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Stanford reinvents legal education

the National Jurist

THE MAGAZINE FOR LAW STUDENTS

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Which law schools are failing with EMPLOYMENT TRANSPARENCY

More than half of law schools rate poorly when it comes to making employment data clear and transparent. But Michigan State leads a growing pool of schools that are reporting more info. Find out where your school ranks.
Are law schools failing when it comes to employment transparency?

Despite lawsuits and Congressional action over employment data, many schools are still reporting misleading data on their websites. But that is starting to change, thanks to a new report that details transparency on law school websites. The National Jurist turns that report into grades.

BY ELIZABETH EWING
Last June, Dean Rudy Hasl unwittingly became the public face for legal education in the firestorm over employment data.

His school, Thomas Jefferson School of Law in San Diego, was the first to get sued by a former student, Anna Alaburda, who alleged various fraud claims related to the school’s use of employment numbers.

Alaburda, who graduated with honors in 2008 with $150,000 in debt, said her alma mater had misled prospective students on its website and in advertising materials, and that the school provided false and inaccurate information to U.S. News & World Report for the magazine’s annual law school ranking.

Hasl has said that his school followed American Bar Association guidelines, has reported detailed employment data for some time now and expected to win in the court system.

But he also said the lawsuit was not unexpected given the state of the entry-level hiring market. The number of jobs at big law firms shrank considerably starting in 2008, and many new graduates have found it challenging to land full-time legal jobs.

“Every law school is vulnerable to this kind of action in a down economy,” Hasl said. “The risk is if anyone has tinkered with the numbers, it seems to me they’re at particular risk.”

Despite 15 lawsuits against law schools and even Congressional posturing, there has yet to be any proof that a law school has tinkered with its employment data. But a new report by Law School Transparency, a non-profit organization, shows that 38 percent of law schools are “misleading” prospective students on their websites when it comes to salary information, and a majority are doing a substandard job with all employment data.

Dean Rudy Hasl said the lawsuit was not unexpected given the state of the entry-level hiring market.

Why a report on website transparency?

Kyle McEntee is the public face on the other side of the employment data firestorm. The 2011 graduate of Vanderbilt University Law School started Law School Transparency (LST) with fellow-student Patrick Lynch soon after he started at the Nashville, Tenn., law school.

In Fall 2010, the two then-students launched an effort to gather more useful employment data from the ABA-approved law schools. Their goal was to gather data that would break out each graduate by position name, whether the bar was required, full-time or part-time status and salary.

But the law schools balked, leaving LST with high hopes, but no data. Still the pressure the non-profit placed on schools had an impact.

This past June, the ABA decided to publish more information on an individual school basis about the job a graduate is employed in — if a J.D. is required, if it’s funded by a law school, what type of employer and where located.

For McEntee, it was a step in the right direction. But as he said at the time, the changes will only be made in the ABA’s official guide to law schools and not apply to how a law school presents information on its own website.

Enter LST’s latest report — a detailed accounting of every law school website that details whether the school has specifics on full-time versus part-time employment, long-term versus short-term, aggregate salary data, how many graduates’ employment status is unknown and how easily accessible the information is.

 “[The website] is a critical place that people go to for information, if not the first place, and schools understand when people look for information on their program, that’s the place they’re going to go,” McEntee said.

Although it is such an important source of information for prospective and current students, the school website is also fairly unregulated by any source other than the school itself. This means law schools provide a wide range of data, from extensive lists and breakdowns to minimal data sets.

LST looked at 197 law school websites in January and published an index based on 19 different categories.

“We started asking very basic questions about what a perspective student would want to know,”
McEntee said, describing how LST staff came up with the 19 categories. "They are basic consumer questions that someone wants to know, if they know to ask them. Often what we find is that the basic employment rates schools advertise is insufficient, and a lot of people didn't know that it's insufficient."

LST does not rank or score law schools. But based on feedback from McEntee and others, The National Jurist derived a calculation to grade each school. The result is that 41 percent of law school websites are failing, and an additional 15 percent receive a D. The National Jurist gave an A to any school that reported information equivalent to what NALP collects and reports in the aggregate. Schools that report data equivalent to what was included in the 2012 ABA Official Guide to Law Schools received at least a C. However, schools were penalized for misleading salary or employer data, dropping them by a full grade or more. For example, Indiana University-Bloomington would have received a B, but instead fell to a C-, due to misleading salary and employer data.

Six schools receive an A+ in our study, including Michigan State. But five of those schools improved their scores between the time that Law School Transparency released its data in early January, and we went to press in late February. Several other schools also improved their data.

One surprise: Thomas Jefferson School of Law received one of the best grades — an A, ranking it in the top 15 of the 197 ABA schools.

"We have tried to have that kind of information available for prospective students and it is one of the factors a student ought to consider when choosing a law school," Hasl said.

Hasl said the school has reported such detailed data for two or three years, and what was available on its website as far back as 2003 was not that different.

Beth Krasberger, associate dean for student affairs at Thomas Jefferson, said the move toward greater transparency is a positive trend for legal education.

"There's no reason law schools can't be posting the information they've always been gathering on their website," she said. "You have to feel good enough about the integrity of your law school and the legal education you're providing that there's no reason to shy away from transparency."

### Transparency Grades

#### Law school transparency reviewed all law school websites in January and again in February and scored each school on 18 criteria. We list six of the most important criteria. All data is available in the digital issue of this magazine.

- **Class of 2010:** whether the school publishes employment information for the class of 2010.
- **Employment status:** whether you can tell the employment status of every graduate.
- **Percentage unknown:** percent of class for whom employment status was unknown.
- **FT/PT:** Whether you can tell difference between part-time and full-time employment.
- **Employer list:** Does the school include a sample list of employers that is representative of actual employment. **Mis =** provides a list that is misleading.
- **Salary Information:** Whether the school provides salary information. **Mis =** provides misleading salary info.

<table>
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<th>Class of 2010</th>
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<th>Employer Lists</th>
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What are the real employment numbers?

David Anziska believes that law schools are reporting employment data that isn’t even close to the real numbers. The New York attorney and University of Michigan Law School graduate is the attorney behind 14 of the 15 lawsuits against law schools.

"I believe that with a proper accounting method, the real employment number would be 40 percent," Anziska said. "Law schools send out questionnaires, and I think a good deal of graduates don't fill it out or say they are employed [when they are not]."

Anziska said his estimate for full-time legal employment, which is much lower than the 68 percent reported by the National Association for Legal Placement, is based on the number of graduates who disclose their salary. He reasons that the others do not disclose that figure because they don't really have a job.

