agreement, the court probably would defer to those members who object, said Barbara Perry, a Supreme Court scholar and professor at the University of Virginia in Charlottesville.

Chief Justice John Roberts said at his 2005 Senate confirmation hearing that he wanted to listen to his colleagues’ views on cameras before taking a position. He didn’t give his position on live audio. A year later, he said at a judicial conference that some of his colleagues had concerns over television coverage and its affect on the court as an “institution.”

“We’re going to be very careful before we do anything that we think might have an adverse impact,” Roberts said at the judicial conference in Huntington Beach, California.

Justice David Souter, who retired in 2009, said at a 1996 House hearing: “The day you see a camera come into our courtroom, it’s going to roll over my dead body.”

**Legal Entertainment**

Other justices to raise concern about cameras include Stephen Breyer, Anthony Kennedy, Antonin Scalia and Clarence Thomas. Kennedy and Thomas said at a House hearing in 2007 that they feared cameras would change the dynamic among the justices and strip them of their anonymity.

“There’s something sick about making entertainment about real people’s legal problems,” Scalia said in a 2005 interview with CNBC. “I don’t like it in the lower courts and I don’t particularly like it in the Supreme Court.”

Courts around the country have gradually become more open over the years. All 50 states have let television cameras in at least some court proceedings, according to a state-by-state breakdown on the Radio Television Digital News Association’s website. Cameras are allowed in two federal appeals courts, and, on an experimental basis, in 14 trial courts.

C-SPAN, which decades ago began live television coverage of Congress after overcoming
lawmakers’ opposition, is among those pressing justices for live video.

The Supreme Court is more likely to allow live audio than live television coverage, said Davis, the Brigham Young professor. Still, he predicted the justices wouldn’t allow either option, saying they prefer to work out of the spotlight.

**Mocking and Ridicule**

“In personal terms, it means their faces and their voices will be out here much more than they are now,” Davis said. “They’re afraid the anonymity they have will be lost. They’re afraid those clips will appear on the Daily Show with Jon Stewart or the Colbert Report or maybe show up on the Letterman show and they’ll be mocked, ridiculed or derided.”

Grassley is pushing legislation requiring the court to allow cameras unless a majority of justices conclude that the coverage would violate a party’s rights to due process. Similar measures haven’t advanced in Congress in previous years.

A law requiring the Supreme Court to televise its proceedings “is likely to raise a significant constitutional issue,” said Judge Anthony Scirica of the U.S. Court of Appeals for the Third Circuit at a Senate hearing on the bill in December.

**2000 Election**

The Supreme Court began audio recording oral arguments in 1955, and made a practice of not releasing tapes until the beginning of the subsequent nine-month term. Justices made exceptions.

In 2000, when the court heard arguments in the presidential election dispute over vote counting in Florida, justices released an audio recording as soon as the session ended. The court also released same-day audio in more than 20 other high-profile cases in subsequent years.

In 2010, the court began posting audio on its website at the end of weeks when it hears arguments. Since then, the justices haven’t done any same-day audio releases to avoid being in the “awkward position of deciding which cases are of high public interest,” said Sonja West, a law professor at the University of Georgia in Athens who clerked for retired Justice John Paul Stevens.

**States’ Challenge**

Justices will hear arguments in the health-care case -- which pits the Obama administration against 26 states -- from March 26 to March 28, an unusual series. Justices generally hear arguments for a single hour in each case.

The court will consider whether Congress overstepped its authority by requiring Americans to
acquire health insurance or pay a penalty. Republican presidential candidates repeatedly have criticized the measure and demanded its repeal. However the court rules during the presidential contest underway, it will become a central issue of the 2012 campaign.

Still, even with the ramifications of the health-care case, the court probably won't want to go beyond its precedent of releasing same-day audio, said Jerry Goldman, a professor at the Chicago-Kent College of Law and director of the Oyez Project, a multimedia archive devoted to the Supreme Court.

"If it worked you might as well do it again -- I think that's how the thinking would go," Goldman said.

To contact the reporter on this story: Seth Stern in Washington at ssstern14@bloomberg.net

To contact the editor responsible for this story: Steven Komarow at skomarow1@bloomberg.net
Famous Boy Scouts (Photos) List; Baseball all-time No. 2 home run leader - Hank Aaron: the hammer

by Jim Brogan

Famous Boy Scouts List; Baseball all-time No. 2 home run leader - Hank Aaron: the hammer.

February 8 is Boy Scouts Day, which marks the founding of the Boy Scouts of America. It is the group's 102nd birthday.

Many notable Americans are former Boy Scouts or Eagle Scouts. Can you guess who they are?

The Boy Scout Organization works with boys from seven to eighteen years of age. Their mission is to develop physical fitness, to train boys to become good citizens, and to build good moral character. In order to become a member of the Boy Scouts, one must agree in writing to adhere to the values of the organization, which were delineated in 1911 in the Scout Law and the Scout Oath.

Scout Law
A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent.

Scout Oath
On my honor, I will do my best to do my duty to God and my country; To obey the Scout Law; To help other people at all times; To keep myself physically strong, mentally awake and morally straight.

Aaron, Henry "Hank"
Hall of Fame Baseball player, home run king - the Mobile Press Register quoted Henry as saying that the greatest positive influence in his life was his involvement in scouting. Also President of the Atlanta Braves Baseball Team (Eagle Scout)

Ackerman, Gary L.
U.S. Representative from New York (Eagle Scout)

Adamson, James Craig
Retired US Army Colonel and Astronaut who flew on Space shuttle missions STS-28 and STS-43 (Eagle Scout)

Alexander, Jr., William Vollie
U.S. House of Representative for Arkansas from 1969 to 1993 (Eagle Scout)

Alexander, Andrew Lamar

Amend III, William J. C.
American cartoonist born in Northampton, Massachusetts, known for the comic strip "FoxTrot". (Eagle Scout)
<table>
<thead>
<tr>
<th>Name</th>
<th>Role/Bio</th>
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</thead>
<tbody>
<tr>
<td>Anderson, Gary L.</td>
<td>US Rep from New York (Eagle Scout)</td>
</tr>
<tr>
<td>Anderson, Richard Dean</td>
<td>Actor, best known for his role as MacGyver in the 1985 to 1992 TV series, taught Reptile Study in Boy Scouts.</td>
</tr>
<tr>
<td>Armstrong, Neil</td>
<td>Astronaut, first man on the moon, from Wapakoneta, OH (Eagle Scout)</td>
</tr>
<tr>
<td>Ashton, Marvin Jeremy</td>
<td>May 6, 1915 - February 25, 1994) Member of the Quorum of the Twelve Apostles of The Church of Jesus Christ of Latter-day Saints, Utah State Senator, recipient of the Distinguished Eagle Scout Award, the Silver Beaver and the Silver Antelope. (Eagle Scout)</td>
</tr>
<tr>
<td>Attenborough, Sir David</td>
<td>Naturalist, TV Personality (UK)</td>
</tr>
<tr>
<td>Augustine, Norman Ralph</td>
<td>Aircraft businessman and former CEO of Martin Marietta Aerospace, recipient of the Distinguished Eagle Scout Award and was the National BSA President from 1994 to 1996. (Eagle Scout)</td>
</tr>
<tr>
<td>Bagian, James Philipp</td>
<td>Physician and Astronaut on shuttle missions STS-29 and STS-40. (Eagle Scout)</td>
</tr>
<tr>
<td>Barber, Charles F.</td>
<td>CEO of American Smelting &amp; Refining</td>
</tr>
<tr>
<td>Barry, Jr., Marion Shepilov</td>
<td>Former Mayor of Washington DC from 1979 to 1991, arrested in 1990 on drug charges (smoking crack). Barry served 6 months in prison, but was elected to the D.C. council in 1992 (Eagle Scout)</td>
</tr>
<tr>
<td>Bass, Harry Brinkley</td>
<td>July 4, 1916 - August 20, 1944) World War II Navy fighter pilot killed in action over Vanosc, France, awarded the Navy Cross twice and the Silver Star. (Eagle Scout)</td>
</tr>
<tr>
<td>Belle, Albert Joquan</td>
<td>Played baseball for the Cleveland Indians, Chicago White Sox, and Baltimore Orioles. One of the leading sluggers of his time, in 1995 he became the first player to hit 50 doubles and 50 home runs in a single season. (Eagle Scout)</td>
</tr>
<tr>
<td>Bennett, Charles Edward</td>
<td>U.S. Representative from Florida, recipient of the Distinguished Eagle Scout Award (Eagle Scout)</td>
</tr>
<tr>
<td>Bentson, Jr., Lloyd Millard</td>
<td>(February 11, 1921 - May 23, 2006) Former Secretary of the Treasury and Former U.S. Senator from Texas, recipient of the Distinguished Eagle Scout Award (Eagle Scout)</td>
</tr>
<tr>
<td>Bennett, William</td>
<td>Former U.S. Secretary of Education, (Eagle Scout)</td>
</tr>
<tr>
<td>Bennett, William</td>
<td>Former U.S. Secretary of Education (Eagle Scout)</td>
</tr>
<tr>
<td>Beyer, Dick</td>
<td>Retired professional wrestler, schoolteacher and coach football, wrestling and swimming, best known by his ring names, &quot;The Destroyer&quot; or &quot;Doctor X&quot; who wore a wrestling mask. (Eagle Scout)</td>
</tr>
<tr>
<td>Bingaman, Jr., Jesse &quot;Jeff&quot; Francis</td>
<td>US Senator New Mexico, and former Attorney General of New Mexico (Eagle Scout)</td>
</tr>
<tr>
<td>Bishop, Arthur Gary</td>
<td>(1951-1988) was a child molester and serial killer from Herrickley, Utah. (Eagle Scout)</td>
</tr>
<tr>
<td>Bishop, Jr., Sanford Dixon</td>
<td>Democratic member of the US House of Representatives since 1963, representing the 2nd District of Georgia (Eagle Scout)</td>
</tr>
<tr>
<td>Bloomberg, Michael Rubens</td>
<td>Mayor of the City of New York, his networth is said to be $5 billion Dollars and he was ranked 44th by Forbes Magazine in its list of 400 Richest Americans in September 2006. (Eagle Scout)</td>
</tr>
<tr>
<td>Bonesteel II, Charles H.</td>
<td>Military Commander, U.S. Forces, Korea (Eagle Scout)</td>
</tr>
<tr>
<td>Bowersox, Kenneth Duane &quot;Sox&quot;</td>
<td>American Astronaut, test pilot and Navy Captain, veteran of seven space flights (Eagle Scout)</td>
</tr>
<tr>
<td>Bowie, David</td>
<td>Singer, Song writer and Musician, was a member of Scouts UK</td>
</tr>
<tr>
<td>Bradley, William &quot;Bill&quot; Warren</td>
<td>Pro Basketball Star, named All-American multiple times, and U.S. Senator from NJ, recipient of the Distinguished Eagle Scout Award (Eagle Scout)</td>
</tr>
<tr>
<td>Name</td>
<td>Description</td>
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<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Brady, James Scott, Jim</td>
<td>Press Secretary to U.S. President (Eagle Scout)</td>
</tr>
<tr>
<td>Breuer, Stephen</td>
<td>US Supreme Court Justice (Eagle Scout)</td>
</tr>
<tr>
<td>Brown, Sherrod</td>
<td>Congressman, Ohio 13th (Eagle Scout)</td>
</tr>
<tr>
<td>Buffett, Jimmy</td>
<td>Recording Artist, Musician and Singer</td>
</tr>
<tr>
<td>Bush, George W.</td>
<td>43rd U.S. President (Cub Scout)</td>
</tr>
<tr>
<td>Caniff, Milton A.</td>
<td>&quot;Steve Canyon&quot; Comic Strip Artist (Eagle Scout)</td>
</tr>
<tr>
<td>Carlsson, Ingvarியর</td>
<td>Prime Minister of Sweden</td>
</tr>
<tr>
<td>Carnahan, Russ</td>
<td>Congressman, Missouri 3rd (Eagle Scout)</td>
</tr>
<tr>
<td>Clinton, Bill</td>
<td>42nd U.S. President (Cub Scout)</td>
</tr>
<tr>
<td>Conable, Barber B.</td>
<td>President of the World Bank and Congressman (Eagle Scout)</td>
</tr>
<tr>
<td>Cochran, Thad</td>
<td>US Senator from Mississippi (Eagle Scout)</td>
</tr>
<tr>
<td>Creighton, Jr., John W.</td>
<td>President &amp; CEO of Weyerhaeuser Company (Eagle Scout)</td>
</tr>
<tr>
<td>Cronkite, Walter</td>
<td>Journalist, TV News Commentator</td>
</tr>
<tr>
<td>Dannemeyer, William E.</td>
<td>US Representative from California (Eagle Scout)</td>
</tr>
<tr>
<td>Daughtridge, Bill</td>
<td>North Carolina House of Representatives (Eagle Scout)</td>
</tr>
<tr>
<td>DeVries, William C.</td>
<td>M.D. who transplanted the first artificial heart (Eagle Scout)</td>
</tr>
<tr>
<td>Dukakis, Michael</td>
<td>Former Governor of Massachusetts (Eagle Scout)</td>
</tr>
<tr>
<td>Eisenhower, Dwight David</td>
<td>National Executive Board of the BSA 1948, WWII General, 34th U.S. President.</td>
</tr>
<tr>
<td>Eldred, Arthur</td>
<td>First Eagle Scout in 1912</td>
</tr>
<tr>
<td>Enzi, Michael</td>
<td>US Senator from Wyoming (Eagle Scout)</td>
</tr>
<tr>
<td>Evans, Daniel J.</td>
<td>U.S. Senator and Governor of Washington (Eagle Scout)</td>
</tr>
<tr>
<td>Farabee, David</td>
<td>Texas State Representative (Eagle Scout)</td>
</tr>
<tr>
<td>Foley, Thomas</td>
<td>Former Speaker of the House and US Rep from Washington (Eagle Scout)</td>
</tr>
<tr>
<td>Fonda, Henry</td>
<td>Movie Star</td>
</tr>
<tr>
<td>Ford, Harrison</td>
<td>Actor in &quot;Star Wars&quot; and &quot;Indiana Jones&quot;, taught Reptile Study (Life Scout)</td>
</tr>
<tr>
<td>Ford, Gerald Rudolph</td>
<td>(July 14, 1913 - December 26, 2000) 1st Eagle Scout to become a U.S. Vice President. Became the 38th President of the United States. He was the U.S. Vice President that replaced President Richard M. Nixon when Tricky Dick resigned in 1974. Member of Troop 15, Grand Rapids, Michigan in 1927, earned 26 merit badges. (Eagle Scout)</td>
</tr>
<tr>
<td>Fossett, Steven</td>
<td>Tried several times to fly solo around the world in a hot air balloon and finally did it in 2002, won the O'Hooly to Mackinaw boat races, competed in the Kitterbladh dog race, and competed in several iron man triathlons, and among other Things lives the Scouting motto both Cub and Boy Scout by doing his best and being prepared. (Eagle Scout)</td>
</tr>
<tr>
<td>Foster, Murphy J. &quot;Mike&quot;</td>
<td>Governor of Louisiana, Distinguished Eagle 1996 (Eagle Scout)</td>
</tr>
<tr>
<td>Frisco, Dan</td>
<td>Congressman, New York 4th 1995-97 (Eagle Scout)</td>
</tr>
<tr>
<td>Gates, Bill</td>
<td>Founder of Microsoft Corporation (Life Scout)</td>
</tr>
<tr>
<td>Gates, Robert M.</td>
<td>CIA Director 1991-1993, Appointed U.S. Secretary of Defense in November 2006, President of Texas A&amp;M University 2002-2007, earned Eagle Scout, recipient of both the Distinguished Eagle Scout Award and the Silver Buffalo Award, President of the National Eagle Scout Association (NESA)</td>
</tr>
<tr>
<td>Gepphardt, Richard A. (Dick)</td>
<td>U.S. Rep Missouri, former House Democratic Leader, U.S. Presidential Candidate twice (Eagle Scout)</td>
</tr>
<tr>
<td>Gere, Richard</td>
<td>Movie Actor, star of &quot;Officer and a Gentleman&quot;</td>
</tr>
<tr>
<td>Name</td>
<td>Occupation/Title</td>
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<tr>
<td>--------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Gilmour, David</td>
<td>Singer, Songwriter and Musician with the band Pink, Floyd, was a member of Scouts UK</td>
</tr>
<tr>
<td>Glenn, John</td>
<td>Test Pilot, Astronaut, Senator</td>
</tr>
<tr>
<td>Gonzalez, Matt</td>
<td>Green Party politician, Activist (Eagle Scout)</td>
</tr>
<tr>
<td>Gustav, Carl XVI</td>
<td>The King of Sweden</td>
</tr>
<tr>
<td>Hartman, David</td>
<td>TV personality, host of ABC's &quot;Good Morning America&quot; from 1975-1987 (Life Scout)</td>
</tr>
<tr>
<td>Hayworth, John D.</td>
<td>Congressman, Arizona 5th (Eagle Scout)</td>
</tr>
<tr>
<td>Hensarling, Jeb</td>
<td>Congressman, Texas 6th (Eagle Scout)</td>
</tr>
<tr>
<td>Jansen, Dan</td>
<td>Won Gold Medal in Speed Skating at 1994 Olympics in Lillehammer.</td>
</tr>
<tr>
<td>Jenner, Bruce</td>
<td>Won the Gold Medal for the Decathlon in the 1976 Summer Olympics (Cub Scout)</td>
</tr>
<tr>
<td>Johnson, Lyndon Baines</td>
<td>National Capital Area Council member, 36th U.S. President</td>
</tr>
<tr>
<td>Hartman, David</td>
<td>Stage director, Oscar-winning film editor (Eagle Scout)</td>
</tr>
<tr>
<td>Kennedy, John F.</td>
<td>(May 29, 1917 - November 22, 1963) 1st Boy Scout to become President, 35th U.S. President, was a member Troop 2, Bronxville, New York.</td>
</tr>
<tr>
<td>Koncak, John</td>
<td>Played Center for Orlando Magic Basketball Team (Eagle Scout)</td>
</tr>
<tr>
<td>Leonard, Sheldon</td>
<td>Actor, director, producer, won 3 Emmy Awards (Eagle Scout)</td>
</tr>
<tr>
<td>Lindsay, Steven W.</td>
<td>Governor of Washington, the first Chinese-American Governor in the contiguous United States, and selected as a Distinguished Eagle Scout by NESA (Eagle Scout)</td>
</tr>
<tr>
<td>Little, Rich</td>
<td>Impressionist &amp; Actor (Queen's Scout in Canada)</td>
</tr>
<tr>
<td>Locke, Gary</td>
<td>Governor of Washington, the first Distinguished Eagle Scout by NESA (Eagle Scout)</td>
</tr>
<tr>
<td>Lovell, James</td>
<td>Astronaut, Navy Pilot, President of National Eagle Scout Association (NESA), flew on Gemini 7, 12 &amp; Apollo 6, 13 At one time he had seen more sunrises than any other human being. (Eagle Scout)</td>
</tr>
<tr>
<td>Lugar, Richard</td>
<td>U.S. Senator from Indiana, (Eagle Scout)</td>
</tr>
<tr>
<td>Lynch, David</td>
<td>Film Director of Twin Peaks and Blue Velvet (Eagle Scout)</td>
</tr>
<tr>
<td>Major, John</td>
<td>Prime Minister (UK)</td>
</tr>
<tr>
<td>Marriott, Jr., J.</td>
<td>President of the Marriott Corporation (Eagle Scout)</td>
</tr>
<tr>
<td>Marsalis, Branford</td>
<td>Recording Artist, Jazz Musician (Life Scout)</td>
</tr>
<tr>
<td>Mathers, Jerry</td>
<td>Actor, child star known as &quot;The Beaver&quot; in the TV series &quot;Leave It to Beaver.&quot; He was a Cub Scout in California. In a Parade Magazine interview Jerry was asked, &quot;What was your Beaver audition like?&quot; Jerry replied, &quot;I had just joined the Cub Scouts, and I had my first Cub Scout meeting and didn't want to miss it. My mom told me to wear my uniform to the audition and she would drive me to our Scout meeting right after it. I went in and the producers said, &quot;Why are you so fidgety, Jerry?&quot; And I said, &quot;I don't want to be here because I have a Cub Scout meeting.&quot; My mom said that probably wasn't the best thing to tell them! That night the producers called and said I had the part. And the reason they picked me was that they'd rather have a child that wanted to go to a Cub Scout meeting than to be an actor.&quot;</td>
</tr>
<tr>
<td>McCartney, James &quot;Paul&quot;</td>
<td>Rock Legend, Bass Player, Singer Songwriter for &quot;The Beatles&quot; and &quot;Wings&quot;, Knighted by the Queen of England (UK), was a member of Scouts UK</td>
</tr>
<tr>
<td>McCool, William C.</td>
<td>Astronaut, USN Commander, Navy Test Pilot, died 2-2-3 was part of STS-107 Columbia Space Shuttle Crew (Eagle Scout)</td>
</tr>
<tr>
<td>McNulty, Michael</td>
<td>Congressman, New York 21st (Eagle Scout)</td>
</tr>
<tr>
<td>Menninger, W.</td>
<td>Physician, Civil Servant, Silver Buffalo Award, Distinguished Eagle Scout Award (Eagle Scout)</td>
</tr>
<tr>
<td>Michael, George</td>
<td>Singer and Songwriter member of the band &quot;Wham&quot; (UK)</td>
</tr>
</tbody>
</table>
Mineta, Norm  Mayor of San Jose, California, a member of the US Congress, and later a Democratic Cabinet member of Republican President George W. Bush in 2001.