Anziska is so adamant in his belief that he has pulled together a consortium of eight law firms to file class action suits in five different states.

There are now 73 plaintiffs behind Anziska's 14 lawsuits against Thomas M. Cooley Law School, New York Law School, Albany Law School, Brooklyn Law School, California Western School of Law, Chicago-Kent College of Law, DePaul University College of Law, Florida Coastal School of Law, Golden Gate University School of Law, Hofstra Law School, The John Marshall Law School, Southwestern Law School, University of San Francisco School of Law and Widener University School of Law.

A law firm not connected to the consortium has sued Thomas Jefferson School of Law.

Most of the schools, including Widener, Albany and Hofstra, said in statements that they stand by their job-placement statistics, which adhere to reporting guidelines set by the ABA and NALP.

NALP has said that its data is accurate and beyond reproach.

Jesse Strauss, an attorney working with Anziska, acknowledged that Anziska's 40 percent figure is "speculation."

"But there is a real number out there," Strauss said. "Law schools have been trying to explain why they can't figure it out. It is not hard to find out what people are doing. I guarantee their alumni offices are keeping track."

Their suit depends, in part, on it.

The lawsuits will need to prove that the schools reported misleading data, and that it was reasonable for the students to rely on the numbers when they made enrollment decisions. Experts have said that will be a hard sell, especially given the fact that the schools state they followed ABA guidelines.

The plaintiffs may need to prove that the ABA is also at fault.

What the report shows

LST’s report shows that many law schools are reporting what the organization calls misleading information.

McEntee says that the two categories where data is possibly misleading — the employer list and salary information — are the most important part of the index. An employer list is defined as a list describing places where graduates found work.

"It's worse to provide a list than not to provide a list, if it's misleading," McEntee said.

LST staffers looked at whether or not
the list was representative of actual outcomes the school’s graduates achieved. If certain segments of employment, such as big firms, were overrepresented in the list, LST characterized the list as misleading because it potentially colored the expectation of the people reading it.

On the other hand, to decide if salary data was misleading, LST used a more complicated analysis based on seven different triggers. These triggers included factors such as: Did the school indicate how much of the graduating class the salary data represented (was it just 10 percent of the class); Was it 50 percent of the class; Was the mean or median salary listed without the twenty-fifth and seventy-fifth percentiles listed; and Did the site simply list a salary range with no further details? Such triggers helped LST decide if data was misleading or not.

When the complete index was compiled in January, the results didn’t look good for law schools. Twenty-seven percent of schools didn’t list any 2010 salary data at all, while a little over half didn’t list how many grads responded to their survey, a key piece of information to give context to the data.

After LST published the index and report, many law schools were quick to respond. McIntee said LST has been contacted by several schools about updates to their websites.

One school that updated was University of Colorado School of Law. Todd Rogers, the assistant dean for career development, said the school was working with their data for several months before the index was released.

“We put a lot of time and a lot of care in making sure the way we presented it would be easily accessible and easily understood,” Rogers said.

This effort included new charts displaying the post-graduate data for three different employment fields, as well as text explaining the data in word form.

“Having the data here in-house and being able to share it with prospective students, current students and employers was an important step to take,” Rogers said. “It was something that was the right thing to do.”

It was also something the school may have felt obligated to do. Paul Campos, a law professor at the school, wrote an article in the New Republic last April about how law schools misrepresent their job placement numbers.

“If we exclude people employed in non-legal jobs, and people doing part-time work, the NLAP number drops to 62.9 percent,” he wrote. “But the bigger problem is that the 62.9 percent figure is still too high. While it excludes non-legal jobs and part-time work, it does not exclude people in temporary positions. So it seems worth asking: How many of the graduates who report doing full-time legal work have permanent jobs — in the employment sense of permanent — as opposed to doing temp work, such as being paid $20 an hour to proofread financial documents in a warehouse, or $12 an hour to do slightly glorified secretarial tasks?”

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<th>197</th>
<th>Class of 2010</th>
<th>Employment Status</th>
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To answer this question, Campos said he reviewed 183 individual NALP forms from graduates at a top-50 law school.

"When we take temporary employment into account, it appears that approximately 45 percent of 2010 graduates of this particular top-50 law school had real legal jobs nine months after graduation," he wrote.

While Campos did not name the top-50 law school, it was clear that it might have been his school — the University of Colorado.

The article has made an impact. Anziska said it was this article that led him to pursue the current litigation. On the other side, Phil Weiser, dean at University of Colorado, has made career placement his No.1 priority.

"We doubled down on career services operations," he said. "We are all out there looking for opportunities for our students. Students need to work on their career from day one. We want to be there to help them."

Weiser said the additional staffing and resources would result in better placement numbers in three years.

Colorado is just one of many schools taking steps to improve placement services and to report more complete data.

Kransberger at Thomas Jefferson said employment information isn't just useful for future law students. Current students can use the data to learn more about the opportunities available in the legal field, as well as where to target their studies and post-graduation employment plans.

Hasl said it's important for students to keep in mind that the information is just a snapshot of where alumni are at a particular time in their careers, nine months after graduation.

"The one caution I would give is that it is a terrible mistake to put too much emphasis on what happens at graduation or nine months after graduation," he said.

"If one looks at the way a legal career evolves, very few [new attorneys] stay in the same position for the first five years. You really have to look over a longer span of time to understand if the investment is worth the cost."

Meanwhile, Anziska said he plans to file suit against 20 additional schools and is seeking additional plaintiffs.

And McEntee is hopeful there will be a hearing soon before the Senate Subcommittee on Consumer Protection about the need for greater transparency in employment data. Sen. Barbara Boxer (D-CA) and Sen. Chuck Grassley (R-IO) have both already been involved in the issue, writing to the ABA about the matter. In October, Sen. Tom Coburn (R-OK) joined Boxer in calling for the Department of Education to start investigating law schools.

But there still has been no legislative action.

In fact, the most visible and immediate changes in employment reporting haven't come from Congress, the ABA or under court order. The changes have come from the law schools themselves on their own websites.

For more information, visit us at www.NationalJurist.com
Pushing an unpopular cause

Law school alumnus spends his days defending student journalists’ right to free speech

by John W. English

Journalists get little public support, says Frank LoMonte, and student journalists get even less. "A free student press doesn’t have much public support," he says.

Executive director of the Student Press Law Center in Arlington, Va., LoMonte (JD ’00) tackles the first amendment issues at colleges and universities as well as K-12 schools. The center provides legal assistance for student journalists across the nation.

"Educators often have little regard for the constitutional rights of students, particularly freedom of speech," he says. Cases in the courts now include civil speech codes on campuses, what students can and cannot say on social networking sites, sunshine laws involving public records and privacy issues.

"Censorship comes from people not secure in their authority," he says, adding that school officials will try to punish students for saying or writing anything that might affect the orderly operation of the school.

"Schools generally are not very good at punishing. Sometimes good teachers are punished for something students did."

The courts must protect young whistleblowers and investigative reporters, just as they would professional journalists, LoMonte says. Only two states—Arkansas and Kansas—have progressive laws protecting the student press, he noted.

As part of his job, LoMonte travels often around the country to serve as an "an advocate for a somewhat unpopular cause."

"I try to promote student engagement in civic life and help students improve their communities, starting with their schools," he says. "There are lots of opportunities for student journalists. For example, we’re now training them to cover school boards."

From a national perspective, LoMonte says he’s optimistic about the college press, many of which are transitioning from print to online publications.

"The mood in college newsrooms is electrifying because there is a lot of experimentation," he says. "Innovation comes from challenging assumptions. If you empower students, they usually do amazing things. Student investigators are breaking big national stories. UGA, for example, has shown leadership in using open records law."

Student journalists can have an enormous effect on public service journalism—serving as a watchdog for their community, he says.

"There are too many shenanigans of state and local government that are grossly under covered by the press and that need watching."

The Student Press Law Center is largely staffed by student interns from across the country. The students produce a newsletter as they learn about press law, journalism and nonprofit operations. The center also maintains a phone line and online contact for students who have media law concerns. LoMonte also takes the students on "geek outings," field trips to places like National Public Radio and the Supreme Court.

"It’s crazy fun," he says. "I can’t believe I’m getting paid to do this. It’s incredibly rewarding working for people who are appreciative. Even if you don’t win a case, you still empower students and earn moral victories."

—John W. English, a professor emeritus of journalism at the University of Georgia, is a frequent contributor to GM.
Run, run, run as fast as she can

A competitive spirit and a lot of energy have driven alumna Monica Huff to complete 55 marathons (maybe more by the time you read this)

by Grace Morris

In December Monica Huff (PhD '02) put a check mark beside the last item on her to-do list. She ran the Zappos.com Rock and Roll Las Vegas Marathon in Nevada, the last of the 50 states in which she had vowed to run.

It was her 55th marathon overall, most of them since 2006 when a friend bet her she couldn't run a marathon in each of the 50 states.

To celebrate, Huff, who will be 42 in April, invited friends and family to accompany her to Las Vegas. About 55 people, including husband Reign Streiter (BSEd '93), children Gabby, 11, Scout, 10, and Wyatt, 6, her mom, dad and siblings, were there to cheer her on or run themselves, several in their first marathon.

"I've run so many that now it's really fun for me to see people run one for the first time," she says. "A lot of people get nervous before their first one, but I tell them to just enjoy it."

Huff, a psychologist with the U.S. Navy Manpower Analysis Center, ran her first marathon in San Diego in 1999. A tennis player growing up in Clemson, S.C., she didn't start running until she was in graduate school at UGA.

"I was working on completing my doctorate, and I'd heard that you should treat time on your dissertation like training for a marathon," she says.

She took that idea and ran with it, creating methodical schedules for running and writing to structure her life.

She ran her second marathon in 2003 as a reward for earning her doctorate.

"For me racing is like a treat or vacation," she says. "I go to run a marathon, but I also get to rest, relax and read magazines."

After her second race, Huff qualified for the Boston Marathon by 14 seconds. Since 2006, Huff has run about 10 marathons a year, occasionally running two in a weekend.

"At first I thought I would need more rest between marathons, but now I think the ideal is three weeks between each one," she says.

Three weeks gives Huff time to rest, go on a few medium-length runs and race again.

"If I'm going to run more than 20 miles, I'd rather it be part of a race than just a training day," she says.

Her favorite marathons are the "quirky, smaller ones," she says.

"Some of them only have about 100 runners, so you get to know people better and you feel more of a bond."

In October 2011 she ran the Big Sur Trail Marathon in California with a woman she met on the course. They connected over their similar careers (the other woman worked for the New Zealand Air Force), motherhood and a cow that charged across the course in front of them.

"That was probably the hardest marathon I've ever run," she says. "We had to hike up this huge hill just to get to the starting line, and I was walking within the first two minutes."

Still, Huff tied for fourth place in the women's division and was first in her age group.

A competitor at heart, Huff is on to her next challenge: to rerun the races in the five states in which she did not finish in four hours: California, Illinois, Delaware, Tennessee and New York. According to the 50sub4 club, a support group for marathon runners, if Huff accomplishes her goal she will be only the fourth woman to finish a marathon in each state under four hours.

"For me it's more important to be able to run than to run faster," she says. "If I'm having a bad day running makes it better, and if I'm having a good day it makes it even better."
One "lucky dog"

Law School alumnus has spent more than three decades doing what he loves—defending public school employees

by Kelly Simmons

Michael Simpson’s presentation to public school educators starts with a projected image of a 1974 Playgirl photo of a California teacher who was fired after appearing nude in the magazine.

“Back in the day you really had to try hard to get yourself in the media,” Simpson says he tells his audience.

“Then I compare that to what teachers have been putting on their Facebook pages.”

A lawyer for the National Education Association in Washington, D.C., for the past 31 years, Simpson helps public school employees understand their rights within the law as well as the pitfalls that can cost them their careers—and represents those in court who are dismissed from their positions.

Coming from a family of educators—his mom was a professor in UGA’s College of Education—Simpson understands the challenges facing 21st century public school employees. Among the issues facing the association these days: the rights of public school teachers to free speech, the abolition of bargaining rights for teachers in Wisconsin, Idaho and Ohio and immigration laws that threaten students’ rights to public education.

On the association’s agenda: A challenge to various state laws that reward and punish teachers based primarily on students’ scores on standardized tests.

Born and raised in Athens, Simpson went out of state to Davidson College in North Carolina for his undergraduate degree in German. He considered teaching, but decided being a German teacher was not the right fit. He wanted to do something to bring about change.