Moore, Michael  Author and Filmmaker, nominated for an Oscar for "Bowling For Columbine" (Eagle Scout)

Morrison, Jim  Rock Legend, Lead Singer of "The Doors" (Boy Scout)

Mora, Jim  Head Coach, New Orleans Saints football team (Eagle Scout)

Moss, Sterling  Race car driver from 1948 to 1962, won 194 of the 497 races he entered, including 16 Formula One Grands Prix (UK)

Murtha, John "Jack"  Congressman, Pennsylvania 12th (Eagle Scout)

Nelson, Oswald George "Ozzie"  March 20, 1906 - June 3, 1975) TV Actor in the Ozzie and Harriet Show. Earned Eagle in 1919 at the age of 13. (Eagle Scout)

Nunn, Samuel Augustus  U.S. Senator from Georgia (Eagle Scout)

Olson, Merlin  Actor, Pro Football Player and Sportscaster


Oswald, Steve  Astronaut, Navy Rear Admiral, Distinguished Eagle Recipient (Eagle Scout)

Paige, Mitchell  US Marine Colonel, who was awarded the Medal of Honor in WWII for holding off 2,500 Japanese on Guadalcanal with a machine gun platoon of 33 men, all of whom were either killed or wounded. He earned his Eagle Scout award in 1936 and finally had it approved 67 years later on 02-07-03. He was presented the award on 03-24-03. (Eagle Scout)

Parater, Francis J.  Nominated for sainthood by Diocese of Richmond in Feb 2002. One of Richmond's first Eagle Scouts. Died at age 22 in 1920 while at a seminary in Rome, Italy. Distinguished Eagle Recipient. (Eagle Scout)


Perry, Rick  Governor of Texas (Eagle Scout)

Pickle, James Jarrell  U.S. Representative from Texas, proudly displays his Eagle plaque inside his office (Eagle Scout)

Pintauro, Danny  Actor, Jonathan Bower on Who's the Boss? (Eagle Scout)

Pickett, Eddie  Country & Western Singer (Boy Scout)

Rabbitt, Eddie  Country & Western Singer (Boy Scout)

Ryan, Nolan  Pro Baseball Player, Pitcher for the Texas Rangers

Salazar, Alberto  Three time winner of the NY City Marathon, (Life Scout)

Salisbury, Harrison  Pulitzer Prize Winning Author, (Eagle Scout)
<table>
<thead>
<tr>
<th>Name</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanderson, James</td>
<td>Vice Admiral, US Navy (Retired), Deputy Chief US Atlantic Fleet (Eagle Scout)</td>
</tr>
<tr>
<td>Schneider, John</td>
<td>Actor, played in TV Series &quot;The Dukes of Hazard&quot;</td>
</tr>
<tr>
<td>Sessions, Jefferson &quot;Jeff&quot; Beauregard</td>
<td>Former Senator from Alabama, was a member of a troop in Camden, AL (Eagle Scout)</td>
</tr>
<tr>
<td>Sessions, Pete</td>
<td>Congressman, Texas 32nd (Eagle Scout)</td>
</tr>
<tr>
<td>Sessions, William Steele</td>
<td>USAF Pilot, Lawyer, U.S. District Judge Texas, Former FBI director 1987-93, Distinguished Eagle Scout Award 1990 (Eagle Scout)</td>
</tr>
<tr>
<td>Simpson, Alan</td>
<td>Republican Senator from Wyoming</td>
</tr>
<tr>
<td>Siple, Paul A.</td>
<td>Boy Scout in Erie, Pennsylvania and earned 60 merit badges. Was official representative of BSA who sailed to Antarctica with Commander Byrd in 1928. Became an Explorer, Scientist, Inventor, Army Officer, Environmentalist, (Eagle Scout)</td>
</tr>
<tr>
<td>Skelton, Isaac &quot;Ike&quot; Newton</td>
<td>Congressman, Missouri 4th (Eagle Scout)</td>
</tr>
<tr>
<td>Skinner, Sam</td>
<td>Secretary of Energy during the Bush administration and now CEO of Commonwealth Edison (Eagle Scout)</td>
</tr>
<tr>
<td>Smith, Christopher Henry</td>
<td>Congressman, New Jersey 4th (Eagle Scout)</td>
</tr>
<tr>
<td>Spielberg, Steven</td>
<td>Movie producer and director, from Scottsdale, AZ, made a movie of his troop while working on his Photography Merit Badge. Helped to design requirements for the BSA Cinematography MB (Eagle Scout)</td>
</tr>
<tr>
<td>Spitz, Mark</td>
<td>Holds the record for most gold medals won in a single Olympic Game (seven). Won in 1972 Munich Olympics for Swimming (Cub Scout)</td>
</tr>
<tr>
<td>Stegner, Wallace</td>
<td>Author and college professor, won Pulitzer Prize in 1972 for &quot;A Time for Reap&quot; (Eagle Scout)</td>
</tr>
<tr>
<td>Stewart, James &quot;Jimmy&quot; Maitland</td>
<td>May 20, 1908 - July 2, 1997 Radio &amp; Movie Star, WWII B-17 &amp; B-24 Army Air Corp Command Pilot, became a USAF Brigadier General. At the 1958 Scouting dinner in Indiana, Jimmy said, &quot;I wouldn't trade my experiences in Scouting for anything.&quot;</td>
</tr>
<tr>
<td>Strait, George</td>
<td>Country and Western Singer (Cub Scout)</td>
</tr>
<tr>
<td>Sutton, Percy</td>
<td>Attorney, Chairman of the Board of City Broadcasting Corporation (Eagle Scout)</td>
</tr>
<tr>
<td>Tesh, John</td>
<td>Celebrity and TV host of &quot;Entertainment Tonight&quot; and pianist who has released nine albums (Eagle Scout)</td>
</tr>
<tr>
<td>Theisman, Joe</td>
<td>Former NFL Quarterback, Washington Redskins (Life Scout)</td>
</tr>
<tr>
<td>Thomson, Jr., Meldrim</td>
<td>March 8, 1912 - April 15, 2001 Earned his Eagle Scout in Troop 7, Coral Gables, Florida, in 1927. Earned a degree in law at the University of Georgia Law School, and was admitted to the Florida bar in 1908; became Governor of New Hampshire in 1972 and served three consecutive terms.</td>
</tr>
<tr>
<td>Walden, Greg</td>
<td>Congressman, Oregon 2nd (Eagle Scout)</td>
</tr>
<tr>
<td>Walton, Samuel Moore</td>
<td>(March 19, 1918 - April 6, 1992) Founder and President of the Wal-Mart Department Store Chain. While in the 8th grade at Shelbina, Missouri, he became the youngest boy in the state's history to become an Eagle Scout, recipient of the Distinguished Eagle Scout Award from the BSA.</td>
</tr>
<tr>
<td>West, Jr., Togo Dennis</td>
<td>Secretary of The U.S. Army and Secretary of Veteran Affairs during Clinton administration, Distinguished Eagle Award recipient.</td>
</tr>
<tr>
<td>Westmoreland, William Childs</td>
<td>March 26, 1914 - July 18, 2005 General, Chief of Staff of the U.S. Army in Vietnam War, recipient of the Distinguished Eagle Scout Award and Silver Buffalo from the BSA (Eagle Scout)</td>
</tr>
</tbody>
</table>

You might also like:
- Lady Gaga Regains Control; Twitter.com Blog Hacked - PostChronicle
- Ryanair One Toilet Per Aircraft Plan: More "Gâdrard Departedieu" Accidents Coming?
- Amazon Book by Convicted Killer for Kids Ignites Fury
Thought this might interest you -- the conference, sponsored by the Tax Policy Center (Brookings-Urban Institute), the Pew Charitable Trust, and the MacArthur Foundation, and UCLA Law School – got a lot of press:

Hellerstein: Federal Estate Tax Phaseout a Cautionary Tale for States by Amy Hamilton

The federal estate tax phaseout that started in 2001 was supposed to take 10 years, but Congress had already eviscerated state wealth transfer taxes by 2004 -- a situation that should serve as a cautionary tale to states during debate on federal tax reform, said Walter Hellerstein, professor of taxation at the University of Georgia School of Law.

Hellerstein discussed the "interesting and sordid history" of U.S. estate taxes during a February 3 conference on how federal tax reform would affect state and local governments. The Urban-Brookings Tax Policy Center cosponsored the event with the MacArthur Foundation and the UCLA School of Law.

"Where we are now is where we don't want to be," Hellerstein said.

Estate taxes date back to the 1798 federal inheritance tax, Hellerstein said. But by the late 19th and early 20th centuries, states considered estate taxes their domain, much as they regard property taxes today.

The federal government reentered the estate tax field during World War I, but the idea was for the tax to revert back to the states afterward, Hellerstein said. But after the war ended, the federal government found it still needed the money.

At that time, leaders came to what Hellerstein called "a really good, a perfect" example of how to coordinate federal and state tax systems. There would still be a federal estate tax, but it would come with an 80 percent credit for state estate taxes.

Not only was this a nice revenue split, Hellerstein said, but the federal government and states shared the base. The arrangement also nipped in the bud the emergence of ugly interstate tax competition.
"Florida was saying, 'We have no estate taxes here. Come to Florida to die!'" Hellerstein said. The federal-state arrangement effectively put a floor on all estate taxes.

Every state then wound up enacting so-called soak-up, or sponge, taxes that imposed estate taxes at the maximum level under this arrangement. While the federal estate tax kept going up, the state credit was frozen at 80 percent of the 1926 federal rate.

Then the 2001 Bush tax cuts scheduled the repeal of the federal estate tax in 2010. But Hellerstein said it took only four years for the federal government to get rid of the credit for state estate taxes.

"The federal government said we need the money," Hellerstein said. Not only was the federal credit removed, but with the scheduled repeal of the federal tax, states risked losing the structure on which their own taxes relied. "And what did they do? They abandoned their taxes," he said.

"Today, 28 states have no death tax at all," Hellerstein said, while another 22 have some form of an inheritance tax. But they are "a mere shadow of what they were before," he added.

Hellerstein said the history presents the dangers states face once their tax policy and state tax structures are linked to those of the federal government.

"If you can't trust your partner, you have a problem," Hellerstein said. "We have a problem."

Amy Hamilton

amy_hamilton@tax.org
Gregory Sowell hired as University of Georgia School of Law senior director of development

Gregory Sowell, an attorney from Tifton, Ga., has been hired as senior director of development for the University of Georgia School of Law.
Sowell is a 1983 graduate of the school.
In his legal practice, Sowell has represented both the city of Tifton as well as the Tift County Board of Education.
He has served 10 consecutive years on the school’s alumni council where he assisted with raising funds to support the school.

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The University of Georgia issued the following news release:

The University of Georgia School of Law's Sports and Entertainment Law Society has joined forces with UGA's Music Business Program and Nuci's Space to host a conference on current music industry business and legal issues. Open to the public, the conference will be held Feb. 23 from 3 - 6 p.m. at the Melting Point in downtown Athens. In addition, a free legal clinic for local musicians will be held Feb. 24 from 11 a.m. - 3 p.m. at Nuci's Space, near downtown.

Conference discussion sessions will address topics such as booking, contracts and copyright issues, and panelists will include legal and business music professionals such as David Barbe, UGA Music Business Program director; David Claassen, BMI director; Bertis Downs, R.E.M. manager; Steve Lopez, Widespread Panic tour manager; Nikki Marshall, Red Clay Clearances owner; Lisa Moore, Georgia Lawyers for the Arts director; Scott Orvold, Georgia Theatre talent buyer; David Prasse, Slushfund Recordings owner; David Shipley, Georgia Law professor; and Velena Vego, 40 Watt Club talent buyer.

The clinic will be staffed by experienced entertainment law attorneys and will provide musicians with one-on-one consultations. It is best for those seeking legal advice to pre-schedule their appointment by sending an email to protectathensmusic@gmail.com.

For more information regarding the conference or the clinic, contact protectathensmusic@gmail.com.

Writer: Heidi Murphy

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By Latasha Everson The Tifton Gazette, Ga.

Feb. 07—TIFTON -- The City of Tifton has a new city attorney replacing former City Attorney Greg Sowell, who has recently taken a new position as a professor of law at the University of Georgia, says Tifton Mayor Jamie Cater.

Cater and the City Council publicly voted at their regular meeting Monday night after returning from executive session to elect local Attorney Rob Wilmot of Wilmot & Powell on North Tift Avenue as the new city attorney.

"We welcome Wilmot on board and we look forward to working with him as our legal counsel," Cater stated. "He has a lot of experience and we look forward to some good things."

Wilmot has been practicing law for 30 years and is excited about working as the city attorney.

"I'm very happy that the City Council chose me to be their city attorney," he stated. "I know that there is a lot of work to be done and I look forward to being a part of it."

Cater advised that Sowell officially left his position as city attorney Jan. 20, which left the council without legal counsel, including the fact that they are without a city manager. He noted that after many good years as the city attorney, Sowell chose to take a job with UGA in Athens.

"He will be sorely missed," Cater said. "We wish him and his wife all the goodwill on their move to Athens."

He noted that Sowell has been the city attorney for approximately 22 years and also served as Omega's city attorney.

Sowell was unavailable for comment.

To contact reporter Latasha Everson, call 382-4321.

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-D- Feb/08/2012 14:33 GMT
The University of Georgia School of Law has hired attorney Gregory C. "Greg" Sowell from Tifton as its new senior director of development. A 1983 graduate of Georgia Law, Sowell has served 10 consecutive years on the school's alumni council, in which he assisted with raising funds to support the law school. In addition, he assumed multiple leadership roles on the council, including three years as chairman of the development committee and, most recently, as the 2009-10 president of the law alumni association.

During his time on the council, Sowell became acquainted with the inner workings of the school's development office as well as with the impact that private giving has on the overall health of the law school.

"I am delighted that Greg has decided to join us in Athens as the leader of our development team," Georgia Law Dean Rebecca H. White said. "Greg is well aware of our law school's strengths as well as its needs and aspirations, and I know he will be a passionate advocate for us. We are fortunate to have him."

Prior to joining Georgia Law, Sowell had a successful 29-year law practice that included a wide range of matters, primarily focused on issues related to business and local government. Sowell represented the city of Tifton for more than 20 years and also served as counsel for the Tift County Board of Education and the county's industrial development authority. Additionally, he served as a municipal court judge, handled matters for the state of Georgia as a special assistant attorney general and acted as closing counsel for bond and commercial loan packages worth millions of dollars.

Sowell is a former member of the Board of Governors of the State Bar of Georgia. He has served on the Disciplinary Board of the State Bar by appointment from the Georgia Supreme Court. An AV rated attorney, Sowell is experienced in alternative dispute resolution as a mediator and has often served as special master in condemnation proceedings.

Sowell earned his bachelor's degree in Business Administration and a Juris Doctor from UGA.
February 6, 2012 Monday 5:24 AM EST

The University of Georgia issued the following news release:

Writer: Cindy Rice

The University of Georgia School of Law has hired attorney Gregory C. "Greg" Sowell from Tifton as its new senior director of development. A 1983 graduate of Georgia Law, Sowell has served 10 consecutive years on the school's alumni council, in which he assisted with raising funds to support the law school. In addition, he assumed multiple leadership roles on the council, including three years as chairman of the development committee and, most recently, as the 2009-10 president of the law alumni association.

During his time on the council, Sowell became acquainted with the inner workings of the school's development office as well as with the impact that private giving has on the overall health of the law school.

"I am delighted that Greg has decided to join us in Athens as the leader of our development team," Georgia Law Dean Rebecca H. White said. "Greg is well aware of our law school's strengths as well as its needs and aspirations, and I know he will be a passionate advocate for us. We are fortunate to have him."

Prior to joining Georgia Law, Sowell had a successful 29-year law practice that included a wide range of matters, primarily focused on issues related to business and local government. Sowell represented the city of Tifton for more than 20 years and also served as counsel for the Tift County Board of Education and the county's industrial development authority. Additionally, he served as a municipal court judge, handled matters for the state of Georgia as a special assistant attorney general and acted as closing counsel for bond and commercial loan packages worth millions of dollars.

Sowell is a former member of the Board of Governors of the State Bar of Georgia. He has served on the Disciplinary Board of the State Bar by appointment from the Georgia Supreme Court. An AV rated attorney, Sowell is experienced in alternative dispute resolution as a mediator and has often served as special master in condemnation proceedings.

Sowell earned his bachelor's degree in Business Administration and a Juris Doctor from UGA.

Contact: Cindy Herndon Rice, cindyh@uga.edu

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Army lieutenant general

Frank A. Camm, 89, a retired Army lieutenant general and veteran of three wars who served as a president of the foundation that built the Fairfax retirement community at Fort Belvoir, died Jan. 17 at the Fairfax. He had cancer.

The death was confirmed by his son, Frank A. Camm Jr.

Gen. Camm, the son of an Army brigadier general, served 34 years in the military before his final active-duty assignment in 1977 as deputy commander of the Training and Doctrine Command at Fort Monroe, Va.

After his military retirement, he served as a top aide to the CIA director from 1977 to 1979 and then two years as associate director of the Federal Emergency Management Agency.

He then began a 10-year assignment as president of the Army Retirement Residence Foundation - Potomac, a nonprofit group of retired Army officers that worked with Marriott Corp. to build an upscale retirement community in Fairfax County.

The Fairfax opened in 1989 after years of negotiations to buy the property - first with the General Services Administration and then with a corporation of Native Americans from Alaska that bought the land at a public auction in 1986.

Frank Ambler Camm was born at Camp Knox, Ky., and graduated in January 1943 from the U.S. Military Academy at West Point, N.Y. He received a master's degree in civil engineering from Harvard University in 1951 and a master's degree in international relations from George Washington University in 1961. He attended the Harvard Business School advanced management program in 1966.

During World War II, he was a combat engineer and participated in the Battle of the Bulge to secure the bridge at Remagen, Germany. From 1946 to 1950, he directed an atomic bomb assembly team at Sandia Base, N.M.

He commanded an engineering combat battalion in Korea toward the end of combat operations there. During the Vietnam War, he was project manager of the effort to create a barrier of sophisticated electronic sensors along the demilitarized zone separating North and South Vietnam. This network became known as "the McNamara Line," after Defense Secretary Robert S. McNamara, but did not prevent the North from infiltrating the South.

His decorations included the Distinguished Service Medal, two awards of the Legion of Merit, four awards of the Bronze Star Medal and the Meritorious Service Medal.

Gen. Camm was a past president of the West Point Society of D.C. and a major force in the building of the Herbert Hall alumni center at West Point. He received the 2005 West Point Distinguished Graduate Award.
His daughter, Arlene Melen, died in 2009. Survivors include his wife of 64 years, Arlene Brinkman Camm of Fort Belvoir; a son, Frank A. Camm Jr. of Alexandria; four grandchildren; and two great-grandchildren.

Eugene H. Methvin, 77, a veteran editor and writer in the Washington bureau of Reader's Digest whose stories included organized crime, civil liberties and international affairs, died Jan. 19 at his home in McLean.

He died of complications related to dementia, said his daughter Helen Methvin Payne.

Mr. Methvin was author of two books, "The Riot Makers: The Technology of Social Demolition" (1970), a study of crowd manipulation; and "The Rise of Radicalism: The Social Psychology of Messianic Extremism" (1973), a study of extremist organizations and individuals.

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In those 42 years, Mr. Methvin contributed more than 100 articles to the magazine. A 1965 article, titled "How the Reds Make a Riot," won a public service award in magazine journalism given annually by the Society of Professional Journalists.

Eugene Hilburn Methvin was born in Vienna, Ga., where his parents published a weekly newspaper. He graduated in 1955 from the University of Georgia, where he played football. He did postgraduate study at the University of Georgia law school, then served three years in the Air Force as a fighter pilot.

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His wife of 41 years, Barbara Lester Methvin, died in 2000 after being struck by a car as she crossed the street in front of their home.

Survivors include two daughters, Helen Methvin Payne of Arlington and Claudia Methvin of Edinburg, Va.; and two granddaughters.

- Bart Barnes

Eleanor Cook, 91, a legal secretary and genealogist, died Jan. 20 at her home in Silver Spring.

She died of coronary artery disease, said her daughter Ellen C. Nibali.

Eleanor Mildred Vaughan was born in Los Angeles and moved to the Washington area in 1947.

From 1962 until 1982, she was a legal secretary at the law firms of Hilland, Mack and Hogan; Melrod, Redman and Gartlan; and Muldoon and Murphy.

In retirement she wrote and researched abstracts and genealogies, including "Guide to the Records of Your District of Columbia Ancestors," which was published in 1987, and "Guide to the Records of Montgomery County, Maryland,"
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She was a former president of the Silver Spring Garden Club and a writer and editor of the Montgomery County Historical Society's quarterly publication, Montgomery County Story.

Her husband of 34 years, Fraise Anderson Cook, died in 1981. Survivors include three children, John Fraise Cook of Edgewater, Ellen C. Nibali of West Friendship, Md., and Margaret C. Machado-Poisson of Severna Park; 11 grandchildren; and eight great-grandchildren.

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Albert M. Stone, 98, a physicist and retired senior fellow of the Johns Hopkins Applied Physics Laboratory in Laurel, died Jan. 24 at his home in Bethesda. He had cancer.

The death was confirmed by his wife, Francesca Gobbi Stone.

Dr. Stone joined the Applied Physics Laboratory in 1949 and spent about 40 years there. He was a specialist in radar-guided missiles, controlled thermonuclear fusion and geothermal energy. He supervised a plasma physics group, among other groups and divisions.

During World War II, Dr. Stone worked at the Massachusetts Institute of Technology Radiation Laboratory on developing microwave radar. He subsequently helped edit the lab's comprehensive series on radar.

After the war, Dr. Stone was briefly a scientific liaison officer in the U.S. Embassy in London and headed a scientific intelligence division in the newly established CIA.

Albert Mordecai Stone was a Boston native and a 1934 honors graduate of Harvard University. In 1938, he received a doctorate in physics at MIT, where he was elected to the Sigma Xi scientific honor society. He later was a fellow of the American Physical Society and the American Association for the Advancement of Science.

Over the years, he was a U.S. delegate to conferences on the peaceful uses of atomic energy and served on an advisory board to the Federal Emergency Management Agency that addressed anti-terrorism concerns.

He was a director of the General Instrument Corp. and Neuberger Berman equity funds. His other memberships included the Cosmos Club.

His avocations included golf, tennis, skiing and bridge.

His first marriage, to Louisa Van Wezel, ended in divorce. Survivors include his wife of 44 years, Francesca Gobbi Stone of Bethesda; three children from his first marriage, Anthony Stone of Atlanta, Katherine Stone of Los Angeles and Daniel Stone of Reston; a brother; and three grandchildren.

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LOAD-DATE: February 8, 2012
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Joseph Davenport Jr., who mastered computers, law, real estate, ceramics and cooking in a lifetime of learning, dies at age 74

Published: Friday, February 10, 2012, 7:00 PM

By

John Pope, The Times-Picayune

Joseph Davenport Jr., whose insatiable curiosity led him to earn degrees in law and business and take up careers in computers, arbitration, real estate, cooking and ceramics, died Jan. 29 at his Mobile, Ala., home of myelodysplastic syndrome, a blood disorder. He was 74.

A native New Orleanian who had lived in Mobile for about 10 years, Mr. Davenport began his quest for education in his early 20s. He was a typewriter salesman, married with children, when he enrolled at Tulane University's University College (now the School of Continuing Studies) to pursue a bachelor's degree.

It took seven years, but the fire had been lit.

By that time, he was working for IBM, and he earned a master's degree in business administration at Loyola University. Mr. Davenport's IBM career included training the company's employees in Taiwan.

As he neared retirement, Mr. Davenport earned a law degree at the University of Georgia. After passing the bar examination, he opened Alternative Dispute Resolution, a mediation company, and became a licensed real estate agent.

But that wasn't enough. He went to cooking school and started referring to himself as Chef Josef, the cooking lawyer. Along the way, Mr. Davenport became a licensed pilot and developed an interest in ceramics, turning out ramekins as well as made-to-order items such as plates bearing restaurants' logos and pieces shaped like crabs and other sea creatures.

In developing a market for his creations, Mr. Davenport "just had that salesman's approach: He would look at something and think who needed it and..."
Joseph Davenport Jr., who mastered computers, law, real estate, ceramics and cooking in a lif...  

how he could make it for them," said Celeste Uzee, director of communications and special projects at the School of Continuing Studies.

"He was just tops," said Charlotte Travieso, executive director of Tulane's Office of Alumni Affairs, who prizes a white ramekin shaped like a crab shell that Mr. Davenport gave her. "He had this insatiable thirst for life and engagement and people and new things and trying new things and learning new things," she said.

To make education accessible for people like him who could attend college only as part-time students, Mr. Davenport established University College's first endowed scholarship fund. It was named for Louis Barrilleaux, its former dean. Recipients are members of Alpha Sigma Lambda, an honor society for part-time students.

"He could remember being a parent and working during the day and going to school at night," Uzee said. "All he wanted to do was ease the path for people along the way. He believed in the power of education."

Survivors include three sons, Joseph Davenport III and John Davenport, both of Metairie, and Joel Damron of Dallas; three daughters, Pamela Davenport Kieffer of Madisonville, Jeannine Davenport of Metairie and Patricia Davenport Gilmore of Kingwood, Texas; a brother, Bennett Davenport of Houston; a sister, Virginia Davenport Ural of Metairie; 14 grandchildren; and seven great-grandchildren.

A memorial service will be held today at 5 p.m. at St. Angela Merici Church, 835 Melody Drive, Metairie.
Poston tapped as new DA for district

Blevins eager to start as new judge

Chief Assistant District Attorney Bert Poston was announced as the new DA for the Conasauga Judicial Circuit (Whitfield and Murray counties) on Thursday after interviewing with Gov. Nathan Deal on Wednesday, according to a governor's office release.

Poston, who has been the acting district attorney since former DA Kermit McManus stepped down at the end of January, will finish McManus' unexpired term until the end of this year. But he said he will qualify to run for the DA's office during the general election in November, provided he makes it through the Republican primary in July.

Dalton attorney David Blevins was also officially announced on Thursday as the new judge in the district to replace Judge Robert Adams, who retired at the end of January. Blevins will fill Adams' unexpired term until the end of the year, but will not face an election until 2014 because of a provision in the state Constitution.

Poston, a 1985 graduate of Dalton High School who earned both his bachelor's and law degrees from the University of Georgia, said will have been with the DA's office for 20 years in September. He began as an intern in 1990, he said, and became
Pooston tapped as new DA for district » Local News » The Daily Citizen

Poston was asked if he was going to implement any changes to the DA’s office.

“Mostly I’m going to continue what Kermit had done and started and what (former DA and now Superior Court judge) Jack Partain had done before him,” he replied. “One big area that we’re looking at is our GreenHouse (center for children affected by abuse) and moving forward with plans for building a new and larger GreenHouse. That’s something I’d like to accomplish during my first term. There are some other things, but mainly it’s going to be building on what’s been done before. Kermit was a great DA and I want to preserve his legacy, and with his help from me as assistant DA we’ve built a really good office here and I just want to keep that going.”

Poston said he has not made a decision yet about who will become his chief assistant DA.

He is a board member of Family Promise of Whitfield County and The GreenHouse, a member of the Kiwanis Club of Dalton and an assistant den leader of Cub Scout Pack 65 of the Boy Scouts. Poston and his wife, Charlotte, have four children and reside in Dalton.

Blevins said he was “very pleased” about his selection as the new fourth judge in the circuit.

“But I’m also glad to have the process over,” he added. “It’s a steep challenge that I’m looking forward to, that’s the best way to say it.”

Blevins said a swearing-in for he and Poston should come soon.

“The governor told me the executive council would call me to arrange for the swearing in — and I take that as a ‘Don’t call us, we’ll call you’ — so I really don’t know (when),” he said.

“I’ve had a lot of folks call (Thursday) who were gracious and kind, including those who were also (in the running) for judge, and that’s one of the things here — there were four other very good lawyers who were nominated — and I’m very grateful I was selected out of the field,” he said.

Blevins said it would be “wonderful” if he had around four weeks to “wind up” his practice, but he doesn’t suspect he will have that much time.

Blevins earned his bachelor’s degree from Carson-Newman College in Jefferson, Tenn., and law degree from the University of Georgia. He is a board member of the Whitfield Healthcare Foundation, and he and his wife, Whitfield County Probate Judge Sheri Blevins, have three daughters. They reside in Cohutta.

The Daily Citizen, Dalton, GA 308 S. Thornton Ave. Dalton, GA 30720
Hollingsworth makes ‘legal eagle’ list

Published Saturday, February 11, 2012

Georgia Trend Magazine recently named Thomas Hollingsworth to its list of the 2011 Legal Elite. Hollingsworth, a shareholder in the Blasingame, Burch, Garrard & Ashley law firm, was recognized in the field of Business Law.

A 2004 graduate of the University of Georgia School of Law, Hollingsworth works with area businesses, financial institutions, healthcare providers and non-profit entities in transactions and litigation. Hollingsworth is active in the community and currently sits on the board of directors of Saint Mary's Hospital and Prevent Child Abuse Athens.
Atlanta litigator part of ‘Operation Babylift’

By Kat Greene

In 1975, the Vietnam War was just ending and thousands of Vietnamese were fleeing the country.

A plane owned by Prachtair City-based World Airways, against the orders of the governments of America and Vietnam, took off on an unlit runway into the night.

At the end of that 18-hour flight, passengers, a group of Vietnamese orphans, disembarked into a new life.

So began Operation Babylift, the mission ordered by President Gerald Ford that delivered some 3,200 infants and children evacuated from war-torn Vietnam to adopting families in the United States.

Tiana Mykkeltvedt was one of those children.

Now, she’s a successful litigator at Bondurant, Misson & Ekstrom LLP, an Atlanta based firm that takes on high-profile cases.

“I recognize the opportunity I had in my life that I wouldn’t have had if I hadn’t grown up in Vietnam,” Mykkeltvedt said.

“It made me driven to do well and to be ambitious.”

She’s known in law circles as a tough litigator who’s likable and easy to work with, said mentor Frank Lowrey, a colleague at Bondurant.

“She is universally liked and respected by good judges and good lawyers,” he said. “That’s because she’s not only a very effective advocate, but she’s also a very likeable and credible person.”

And she’s recently come into her own as an attorney as she’s gained more experience, he said. “In the last year or so of her practice, she has really found her stride. She has found a way to be effective in court while still sounding like herself.”

Finding her voice

It was a challenge for her to find her own voice, especially as one of the few women in her line of work, she said.

“I work in a field that’s dominated by men,” Mykkeltvedt said. “Sometimes, men and women have different ways of communicating. It’s hard to find your own voice, sometimes in a profession where there aren’t as many examples to look to.”

The first time she felt she was in command of her own litigation style was in 2009, when she served as lead counsel for Greenway Medical Technologies Inc.

Greenway is a medical software company based in Carrollton. It was being sued for breach of contract by a distributor. Under Mykkeltvedt’s guidance, Greenway countersued and won its case, forcing the company that sued it to pay damages and court fees.

Mykkeltvedt put together the case right before she went on leave to have her second child. She was traveling back and forth between Atlanta and Florida, where the distributor was based, until late in her pregnancy.

“It was a case where I really had a good relationship with the client and wanted to do a good job for them,” she said.

Much of her success has come from her own experience, rather than role modeling, because there aren’t many women who do what she does, Lowrey said.

“As a female litigator in complex business litigation, you have a more limited range of people to emulate,” he said. “It’s about trying to find a style of advocacy that suits you rather than sounding like someone else.”

Over time, Mykkeltvedt found that on her own, she said. It’s a product of the hard work she’s done over the years, especially as she has handled much of the workload herself, he said.

A different life

But Mykkeltvedt almost wasn’t a lawyer at all.

Her background led her to study abroad in Vietnam in 1997, shortly after the country was reopened to travelers from the United States.

Leading up to the trip, she’d thought she wanted to go into foreign service, she said.

On the trip, she studied the Vietnamese language, history and culture.

It was a world away from her adoptive family in Georgia.

“It was very easy for me to see how different my life would have been,” she said. “I recognized the opportunities that I’ve had in my life that I wouldn’t have had if I had grown up in Vietnam.”

When she came back, she met her future husband, Jeff, who was entering law school.

She realized she didn’t want to do foreign service, because she didn’t want to have to move every few years or months with each new appointment.

“I didn’t want to be that transient,” she said.

But then she saw what her husband was working on in law school.

“It really seemed to mesh with what I thought were my strengths and my skills,” she said.

By the time Jeff finished his studies, she was ready to jump into law.

Much of the appeal of her work is in the variety, she said.

“A litigator, you’re exposed to cases across many industries. You have to learn the inner workings of the company you’re representing, and quickly,” she said.

She’s always learning, and there’s always something new going on, she said.

She’s been back to Vietnam once since her college trip.


The trip was emotional for everyone on it, said Steve Forsyth, spokesman for World Airways, who was on the trip. “It was a heartwarming experience from the time we took off till the time it was finished. Everybody was emotional.”

Some on the trip said they were considering moving back to Vietnam, he said.

Not Mykkeltvedt.

She wants to take her children back to her home country someday, she said, but she isn’t interested in leaving her life here.

She’s never sought her biological family, she said.

“I don’t think I’m missing anything in that regard,” she said. “I have a great family.”

Contact the Chronicle

Atlanta Business Chronicle now has a new system for submissions for People in the News that allows you to enter the information directly in an online form. Please visit www.bizjournals.com/atlanta/putm/form to submit achievements, announcements of new hires and promotions, along with photos. View your submissions online at www.bizjournals.com/atlanta/putm/.
The University of Georgia is holding a music conference focusing on current music industry trends and legal issues. The University of Georgia School of Law and the UGA Music Business Program are teaming with Nuci's Space to host the Feb. 23 conference. It will also feature a free legal clinic for local musicians on Feb. 24 at Nuci's Space, the downtown Athens music landmark. The conference will address a range of topics, including contract and copyright issues. The panelists include professors, attorneys, talent bookers and band managers.
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From USA TODAY

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UGA to hold music conference in Athens
Feb. 12, 2012, 4:26 p.m. CST

AP

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To help build stronger ties between international law scholars and practitioners in the region, Harlan Cohen, an associate professional in the School of Law, would like to work on creating a Southeast chapter for the American Society of International Law.

Best of both worlds: International law prof plans prestigious conference

By Cindy Rice

While some professors will tell you that they always knew they wanted to teach and conduct research, international law professor Harlan G. Cohen takes a slightly different approach.

"I looked around at people who I thought had really interesting jobs, and I noticed that they all had one thing in common—they had been willing to take advantage of good opportunities when they came along," Cohen said. "So, I tried to set myself up to be in a position where interesting opportunities would come along and hoped that when they did I would have the courage to take them."

This philosophy led Cohen from Yale to Washington, D.C., where he worked for the Washington Institute for Near East Policy and for Foreign Affairs, the pre-eminent journal in foreign policy. Along the way, he earned a master's degree and a law degree.

"The whole time I was moving in the direction of academia without even realizing it," Cohen said. "After graduating from law school, I began to write an article just to see if I could, and I noticed it was such that it became..."
times

professors from across the country to
determine the subject matter of this
influential event that will be held during
March in Washington, D.C., and will
include 35 panels and multiple keynote
speeches. In essence, he is helping to set
the research agenda for those in his field.

"This conference really serves as a
focal point for international law around
the world," Cohen said. "That is what
makes serving in this position both
exciting and complicated. You are basically
trying to figure out what the most
pressing topics are that people need to
be talking about in international law
this year."

This year's theme is "Confronting
Complexity."

"There are really complex problems
facing international law right now
reflected in the global financial crisis,
climate change, drone warfare and
cyber security," he said. "We need to
look at how to manage the complexity
of those problems and ask, 'How can or
how should international law interact
with that complexity?' and, 'Does it help
solve or resolve the problem, or
by getting involved does international
law just make the problem worse?'"

While it has been a daunting task
to narrow down and select the
specific problems the conference should
focus on, Cohen said the support of his
co-chairs and the meeting's program
committee as well as that of the Georgia
Law community has been invaluable.

"I have benefitted enormously from
the school's longstanding commitment
to international law, and I get an amazing
amount of support for what I do. I've also benefitted from the extraordinary
quality of student at Georgia Law," he said. "I think you get a lot of ideas
from teaching. I am constantly
challenging my students to question where
international law is today and how to
make it better, and I feel like I learn as
much from my classes as I hope they
do from me."

Cohen said this symbiotic relation-
ship is one of the things he loves the
most about academia.

"What we are all trying to do at
some level is better understand how our
world works and every interaction we
have helps us to inch towards that goal—
whether it is in the classroom, through scholarship or through a community
of scholars," Cohen said. "The life as
a lawyer scholar is so extraordinary be-
cause all of these things work together.
There is no real line between them."

Harlan Grant Cohen
Associate Professor
School of Law
B.A., History and International Studies,
Yale College, 1988
M.A., History, Yale Graduate School of
Arts and Sciences, 2000
J.D., New York University, 2003
At UGA: 4 years

Fred Bateman

Fred Bateman, who had recently
retired as the Nicholas A.
Beadles Professor of Economics
in the Terry College of Business, died
Jan. 10. He was 74.
A memorial service
was held Feb. 3.

An economic
historian, Bateman
was recruited to UGA in 1991
to become head of the economics
department after a career at Indiana
University that began in 1964.

Bateman was an expert in U.S.
agricultural history and manufacturing
in the 19th century. Bateman wrote
two books and more than 50 scholarly
articles. He was interested in archival
work and created several original
databases that have been used by
scholars, including the panel database
of American agriculture.

Jim Cothran

James "Jim" R. Cothran, an adjunct
professor in the College of Environment
and Design and vice president
of Robert and Co., died Jan. 29 after
a battle with lung cancer. Cothran
was a respected landscape architect,
horticulturist and historic gardens
preservationist.

He was serving on the dean's
advisory council at the College of
Environment and Design and had
just finished teaching
his popular class in Southern
garden history this
past fall semester.

The funeral
was held Feb. 2,
and a memorial
reception was held
Feb. 3 at the Atlanta History Center.
The family has requested that dona-
tions be made to the UGA Foundation:
Founders Memorial Garden Endow-
ment or to the Cherokee Garden
Library at the Atlanta History Center.
A "Donate" button is located on the
college's website (www.ced.uga.edu).
Tuesday, Feb. 14, 2012

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

UGA School of Law to host annual public interest law conference and auction

Topics ranging from judicial budget cuts to the sustainability of animal farming will be explored at the University of Georgia School of Law's 7th Annual Working in the Public Interest Law Conference. Open to the public, this event will kick-off with a reception and keynote address March 2 at 6:30 p.m. at the Melting Point in downtown Athens, with the conference taking place the next day, March 3, at the law school.

Delivering the Friday night keynote address will be attorney Jan R. Schlichtmann, who became famous during the 1980s as a result of his lawsuit alleging that chemicals from several companies had contaminated drinking water in a town north of Boston. This case served as the basis for the book and later the film A Civil Action.

Also participating in the conference as panelists will be Chief Justice Carol W. Hunstein of the Supreme Court of Georgia; Joyce Tischler, co-founder of the Animal Legal Defense Fund; and Tom Rawlings, Guatemala field office director for the International Justice Mission, to name a few.

"WIPI is an entirely student-run public interest law conference that seeks to bring together both practitioners and students to discuss real issues confronting attorneys and others working in the field of public interest," third-year law student and conference director Karen S. Bemis said.

The full conference agenda includes panels on the impact of college student debt on the economy, the fallout from budget cuts in the area of domestic violence prosecution, the constitutionality of the death penalty, the sustainability of animal farming, and the advantages and disadvantages of solo practices as well as alternative public interest careers.

The school's Equal Justice Foundation also will host its annual auction as part of the conference to help raise money for Georgia Law students who choose to take unpaid or low paying public interest legal positions during the summer. The auction will be held March 2 at the Melting Point following the keynote address.

Continuing legal education credits are available (pending approval). For more information about the conference or to register, see www.law.uga.edu/wipi. Registration is due by Feb. 28.

For more information about the EJF auction, see www.law.uga.edu/ejf.
The following information was released by the University of Georgia:

Topics ranging from judicial budget cuts to the sustainability of animal farming will be explored at the University of Georgia School of Law's 7th Annual Working in the Public Interest Law Conference. Open to the public, this event will kick-off with a reception and keynote address March 2 at 6:30 p.m. at the Melting Point in downtown Athens, with the conference taking place the next day, March 3, at the law school.

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Liberia's Senate is expected to confirm Patrick Sendolo in his post of mines and energy minister in coming weeks. Ever since 2007 when he returned from the United States, Sendolo had headed up a number of projects in the president's office. They included working on the rehabilitation of the Mount Coffee hydro power station alongside the Vale mining group which wants to ship its iron ore from Zogota in Guinea out of the port of Monrovia in Liberia. Sendolo holds a law degree from the University of Georgia School of Law. In his new job he will also be in charge of oil issues at a moment when Liberia's offshore is increasingly attracting the attention of oil companies.