After graduating from UGA’s Law School in 1975, Simpson took a job as a legal aid attorney in Rome, Ga. Caught up in the excitement of Jimmy Carter’s presidential victory in 1976, he moved to Washington. He spent several months as a day laborer before applying for and receiving a fellowship from the Robert F. Kennedy Memorial Foundation. On that fellowship he ran a small nonprofit organization, the Student Press Law Center, which is an advocate for student First Amendment rights, for freedom of online speech and for open government on campus.

In that position he met the general counsel for the NEA. He went to work for the association as soon as his fellowship was over.

During his first couple of years he worked on federal appellate cases. Local and state lawsuits by public school employees are handled by the local and state arms of the education association (in Georgia the Georgia Association of Educators). The NEA counsel steps in if the case reaches the federal courts of appeal.

In the years since, he has become more of a resource for some 500 attorneys in the U.S., defending public school employees, maintaining a database of briefs and memos, and advising NEA-affiliated attorneys on issues such as constitutional law, employment discrimination, free speech and due process.

In the early 1980s he began writing a column for the publication NEA Today. “Rights Watch” focuses on timely legal issues that face teachers and other public school employees. Topics have included bullying, helping school employees understand their legal responsibility to address reported bullying as well as how to handle it when they are bullied themselves, and social networking issues.

“I learn something every day I come here,” says Simpson, who is planning to retire in the next few years, possibly to Athens. “It’s never dull. It’s never stale.”

“I’m a lucky dog. I work in areas of the law I find very interesting to me, stimulating and challenging. I work for the good guys. Teachers are undervalued and underpaid.”
The buzz on Mike Lester

Conservative cartoonist finds success in editorial cartooning—and drawing the logo for UGA's in-state rival

by Kelly Simmons

It was 1984 and Mike Lester had been out of college for seven years, doing charts and illustrations for the Atlanta Journal and Constitution and picking up freelance illustration jobs where he could get them.

When Georgia Tech called and asked for his help in designing promotional materials for athletics, Lester (BFA ’77) said sure. In addition to more than 130 football program covers (Tech gave him a plaque in 1999 during halftime of a football game after he did the 100th cover), Lester also designed the Ramblin’ Wreck’s stinging mascot, Buzz the yellow jacket.

"I created Buzz because Jack Davis was already doing the bulldog," Lester jokes. "I'm proud of it. It in no way diminishes my love for my alma mater."

Since then, Lester has done illustrations and animations for scores of companies, including those marketing beer, flea and tick repellants for animals, and arthritis medications, in addition to a steady job as editorial cartoonist for the Rome News-Tribune.

In the fall of 2011, his editorial cartoons were syndicated by the Washington Post Writers Group, which distributes to print and electronic publications around the world.

"Be careful what you wish for," he says. "I didn’t see anyone saying anything staunchly conservative (in editorial cartoons)." says Lester, whose point of view wasn’t reflected in the marketplace of ideas.

"I’m sort of the Ann Coulter of editorial cartoons." In a town the size of Rome, however, an opinion can sometimes get you in trouble.

"When you live in a small town, sooner or later you’re going to be standing in line (at a store) with a commissioner you’ve just lit up," Lester says. "I’m not sure I’d like me either. However, he likes the exchanging of ideas and understands that not everyone agrees with him.

Framed drawings and copies of ads and cartoons fill the wall space of his home in downtown Rome. Awards hang above his computer. Soon he’ll add the most recent, a 2010 award for book illustration from the National Cartoonist Society (he’s won a total of five awards from the organization), and a 2010 Sigma Delta Chi Award for Excellence in Journalism from the Society of Professional Journalists.

"Other than the Pulitzer those are the two I’m proud to have won," he says.

Still he knows it’s Buzz people will remember.

"They’ll put on my headstone, ‘Went to Georgia, drew Buzz for Tech,’” he predicts, and pauses for a second.

"It’s not like I drew the Gator for Florida. I’d hate me too for that.”

Learn more about Lester at www.mikelester.com.
Consumer watch dog

Alumnus Inez Tenenbaum’s job is to protect consumers, particularly children, from dangerous products

by Kelly Simmons

Inez Tenenbaum keeps a lot of pictures in her Bethesda, Md., office. Computer printouts of her staffers’ children are taped to the walls, and photographs peer out from under the glass on her conference table.

One photo is particularly special, and Tenenbaum (BSEd ’72, MEd ’74) keeps it close to remind her of why her job is so important. The snapshot of Danny Keysar was taken when he was a toddler, not long before the top rail of the defective portable crib at his childcare facility collapsed, trapping and strangling him. At 16 months old, Danny was dead.

As a result of his death, Danny’s parents, Boaz Keysar and Linda Ginzel (University of Chicago professors), began a nonprofit organization called Kids in Danger, and began lobbying for stricter regulations on products designed for children. In 2008, Congress passed the Consumer Product Safety Improvement Act, which bans lead and other dangerous materials from products made for children, toughens testing requirements for manufacturers and importers, and requires mandatory federal standards for toys and durable nursery equipment.

“It has really been a wonderful opportunity to see how the global market works.”
Whalen prepares for a ride with the Winter Bike League in December. He rides several times a week, sometimes more than 50 miles. “If there’s something that I decide I need to try to resolve, I can do it on the bike,” he says.

doctoral program in epidemiology and is actively involved in training epidemiology students in Uganda.”

Grants come and go, says Whalen. What remains are the papers he published that shape the field.

“The other thing that shapes the field is people that you train,” he says. “They last a long time, and they have this amplifying effect. If you train one person, they go back and train 10 more.”

In 2005 UGA began recruiting for seven faculty positions that were part of a Board of Regents initiative to grow the university’s capacity for research in infectious diseases. Christopher Whalen was a perfect fit for the new College of Public Health and the Department of Epidemiology and Biostatistics, founded the same year, and later the Faculty of Infectious Diseases, founded in 2007.

“Hiring Chris added an important new dimension… in that now we’ve got an interface with the people that are actually contracting and suffering from tuberculosis,” Krause says. “The ability to expand our perspective on TB and move from the basic science at the bench to applications in the field I think is significant.”

Whalen was impressed with the strategy and set of ideas that were being implemented at UGA.

“It was something that was extremely unique to me, to see that a school was making that kind of commitment to the study of infectious diseases,” he says.

Over time he’d come to believe that he could make more of a difference by approaching TB from a public health perspective. It lacked the more immediate gratification of treating patients, but it offered an opportunity to effect more significant change long term.

“I felt as though to control TB I needed to move up from individual patient care to broader interventions at a systemic level,” Whalen says.

Whalen and Sekandi have completed a project in Uganda that emphasized getting health care providers out of their comfort zones and into communities to find TB patients before they typically come in—when they’re already sick and have spread the disease to those around them. Whalen is convinced that moving TB case detection into the community, where the transmission occurs, is the best way to address the problem. Many of his current projects address this issue from different perspectives.

“Chris is reassessing dogma in ways that move outside the box, to borrow an overused expression, to rethink patterns of spread and address the question, ‘Why aren’t we doing better?’” Krause says.

In January Whalen returned to Uganda to teach a course on grant preparation at Makerere University’s Medical School. And in February, he got good news. The NIH grant proposal that initially got rejected will be funded after all. The original decision to fund the top 8 percent was expanded to cover the top 10 percent, so he will be able to move forward with his project.

Whalen is looking forward to investigating whether Ugandan social networks—not the online kind, but the social interactions that make up daily life—promote TB transmission.

“To me it’s critical that we rethink how we control tuberculosis,” he says.

“If you can block transmission, the disease will go away. But if you don’t block transmission, it just keeps rumbling on.”

WANT TO GIVE?

To donate to the College of Public Health, contact Director of Development Kate Lindsey O’Reilly at krl@uga.edu or (706) 542-2590.
“As of this year, we have the strongest crib standard in the world,” says Tenenbaum, since 2009 the chairman of the U.S. Consumer Product Safety Commission. “That’s what makes this work so rewarding.”

Tenenbaum was nominated to the post by President Barack Obama, who she met in 2004 when he was a candidate for the U.S. Senate from Illinois, and she was a candidate for the U.S. Senate from South Carolina. Obama campaigned in South Carolina for Tenenbaum, who lost to Jim DeMint. She later was the first statewide elected official to endorse Obama’s presidential candidacy in South Carolina and worked on his behalf in South Carolina and in other states.

Though she grew up in tiny Pineview, Ga., near Hawkinsville, and earned her bachelor’s and master’s degrees in education from UGA, Tenenbaum has spent most of her adult life in the Palmetto State. After working for a short time as a public school teacher in Georgia, she moved to South Carolina to work for the Department of Social Services licensing federally funded Head Start programs. While there she helped push through a state child care licensing law. She later worked as the director of research for a standing committee in the South Carolina House of Representatives before deciding to go to law school at age 32.

After graduating from the University of South Carolina law school, she worked in a private practice law firm for five years in the areas of health, environmental and public interest law. In one of her last cases, she was appointed the guardian of 600 incarcerated youth involved in a federal juvenile justice class action lawsuit.

Based on that experience, in 1992 she began a nonprofit organization, the South Carolina Center for Family Policy, to help reform the state’s juvenile justice system.

In 1994, she ran for lieutenant governor, but lost the Democratic primary. Four years later she ran for state superintendent of schools and won. During her two terms in that position, she oversaw a public school system in which student achievement improved at the fastest rate in the nation, based on state, national and international test scores.

Also during her tenure, the South Carolina legislature passed the Education and Economic Development Act, creating programs to better prepare students for postsecondary education and the workforce, and passed a $1 billion state school bond for school facilities.

Her current job at the CPSC “really opened my vistas,” she says, taking her around the world to promote new safety standards and regulations for exports to the U.S.

Rules effective January 2012 include requiring companies to have independent third party testing done on toys exported to the U.S.

Having taken the reins of the CPSC during a time when there were significant recalls of products made in China, Tenenbaum has had to be vigilant to restore consumers’ trust. In addition to the new regulations governing lead levels and safety testing, the agency also has worked with U.S. customs officials to identify products coming in to the country that have not met stringent standards.

“It has really been a wonderful opportunity to see how the global market works,” she says.

With a home and husband in Columbia, S.C., Tenenbaum commutes, flying home most Fridays and back to Bethesda, where she has an apartment just blocks from her office, on Mondays. Her appointment ends in 2013, but it could be extended into 2014, or she could be reappointed to another seven-year term.

“It’s not clear to me where I’ll be next,” she says. “I think about it, but I’m always amazed at how the doors have opened. Opportunities present themselves in the least expected ways.”
The year was 1960 and 6-year-old Luis Aguilar’s parents were hearing the rumors in their native Cuba: Fidel Castro planned to have all of the Cuban children sent to camps. Over the next two years, parents would send 14,000 children to Miami to escape the educational indoctrination they feared.

“Operation Pedro Pan” (Spanish for Peter Pan) was the largest exodus ever of children from a country in the Western Hemisphere.

Aguilar and his brother, like many kids, went to live with relatives and friends until their parents were able to join them several years later. Others were taken in by Catholic churches and the community of Cubans in Florida City, just south of Miami, which provided lodging, food, clothes and support for the immigrant children.

Four decades have passed since Aguilar made that trip, but it remains one of the reasons he cites for his work in public service today.

“I arrived in this country with three pairs of underwear and a couple of changes of clothes,” says Aguilar (JD ’79), now a commissioner with the U.S. Securities and Exchange Commission. “I had a debt to pay back to this country.”

In December, Aguilar was sworn in to his first full term as an SEC commissioner, a seat he has held since 2008 when he was appointed by President George W. Bush to fill the remaining years of a vacancy. He was
reappointed by President Barack Obama to the position that he will hold at least until June 2015.

The post has allowed him to use the skills he built as a lawyer with the SEC, his first job out of law school, and later in corporate and securities law with several prominent Atlanta firms. He also saw it as a way to give back in his career as a public servant in addition to the work he had been doing as a volunteer with organizations in Atlanta.

“It had a strong appeal to me emotionally,” he says. He had no idea how tumultuous the next few years would be. In September 2008, just six weeks after he was sworn in, the nation saw a volatility in the financial markets the likes of which had not been seen since the Great Depression, he says. The prominent securities firm Lehman Brothers filed for bankruptcy, while Merrill Lynch, another major player in the financial industry, agreed to be sold to Bank of America as a way to stem its downward financial spiral.

“Then Madoff shows up in December,” he says, referring to Bernie Madoff, the New York financier who cheated investors out of $50 million through an elaborate Ponzi scheme.

It was clear then, Aguilar says, that the status quo had to change. For the past three years, he has helped craft legislation to prevent future financial crises of that magnitude.

“It’s important that we do it right,” he says. “My job here is to protect the investors.”

His life now is a far cry from his childhood, which included moving around with his family as his father, a physician, found jobs with state and federal hospitals, first in Ravenna, Ohio, later in cities like Little Rock, Ark., and Rome, Ga.

In Little Rock, Aguilar and his family felt the tension between white and black Americans, and the discrimination against Latinos.