Chevron acquired several concessions in 2010 and Lukoil and Anadarko have already been exploring in Liberia for several years.
UGA conference to explore the future of international intellectual property law

Athens, Ga. - The University of Georgia School of Law’s Journal of Intellectual Property Law will host "Back to the Future: Global Perspectives on the Future of IP Law in the Next Decade" on March 2 in the Larry Walker Room of Dean Rusk Hall on North Campus. Starting at 8:30 a.m., this daylong conference will explore copyright law, trademark law and patent law, focusing on the perspectives of the European Union and the U.S.

"As business is increasingly conducted on a global scale, creators of intellectual property are navigating complex and ever-changing laws in order to protect their inventions, trademarks and writings," third-year law student and conference organizer Lara Otega said. "With each year that passes, interpretation of the law surrounding intellectual property is challenged and affected by the constant evolution of technology and society. The world is moving closer to a global marketplace, and yet there are still no harmonized international laws for copyright, trademark or patent protection."

The conference will feature experts from multiple U.S. intellectual property law areas as well as experts on European Union design-protection law who will discuss the current issues facing intellectual property law and project its evolution throughout the next decade.

Continuing legal education credits are available (pending approval). To register for lunch or for CLE credits, see www.law.uga.edu/jipl-conference-registration and complete the online form by Feb. 29. This event is co-sponsored by the Law School's Dean Rusk Center for International Law and Policy.
Augusta attorney named St. Patrick's grand marshal

By Meg Mirshak
Staff Writer
Friday, Feb. 17, 2012 5:33 PM

The Irish-American Heritage Society named Augusta lawyer Pat Rice its 2012 St. Patrick's Day parade grand marshal. The Bernard J. Mulherin family is the Irish Family of the Year and the Irish Lady of the Year is Louise Franklin Sheehan.

The announcement was made last week at the society's annual Grand Marshal’s Ball, which marks the start of the Irish-American season in Augusta. The society will host a parade for the city on March 17.

Rice, a lifelong Augustan and member of St. Mary on the Hill Catholic Church, is a law partner for Hull Barrett. He has four children and nine grandchildren.

He graduated from Aquinas High School in 1959 and Springhill College in 1963 before attending the University of Georgia Law School.


The Irish Lady of the Year is also a native Augustan. Sheehan attended Mount St. Joseph Academy and graduated from Aquinas High School. She is a member of St. Mary on the Hill Catholic Church.
Georgia Law to host former U.S. ambassador

America's first Ambassador-at-Large for War Crimes Issues David Scheffer will deliver a presentation on the fate of those responsible for atrocity crimes on March 6 at 2:30 p.m. in the Larry Walker Room of Dean Rusk Hall on the University of Georgia's North Campus. Organized by the School of Law's Dean Rusk Center for International Law and Policy and the Georgia Society of International and Comparative Law, the event is free and open to the public.

Selected by Foreign Policy magazine as one of the "Top Global Thinkers of 2011," Scheffer will discuss atrocity crimes past, present and future, and address how indicted leaders will face either international trial or "vengeful retribution." His presentation will draw from his book All the Missing Souls: A Personal History of the War Crimes Tribunals in which he chronicles his direct involvement in efforts to establish international criminal tribunals in the former Yugoslavia, Rwanda, Sierra Leone and Cambodia as well as his experience heading the U.S. team negotiating the statute of the International Criminal Court. Copies of his book will be available for purchase following his presentation.

"Georgia Law is very proud to host a key insider in U.S. efforts to prosecute those responsible for some of the worst human rights atrocities of our time," Rusk Center Director C. Donald Johnson said. "Ambassador Scheffer's experience on the front lines will bring meaningful and necessary discussion to our community."

Scheffer currently serves as the United Nations secretary-general's special expert on the Khmer Rouge trials and also is the Mayer Brown/Robert A. Helman Professor of Law and the director of the Center for International Human Rights at Northwestern University. From 1997 - 2001, he served as the first U.S. ambassador-at-large for war crimes issues. He has published widely on international law and politics.

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UGA Today: www.uga.edu/news
An Equal Opportunity/Affirmative Action Institution
Public defender sworn in as new magistrate

By JOE JOHNSON - joe.johnson@onlineathens.com

Published Friday, February 17, 2012 Updated: Saturday, February 18, 2012 - 12:08am

The local legal aid office closed early Friday so attorneys and staffers could watch one of their own be sworn in as the newest judge in the county.

Ben Makin, who served as an attorney with the Western Judicial
Public defender sworn in as new magistrate | Online Athens

Circuit Public Defender's office, is now an associate Athens-Clarke Magistrate Court judge.

The 33-year-old is looking forward to seeing a courtroom from a different vantage point.

"I've enjoyed working for the public defender's office, but I'm extremely excited about this new challenge," Makin said.

"Now, I'll be doing a little more listening and less talking when I come into court, and hopefully will be making fair decisions for everyone who comes before me," he said.

Makin replaces Charles Auslander, who was elevated to Athens-Clarke County State Court judge in December after long-serving judge Kent Lawrence retired.

Chief Magistrate Court Judge Patricia Barron selected Makin for the position, and all three Superior Court judges in the Western Judicial Circuit signed off on her pick.

"(I) recommended Mr. Makin for the position because of his balanced approach to the law, his keen legal insight and calm demeanor," Barron said.

Lawton Stephens, the judicial circuit's chief judge, agreed with Barron's assessment.

"Ben Makin is a very well-respected attorney with many years of courtroom experience," Stephens said. "He has a calm, unflappable demeanor which will serve him well as a judge."

Magistrate Court judges don't preside over trials, but they sign arrest and search warrants, set bail, and hold hearings to determine if authorities have sufficient evidence to charge someone with a crime.

As an assistant public defender, Makin represented indigent people facing criminal charges.

Makin was born in Pennsylvania but grew up in Oklahoma, where he earned his bachelor's degree at Oklahoma State University.
He graduated from the University of Georgia School of Law in 2004 and immediately began to work for the public defender's office.

"Like a lot of people, I came here for the law school and ended up staying," he said.

Makin lives in Athens with his wife, Amanda, and sons Quentin, 5, and Owen, 2.

Networking these days is more than a business card exchange, expert says

By BLAKE AUED - blake.aued@onlineathens.com

Published Saturday, February 18, 2012 Updated: Sunday, February 19, 2012 - 12:04am

With the unemployment rate in Georgia at nearly 10 percent, finding a job is harder than ever.

Sending resumes to firms that post want ads or handing out business cards at social functions
just doesn’t cut it, according to New York writer Ari Kaplan. In today’s digital economy, social media is the networking tool that works.

“What’s changed in this type of market is businesses and professionals relate to each other more deeply online,” Kaplan said.

Kaplan, a former lawyer and corporate ghostwriter, runs the networking blog ReinventingProfessionals.com and published the book “Reinventing Professional Services: Building Your Business in the Digital Marketplace” last year. He visited the University of Georgia last week to share advice with law students.

The Brooklyn native said he originally wanted to title his book “White Collar Hustler” because job-seekers need to hustle online for work.

“People think of networking as exchanging business cards in the most awkward setting imaginable,” he said. “Throw that out the window, because it’s not effective anymore.”

Job-seekers can use the social media site LinkedIn’s advanced search function to, for example, identify all of the law partners in Georgia who graduated from UGA, Kaplan said. Then they can form groups of contacts related to their areas of expertise, share information like news articles or host discussions among group members. Those interactions will keep you in their minds when they’re looking for a new employee or a business to provide a service, he said.

Kaplan said he’s gotten ghostwriting work from people he doesn’t know in person but who receive his newsletter. He also likes to check a website journalists use to find sources so he can refer them to people he knows, and often introduces online connections to each other if he thinks they can do business together, he said.

“I always say to people that self-promotion has little to do with promoting yourself,” he said. “It has to do with promoting the work of others and letting that reflect on your character.”
Networking these days is more than a business card exchange, expert says | Online Athens

Kaplan also suggested starting a blog or email newsletter and interviewing people in the field you want to enter and the location where you want to work. Showing an interest in what a potential employer does — not just dropping off a random resume — is a great way to get a foot in the door, he said. Instead of sending a contact an interesting article as a way to follow up, write the article yourself, he said.

Such techniques don’t always work right away, but they pay dividends in the long run, Kaplan said.

“A lot of times it’s not what happens at the initial meeting,” he said. “It’s what happens at the follow-up. Most of us fail at the follow-up.”
Some law schools report inflated employment data

By KATHRYN INGALL on February 19, 2012

Employment data isn’t as simple as it would seem in law school.

Recent lawsuits have drawn attention to the expectations of high rankings — and the lengths to which schools will go to advance their standings.

Fifteen lawsuits have been filed this year against law schools, including Brooklyn Law School in New York and the University of San Francisco School of Law, for allegedly inflating post-graduation employment figures.

Though the University is not part of these suits, it did revise its numbers along with other schools.

Questionable data prompted the American Bar Association in December to require more details from accredited law schools, including how many graduates have been hired by their own schools.

“I think the trend is definitely toward more information, not less,” said Paul Rollins, associate dean for administration at the law school.

The new reporting system contains more details about graduate jobs through student-by-student profiles to the ABA, to be compiled for a guide.

Although Rollins said it is unclear how much of that data the report will contain, the law school plans to have it available on their website after it is released on March 15.

Schools will report whether a job requires or prefers a law degree, instead of only an industry category such as government or business.

“It really doesn’t allow for any room to change the data,” Rollins said.

Law schools have also been accused of manipulating numbers by hiring back their own graduates.

Rollins said the University only hired one graduate last year, and that was outside the law school.

Employment rates are important indicators to applicants of their ability to find a job after graduation — and pay off debt.

Rollins said University law graduates often accumulate less debt because tuition is about a third of private school rates.

The most recent statistics from the class of 2010 showed a 97.6 percent of graduates were either employed or pursuing a graduate degree.

The 2.4 percent unemployed includes any graduate working in a job that did not require or prefer a law degree in addition to those without work.

The difference between the University’s law school employment numbers trail Harvard’s by 0.8 percentage points. And 98.4 percent of Harvard’s 2010 graduates were either employed or pursuing a graduate degree, according to the ABA.

Previously the data was broken up by industry — business, government and non-profit, among others.

Two years ago the law school developed a program to find work for unhired graduates for a limited amount of time, in response to hard economic times.

“Even the best students have fewer choices,” Rollins said. “And the students who come to law school think more about what they want to do.”
Some law schools report inflated employment data | The Red and Black

These programs employ graduates through public interest service awards for fixed periods of time, such as 250 hours of work over a few months.

Rollins said the program is beneficial for graduates and contributes to their resumes when there are few jobs to be found.

"But that's really different than putting someone on the payroll and hiring them," he said.

In the two years since the University began the program, Rollins said about 25 graduates have participated.

He said these jobs do not factor into ABA graduation reports because they no longer exist by the nine month evaluation point.

"There's really nothing wrong with a school trying to find graduates employment," Rollins said. "What's wrong is if that is presented as a permanent job."

There are also differences between the reporting methods of U.S. News and World Report and the ABA, which uses employment rates nine months after graduation instead of at graduation.

Large law firms are likely to hire early, but many government jobs aren't secured until students pass the bar exam, Rollins said.

Although the U.S. News and World Report figures may be less scientific, students still notice.

"It's important only to the extent that students rely on it to decide which schools to apply to," Rollins said.

The U.S. News and World Report ranks the University of Georgia Law School 35th in the nation, overall.

Andrew Wills, a first-year law student from Douglas, said graduate employment rates were only one factor in his consideration.

"I did look at that information whenever I was applying, but I think my decision was based on the reputation of the school, not the figures," he said.

Other students, who applied before the recession, are worried about decreased employment, but realize all schools are affected.

"It's definitely concerning because you want everyone you go to school with to be employed and to not have to deal with debt, but I think that's the case with all law schools right now," said Jeanmarie Tankersley, a third-year law student and president of the UGA Student Bar Association.

When asked whether he anticipated a change in the methods of the U.S. News and World Report, Rollins said he did not.

"I don't think they're particularly interested in whether their information is correct and accurate," he said.

Rollins knocked lightly on his desk as he said that he did not anticipate the University being part of the legal action.

"There are a couple hundred law schools and the actions of a few are causing all to be in question," he said.

2010 graduates employed or pursuing a graduate degree:

UGA: 97.6%

UNC: 94.6%

Florida: 97.1%

Harvard: 98.4%

Yale: 99.0%

Source: ABA 2012 statistics

Add New Comment

Like
Blueprint calendar

Published Sunday, February 19, 2012 Updated: Monday, February 20, 2012 - 12:01am

TODAY

**Domestic Violence Support Group:** 6 p.m.; call Project Safe's hotline for locations; dinner for participants and children at 6 p.m., meeting from 6:30-8 p.m.; childcare provided; held the first and third Monday of each month in Madison County; (706) 543-3331 or (706)-613-3357, ext. 771.

ON TUESDAY

**Center shows “Black History: A Retrospective”:** 4 p.m. Tuesday, Thursday and Friday, East Athens Community Center, 400 McKinley Drive; the center will show segments of “Black History: A Retrospective,” a collection of documentaries and programs chronicling the contributions and accomplishments of the most prominent and influential African Americans in U.S. history; free and open to the public; (706) 613-3593.

ON WEDNESDAY

**Teen Club:** 4:30-5:30 p.m., East Athens Community Center, 400 McKinley Drive; for girls ages 10-18 years old; encourages cooperation, teamwork, good behavior, and self esteem in young women; free; (706) 613-3593 or www.athensclarkecounty.com/eastathens.

ON THURSDAY

**Protect Athens Music Conference:** 3-6 p.m., The Melting Point, 295 E. Dougherty St.; panel discussions led by music industry professionals on topics including booking, contracts, copyright and more; panelists include: David Barbe, Director, UGA Music
Business Program; Bertis Downs, Manager, R.E.M.; Steve Lopez, Tour Manager, Widespread Panic; Nikki Marshall, Owner, Red Clay Clearances; Lisa Moore, Director, Georgia Lawyers for the Arts; Scott Orvold, Talent Buyer, Georgia Theatre; David Prasse, Owner, Slushfund Recordings; David Shipley, Professor, University of Georgia School of Law; Velena Vego, Talent Buyer, 40 Watt; David Claassen, Director, BMI; (706) 363-0070 or email protectathensmusic@gmail.com.

ON FRIDAY

Parent and Child Puzzle Day: 6 p.m., East Athens Community Center, 400 McKinley Drive; parents and children work together to solve puzzles; takes place the last Friday of each month; free; (706) 613-3593 or visit www.athensclarkecounty.com/eastathens.

ON SATURDAY

Athens African-American History Tour: 2 p.m.; native Athenian Rosa Thurmond leads a tour to celebrate Black History Month and shares enlightening and inspirational stories; visit Morton Theatre, First A.M.E. Church, New Town, and Gospel Pilgrim Cemetery; $10; call (706) 353-1820 to make a reservation.

Journey Through the Stars: 2-3 p.m., Sandy Creek Nature Center and ENSAT Center, 205 Old Commerce Road; for families; a planetarium program in the new Sky Center; journey through the night sky, exploring the great beyond; $7 for ACC residents and $10 for non-residents; (706) 613-3615.

ON SUNDAY

8th Annual Foundry Park Inn & Spa Bridal Show and Tasting: 2 p.m., The Melting Point, 295 E. Dougherty St.; over 20 of Northeast Georgia's premium wedding vendors will be on hand including: photographers, florists, formal wear, wedding planners, pastry chefs, entertainment, transportation companies and more; sample the cuisine of The Melting Point's culinary team while perusing the latest bridal fashions and decor for the entire wedding party; $10 advance, $12 at door; www.foundryparkinn.com.
SCHOOL OF LAW, TERRY COLLEGE OF BUSINESS

Conference to examine current business, legal issues in music

By Heidi M. Murphy
hmurphy@uga.edu

The School of Law's Sports and Entertainment Law Society has joined forces with the Music Business Program in the Terry College of Business and Nuçi's Space to host a conference on current music industry business and legal issues. Open to the public, the conference will be held Feb. 23 from 3-6 p.m. at the Melting Point in downtown Athens. In addition, a free legal clinic for local musicians will be held Feb. 24 from 11 a.m.-3 p.m. at Nuçi's Space, located at 396 Oconee St.

Conference discussion sessions will address topics such as booking, contracts and copyright issues, and panelists will include legal and business music professionals such as David Barbe, director of the music business program; David Classen, BMI director; Bertis Downs, R.E.M. manager; Steve Lopez, Widespread Panic tour manager; Nikki Marshall, Red Clay Clearances owner; Lisa Moore, director of Georgia Lawyers for the Arts; Scott Orvold, talent buyer for the Georgia Theatre; David Prasse, owner of Slushfund Recordings; David Shipley, Georgia Law professor; and Velena Vego, talent buyer for the 40 Watt Club.

The clinic will be staffed by experienced entertainment law attorneys and will provide musicians with one-on-one consultations. It is best for those seeking legal advice to pre-schedule their appointment by sending an email to protectathensmusic@gmail.com.

ProtecT Athens Music

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Public interest law conference, auction will open March 2

By Cindy H. Rice
cindyh@uga.edu

Topics ranging from judicial budget cuts to the sustainability of animal farming will be explored at the School of Law's seventh annual Working in the Public Interest Law Conference.

Open to the public, this event will open with a reception and lecture March 2 at 6:30 p.m. at the Melting Point in downtown Athens, with the conference taking place March 3 at the law school.

Delivering the keynote address will be attorney Jan R. Schlichtmann, who became famous during the 1980s as a result of his lawsuit alleging that chemicals from several companies had contaminated the drinking water in a town north of Boston. This case served as the basis for the book, A Civil Action.

Also participating in the conference as panelists will be Chief Justice Carol W. Hunstein of the Supreme Court of Georgia; Joyce Tischler, co-founder of the Animal Legal Defense Fund; and Tom Rawlings, Guatemala field office director for the International Justice Mission.

The conference agenda includes panels on the impact of college student debt on the economy, the fallout from budget cuts in the area of domestic violence prosecution, the constitutionality of the death penalty, the sustainability of animal farming and the advantages and disadvantages of solo practices as well as alternative public interest careers.

As part of the conference, the school's Equal Justice Foundation also will host its annual auction March 2 at the Melting Point after the keynote address.

For more information about the conference or to register, visit www.law.uga.edu/wipi. Registration is due by Feb. 28.

Female philosophy faculty

UGA tied for first in a study of 98 philosophy departments nationwide to determine which universities have the highest percentage of female tenured or tenure-track philosophy faculty members. Selected universities from the top 10 are:

<table>
<thead>
<tr>
<th>Rank</th>
<th>University</th>
<th>Female faculty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>UGA</td>
<td>6 (43%)</td>
</tr>
<tr>
<td>2</td>
<td>Pennsylvania</td>
<td>4 (43%)</td>
</tr>
<tr>
<td>3</td>
<td>Washington</td>
<td>8 (42%)</td>
</tr>
<tr>
<td>4</td>
<td>Penn State</td>
<td>7 (41%)</td>
</tr>
<tr>
<td>5</td>
<td>Utah</td>
<td>7 (41%)</td>
</tr>
<tr>
<td>6</td>
<td>Indiana (Bloomington)</td>
<td>6 (40%)</td>
</tr>
<tr>
<td>7</td>
<td>Oregon</td>
<td>4 (40%)</td>
</tr>
<tr>
<td>8</td>
<td>Villanova</td>
<td>8 (36%)</td>
</tr>
<tr>
<td>9</td>
<td>DePaul</td>
<td>7 (35%)</td>
</tr>
<tr>
<td>10</td>
<td>SUNY Albany</td>
<td>4 (33%)</td>
</tr>
</tbody>
</table>
Environment and Design to lead charrette

A team of students and faculty from the College of Environment and Design will partner with the Athens-Clarke Heritage Foundation Feb. 24-26 to explore the redevelopment possibilities of the Southern Manufacturing Co. property located on Oneta Street.

The multi-day collaborative design workshop, also known as a charrette, is designed to help create a new vision for the industrial property. It will provide an opportunity for community members to brainstorm community needs that can best be served by the Southern Mill property.

The foundation is asking participants to think about what could happen if this 18-plus acre abandoned mill property was considered for revitalization, taking into consideration pressing social needs and incorporating economic development tools with environmental best practices to create a socially sustainable project.

The three-day charrette includes a public input session Feb. 24 at 9 a.m. and a final presentation of the charrette and a question-and-answer session with the public and stakeholder group Feb. 26 at 4 p.m. Both events will take place at Old Fire Hall #2, Athens-Clarke Heritage Foundation headquarters, 489 Prince Ave.

Additionally, UGA master's of environmental planning and design candidate Deepali Pavnaskar is conducting a research study for the area surrounding Southern Mill to evaluate the existing conditions and identify possible uses for the Southern Mill Industrial district.

Conference will explore future of international intellectual property law

The School of Law's Journal of Intellectual Property Law will host "Back to the Future: Global Perspectives on the Future of IP Law in the Next Decade" on March 2 in the Larry Walker Room of Dean Rusk Hall. Starting at 8:30 a.m., this daylong conference will explore copyright law, trademark law and patent law, focusing on the perspectives of the European Union and the U.S.

The conference will feature experts from multiple U.S. intellectual property law areas as well as experts on EU design-protection law who will discuss the current issues facing intellectual property law and project its evolution throughout the next decade.

To register for lunch, visit www.law.uga.edu/jip/ and complete the online form by Feb. 29. This event is co-sponsored by the law school's Dean Rusk Center for International Law and Policy.

Athletic facility upgrades approved

Three facility funding requests totaling...
Camera action

Sonja West, a professor of law, was quoted in a Bloomberg L.P. story about the possibility of allowing recording equipment in the chambers of the U.S. Supreme Court.

In 2010, the court began posting audio on its website at the end of weeks when it heard arguments. Since then, the justices haven't done any same-day audio releases to avoid being in the "awkward position of deciding which cases are of high public interest," West said.

Los Angeles Times

The revolution will not be televised

A Los Angeles Times article about the debate over technology use in U.S. classrooms quoted Thomas C. Reeves, an associate professor of statistics and instructional technology expert.

"But the notion that a good teacher would be just as effective on videotape is not the case," Reeves said. "The angle comes directly from that, Taylor said. "That was my subliminal tie-in to show that we're all a part of the University of Georgia. It implies an umbrella."

That same sort of connectedness is evident in nearly every area of Taylor's life. His sense of community is vast.

"One thing I really enjoy about working here is that we're all here for the same purpose: To promote the university, to get these kids in graduated and into good jobs," he said. "I've been very fortunate to work here with some great people."

It doesn't stop there, however. The 41-year-old Taylor serves as a deacon from magazines to bumper stickers. A narrow, arcing line, the swoop serves as a unifying symbol for the Terry College, giving its materials a consistent theme. But it also makes a nod to the connectedness to UGA as a whole.

"Its curve was actually taken from a giant, enlarged picture of the Arch. The angle comes directly from that," Taylor said. "That was my subliminal tie-in to show that we're all a part of the University of Georgia. It implies an umbrella."

School of Law

Law school alumnus returns to head up development

By Cindy H. Rice

Sowell earned both his bachelor of business administration and juris doctor degrees from the University of Georgia in 1980 and 1983, respectively.

Gregory Sowell had a successful 29-year law practice that included a range of issues, but focused on business and local government. Sowell represented the city of Tifton for more than 20 years and also served as counsel for the Tift County Board of Education and the county's industrial development authority. Additionally, he has served as a municipal court judge, handled matters for the state of Georgia as a special assistant attorney general and as closing counsel for bond and commercial loan packages worth millions of dollars.

Sowell earned both his bachelor of business administration and juris doctor degrees from UGA in 1980 and 1983, respectively.
Monday, February 20, 2012

Making Partner: It's different now

The proverbial carrot of partnership is not necessarily the money or prestige, and motivation is unique for each person

By Tammy Clabby, Special to the Daily Report

Making partner in the 21st century is difficult and, as the newest class attests, it appears unlikely that achieving this milestone will get any easier in years to come.

The newly promoted in Atlanta have navigated a minefield during their careers, including changes brought on by the Information Age, the entrance of new and younger generations, law firm globalization and a recession.

Incentives that once kept those on the partner track motivated aren't the same as they used to be. If put into the context of findings by law firm consultants and books such as "Drive: The Surprising Truth About What Motivates Us," by New York Times best-selling author Daniel H. Pink, methods of keeping the best and brightest motivated to lead Big Law will continue to evolve.

New carrots, new sticks

In a 2004 article for legal consulting firm Altman Weil titled "The young and the restless," former consultants Virginia Grant and Marci M. Krufka detailed a new world law firm environment made up of four distinct and divergent generations: Traditionalists born before 1946; Baby Boomers born between 1946 and 1964; Generation X born between 1965 and 1980; and Generation Y or Millennials, born after 1980.

The traditionalists, they wrote, "came up in an environment of clear chain of command, secretaries took dictation—a PC on every desk had the sound of science fiction—and these lawyers were most comfortable with a command and control management style."

Pink, a Yale trained lawyer, would call the traditionalist's view of motivation a carrot and stick approach. He also argues that it is the least motivational in any workplace.

But for those coming from the traditionalist group, the money and prestige of making partner often was the brass ring.

In his study, "The History of Work Ethic," University of Georgia workforce education professor Roger B. Hill describes the traditional model as a creation of the Industrial Revolution, and it's characterized by the belief that "the average worker was basically lazy and motivated almost entirely by money."

"The (newer) work ethic of the 1980s stressed skill, challenge, autonomy, recognition and the quality of work produced," Hill wrote. "Autonomy was identified as a particularly important factor in worker..."
The baby boomers, wrote Grant and Krufka, "were driven to be successful, watched technology become a routine part of the practice of law, witnessed advances by women and minorities and a challenge to command as a result of increased opportunities."

If these things shaped the Baby Boomers, the most stunning impacts are now being felt in the workplace, legal or otherwise, with the entrance of their children, Gen X and Gen Y.

This year, the overwhelming majority of new Atlanta partners who responded to the Daily Report's annual survey are Generation X.

Generation X is said to be individualistic, the first generation to have grown up with computers in their homes, less committed to one employer, ambitious and works to live rather than lives to work.

**More than a paycheck**

Pink prescribes autonomy, mastery of something that matters and purpose or service to something larger than ourselves as the keys to motivation in the emerging workplace.

Newly minted Alston & Bird intellectual property partner and Gen-Xer Wesley C. Achey, 33, earned a degree in industrial engineering before going to law school. But he recalls thinking he would never make partner. "In my first three or four years, I couldn't see it."

Then, he says, sometime around his fifth year, "I really put my head down, refocused and went for it," he says. "I was older. I went from junior associate work to having more control and ownership. Autonomy was an important thing for me. I had kids and took my life more seriously."

Michael E. Paulhus, also 33, and a new health care litigation partner at King & Spalding, recalls wanting to make partner as soon as he entered law school. Autonomy is important, but in some ways having purpose is even more essential, he says.

"There is more to life than getting the brass ring and making money," he says. "Family is very important. I work a ton. But I try to leave the office at 6:45 to get home to give my young daughter a bath and read her a book. Then he works again. "The pursuit of money is not attractive, but money as a means to provide for family is a great attraction," Paulhus says.

In his 2008 article, "Do associates still care about making partner?" Eric Seeger, a principal at Altman Weil, detailed the changes and challenges wrought by the shifting law firm business structure as making the law firm career "more fluid, less traditional and less predictable."

Now, says Seeger, partnership is still viewed as the pinnacle of the legal profession but the stigma of not making partner, and thus the motivation to do so, is eroding.

"What we have now is many don't expect it and are lukewarm about it. There are fewer equity partnerships available or young lawyers are seeing equity partners being kicked out. Senior associates are paid so well, comparable to that of partners, but with no risks," he says.

"Most don't expect to stay at one organization their entire career. They are mobile. I've been at Altman Weil for six and a half years, and that is as long as I've been anywhere," says Seeger, who is an older.
Gen Xer.

Jonathan A. Feldman, 37, newly named tax partner at Sutherland, echoes Seeger's observations, recalling that while he always viewed partnership as a goal, at times it seemed unreachable.

"It was a roller coaster," Feldman says. "I did not start at a law firm, but rather the accounting firm Arthur Andersen.

"Many of us were then absorbed by Deloitte & Touche. When the opportunity came along at Sutherland, I came as a lateral associate. I may be somewhat older than my peers and getting up to speed took time," he says.

Most motivating, says Feldman, is the quality and type of work he does both with peers and with clients—essentially, the mastery carrot that Pink describes.

Moving up

The younger generations want more feedback. Eight years ago, Altman Weil's Grant and Krufka warned it would be a battle to recruit and retain the best and brightest. Among the tools to use, they suggested, "project-specific feedback throughout the year, in addition to at least one formal performance evaluation per year, professional development and advancement opportunity to plan and develop careers, and a more formal mentor program."

Newly named Holland & Knight appellate litigation partner, Cynthia G. Burnside, 42, touts her firm's policy that partner-track lawyers apply for partnership.

"The firm wants three full years of numbers," says Burnside. "Then you can apply with your practice group leader, a mentor. (My mentor) and I consulted with our national practice group leader."

Though the firm looks at billable hours, Burnside says it also evaluate attributes that are less measureable.

"Good lawyers come in all shapes and sizes," she adds.

The Millennials are coming

Generation Y, also called the Millennials, is described as the fastest-growing segment of today's workforce. Generation Y's numbers may be as high as 70 million in America. They are the tech savvy, plugged-in 24/7 generation. They prefer electronic communication to face-to-face.

While they are achievement oriented, they are deemed the group seeking a better work/life balance. This generation may trade high pay for fewer billable hours and a flexible work schedule.

They are team players, having grown up on sports teams or in other group activities, but as a group they crave individual attention in the forms of feedback and guidance.

Like their baby boomer parents, writes Pink, "Generation Y, the Millennials, or the echo boomers, do not rate money as the most important form of compensation. Instead, they choose a range of nonmonetary factors—from a great team to the ability to give back to society through work."

And if they can't find that satisfaction, they may just leave for greater opportunity or start a venture of
Globalization and the future

In January, The Wall Street Journal reported a "flurry" of law firm mergers that likely will continue and increase in the year ahead.

"Globalization has been driving mergers for years," reports Altman Weil's Seeger. "In 2009, mergers came to a screeching halt. Firms were dealing with economy driven internal problems and focused more on costs and personnel issues. They couldn't cut and merge. It picked up last year, and if there are more in the future, that can be an optimistic sign that firms are growing more comfortable—or at least demand is not shrinking."

But it also creates more pressure on would-be partners.

"Being partner used to buy you a lot of security," says Seeger. "But as firms look at all the firm's contributors, an equity partner is no longer protected from scrutiny, and there is certainly enhanced scrutiny when going through a merger."

Seeger and others report the economy is on the uptick for practicing law, but where will partners of the future come from and how will they be motivated?

At the University of Georgia School of Law, Director of Legal Career Services David O'Brien—a former practitioner—notes the recession's impact.

"Students applying now (to law school) have a better sense of market conditions," he says. "Several years ago they may have had certain expectations. Now they know that when they get out the market will be different and the job search will be different. There used to be more openings, now there are fewer and students are becoming smarter consumers and more discerning about what they want—whether it's a job with a medium or large law firm or something else."

Pink hopes for a future where employee creativity is tapped through more flexible schedules and even working outside of the office. In the practice of law, he views the billable hour as the "most autonomy crushing mechanism imaginable" and envisions its demise.

Seeger reports seeing the increased use of what is known as the alternative fee agreement. But as motivational as these might seem, he is cautionary.

"By no means is the billable hour dead. Law firms are built on the billable hour and that is often the way clients expect it to work," Seeger says.

Ultimately, according to Seeger, it's a "tough employment market and a tough and prolonged partnership track."

Seeger has warned that law firm managers and partners can rail against the younger generations, but now, as Generation Y peers down the partnership track, their culture must be accommodated.

"It is fair to say fewer associates are willing to make the trade-off of crazy hours and paying dues," Seeger says. "The young are not willing to make the trade-off in life balance. For those who want partnership, firms are lengthening the partnership track but are doing a much better job of articulating
standards, and as is required by the younger generations, providing more communication.

"Gen Y is a new breed and you can't wish them away."
Former US ambassador to speak at
ATHENS, Ga.
The first U.S. ambassador-at-large for war crime issues will speak at the University of Georgia.
David Scheffer will deliver a presentation March 6 on the fate of people responsible for atrocity crimes and discuss how leaders indicted for war crimes face either an international trial or vengeful retribution.
The lecture will be at Dean Rusk Hall at 2:30 p.m. It is sponsored by the Dean Rusk Center for International Law and Policy and the Georgia Society of International and Comparative Law.
It is free and open to the public.
Scheffer was the ambassador for war crime issues from 1997 to 2001. He is currently a professor at Northwestern University and the United Nations secretary-general’s special expert on the Khmer Rouge trials.
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Online:
http://www.uga.edu

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Will address atrocity crimes

Georgia Law to host former U.S. ambassador

By HEIDI MURPHY

Published Monday, February 20, 2012

America's first Ambassador-at-Large for War Crimes Issues David Scheffer will deliver a presentation on the fate of those responsible for atrocity crimes on March 6 at 2:30 p.m. in the Larry Walker Room of Dean Rusk Hall on the University of Georgia's North Campus. Organized by the School of Law's Dean Rusk Center for International Law and Policy and the Georgia Society of International and Comparative Law, the event is free and open to the public.

Selected by Foreign Policy magazine as one of the "Top Global Thinkers of 2011," Scheffer will discuss atrocity crimes past, present and future, and address how indicted leaders will face either international trial or
"vengeful retribution." His presentation will draw from his book All the Missing Souls: A Personal History of the War Crimes Tribunals in which he chronicles his direct involvement in efforts to establish international criminal tribunals in the former Yugoslavia, Rwanda, Sierra Leone and Cambodia as well as his experience heading the U.S. team negotiating the statute of the International Criminal Court. Copies of his book will be available for purchase following his presentation.

"Georgia Law is very proud to host a key insider in U.S. efforts to prosecute those responsible for some of the worst human rights atrocities of our time," Rusk Center Director C. Donald Johnson said. "Ambassador Scheffer’s experience on the front lines will bring meaningful and necessary discussion to our community."

Scheffer currently serves as the United Nations secretary-general’s special expert on the Khmer Rouge trials and also is the Mayer Brown/Robert A. Helman Professor of Law and the director of the Center for International Human Rights at Northwestern University. From 1997 – 2001, he served as the first U.S. ambassador-at-large for war crimes issues. He has published widely on international law and politics.

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Venezuelan basketball team uses Univ. super-G symbol

By KATIE VALENTINE on February 21, 2012

Turns out Georgia's not the only team to show its pride through a black and white 'G.'

Guaros de Lara, a Venezuelan basketball team, uses the same black and white super-G symbol as one of its logos. Guaros de Lara's colors are black, white and red, and the logo is displayed prominently on the team's website and has also appeared on its uniforms.

Alan Thomas, associate athletic director for external affairs, said the athletic association didn't know about the Guaros de Lara logo, but he said it isn't a violation of the University's trademark. He said the trademark for the University's super-G is registered in the U.S., Mexico, Canada and Europe.

"Our registration doesn't apply to something in Venezuela," he said.

Thomas said the University registers its trademarks in classes that are most applicable to them, such as clothing and educational services. Registering a trademark makes it easier for the trademark holder to bring a case to court if copyright infringement is suspected.

David Shipley, the Thomas R.R. Cobb Professor of Law at the University, said he didn't think the Venezuelan logo posed a threat to the University's logo.

"Is this use of the G in South America going to diminish the value of our trademark? I really doubt it," he said. "I really have a hard time seeing that fans of this club in Venezuela would think that it was in some way related to, sponsored by or affiliated with the University of Georgia."

Shipley said trademark owners usually have two concerns facing the protection of their marks: protecting their brand against competitors so their mark is not diluted by the usage of others, and protecting consumers against confusion as to where that brand comes from and what it describes.

"The concern with dilution is if you allow your brand to be used too widely on a variety of other products, it might lose its value as a mark," he said. "But as for the use of the G for a basketball team in Venezuela, I think that's a real stretch."

In the U.S., the Green Bay Packers have the same super-G logo, though with different colors. Thomas said the University has a coexistence agreement with the Packers, which outlines parameters such as color usage of the mark. This allows the University to use the logo without infringing on Green Bay's trademark, and the different colors and difference in football leagues prevents consumers from getting confused.

William Lee, a Grady College professor, said in an email that he was not sure if the Venezuelan logo caused significant harm to the University.

"Perhaps it could become significant if this team received TV coverage in the U.S. and started selling merchandise," he stated.

If that happened, Shipley said the athletic association could press charges against Guaros de Lara, since the merchandise was being sold in the U.S. where the trademark is registered.

"It's like they would do with any outfit that is selling T-shirts, products, ball caps, you name it, without using the official licensed logos and without going through the athletic association," he said.

Unless that happens though, it looks as though the distinctive logo is safe.

"They have to make a judgment at some point - 'Do we go ahead and try to get protection in other parts of the
Venezuelan basketball team uses Univ. super-G symbol | The Red and Black http://redandblack.com/2012/02/21/venezuelan-basketball-team-uses-...
Music Law Clinic aims to protect Athens' musicians.

By ANDRÉ GALLANT - andre.gallant@onlineathens.com
Published Wednesday, February 22, 2012 Updated: Thursday, February 23, 2012 - 12:00am

Between practices, gigs and studio sessions, a musician's life is packed with creative work and leaves little time for business. Nobody picks up a guitar and dreams about protecting his intellectual property. It's time to shred.

Musicians can get burned financially by ignoring the legal side of their business, which is why a group of music business experts and lawyers have gathered to offer their advice in making sense of contracts and copyright law.

"Protect Athens Music" kicks off a two-day clinic today with an goal of arming Athens' musicians with some essential legal skills.

Today, two panels, featuring music business veterans and entertainment law experts, will meet at the Melting Point at 3 p.m. to discuss legal issues facing the Athens music scene.

On Friday, beginning at 11 a.m., Nuci's Space hosts lawyers ready to meet one-on-one with musicians to help them work through their legal concerns.

"Protect Athens Music" is a joint venture of the University of Georgia Music Business Program, the University of Georgia's Law School Sports and Entertainment Law Society, Nuci's Space and the Melting Point.

"We want to help show them how to make money with their music," said Eric Garber, co-chair of Protect Athens Music.
Music Law Clinic aims to protect Athens' musicians.

Last year's event took place on campus and was geared toward law students, said Jessi Samford, the event's other chair. This year, organizers moved the panels off campus to draw a wider audience, she said.

Garber and Samford, who are both third-year law students and members of the Sports and Entertainment Law Society, stress that "Protect Athens Music" events are free and open to the public; attendees are welcome to pop in and out as they please.

But if you'd like to schedule time with a lawyer Friday, or have a question for Thursday's panel, the organizers ask that you email them beforehand at protectathensmusic@gmail.com.

When and Where: Thurs. Feb 23, from 3 to 6 p.m. at Melting Point and Fri. from 11 to 3 p.m. at Nuci's Space. WEB: protectathensmusic.com HOW MUCH: Free.
News update, Feb. 22

Written By Champion Staff 2/22/12  Categorized in: Crime, DeKalb News, Politics

Stuckey Benfield joins GreenLaw; will not seek re-election

State Rep. Stephanie Stuckey Benfield has announced her plans to become the new executive director of GreenLaw, a Georgia environmental advocacy organization, dedicated to clean air and clean water.

Benfield will finish her legislative term but said she will not seek re-election to the Georgia General Assembly.

An outdoors enthusiast and nature lover, Benfield has been a vocal environmental advocate during her 14 years as a member of the Georgia House’s Natural Resources Committee. She said her commitment to clean water and clean air issues grew even stronger after her son was diagnosed with asthma.

“When I learned that my son has asthma, it really hit home that pollution can hurt our most vulnerable citizens, our children,” said Benfield. “For the past 20 years, GreenLaw has been a leader in protecting Georgians from pollution, and I am excited to be able to focus my attention on cleaning up our air and water for our families.”

Benfield received both an undergraduate and law degree from the University of Georgia. She graduated cum laude from the University of Georgia law school in 1992. Among her notable achievements while in office are earning the Outstanding Lawyer in Public Service Award by the Atlanta Bar Association, being named one of “40 under 40” promising Georgians by Georgia Trend magazine as well as one of “16 Attorneys to Watch” by the Fulton County Daily Report. She was also awarded the Environmental Leadership Award by the Georgia Conservation Voters and the Georgia Urban Forest Council Award for Promoting Arbor Day in public schools.

NFL player Ward sentenced
National Football League player Hines Ward, a member of the Pittsburgh Steelers and a native of Forest Park in Clayton County, was sentenced Feb. 22 in State Court for an incident in DeKalb County in July 2011.

Ward, appearing before Judge Stacey Hydrick, pleaded guilty to reckless driving and no contest to failure to maintain lane. DUI charges were dropped as part of the plea. Hydrick sentenced Ward to 12 months on probation with credit for one day served, a $2,000 fine plus court costs, 80 hours of community service, participation in a risk reduction program, and an alcohol evaluation and any treatment recommended.

Ward was stopped by DeKalb County police July 9 on Buford Highway near Briarwood Road for failure to maintain his lane and for hitting a curb.