“We, at the time, couldn’t speak the language,” he says. “At the time we were not embraced by either of the communities.”

However, just a year later in Rome, he found a more welcoming community. “I was actually fitting in,” he says.

When his parents moved again Aguilar was a rising high school junior and didn’t want to leave Rome. He was invited to stay and live with a friend’s family.

“They treated me just like their son,” he recalls.

A chance conversation when he stopped for gas in Statesboro led him to Georgia Southern University, where he earned his bachelor’s degree in political science. It was then on to UGA for law school, where he became interested in corporate law, taxes and securities.

When he graduated, he went to work for the SEC regional office in Atlanta. After three years there, where he gained tremendous experience in a lot of different areas, he went into private practice, and in the 1990s became involved with a number of nonprofit organizations in Georgia including the Latin American Association, the Mexican American Legal Defense and Education Fund and the Girl Scouts Council of Northwest Georgia, among others. He also served a term as a member of the UGA Alumni Association board.

Because of his background, Aguilar has often spoken out about the need for more diversity in the SEC and on Wall Street.

“The U.S. was made stronger by diversity, by immigrants that have come to our shores.”
Military watch dog

Grady alumnus Bryan Salas oversees U.S. Marines' efforts to tell stories about the military to American civilians

by Grace Morris

“I went to Iraq right before the surge. My job as a storyteller was to share the courage of young Marines with the American people.”

Heads turn as Col. Bryan Salas (ABJ '87) walks into an Athens coffee shop. His decorated uniform, cropped hair and straight posture command a sense of respect. But as the director of public affairs for the U.S. Marine Corps slides into a booth, his smile is at ease.

Salas pulls out a folder of pictures and begins to talk about earthquake relief in the Philippines and the time he spent in Iraq. He pauses on a black-and-white photo of rugby players. “This was at UGA,” he says. “I joined the Marines right out of high school, but I got to come here while I trained.”

He was part of the Platoon Leaders Class, a program that offers college students summer training and a commission after graduation. He came in not knowing what to study but soon found a major.

“When I took intro to journalism I was floored by the opportunities to have adventures and write about them,” says Salas, who studied public relations at the Grady College of Journalism and Mass Communication.

He accepted his commission as a second lieutenant on graduation day, and 12 months later he was stationed in Japan as a young combat engineer. “A lot of people don’t realize that about 70 percent of Marines are younger than 25,” he says. “I was surrounded by guys just like me.”

Salas and his fellow Marines spent time in Japan, the Philippines and South Korea. They traveled through villages, training with the local military,
offering humanitarian aid and spending time with locals.

When he returned to the U.S. he employed his public relations skills and spent time recruiting for the Marines at high schools in the Midwest.

"After coming back from Japan, I learned that these small-town high schoolers had the same dreams as kids from Korean farming families and Iraqi insurgent families I visited later in my career," Salas says. Like families from America, they all wanted their children to be safe and prosperous.

After a few years, Salas decided to move to the Marine Corps public affairs division from his position in engineering.

"Public affairs is different from PR, because you're not trying to influence people," he says. "Your moral and legal obligation is to provide facts so people can make well-educated decisions."

Salas honed his reporting skills at the Defense Information School, the journalism-training field for military public affairs officers.

"We learned everything from photography to broadcasting, but the most important thing was writing—writing and storytelling," he says. "Through storytelling you reveal the human condition [of our military] to Americans."

As a public affairs officer, Salas covered various regions including Eastern Europe and South Africa. While serving in Asia, he was part of the public affairs advisory team to William Cohen, President Bill Clinton's secretary of defense.

"I advised on what the press was interested in so that he would know what to focus on at press conferences," he says. "I would say, 'They're going to ask you about this or they're critical of this policy.'"

During the Bush administration he protected U.S. interests in Haiti as a United Nations representative. From 2006 to 2007 he went to Iraq, where he served as the Multi-National Force West spokesman.

"I went to Iraq right before the surge," he says. "My job as a storyteller was to share the courage of young Marines with the American people."

In 2009 Salas was promoted to director of Marine Corps public affairs. Working out of the Pentagon, Salas supervises a five-section, 62-person headquarters and more than 50 field offices with 1,000 personnel, including permanent field offices in the Far East and Europe.

"I look at the big picture and express the commander's intent," he says. "Right now under tough economic times our main intent is to demonstrate the value of the Marine Corps to the nation."

Salas passes this intent on to public affairs officers throughout the world. He plans to retire this year, but until then he's committed to the mission of military public affairs.

"It's like maintaining a vehicle," he says. "Constant maintenance is less expensive than repairing a part. We're constantly engaging and informing Americans and people in the countries where we're stationed."
No place like home

From civil rights era footage to the Confederate Constitution, UGA's Special Collections come together in a long-awaited new facility.

photos by Peter Frey
Laine declares candidacy for probate judge

GAINESVILLE - A second candidate has declared her intentions to run for probate court judge of Hall County. Patty Walters Laine has been a private practice attorney in Gainesville for the last 10 years.

A Gainesville native, Laine is a graduate of Furman University and the University of Georgia Law School. She previously served for two years as a law clerk and staff attorney for the Ocmulgee Judicial Circuit. Laine is running as a Republican.

In addition to Laine, Lisa Manascalco has announced plans to run for the probate judge position.

The probate judge office is currently held by Patty Cornett, who is retiring.

Link: Patty Walters Laine campaign web site

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UGA GETS FIRST UNDERGRADUATE FLAGSHIP PROGRAM IN PORTUGUESE

The rapid growth of the Brazilian economy has caused demand for Portuguese speakers to surge, prompting the National Security Education Program to award UGA a grant to establish the nation’s first and only Undergraduate Flagship Program in Portuguese.

The Flagship Program, which is open to students from any major seeking to internationalize their education, offers intensive language instruction that includes one-on-one tutorials and innovative curriculum, such as regular communication via Skype with partners in Brazil’s São Paulo State University. Flagship students will spend a year in Brazil, where they will reach professional-level Portuguese proficiency through language and content courses as well as an internship. UGA enrolled its first students in the program in January.

Brazil has the largest economy in Latin America and this year ranked as having the world’s fifth largest economy, putting it ahead of France and Britain. Although Portuguese currently is the seventh most spoken language in the world, very few U.S. high schools and only a select number of university programs offer instruction in the language.

The NSEP, established by Congress in 1991 to increase the ability of Americans to communicate and compete globally, awarded UGA a renewable $225,000 grant for the first year and is expected to provide more than $1 million, pending Congressional approval, during the first full grant cycle.