**Basketball camp offered Feb. 25**

The Nike Predraft Camp will be held Feb. 25, 10 a.m.-4 p.m. at Columbia High School in Decatur. The camp offers coaching and training to students in grades six through eight. A parent/coaches forum also is included in the camp. Registration fee is $125. Signups begin at 9 a.m. and registration can be done online at www.nikepredraftcamp.com. For more information, e-mail info@nikepredraftcamp.com.
Rep. Stephanie Stuckey Benfield won't seek re-election, will lead eco-legal firm

State Rep. Stephanie Stuckey Benfield, D-Decatur, one of metro Atlanta's smartest Democrats, says she won't seek another term under the Gold Dome. (New political boundaries probably deserve some of the blame.) She'll serve the remainder of her term but in April will become the new executive director of Greenlaw, an Atlanta-based environmental law firm that helps fight some of Georgia's most high-profile eco-battles. Via Greenlaw:

An outdoors enthusiast and nature lover, Benfield has been a vocal environmental advocate during her 14 years as a member of the Georgia House's Natural Resource Committee. Her commitment to clean water and clean air issues grew even stronger after her son was diagnosed with asthma. "When I learned that Robert has asthma, it really hit home that pollution can hurt our most vulnerable citizens, our children," said Benfield. "For the past 20 years, GreenLaw has been a leader in protecting Georgians from pollution, and I am excited to be able to focus my attention on cleaning up our air and water for our families."

"Stephanie was picked from an impressive pool of candidates due to her outstanding legal and public service credentials," said Greg Presmanes, Chairman of GreenLaw's Board of Directors. She received both an undergraduate and law degree from the University of Georgia. She graduated cum laude from the University of Georgia School of Law in 1992. Benfield served as a public defender and then went into private practice before being elected to the Georgia General Assembly in 1999. Benfield was given the Outstanding Lawyer in Public Service Award by the Atlanta Bar Association in 2011.

Stuckey Benfield replaces Justine Thompson, the quick-witted and straight-talking attorney who led Greenlaw in a successful 10-year battle against a proposed southwest Georgia coal power plant. She's moving to Florida to be closer to her family but will remain a staff attorney.

TAGS: STEPHANIE STUCKEY-BENFIELD, GREENLAW, JUSTINE THOMPSON, 2012 GOLD DOME, REDISTRICTING

COMMENTS (2)

Showing 1-2 of 2

Did she really have a choice? I think she got screwed in redistricting and would have to run against Howard Mosby.

Posted by S. Dekate Voter on February 22, 2012 at 11:29 AM

Well GreenLaw is a great group, so she moves from being an uber minority party part-time representative to a hopefully effective and needed organization attempting to protect against "tragedy of the commons", which is desperately needed in a State where the government has shirked that responsibility.

Posted by InAl on February 22, 2012 at 11:59 AM
Cumming First United Methodist Church

By Candice Hannigan
For the AJC

1:03 p.m. Thursday, February 23, 2012

Cumming First United Methodist Church

Address: 770 Canton Highway, Cumming, GA 30040
Mailing: P.O. Box 606, Cumming, GA 30028
Phone: 770-887-2900
Website: www.cfumcga.com

Sunday Services: 8:45 a.m. and 11 a.m. traditional, 9:51 a.m. contemporary, 1:30 p.m. Hispanic/Latino
Servicio en español

Average Attendance: 1,200

Senior Pastor: Rev. John L. Cromartie, Jr.

Denomination: United Methodist

Mission Statement:

"Through worship and service and showing God’s love for all, we strive to make disciples of Jesus Christ
for the transformation of the world."

History:

The church began as a mission in the early 1800s and purchased its first site in 1832 from the town of
Cumming. The handful of families that gathered in a log cabin near the square in Cumming has grown
through five sites to the present location with more than 3,300 people.

Pastor’s Path:

Cromartie is a graduate of Emory University, University of Georgia School of Law, and Candler School of
Theology. He practiced law, both privately and in Legal Aid. In 1988, he was ordained as a deacon and
an Elder in 1992. He served as an Associate Pastor at Peachtree Road United Methodist from
1990-1997, when he joined the Cumming staff. The avid hiker completed the Appalachian Trail in 2004
and hikes portions of the trail each summer. He has also climbed Mount Kilimanjaro in Tanzania on two
different occasions.

Ministries:

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Thoughts from the Pastor:

“We are a dynamic church committed to worshipping God and serving others. Jesus said: worship God with all your heart and love your neighbor as you love yourself. We take these words to heart and dedicate ourselves to serving others. Come visit us, register for One Great Day of Service, attend the Arts Festival in April – visit us, worship with us and serve with us.”

Find this article at:
Your Opinion: Congratulations to Tifton's Sowell

(Tifton Gazette)

On behalf of the State Bar of Georgia, I offer congratulations to Tifton attorney Greg Sowell on his recent career transition to an association with the University of Georgia Law School, where he will work with alumni and teach third-year law students.

I also wish to thank the members of the Tifton Judicial Circuit Bar Association, who sponsored a farewell reception for Mr. Sowell in recognition of his 29 years of law practice in Tifton, including service to the public as attorney for the cities of Tifton and Omega. He also served his profession ably as a member of the State Bar of Georgia's Board of Governors in previous years.

Greg Sowell's outstanding record of service is an inspiration to all Georgia lawyers as we seek to fulfill both our duty to help others and our high calling as stewards of the justice system. We wish Greg and his wife, Leah, all the best in their move to Athens and this new chapter of their lives.

Sincerely,

Kenneth L. Shigley
President
State Bar of Georgia

The Tifton Gazette

Search

Tifton Gazette P.O. Box 708 Tifton, GA 31793
Savannah ready to seek Comcast competition

Posted: February 24, 2012 - 12:27am

By Lesley Conn

City Manager Rochelle Small-Toney is prepared to find direct cable competition for Comcast.

She has presented City Council members with a draft of a request to solicit proposals for cable service in areas Comcast serves and in areas, such as downtown, that Comcast does not currently serve.

"The City is confident that the Savannah market could sustain a competing cable service provider throughout the community...," the draft states. "Such competition would benefit the entire city."

The full council has yet to consider the proposal or a companion resolution calling for the Secretary of State to demand better Comcast service for the citizens of Savannah.

Alderman Tony Thomas, who called for the city review of Comcast, gives the city manager's efforts his full support.

"I think competition is good for everyone," he said. "I hope council won't delay in seeking to encourage that, whether by resolution or any other means."

The city has received 389 formal complaints about Comcast service, which ranged from rate hikes and equipment failures to repeatedly canceled appointments and bad installation. Thomas said he is hearing from customers they are very pleased with the cable provider's response, but they believe it's attention they should have been given in the first place. Small-Toney, in the memo, stated the city will initiate mediation for each legitimate unresolved complaint.

The city manager also requested that Comcast provide a corrective action plan, a rate comparison sheet and a capital improvement plan for Savannah that included adding more customer service centers.

Although the state holds Comcast's franchise, Savannah has authority to oversee customer service.

Council nominates Odell to Recorder's Court

Chatham County Recorder's Court Judge Tammy Stokes on Thursday was named the court's new chief judge and attorney and Chatham County Commissioner Harris Odell was nominated to be the new third judge on the court.

Stokes, 50, and a Recorder's Court judge since November 2004, becomes chief judge, succeeding Larry Dillon who died Feb. 5. He had been chief judge since 1993.

"I'm excited about it," Stokes said Thursday. "I have big shoes to fill following Judge Dillon's administration."

The chief judge designation, by operation of law, goes to the judge most senior in service on the court.

Stokes was sworn before Judge Claire Cornwell-Williams, who remains on the bench there, when both were named in 2004.

Council members nominated Odell to fill the vacant judgeship. The Chatham County Commission is expected to confirm the nomination at today's meeting.

NAME: Tammy Stokes

AGE: 50

HOMETOWN: Savannah

EDUCATION: Beach High School, 1979; University of Georgia, Bachelor of arts in psychology, 1984; University of Georgia law school, 1987; joined bar 1988


PERSONAL: Married to Larry Stokes, a professor of criminology and sociology at Savannah State University
Journal publisher Brumby honored with Lifetime Achievement Award

by Kim Isaza
newseditor@mdjonline.com
02.24.12 - 12:00 am

MARIETTA — Otis A. Brumby Jr., publisher of the Marietta Daily Journal and Neighbor Newspapers, was honored Thursday with the Cobb County Lifetime Achievement Award.

The honor — presented by U.S. Sen. Johnny Isakson, state Sen. Lindsey Tippins, county Chairman Tim Lee, Attorney General Sam Olens, Cobb Chamber Chairman Tony Britton and Cobb Chamber CEO David Connell — was given to Brumby during the Marietta Kiwanis Club’s meeting at the Hilton Marietta Conference Center.

Several of the speakers referred to Brumby as “the conscience of the community.” The crowd gave Brumby three standing ovations.

Tippins said that he often sought Brumby’s advice when he was on the Cobb school board, and he came to appreciate that “his answers were insightful, and they were to the point. You didn’t have to wonder what he thought.”

Connell said the recognition is “well overdue.”

“What he has done to impact this community with over 700,000 people is amazing,” he said.

Conley Ingram, a senior Cobb Superior Court judge, said: “Perhaps Otis’ greatest contribution of his lifetime may be the strong role he’s always played to protect the First Amendment. He has been, and he continues to be, a champion of the First Amendment, even though the battles he’s fought have not always been popular or even appreciated.”

Ingram also lauded Brumby’s devotion to his wife, Martha Lee, their five children and their 10 grandchildren.

“He’s the real thing when it comes to love for his family. He’s a fabulous example of what a husband, father and grandfather should be,” she said.

Isakson said, “I don’t know how many people got their start in Otis’ newsroom, but a lot did, and I’ve worked with every one of them. They all give a part of their credit to the hard work and, yes, the hard criticism, that Otis would give, but he made better reporters out of them, and many of them serve the same role in their community that Otis has served in his.”
Olens presented the award to Brumby at the end of the luncheon and recalled that, as the former county chairman, the Journal publisher was always willing to help Cobb organizations in need and often went above and beyond just a mention in the newspaper.

Brumby has been a member of the Marietta Kiwanis Club for nearly 50 years.
Mark Patey, a prominent local attorney, announced Friday that he will seek the Circuit Court judge's seat vacated by Judge Roger Page after his appointment to the Tennessee Court of Criminal Appeals.

A native Jacksonian, Patey has practiced law for nearly 25 years within this district and throughout rural West Tennessee. The 26th Judicial District includes Madison, Henderson and Chester counties.

Patey attended Jackson Central-Merry High School and graduated in 1980, then continued his undergraduate education at Union University on an athletic scholarship and graduated with honors. He finished his law degree at the University of Memphis, then returned to Madison County to begin a regional law practice.

When asked why he wanted to pursue the public service position, Patey stated, "I passionately care about fairness and justice for the citizens of our three counties. Having worked in every courtroom in the 26th Judicial District, it would be the greatest honor of my career to serve the people of Madison, Henderson and Chester counties."

The general election will be held Aug. 2.

Mardi Gras parade winners announced

Jackson Downtown Development Corporation and News/Talk 101.5FM presented the 12th annual Mardi Gras Parade on Tuesday in downtown Jackson.

The organization expressed thanks to all volunteers, the Jackson Police Department, Capt. Sammy Britt, the Madison County Sheriff's Department, EMA and Jackson Fire Department for participating in this year's parade, as well as each float participant.

The grand marshal for the parade was Gary Pickens, chief weather forecaster for WBBJ. The 2012 Mardi Gras Queen and King were Molly Parker Cole and Greg Grobmeier.

The winners of the downtown Jackson storefront contest are Yesterday's Antiques, first place; The Baker's Rack, second place; and Something to Read Bookstore, third place.

The winners of the parade float competition are Davita Dialysis Clinic, "Hilbilly Style," first place; Janette Merriweather, second place; and 2012 Mardi Gras King and Queen Float, third place. Both contests were sponsored by WNWS/101.5. Trophies and plaques can be picked up at 101.5 Studio.

Jackson looks for success during Great American Cleanup
Spring time is near, signaling the return of the nation's largest annual community improvement program, Keep America Beautiful's Great American Cleanup.

Last year, 143,053 Tennessee volunteers contributed 358,240 hours picking up 121,098,794 pounds of litter and debris from all 95 counties, according to a news release.

Keep Tennessee Beautiful will look for improvement again during this year's campaign in Tennessee, which will take place March 1 through May 31.

Keep Tennessee Beautiful also will look to extend its streak of achieving participation from all 95 counties during the Great American Cleanup to six years in a row.

Last year in Jackson, Keep Jackson Beautiful led 2,817 volunteers to gather 98,160 pounds of litter during the annual spring event. Jackson seeks more volunteers this year.

"The citizens of Tennessee have shown their dedication to keep our state clean, green and beautiful over the past few years," said Keep Tennessee Beautiful Executive Director Sutton Mora Hayes. "I know that with the cooperation of our volunteer network across the state, we will accomplish even more this year."

For more information on how to get involved in a GAC event in Jackson, call Jodi Jacobs at 425-8227.

Begala to headline Union Forum luncheon March 7

CNN political analyst Paul Begala will speak at Union University March 7 as part of the ongoing Union Forum luncheon lecture series, according to a news release.

Begala is the author of several best-selling books, including "Buck Up, Suck Up, and Come Back When You Foul Up" and "Is Our Children Learning?" He is also a columnist for Newsweek and The Daily Best and helped establish the political magazine George.

His address at Union will take place the day after the Super Tuesday presidential primary.

The Sugar Land, Texas, native worked to direct political strategy in the 1992 Bill Clinton presidential campaign. He served as counselor to President Clinton and helped define the administration's agenda on economic, domestic and international issues.

Begala is an affiliated professor of public policy at Georgetown University and in 2007 was named the prestigious Carl Sanders Distinguished Scholar in Political Leadership at the University of Georgia School of Law.
The Atlanta Journal-Constitution
February 25, 2012 Saturday
Main Edition

SECTION: LIVING; Pg. 4D

LENGTH: 575 words

HEADLINE: Snapshot Metro Atlanta places of worship; Efforts keep members busy all week

BYLINE: Candice Hannigan; For the AJC

BODY:

Mission statement

"Through worship and service and showing God's love for all, we strive to make disciples of Jesus Christ for the transformation of the world."

History

The church began as a mission in the early 1800s and purchased its first site in 1832 from the town of Cumming. The handful of families that gathered in a log cabin near the square has grown through five sites to the present location with more than 3,300 people.

Pastor's path

The Rev. John Cromartie Jr. is a graduate of Emory University, University of Georgia School of Law and Candler School of Theology. He practiced law, privately and with Legal Aid. In 1988, he was ordained as a deacon and an elder in 1992. He served as an associate pastor at Peachtree Road United Methodist from 1990 to 1997, when he joined the Cumming staff. The avid hiker completed the Appalachian Trail in 2004 and hikes portions of the trail each summer. He has also climbed Mount Kilimanjaro in Tanzania on two occasions.

Ministries

The church's worship services are dedicated to helping each person grow in his or her relationship to God through praise, worship, study and reflection. With that foundation, the members are challenged to reach out to the community in service.

A strong United Methodist Women's group offers spiritual growth and leadership opportunities, and supports women and children's missions locally, districtwide and worldwide through its programming and semiannual consignment sale. The mission outreach works locally through the food pantry and within the Hispanic community, nationally in Henderson Settlement in Appalachia and internationally in Honduras and Ecuador, and with overseas military members among other areas. The church's halls stay busy with children involved in the weekday preschool program, Upward Sports program, Scouting, "More Than Sunday School," children's choirs and a variety of summer camps.

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week, a group reviews the prayer requests and passes them along to the more than 400-person intercessory prayer team, that not only prays, but writes handwritten notes of encouragement. This ministry is being used as a model for other churches wanting to start a prayer ministry.

Pastor’s thoughts

"We are a dynamic church committed to worshipping God and serving others. Jesus said: Worship God with all your heart and love your neighbor as you love yourself. We take these words to heart and dedicate ourselves to serving others. Come visit us, register for One Great Day of Service, attend the arts festival in April --- visit us, worship with us and serve with us."

Cumming First United Methodist Church

Sunday services: 8:45 and 11 a.m. traditional, 9:51 contemporary, 1:30 p.m. Hispanic/Latino servicio en espanol

Average attendance: 1,200


Denomination: United Methodist

Address: 770 Canton Highway, Cumming

Mail: P.O. Box 606, Cumming, GA 30028

Phone: 770-887-2900

Website: www.cfumcga .com

GRAPHIC: Photo: The Rev. John Cromartie, who also holds a law degree, completed hiking the Appalachian Trail in 2004 and has climbed Kilimanjaro in Africa twice. Cumming First UMC /ImageData*
Sheehan.

The announcement was made last week at the society's annual Grand Marshal's Ball, which marks the start of the Irish-American season in Augusta. The society will hold a parade for the city March 17.

Rice, a lifelong Augustan and member of St. Mary on the Hill Catholic Church, is a law partner for Hull Barrett. He has four children and nine grandchildren.

He graduated from Aquinas High School in 1959 and Springhill College in 1963 before attending the University of Georgia Law School.


The Irish Lady of the Year is also a native Augustan. Sheehan attended Mount St. Joseph Academy and graduated from Aquinas High School. She is a member of St. Mary on the Hill Catholic Church.

Reach Meg Mirshak at (706) 823-3228

or meg.mirshak@augustachronicle.com

LOAD-DATE: February 25, 2012

********** Print Completed **********
**Poston sworn in as district attorney**

Bert Poston was sworn in by Gov. Nathan Deal on Wednesday as the district attorney for the Conasauga Judicial Circuit serving Murray and Whitfield counties. The oath of office was administered at the state Capitol with Poston surrounded by family, friends and colleagues.

Poston graduated from Dalton High School in 1985 and received a bachelor's degree in business administration from the University of Georgia in 1989. He graduated cum laude from the UGA Law School in 1992 and was hired as an assistant district attorney in the Conasauga circuit that same year. Poston was promoted to chief assistant district attorney in April 1996.

He is a long-time member of the Kiwanis Club of Dalton and is also active in Family Promise of Whitfield County. Poston serves on the board of The GreenHouse, an advocacy center for children and victims of sexual assault crimes, and is assistant den leader for Cub Scout Pack 65. He is a member of Rock Bridge Community Church. Poston and his wife, Charlotte, have four children.

Poston was appointed by the governor to fill the remaining term of Kermit McManus, who retired as district attorney at the end of January. An election for the position will be held in November, and Poston said he plans to run.
Newsmakers in Savannah

Posted: February 26, 2012 - 12:38am

HIRES, PROMOTIONS

KEITH HOWINGTON

New job title: Appointed to Historic District Board of Review

Company: Greenline Architecture, P.C.

Duties: As a board member Howington will protect the values of property associated with the history and unique architectural details within Savannah’s Landmark Historic District.

Related work experience: Since joining Greenline, Howington has been project manager and designer for a variety of commercial projects.

Education: Howington received his bachelor’s of historic preservation and his master’s of architecture from Savannah College of Art and Design.

CYNDI FAUDREE

New job title: Lead faculty member for the Family Nurse Practitioner Specialization

Company: South University

Duties: She will oversee the family nurse practitioner specialization in the Master of Science in nursing program in the College of Nursing and Public Health.
Related work experience: Faudree was the program director for the Aim to WINN program at Winn Army Community Hospital and was in clinical practice as a family/acute care nurse practitioner and internal medicine provider.

Education: Faudree earned her doctor of nursing practice degree in organizational leadership from the University of South Carolina. She holds a BSN degree from the University of Florida and a Master of Science in nursing from Georgia Southern University.

TRACY CULLEN O’CONNELL

New job title: Managing partner

Company: Ellis, Painter, Ratterree & Adams LLP

Duties: O’Connell will continue to serve clients in the area of civil litigation.

Education: O’Connell is a graduate of Boston College and cum laude graduate of the University of Georgia School of Law.

MEGHAN LOWE

New job title: Development Director

Company: Mighty Eighth Air Force Museum

Duties: Lowe will coordinate all fundraising activities of the Mighty Eighth Air Force Museum.

Related work experience: Catholic Diocese of Savannah in Stewardship and Development Office.

Education: Lowe earned her Bachelor of Arts in public relations/advertising from Duquesne University. She also holds a master’s of nonprofit management from Regis University.

DANIRA BECKMANN

New job title: Membership coordinator

Company: Mighty Eighth Air Force Museum

Duties: Beckmann will be responsible for promoting, fostering and recruitment of membership relations, as well as supporting and assisting corporate fundraising initiatives.

Related work experience: Beckmann served as a consultant at Hancock Askew & Co.

Education: Beckmann holds a bachelor’s degree in political science from Armstrong Atlantic State University, as well as a
lynne haines

new job title: assistant chancellor for human resources

company: south university

duties: haines will oversee all human resources functions for south university, including recruitment, training, succession planning, performance management and employee relations.

related work experience: served as vice president and director of human resources for the savannah bancorp; worked as a human resources manager for cahaba gba, a subsidiary of blue cross blue shield of alabama and worked for family and children services in savannah as personnel manager.

education: haines earned her bachelor of science degree in consumer science from georgia southern university.

julie scott

new job title: programmer

company: advanced business software corp.

duties: scott's primary responsibilities include rpg programming and software development for advanced business software corporation for their customers using the ibm iseries.

related work experience: scott has more than 14 years of experience in programming and development of commercial and custom software.

education: scott attended missouri state university, with a major in computer information systems.

carolyn cullen

new job title: human resources manager

company: j.t. turner construction

duties: in addition to her recent promotion, carolyn will maintain her duties as executive assistant to the coo.

related work experience: cullen was an employee of sullivan staffing for six years and has been with j.t. turner construction for just over a year.
DAVID NEWLAND

New job title: Estimator

Company: J.T. Turner Construction

Related work experience: David worked for Choate Construction for six years, two as a project manager and four in preconstruction and estimating. He has also received training from OSHA and the Georgia Soil & Water Conservation Committee.

Education: Newland holds a Bachelor of Science degree in construction and a minor in business administration from Georgia Southern University. He earned his Master of Science in building construction from the University of Florida in 2005.

L. RACHEL WILSON

New job title: Associate Attorney at Law

Company: Weiner, Shearouse, Weitz, Greenberg & Shawe, LLP

Duties: General practice of law.

Related work experience: Summer clerk and judicial clerk in Savannah and Macon.

Education: Mercer University Walter F. George School of Law graduate in 2001 with J.D. Wilson also earned her B.A. in psychology from Mercer University in 2008.

SCOTT BORDEN

New job title: Regional Vice President

Company: Transamerica Employee Benefits

Duties: Borden will manage TEB’s growing sales base in southern Georgia and Mississippi and help Transamerica Employee Benefits continue to broaden their reach in the supplemental insurance industry.

Related work experience: He previously served as Southeast regional sales director for TrustMark Insurance Company and holds a professional license in life, accident and sickness insurance.

Education: Borden earned his bachelor’s degree from Rhode Island College.

LT. COL. TOM WOODIE
New job title: Deputy Commander

Company: U.S. Army Corps of Engineers Savannah District

Duties: Woodie will oversee the Savannah District’s nationwide and worldwide programs in support of military design and construction.

Related work experience: Executive Officer for 3rd Brigade Special Troops Battalion, 3rd Infantry Division, Operations Planner for 2nd Infantry Division, Company Commander for 20th Engineer Battalion and deployments to Bosnia, Korea and Iraq.

Education: B.S. in Chemistry, University of South Carolina; Master of Science in engineering management, University of Missouri, Rolla; Master of Science in education at Long Island University; Master of Military Art and Science at Command and General Staff College.

HONORS/AWARDS

Armstrong professor named visiting scholar

Dr. José de Arimatéia da Cruz, Associate Professor at AASU, has been invited to be a visiting scholar at the Center for Latin American Studies Prague, Czech Republic. CLAS is a research center newly created by the Faculty of Economics and Public Administration from the University of Economics, Prague. The main focus of the Center is on the economic and regional research of Latin American countries.

Coastal Home Care honors employee

Demi Aisuebeogun was recently chosen to receive Coastal Home Care’s quarterly Big Heart award. When a client’s home caught fire earlier this month, Demi evacuated the client and her dog, called 911 and the agency, and waited with the client until family could be contacted and take over care. Aisuebeogun is the first caregiver selected to receive this award.

Architecture firm wins design awards

Greenline Architecture, P.C. recently won two awards presented by the American Institute of Architects Savannah Chapter. The firm received two of the six available awards including an honor award, the highest level of recognition for a private residence on Isle of Hope, and a Merit Award for a private residence on Wilmington Island. The winners were announced at AIA Savannah’s Winter Social.

THA Group president and CEO named to board

Ellen Bolch, president and CEO of THA Group, has been named to the South Carolina Home Health Care & Hospice
Newsmakers in Savannah

Association Board of Directors. Bolch has owned and operated a Home Health Care and Hospice company for 17 years.

Lummus Corp. vice president honored

Joe Thomas of Lummus Corp. received the service award from the National Cotton Ginners Association. He has served as vice president of Lummus Corporation since 2005. The award was presented at the National Cotton Ginners Association meeting in Fort Worth, Texas.

The Landings Co. honors top Realtor

Carolyn McInerney, a Realtor with The Landings Co., represented the most Landings buyers of any individual Realtor in the company in 2011. McInerney has been a member of the Savannah Board of Realtors Distinguished Sales Society for 11 years.

The Landings Co. Realtor continues top performance

Gary Boyd, with The Landings Co., recently sold the most listings of any individual realtor in the company. Boyd has earned a place in the Distinguished Sales Society for the past 33 years.

The Landings Co. sales team earns top honors

Pat and Paul Ewaldsen have been named the top Landings sales team for 2011. The Ewaldsens represented the most Landings buyers and sold the most listings of all realtors in the community.

Coldwell sales associate joins ‘elite’

Jane Beare of Savannah, a sales associate with Coldwell Banker Platinum Partners, has earned membership in the company’s International President’s Elite. This award represents the top two percent of all sales associates/representatives worldwide in the Coldwell Banker system.

Coastal Logistics Group Inc. announces 2011 Anchor Award

Coastal Logistics Group Inc. has announced James McCutchen as the 2011 Anchor Award recipient. As a warehouse supervisor, he oversees the inbound and outbound flow for both the rail and over the road product on several key accounts. This award is given annually to an employee for exemplary performance throughout the year.

Local female engineer recognized for community contributions

Beth Williams has received The James Connolly Award, which is presented each year to a civilian or military engineer within the Savannah community for contributions in the field of engineering. Williams has served the Corps of Engineers for eight years. The award was presented Feb. 22 at the Savannah E-Week Technical Training Conference.
Claxton man named to Ronald McDonald Board of Directors

Ronald McDonald House Charities of the Coastal Empire is pleased to announce that Ed Bradley, of Claxton was named to the Board of Directors. The mission of Ronald McDonald House Charities is to create, find and support programs that directly enhance the health and well-being of children and families.

Coldwell banker named to International President’s Premier

Michael Cherry of Savannah, a sales associate with Coldwell Banker Platinum Partners, has earned membership in the company’s International President’s Premier. This award represents the top one percent of all sales associates/representatives worldwide in the Coldwell Banker system qualified for this distinguished award.
Art exhibition showcases drawings from Fulbright collaboration

By Alan Flurry

The Lamar Dodd School of Art is hosting an exhibition of works by Diane Edison, a Fulbright scholar and UGA professor, and Ekaterina Russinova of the New Bulgarian University fine arts department. The exhibition, “Drawing Across Borders,” is on display in Gallery 307 of the school of art through March 9.

A closing reception for the exhibition will be held March 8 at 7 p.m.; the public is invited to attend.

A professor of painting and drawing in the art school, Edison was selected by the J. William Fulbright Scholarship Board for a Fulbright Award to Bulgaria in 2010. She served as a senior lecturer and research scholar from October 2010 to March 2011 at New Bulgarian University in Sofia, where she met and worked with Russinova, chair of the university's fine arts department.

The artwork Edison created during that time grew out of her Fulbright proposal, “Portraiture Redefined: Interdisciplinary Approaches in the Classroom.” Some of this work is featured in “Drawing Across Borders,” which was originally presented at the Republic of Bulgaria Ministry of Foreign Affairs in Sofia.

“As we encourage our students at UGA to have a study-abroad experience, it is important for our faculty to take part in programs such as the Fulbright,” said Georgia Strange, director of the school of art. “The opportunity to learn more about your discipline while you create new collaborative partnerships is great for everyone involved and puts our work in its true global context.”

Edison agreed.

“The Fulbright experience... allowed me to step completely outside of my comfort zone,” she said. “I was ‘other’ in a very different way than being other in this country, as a person of color. It’s important for my teaching because I bonded with these students, even with a language barrier, I discovered there are many ways to communicate without language with art.”

As a Fulbright Scholar in 2010, Diane Edison (right), a professor of painting and drawing in the Lamar Dodd School of Art, worked with Ekaterina Russinova, chair of New Bulgarian University's fine arts department.

First ambassador for war crimes issues to speak

By Heidi Murphy

David Scheffer, the first ambassador-at-large for war crimes issues in the U.S., will deliver a presentation on the fate of those responsible for atrocities crimes on March 6 at 2:30 p.m. in the Larry Walker Room of Dean Rusk Hall. Organized by the School of Law's Dean Rusk Center for International Law and Policy and the Georgia Society of International and Comparative Law, the lecture is free and open to the public.

Selected by Foreign Policy magazine as one of the “Top Global Thinkers of 2011,” Scheffer will talk about atrocity crimes and address how indicted leaders will face either international trials or “vengeful retribution.” His presentation will draw from his book All the Missing Souls: A Personal History of the War Crimes Tribunals, which chronicles his direct involvement in efforts to establish international criminal tribunals as well as his experience heading the U.S. team negotiating the statute of the International Criminal Court.

“Georgia Law is very proud to host a key insider in U.S. efforts to prosecute those responsible for some of the worst human rights atrocities of our time,” said C. Donald Johnson, director of the Rusk Center.

“Ambassador Scheffer’s experience on the front lines will bring meaningful and necessary discussion to our community.”

Scheffer currently serves as the United Nations secretary-general's special expert on the Khmer Rouge trials and is also the Mayer Brown/Robert A. Helman Professor of Law and the director of the Center for International Human Rights at Northwestern University.
Mythic Warrior Is Captive in Global Art Conflict

By TOM MASHBERG and RALPH BLUMENTHAL

Cambodia has asked the United States government for help in recovering a thousand-year-old statue of a mythic warrior that sits in limbo at Sotheby’s in New York and that some experts believe was looted amid the convulsions of the Vietnam War and the killing fields of the Khmer Rouge.

The statue, a sandstone masterwork with a catalog estimate of $2 million to $3 million, was pulled from auction at the last minute last March after the Cambodian government complained it had been “illegally removed” from the country.

The Department of Homeland Security has opened an investigation, but Cambodian officials say they have held off asking for the piece to be seized while they negotiate with Sotheby’s for a private purchase. The auction house says that the seller is a “noble European lady” who acquired it in 1975. Although it was severed from its feet and pedestal, which were left behind at a remote Cambodian archaeological site, Sotheby’s says there is no proof that it was taken illegally.

The quiet tussle over the relic reveals the swampy terrain of auctioning antiquities with incomplete or disputed pedigrees. Sellers with a good-faith belief in their ownership rights enter a landscape in which ethics and regulations are evolving, governments are increasingly assertive, and lawyers versed in arcane statutes are as necessary as jungle guides.

“We live in a different world, and what was acceptable 50 years ago is no longer so,” said Matthew F. Bogdanos, a Marine Corps Reserve colonel and a lawyer, who was awarded a National Humanities Medal for leading the hunt for treasures ransacked from the Baghdad Museum in 2003. “Whatever the letter of the law may state, in the end you have to ask yourself, ‘Does the item pass the smell test?’ ”

Jane A. Levine, senior vice president and worldwide compliance director for Sotheby’s, said the auction house was “aware there
are widely divergent views on how to resolve conflicts involving cultural heritage objects."

"Sotheby's approach to the Khmer sculpture is one of responsible and ethical market behavior and international cooperation between private and public entities," she said.

Archaeologists and Cambodian officials say the case of the footless statue is all the more poignant because of the country's recent history of genocide and plunder, and because researchers have found the very pedestal and feet belonging to the artwork. The discovery was made in Koh Ker, 60 miles northeast of the Angkor Wat temple complex; Koh Ker, another city in the Khmer empire, was at one time a rival capital to Angkor, which was once the largest city in the preindustrial world, perhaps more than three times the area of New York City today.

The sculpture, which is five feet tall and weighs 250 pounds, is one of a pair of scowling athlete-combatants in intricate headdresses from the mid 900s who were positioned in battle-ready stances and come from one of Koh Ker's temples; it is about 200 years older than the famous sculptures at Angkor Wat.

In 2007 archaeologists matched the other statue, on display since 1980 at the Norton Simon Museum in Pasadena, Calif., to its similarly detached pedestal.

Archaeologists say all clues suggest the work at Sotheby's was plundered in the 1970s amid the chaos of power struggle and genocide, when the Khmer Rouge ravaged Cambodia, and looters hacked their way into long-inaccessible temples, pillaged priceless antiquities and sold them to Thai and Western collectors. The Khmer Rouge ruled Cambodia from 1975 to 1979.

"Every red flag on the planet should have gone off when this was offered for sale," said Herbert V. Larson Jr., a New Orleans lawyer and antiquities expert who teaches legal issues involving smuggled artifacts. "It screams 'loot.'"

When asked whether the statue could have been stolen, Ms. Levine countered that the statue could have been removed any time in its thousand-year history, and said the word stolen was often "used loosely."

To write the catalog entry for the statue, Sotheby's hired the scholar Emma C. Bunker, a co-author of the authoritative book "Adoration and Glory: The Golden Age of Khmer Art." She called it an unrivaled example of Khmer sculpture, and the lot was promoted on the catalog's cover and in a Sotheby's news release. It was withdrawn on the day it was to be sold, March 24, 2011,
after a Cambodian official working with the United Nations, Tan Theany, complained in a letter “that this statue was illegally removed from the site” and asked Sotheby’s to “facilitate its return.”

The Cambodian government also contacted the State Department, prompting the investigation by the Department of Homeland Security’s Immigration and Customs Enforcement branch. A spokeswoman for the agency, Danielle Bennett, said it “is working closely with the United States Attorney’s Office for the Southern District of New York and the government of Cambodia to look into the matter and determine the proper course of action.”

Sotheby’s says its research proves that its client has had “clear title” to the work since buying it from Spink & Son in London in December 1975. A spokeswoman for Spink, which was acquired by Christie’s in 1993, said the 1975 records about where the company had obtained the statue were no longer available. Ms. Levine would not discuss the federal government’s investigation.

Ms. Levine, a former federal prosecutor named last year to President Obama’s Cultural Property Advisory Committee, said Cambodia’s willingness to negotiate indicates it is aware that under American and Cambodian law it has no legal claim. She said Cambodia “did not identify any basis to contest the owner’s title to the property and did not allege that it would be unlawful for Sotheby’s to sell the statue.”

Originally, Ms. Levine said that Cambodia had been informed of the Sotheby’s sale “four to six weeks” before the auction. Late on Tuesday, however, a Sotheby’s spokeswoman said that Ms. Levine’s recollection had been “incorrect,” and that the auction house had notified Cambodia on Nov. 8, 2010, four and a half months before the auction date. The statue’s seller, speaking through Sotheby’s, declined to be identified or to comment.

Laws governing the repatriation of disputed artifacts are complex and differ from nation to nation. In Cambodia’s case, because the statue was exported “long before the passage of a 1993 Cambodian law that nationalized cultural heritage,” Ms. Levine said, there were no restrictions on its sale or auction.

Nonetheless, the global controversy surrounding looted artifacts has led many American museums to adopt ethical guidelines that go beyond the legal requirements. In 2004 the Association of Art Museum Directors declared “member museums should not acquire” any undocumented works “that were removed after November 1970, regardless of any applicable statutes of
Sotheby's Caught in Dispute Over Prized Cambodian Statue

Ms. Levine said Sotheby's withdrew the antiquity from the auction block “to forge a solution acceptable both to Cambodia and to the owner of the statue.”

Doing so has laid bare a little-known but increasingly common practice used by poor nations to recover artifacts. Working with the Unesco office in Phnom Penh, Cambodia has asked Sotheby's to bargain with a wealthy Hungarian antiquities collector who has offered to pay $1 million for the statue and present it to Cambodia as an act of good will.

“There is no question the statue was looted in the final stages of the war,” said the collector, Istvan Zelnik, a former Hungarian diplomat in the region who has visited Koh Ker. His own collection forms the Zelnik Istvan Museum of Southeast Asian Gold in Budapest.

“The best solution is that I purchase it for purposes of donation,” Mr. Zelnik added.

Anne LeMaistre, the Unesco representative in Phnom Penh, who is involved in the Sotheby’s talks, said “buying back such items can seem distasteful, but sadly it is not unusual when the country’s aim is return of the property.”

Yet another wrinkle is expected on Wednesday when lawyers working with Cambodia plan to announce the rediscovery of a 1925 French colonial law declaring all antiquities from Cambodia's multitude of temples to be “part of the national domain” and “the exclusive property of the state.” The statement goes on to say that this law remained in force after Cambodian independence, which came in 1953.

Tess Davis, executive director of the Lawyers’ Committee for Cultural Heritage Preservation and the Cambodia scholar who dug out the law, said it had been analyzed by three French-speaking lawyers conversant in cultural heritage litigation and by Ms. LeMaistre. All four say it “nationalizes ownership of Cambodian cultural artifacts.”

If international legal authorities and American civil courts agree, the law could establish 1925, rather than 1993, as the dividing point after which Cambodian artifacts taken without government permits can be treated as stolen property. Cambodia would still have to prove that the statue was looted after 1925, “a high burden but not an impossible one,” according to Mr. Bogdanos, who agrees the 1925 law “appears to be valid.”
If it survives legal challenges, the law could affect the Norton Simon piece too, although that case would be more difficult because Cambodia has long known of the statue’s presence there, lawyers say. Mr. Simon, the industrialist and collector, bought his statue, also in 1975, from a leading Madison Avenue antiquities dealer, William H. Wolff.

Eric Bourdonneau, the archaeologist who matched both statues to their bases, says the relics were looted in the early 1970s.

He said French records in Paris indicate that the statues were in place in 1939, and that the Koh Ker temple was thickly covered by jungle and inaccessible by road until it became a military staging area for Khmer Rouge and Vietnamese forces.

On one thing all parties agree: The statue is a masterpiece. In the Sotheby’s catalog Ms. Bunker wrote, “If one could choose only one sculpture to represent the glory of Khmer art, this figure could fulfill such a challenge.”
Arbitration—Arbitrators

Courts Ponder Arbitrator Substitution
After Minnesota AG Settlement with NAF

Should an agreement to arbitrate fail solely because the named arbitrator is no longer available to take a case?

Certainly not, many courts have concluded, pointing to language in Section 5 of the Federal Arbitration Act that permits the designation of a substitute.

Not so fast—a separate line of cases cautions—Section 5 may not permit substitution where the designation of an arbitrator was integral to the contract, rather than an ancillary concern.

At least 15 courts have specifically addressed substitution after the NAF agreed not to take any new consumer arbitration disputes after July 24, 2009, to settle a lawsuit with the Minnesota attorney general. Currently, there are seven cases appointing a substitute arbitrator and eight denying a substitute arbitrator (see related box.)

Should a Trend Emerge? The only trend that appears to emerge from the cases is that courts will center their analysis on whether the naming of NAF was integral or ancillary to the arbitration agreement. How a court will come out on that question appears to be hard to predict.

Arbitration experts that spoke with Bloomberg BNA split on whether an agreement naming NAF generally should be considered integral or addressed on a case-by-case basis.

John Vail, vice president and senior litigation counsel for the Center for Constitutional Litigation PC, Washington, D.C., told Bloomberg BNA that he believes courts generally should rule against appointing a substitute arbitrator under Section 5. Vail said that one common mistake courts make is presuming there is a “federal policy in favor of arbitration,” when instead, Congress intended to favor “arbitration agreements.”

He noted that courts, and even the U.S. Supreme Court in AT&T Mobility LLC v. Concepcion, 78 U.S.L.W. 4279 (U.S. 2011), have misquoted Moses H. Cone Memorial Hospital v. Mercury Construction Corp., 460 U.S. 1 (1983), and left off “agreements.”

“The FAA was passed not to favor arbitration over litigation, but to obviate the unwillingness of courts to afford a party to an arbitration agreement the remedy of specific enforcement” of that agreement, Vail said.

Vail added that courts should consider the circumstances surrounding NAF’s unavailability as a reason to deny equitable relief under Section 5. He said he believed corporations chose NAF believing it to be a biased forum and therefore have unclean hands.

He said few courts have been willing to cite unclean hands as a reason to deny substitution, but did see in Judge Dolores Korman Sloviter’s recent dissent in Khan v. Dell Inc., 80 U.S.L.W. 995 (3d Cir. 2012), an awareness of the issue. Sloviter’s dissent referenced the allegations of bias surrounding NAF and said “[i]t cannot be insignificant that Dell named NAF as the exclusive forum in its arbitration clauses” given that history.

A perhaps unlikely ally in Vail’s belief that the naming of NAF should be considered integral is Eric P. Tuchmann, general counsel and corporate secretary for the American Arbitration Association, New York. He told Bloomberg BNA that he believed courts should see the naming of a specific arbitrator as “a material term” because each organization has different priorities and protocols.

Tuchmann added that his organization would likely decline to serve as a substitute arbitrator when an agreement solely named NAF.

In contrast, Professor Peter B. “Bo” Rutledge, University of Georgia School of Law, Athens, Ga., told Bloomberg BNA that there should not be any per se rule regarding whether to substitute an arbitrator. Instead it is “an interpretive question that turns on the language of the agreement” and whether naming the arbitrator was integral to the agreement.

Similarly, F. Paul Bland Jr., senior attorney at Public Justice, Washington, D.C., also told Bloomberg BNA that it was an issue of the agreement’s language. However, Bland said many agreements will have similar language because NAF promoted its services to companies by direct mail and continuing legal education seminars.

Bland added that many provisions also will specify that NAF Rules be used in the arbitration, which removes substitution because Rule 1 only allows a NAF provider.