Learn more about the program at www.lacsi.uga.edu/docs/PortugueseFlagshipProgram.pdf.

Algae as fuel source?

UGA researchers are partnering with the University of Puerto Rico to create a renewable energy center to grow algae-based biofuels. Algae is considered one of the most promising sources of renewable fuels because it grows rapidly, it can be grown in a variety of aquatic environments, including wastewater and salt water, and it does not compete with food agriculture for resources. Funded by a $4 million grant from the U.S. Department of Defense, the renewable energy center in Rio Piedras, San Juan, Puerto Rico, will help address the energy needs of the Caribbean territory and help the U.S. reduce use of fossil fuels. UGA will receive $1.2 million, and the UPR will receive $2.8 million. Learn more about biofuel research at UGA at http://bioenergy.uga.edu.

GMOA GETS AFRICAN-AMERICAN ART COLLECTION

The Georgia Museum of Art has a new collection of prominent works by African-American artists, a gift from Larry D. and Brenda A. Thompson. The couple also will fund an endowment to support a new curatorial position.

The Thompsons’ gift initially includes 37 works, many of which appeared in the exhibition “Tradition Redefined,” which was on display at the museum in early 2011 as part of UGA’s celebration of 50 years of desegregation.

The new curatorial position, named for the Thompsons, will be a full-time academic professional who will oversee the museum’s collection of paintings, sculpture, prints, drawings and archives by African and African-American artists.

Larry Thompson joined the UGA School of Law last fall as the John A. Sibley Professor in Corporate and Business Law. He is a former deputy attorney general for the U.S. and former senior vice president of government affairs, general counsel and secretary for PepsiCo. Brenda Thompson joined the Georgia Museum of Art’s board of advisors in fall 2011.

Learn more at www.georgiamuseum.org.
Grant targets municipal employees

- A UGA public health researcher has received a $3 million, five-year grant to fund a six-month weight management program aimed at reducing caloric intake and bolstering physical activity among employees of municipal governments in Georgia. Mark Wilson, head of the department of health promotion and behavior in the College of Public Health, will use the grant to test different versions of a diabetes prevention program in workplace settings. Funded by the National Institutes of Health and the National Institute of Diabetes and Digestive and Kidney Diseases, the grant will enable Wilson to implement three separate diabetes prevention programs in Athens-Clarke County, Columbus and Macon. Wilson notes the correlation of the increase in overweight Americans and the rise in the number of instances of type II diabetes. The more diabetics in the workplace, the more treatment and medication required to manage the disease. As a result, many organizations have seen their health-care costs increase in the past three decades. Additionally, Wilson said overweight workers in labor-intensive environments are more injury-prone—particularly to neck and back injuries—which further drives up costs to the employer.

MENTORING LESS BENEFICIAL TO BLACK MEN?

- A study co-authored by a UGA psychology professor finds that African-American men don’t benefit as much as white men from having professional mentors. Professor Lillian Eby says the finding emphasizes the need for women and minorities to think broadly about the mentors they choose and with whom they network. People tend to have professional and social networks that are composed of people who are similar to them, she explains, and African Americans remain underrepresented in high-level positions. The study was published in the December issue of the Journal of Vocational Behavior.
Frank Adamson Notice/Obit: Frank Adamson’s Obituary by The Atlanta Journal-Constitution.

ADAMSON, Frank (1926-2012) Frank Adamson passed away on February 28, 2012 at the age of 85. He was married for 62 years to Mary Polk Adamson, who passed away on December 6, 2010. He is survived by their four children, Dr. Nancy Adamson of San Ignacio, Belize, Michael Adamson of Brazelton, Ga., Starr Adamson of Atlanta, Mark Adamson of Alpharetta, Ga., four grandsons, & two great granddaughters; nieces Susan Claybrook and Carol Ferril and many special friends including Jan Adamson, Susan Turner, Adele DesRochers, Kim Harris, and Shirley Turnipseed and hundreds of others over a lifetime. Frank’s family moved to Jonesboro in 1929 when his father was elected Sheriff of Clayton County. He attended Jonesboro Elementary & High School. He then attended North Georgia College before entering the U.S. Navy. After release from the Navy in 1946, he entered the University of Georgia School of Law. In 1949 he was elected Probate Judge in Clayton County at the age of 22, the youngest elected in Georgia where he served 10 years. At UGA he met Mary Polk and they were married in Glen Memorial Chapel at Emory on September 10, 1949. In 1956, Frank entered the race for the U.S. Congress from the 4th District of Georgia but was not successful though it was a close race. In 1957, he organized and chartered the Bank of Forest Park and was an Officer and Director until selling to Bank South. In 1961, the family moved to Hiawassee and he opened a law practice and then got involved in land development in North Georgia & South Carolina. In the 70s he began a career in International Banking and was fortunate enough to travel, with his wife Mary, throughout the world. Frank retired in 2002. His body was cremated. His family is inviting his friends to join in a Celebration of his Life in the Pavilion at Kingsbridge Retirement Center, 3055 Briarcliff Rd. N.E. at 7 P.M., Friday, March 2, 2012. In lieu of flowers donations can be made to the “Glen & Ann Waldrop Scholarship Fund” c/o Briarcliff Baptist Church (404-321-0263). The family will receive visitors between 6PM and 7PM at the Kingsbridge Pavilion.
If you live in the Midwest and have an interest in the Foreign Corrupt Practices Act, The Ohio State University Moritz College of Law is the place to be on Friday, March 16th.

I am pleased to have played a role along with Professor Daniel Chow (here - Ohio State) and the staff of the Ohio State Law Journal in organizing "The FCPA At Thirty-Five and Its Impact on Global Business." The full-day symposium (see here and here for specifics) will convene top government officials, leading academics from both the U.S. and U.K., and experienced practitioners to discuss the many aspects of the Foreign Corrupt Practices Act.

Among the participants will be Carter Stewart (U.S. Attorney for the S.D. of Ohio), Charles Duross (Deputy Chief, FCPA Unit, DOJ), Larry Thompson (former Deputy Attorney General, DOJ; former general counsel of PepsiCo; and currently Professor of Law at the University of Georgia School of Law), and Philip Urofsky (former Assistant Chief of the DOJ Fraud Section and currently at Shearman & Sterling).