Tuchmann made a similar point and noted that his organization’s rules reference using an AAA arbitrator.
Should Companies Avoid Specificity? One question the line of cases raises is whether companies should avoid specifying only one company in their arbitration agreements. Rutledge said “most experts in the field err historically in favor of selecting a single institution” because one major purpose of arbitration agreements is to avoid forum shopping.

However, he said, given rulings that show some consumers may be able to avoid arbitration when the selected forum is no longer is available, it does raise the question of whether that trend continues to be the right default rule. He would leave it to corporate counsel to weigh the benefits of naming a single forum versus the risks the entire agreement could be nullified if it was no longer available.

Tuchmann said he believed companies should continue specifying arbitrators because each forum will be sensitive to the needs of certain case loads.

He added that “it does not particularly bother me if an arbitration agreement is struck down” because of the unavailability of a forum.

In contrast, Alan S. Kaplinsky, a partner at Ballard Spahr LLP, Philadelphia, told Bloomberg BNA that he had routinely crafted arbitration agreements naming more than one forum. Kaplinsky said “he would guess our firm has done more arbitration agreements than any other firm in the country” and that they usually provided the consumer “the option of choosing between AAA, JAMS, and NAF.” Thus, he said, his clients have mostly avoided the situation raised by NAF’s exit from consumer arbitration.

Kaplinsky also noted that where his clients decided only to select NAF, he would insert language that expressly provided a court with the power to name a substitute. He said agreements can be crafted to guard against situations where a substitute forum becomes required.

Will Congress or CFPB Moot the Issue? Bland said there was “a widely held perception” that AAA and JAMS, the remaining major arbitrators in the field, held themselves to a higher ethical standard than NAF and did not engage in the same abuses.

Nonetheless, Bland and many other advocates dislike what they perceive to be forced consumer arbitration. They argue customers have not validly agreed to the alternative forum because they had no choice but to agree to the provision in a contract of adhesion.

Vail said the notion consumers had a choice with those contracts relies upon a “pre-Industrial Revolution view of choice.”

Congress has repeatedly debated the Arbitration Fairness Act, which seeks to ban mandated consumer arbitration. Bland said the Senate Judiciary Committee had a markup hearing on the bill and it could pass the committee. However, he believed it was likely to face a filibuster from Sen. Jeff Sessions (R-Ala.), who he said even held up a narrower bill that would have banned arbitration provisions in nursing home contracts.

However, Congress did statutorily task the new Consumer Financial Protection Bureau to study the issue when it passed the 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act. It also allowed the agency to impose regulations that would ban the practice if it finds it warranted.

Vail said he had not heard anything regarding the timing of that study and that the agency was holding plans “close to the vest” and guessed it was likely “nothing soon.” He noted that Deepak Gupta, who argued in favor of classwide arbitration in Concepcion, had joined the CFPB as senior counsel.

Tuchmann also had not heard anything regarding the CFPB’s study but believed the agency probably would move promptly on it now that the agency had a director.

Kaplinsky, on the other hand, said he believed the CFPB “has not even begun to think about the study” given there are “many more important things on their plate.” He added that he believed once the agency begins its study it “will be very hard pressed to find em-

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pirical data” to support a ban on mandatory consumer arbitration.

Indeed, he said that empirical data shows consumers are better served by arbitration and opponents have relied only on anecdotal evidence. He said there were two studies from the Searle Center on Law, Regulation, and Economic Growth at Northwestern University School of Law that showed arbitration was “quite fair.” He said the study showed consumers receive similar awards and the process does not take as long.

As for corporations, Kaplinsky said his clients had been encouraged to write arbitration agreements because about a decade ago many were embroiled in state court litigation in Alabama, which he said was at the time “very much aligned with the plaintiffs bar” prior to tort reform in the state.

Minnesota AG Investigation, Settlement. Given the issue is unlikely to be mooted any time soon by agency action, courts will likely continue grappling with whether to appoint a substitute for the NAF.

The issue began, in part, because of a June 2008 Bloomberg Businessweek article that discussed allegations against the NAF, including that it was biased against consumers and aggressively marketed servicing to credit card companies. The article also noted that a lawsuit by San Francisco alleged only 0.2 percent of consumers won their cases.

Richard Neely, the former chief justice of the West Virginia Supreme Court of Appeals who briefly served as an NAF arbitrator, went so far as to allege in a West Virginia Lawyer article that “Godless bloodsucking banks have converted apparently neutral arbitration forums into collection agencies to extract the last drop of blood from desperate debtors.”

Minnesota Attorney General Lori Swanson filed a complaint July 14, 2009, which avoided such colorful language, but made similarly serious allegations regarding NAF’s impartiality. Swanson alleged that NAF worked closely with credit card companies, drafted arbitration clauses, and was itself affiliated with the debt collection industry.

NAF promptly settled July 17 with the attorney general and agreed not to take any new consumer arbitrations. The company has repeated fulfilled its promise, leaving courts to grapple with whether a substitute may be named.

Arbitrator ‘Integral’ to Agreement? The text of Section 5 is ambiguous on what factors should control substitution, but a series of circuit court rulings has provided guidance.

In Brown v. J.T, Consumer Financial Corp., 211 F.3d 1217 (11th Cir. 2000), the Eleventh Circuit held that substitution is permitted only when the naming of an arbitrator was an ancillary concern as opposed to an integral part of the agreement. It concluded that the naming of NAF, which had dissolved at the time of the case, was not integral and therefore substitution could occur.

The Second Circuit similarly addressed the issue of whether designating only a specific arbitrator was an ancillary concern in an agreement in In re Salomon Inc. Shareholders’ Derivative Litigation, 68 F.3d 554 (2d Cir. 1995). That ruling, however, declined to substitute an arbitrator under Section 5 for the New York Stock Exchange.

Reddarn v. KPMG LLP, 457 F.3d 1054 (9th Cir. 2006), also used the integral or ancillary analysis when deciding to substitute an arbitrator for the National Association of Securities Dealers Inc. The court rejected In re Salomon and argued “[s]omething more direct is required before we, in effect, annihilate an arbitration agreement.”

Courts Naming a Substitute Arbitrator. The Third Circuit is one court that was reluctant to “annihilate” an entire arbitration agreement because NAF no longer was available. In Khan, the court grappled with whether Dell Inc. could require arbitration even though the agreement referenced only NAF.

The agreement stated that a dispute “SHALL BE RESOLVED EXCLUSIVELY AND FINALLY BY BINDING ARBITRATION ADMINISTERED BY THE NATIONAL ARBITRATION FORUM.” The court, citing Brown, said that “exclusively” modified “binding arbitration” and not NAF. The court also held that the agreement was ambiguous regarding which rules to apply when NAF was unavailable, as opposed to the notion that the incorporation of NAF rules only permitted an NAF arbitration.

The court added, “Although courts are divided on the issue, we conclude that the ‘liberal federal policy in favor of arbitration’ counsels us to favor the Brown line of cases.”

Jones v. GGNSC Pierre LLC, 684 F. Supp. 2d 1161 (D.S.D. 2010), parsed an agreement’s language in a similar fashion. The agreement in that case stated disputes would be resolved “exclusively by binding arbitration to be conducted at a place agreed upon by the Parties, or in the absence of such an agreement, at the Facility, in accordance with the National Arbitration Forum Code of Procedure, which is hereby incorporated into this agreement, and not by a lawsuit or resort to court process.”

The Jones court also read “exclusive” as modifying “binding arbitration” and added that “not by a lawsuit or resort to court process” also counseled against denying arbitration. It concluded there was no evidence the clause showed the selection of NAF was integral to the agreement.

A final example of a court appointing a substitute comes from a recent ruling from the South Dakota Supreme Court in Wright v. GGNSC Holdings LLC, No. 25953 (S.D. Dec. 28, 2011). The state supreme court said it would rule in favor of a substitute for two reasons: (1) federal and state policy favors arbitration and (2) the NAF Code of Procedure did not contain any substantive provisions that would affect the resolution of the case.

“A review of the NAF Code reflects that NAF administration involved what is commonly provided by many arbitration services available today . . . [the plaintiff] has not identified any unique NAF administrative provision that would have substantively affected the outcome of this arbitration,” the court ruled.

Other Courts Deny Substitute. The Illinois Supreme Court, however, found an agreement’s incorporation of NAF rules to be a main reason to deny a substitute arbitrator in Carr v. Gateway Inc., 944 N.E.2d 327, 79 U.S.L.W. 2041 (Ill. 2011).

The state supreme court said it was unclear whether NAF rules could be used by a non-NAF arbitrator, and it also questioned whether those rules could be used for a consumer arbitration given NAF stopped taking those types of cases. It also held that a penalty provision in
NAF rules imposed upon parties using a non-NAF arbitrator "clearly indicates that the designation of the NAF as the arbitral forum is integral to the agreement."

The Fifth Circuit in *Ranzy v. Tijerina*, 393 F. App'x 174 (5th Cir. 2010), said "where the parties' agreement specifies that the laws and procedures of a particular forum shall govern any arbitration between them, that forum-selection clause is an 'important' part of the arbitration agreement" and therefore no substitute arbitrator should be provided.

A final example comes from the Supreme Court of New Mexico in *Rivera v. American General Financial Services Inc.*, 259 P.3d 803 (N.M. 2011). It held that designating a specific arbitrator, the rules of a specific arbitrator, and use of mandatory contractual language all are reasons to conclude that a provider was integral to an agreement and not an ancillary concern.

The court concluded that "[t]he pervasive references to the NAF in the contract compel our conclusion that the parties intended for the NAF to be the exclusive arbitrator in any out-of-court dispute resolution. The parties explicitly specified that arbitration would proceed under NAF rules and procedures. Arbitration 'is a matter of consent, not coercion,' and the parties 'may . . . specify by contract the rules under which that arbitration will be conducted.'"

The National Arbitration Forum did not respond to phone and e-mail requests for comment.

*By Michael O. Loatman*
Judge who waved gun in courtroom is replaced on calendar

Enotah Superior judge pulled weapon from robe while admonishing witness in Dahlonega, attorneys say

By Katheryn Hayes Tucker, Daily Report

Enotah Judicial Circuit Chief Superior Court Judge David E. Barrett, who is under investigation by the Georgia Judicial Qualifications Commission for brandishing a gun in court last week, was replaced on the bench Monday for his scheduled calendar in White County.

Senior Judge Fred A. Bishop Jr. of Gwinnett County Superior Court filled in for Barrett Monday, according to White County Clerk of Court Dena M. Adams.

Barrett pulled a pistol out from under his robe and waved it at a witness during court Feb. 22, according to three attorneys present.

The incident occurred during a hearing at the Lumpkin County Courthouse in Dahlonega. The attorneys said that Barrett pulled out the gun while he told a witness on the stand that she was "killing her case" and that she "might as well shoot" her own attorney.

The judge continued to hold the gun while he admonished the witness to be more cooperative, according to Enotah Circuit District Attorney W. Jeffrey Langley. He added that the incident is under investigation by the Georgia Judicial Qualifications Commission.

"I objected on behalf of the state. I approached the bench and asked the judge to put it up," Langley said. "The judge responded by putting his gun up."

Langley said the situation was "significant and serious" and the judge's use of the gun was "inappropriate." But he added that the situation "could be mischaracterized."

"At no point did I feel he attempted to threaten anyone with the gun," Langley said. Rather, the judge was using the gun to make a "rhetorical point."

Barrett did not return phone messages left at his offices around the Enotah Circuit, which includes Lumpkin—where the gun incident took place—and White, Union and Towns counties. His assistants said he was not in.

The witness on the stand has accused her husband, a former Hall County sheriff's deputy, of rape, aggravated assault and cruelty to children. (The Daily Report does not publish the names of alleged rape victims.) The accusations included an incident in which the woman said her husband held a gun to her head.

The hearing concerned a request to extend a temporary protective order for the wife, which is a moot
point at the moment because the husband is being held in the Lumpkin County jail, according to his defense attorney, Daniel A. Summer of Gainesville. Lumpkin County inmate records show the husband has been in custody for 11 days.

Summer was present because he was attempting to ask the judge to set a bond to get his client out of jail.

Summer said he had conducted a "vigorous cross examination" of the wife and that she was talking over and arguing with him and the judge before Barrett pulled his gun.

"The witness was having difficulty following the court's instructions and was not being cooperative with her own attorney," Langley said. "The judge was frustrated that the witness was not cooperating with her attorney."

The DA was the only one to object when the judge pulled the gun. "The courtroom was stunned," Langley said.

The TPO hearing continued after Barrett put the gun away. The judge extended the protective order. But, the judge delayed the bond hearing, Summer said.

Andrea Conarro Woody of Dahlonega, an attorney for the wife, said she was unsure how to respond to the gun incident. "I'm still studying what to do," she said. "It's delicate. I have an open case."

The DA said he expects the judge to recuse from this case going forward.

The Judicial Qualifications Commission does not confirm or deny ongoing investigations, said JQC Director Jeffrey R. Davis.

Under a statute approved by the Georgia Legislature, judges are allowed to carry weapons to court "with good reason," Langley said. "They're subject to threats."

But, he added, "It's meant to be done with discretion."

Barrett has served on the bench for 20 years, since being appointed by Gov. Zell Miller in 1992. He defeated challengers in his last two elections.

Barrett has been a member of the State Bar of Georgia since 1980. He is a graduate of the University of Georgia Law School.
By Louie Brogdon The Brunswick News, Ga.

Feb. 29—There is another candidate in the race for the Glynn County State Court judgeship.

St. Simons Island attorney Grant C. Buckley announced Tuesday he will seek the judgeship, after Judge Orion Douglass announced Thursday he would not seek a sixth term after 20 years on the bench.

"Now, more than ever, our community deserves thoughtful, intelligent and consistent leadership from those serving in positions of authority. This philosophy is the driving force behind my candidacy and my willingness to return to public service for our community and state," Buckley said in a prepared statement released Tuesday.

Buckley, a former assistant solicitor of Glynn County State Court and Brunswick Municipal Court, is licensed to practice law in Florida, Georgia and in U.S. District Court.

Currently, Buckley is an attorney with the Jordan Law Firm on St. Simons Island and focuses on "complex civil litigation," he said.

A native of Swainsboro, Buckley received a degree in industrial management from the Georgia Institute of Technology and his law degree from the University of Georgia School of Law. He has lived in Glynn County since 2002.

The term is for four years.

Attorney Vince Sowerby has also announced his intention to seek election in July to the judgeship that will be open when Douglass' term ends this year.

Qualifying for the nonpartisan election will be from May 23 to noon May 25.

The election will be July 31.

Voters must register by July 2 to be eligible to cast a ballot in the nonpartisan election and in the July 31 Republican and Democratic primaries.
ATHENS, Ga., Feb. 29 -- The University of Georgia issued the following news release:

Katie Sheehan, a legal fellow at the University of Georgia River Basin Center, was elected member-at-large of the Environmental Law Section of the State Bar of Georgia for 2012.

The Environmental Law Section promotes continuing legal education and keeps members up-to-date on the latest developments in federal and state environmental law through monthly meetings, seminars and a regular newsletter.

"Katie is new to the bar, but she's already developed great expertise in environmental matters," said Laurie Fowler, associate dean of the Odum School of Ecology and co-director of the River Basin Center, which is the school's public service and outreach effort.

The RBC pursues interdisciplinary research and analysis in the areas of water quality and quantity, aquatic biodiversity and the impact of land use practices on aquatic resources. The center helps communities and other stakeholders develop and implement sustainable water resource management strategies.

Sheehan joined the River Basin Center after receiving her juris doctor cum laude from the UGA School of Law in 2008. Her work focuses primarily on legal and policy solutions to water quality and quantity issues faced by local governments. She has developed model ordinances for wetland protection and conservation subdivisions, conducted community code reviews and revisions to promote low impact development, cataloged green building practices in southeastern communities and worked on a variety of small projects for local governments and state agencies related to water resources. She is currently developing guidebooks for local management of onsite wastewater treatment systems, local protection of wetlands and appropriate property tax valuation of properties encumbered by a conservation easement.

"Katie's legal skills combined with her engaging personality have quickly elevated her to leadership positions—we are so lucky to have her as a colleague at the River Basin Center," said Fowler.

For more information about the River Basin Center, see www.rivercenter.uga.edu.
Judge David Barrett has resigned from his seat on the Enotah Judicial Circuit bench a week after he reportedly pulled out a pistol during a hearing in the Lumpkin County Justice Center in order to convey the point that an uncooperative witness was hurting her case and "killing" her lawyer.

Barrett sent his letter of retirement to Governor Nathan Deal on Wednesday, bringing his 20-year judicial career to a close. Afterward, Barrett told The Nugget he did not want his family to have to go through the ordeal of a pending investigation by the Georgia Judicial Qualifications Commission and possible protests from the public.

"I'm not putting up with that for my family," he said "It's called public service, not because you're getting rich."

News of Barrett's alleged courtroom behavior hit the Associated Press wire over the weekend and spread far and wide.

It was a controversy that began when Barrett extended his weapon to a witness, the victim of alleged gun violence, and reportedly suggested that it would be easier if she used the gun instead on her attorney Andrea Conarro, according to District Attorney Jeff Langley.

The incident drew an immediate response from Langley as he approached the bench and asked Barrett to put away the handgun.

"I felt I had a responsibility to do so," he said. "I didn't feel the judge was actually threatening anyone, but I felt the display of the gun was inappropriate."

Lumpkin County Sheriff Stacy Jarrard said at least one deputy was present at the hearing and did not feel inclined to take action when the weapon emerged.

"A judge is authorized to carry a gun in a courtroom at all times and there is no violation in the law in that," he said. "... It is was my understanding he was using it as a prop."

Langley said he got the same impression from Barrett as he took issue with a witness who was "not being cooperative with her own attorney."

"In Judge Barrett's defense he was making a rhetorical point using the gun," Langley said. "He did not point the gun in anger. Now was that the proper thing in the courtroom? I have to say no."

Rich Reaves, executive director of the University of Georgia's Institute of Continuing Judicial Education, told The Nugget that Barrett's actions weren't just
improper but a violation of the judicial canon in more ways than one.

“What does that communicate to the average citizen?” he said. “... Just the gun in itself probably communicates that there’s something less than wholesome about the [proceedings].”

Reaves said Barrett’s involvement in the case, with or without a firearm, was most likely inappropriate as well.

“That happens without a gun probably quite often,” he said. “The question is should it happen? Should a judge be commenting upon the trajectory of a case? The answer to that question is no.”

The Nugget requested a transcript of the courtroom proceedings from Appalachian Court Reporting but it was not provided in time for press.

Though the each courtroom in the new Justice Center has been outfitted with surveillance camera an apparent “glitch” is keeping officials from viewing any footage of the proceedings, said Jarrard.

“It’s a problem that’s been ongoing for a while,” he said.

Jarrard added that footage might still be salvageable but will need technical maintenance.

Conarro declined to comment on the incident.

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River Basin Center legal fellow elected to State Bar's Environmental Law Section

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The RBC pursues interdisciplinary research and analysis in the areas of water quality and quantity, aquatic biodiversity and the impact of land use practices on aquatic resources. The center helps communities and other stakeholders develop and implement sustainable water resource management strategies.

Sheehan joined the River Basin Center after receiving her juris doctor cum laude from the UGA School of Law in 2008. Her work focuses primarily on legal and policy solutions to water quality and quantity issues faced by local governments. She has developed model ordinances for wetland protection and conservation subdivisions, conducted community code reviews and revisions to promote low impact development, cataloged green building practices in southeastern communities and worked on a variety of small projects for local governments and state agencies related to water resources. She is currently developing guidebooks for local management of onsite wastewater treatment systems, local protection of wetlands and appropriate property tax valuation of properties encumbered by a conservation easement.

"Katie's legal skills combined with her engaging personality have quickly elevated her to leadership positions-we are so lucky to have her as a colleague at the River Basin Center," said Fowler.

For more information about the River Basin Center, see www.rivercenter.uga.edu.
HEADLINE: RIVER BASIN CENTER LEGAL FELLOW ELECTED TO STATE BARS ENVIRONMENTAL LAW SECTION

BYLINE: States News Service

DATELINE: Athens, GA

BODY:

The following information was released by the University of Georgia:

Katie Sheehan, a legal fellow at the University of Georgia River Basin Center, was elected member-at-large of the Environmental Law Section of the State Bar of Georgia for 2012.

The Environmental Law Section promotes continuing legal education and keeps members up-to-date on the latest developments in federal and state environmental law through monthly meetings, seminars and a regular newsletter.

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For more information about the River Basin Center, see www.rivercenter.uga.edu.

LOAD-DATE: March 1, 2012
HEADLINE: River Basin Center Legal Fellow Elected to State Bar's Environmental Law Section

BYLINE: Targeted News Service

DATELINE: ATHENS, Ga.

BODY:

The University of Georgia issued the following news release:

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For more information about the River Basin Center, see www.rivercenter.uga.edu.

Writer: Beth Gavrilles

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Contact: Katie Sheehan, katiesheehan80@gmail.com

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LOAD-DATE: March 1, 2012

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