The FCPA did not appear out of thin air. As with most new laws, specific facts and policy reasons motivated Congress to enact the FCPA. I will tell the story of the FCPA's enactment and the discussion will detail the deficiencies in then existing law that motivated Congress to seek legislative remedies to the foreign payments problem; the competing public policy arguments relevant to the foreign payments problem; and the two competing legislative responses to the foreign payments problem and how the political process unfolded.

Symposium panels will include the following: The FCPA and Government, Is the FCPA Effective, The FCPA's Impact on Global Business, and The FCPA and International Civil Society.

Professor Peter Henning (here - Professor of Law at Wayne State University School of Law, previously an enforcement attorney in the DOJ's Fraud Section (as well as at the SEC) and writer of the White Collar Crime Watch (here) at the New York Times) will give a keynote address.

To register for the event see here.

LOAD-DATE: March 01, 2012
Albany judge to hear GA Supreme Court case

Posted: Mar 01, 2012 10:42 AM EST
Updated: Mar 01, 2012 11:00 AM EST

From the Georgia Supreme Court -

Atlanta, GA - Superior Court Judge Stephen S. Goss of the Dougherty Judicial Circuit has been designated to serve in place of Justice Hugh Thompson in the appeal of Danenberg vs. State.

The Supreme Court of Georgia will hear arguments in the case on Tuesday, March 6 during its 10:00 A.M. session. In this Jones County case, a former Atlanta lawyer is appealing his conviction for the murder of his estranged wife's friend. In addition to hearing arguments, Judge Goss will participate in the Court’s decision.

Judge Goss, 50, was appointed to the Dougherty County Superior Court in 1999 by then-Gov. Roy Barnes. He has been elected three times. Previously, he served as the Dougherty County Juvenile Court Judge and as president of the Dougherty Circuit Bar Association.

He was in private law practice in Albany for 13 years and has tried and argued cases in courtrooms across Georgia, including the Georgia Court of Appeals, the Georgia Supreme Court, the U.S. District Court for the Middle District of Georgia and the U.S. Court of Appeals for the Eleventh Circuit. Judge Goss served as president of the Council of Superior Court Judges of Georgia and was a member of the Judicial Council of Georgia.

Judge Goss founded and today presides over the Dougherty Superior Court Mental Health/Substance Abuse program, the first felony mental health court in Georgia. The program serves as one of five national Learning Sites for mental health courts as designated by the U.S. Department of Justice Bureau of Justice Assistance and the Council of State Governments.

Judge Goss serves on the teaching faculty of the National Judicial College and the National Drug Court Institute, teaching and consulting with courts across the country about treatment programs for offenders with mental and substance abuse issues.

In his community, he serves as a member of the Board of Directors of the Boys and Girls Clubs of Albany. He is a former trustee of the Dougherty County Library System. A native southwest
Georgian, Judge Goss was an honor graduate of both the University of Georgia and University of Georgia School of Law and is a member of Phi Beta Kappa and Phi Kappa Phi.

He and his wife, Dee, have two daughters and a son. They are members of Covenant Presbyterian Church, where Judge Goss is a long-time Sunday School teacher and former Elder.
Superior Court Judge Stephen S. Goss

Judge and as president of the Dougherty Circuit Bar Association.

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— From the Supreme Court of Georgia
ARNOLD & PORTER LLP

FOR IMMEDIATE RELEASE
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ARNOLD & PORTER ELECTS SEVEN COUNSEL

Washington, D.C., March 1, 2012 - Arnold & Porter LLP announced that effective today it has elected seven new counsel to the firm. The attorney promotions are in multiple practice areas including antitrust, FDA and healthcare, financial services, government contracts, product liability, and business litigation.

The following individuals were elected counsel:

Matthew Grant is a member of the Product Liability and Business Litigation groups and resident in the New York office. His practice focuses on complex commercial litigation, mass tort and bankruptcy-related matters, as well as regulatory and criminal enforcement matters involving the financial markets. Mr. Grant has extensive experience representing banks, hedge funds, and other large national and multinational corporate entities in securities, antitrust, and other civil litigation matters. He has substantial background representing banking and corporate clients in connection with multiagency criminal and regulatory investigations into potential violations of the securities laws, antitrust laws, tax regulations and other federal and state statutes. He also is a member of the firm’s Pro Bono Committee, and has experience representing both nonprofit entities and indigent individuals in litigation, administrative, and appellate matters. Mr. Grant graduated cum laude from the Villanova University School of Law and was associate editor of the Villanova Law Review.

Nicole Uffrig Molife is a member of the FDA and Healthcare group and resident in the Washington, D.C. office. Her practice focuses on healthcare regulatory law, healthcare transactions, and government investigations. She advises clients regarding compliance with the Federal Anti-Kickback Statute, Stark Law, False Claims Act, Medicare reimbursement and enrollment requirements, and state physician self-referral laws and anti-kickback laws. She has experience advising clients on regulatory requirements and structuring and business considerations in connection with healthcare transactions and contractual arrangements. Ms. Liffrig Molife provides legal advice to a diverse set of healthcare providers, management companies, investors, and pharmaceutical and medical device manufacturers. She graduated magna cum laude from the University of Minnesota Law School.

Stephen Marsh is a member of the Business Litigation group and resident in the Washington, D.C. office, where he focuses on complex commercial litigation and white collar criminal defense. His practice also includes representation of various media interests in copyright license disputes and in proceedings before the Copyright Royalty Board. A former Assistant U.S. Attorney, Mr. Marsh has prosecuted several significant white collar criminal cases and tried several cases to verdict. He maintains an active white collar practice that includes investigations of financial services companies, and he also counsels clients on national security and cyber security issues. During his time as a federal prosecutor, he taught federal agents at the Federal Law Enforcement Training Center about legal issues relating to the collection of digital evidence. His pro bono work includes a successful appeal by a minority farmer in a discrimination claim against the USDA and participation in the habeas challenge to a sentence in a Georgia death penalty case. Mr. Marsh was a law clerk to Judge R. Lanier Anderson, III, of the U.S. Court of Appeals for the Eleventh Circuit and Judge Duross Fitzpatrick of the U.S. District Court for the Middle District of Georgia. He is a magna cum laude graduate of the University of Georgia School of Law.
David Menichetti is a member of the Product Liability group and resident in the Washington, D.C. office. He currently specializes in complex legal issues and briefing, global litigation strategy and management, and appellate issues. He serves on the core team of attorneys coordinating the defense of thousands of product liability lawsuits in Florida state and federal courts following the decertification of a state-wide class action. Prior to joining Arnold & Porter, Mr. Menichetti gained six years of major law firm experience in offices located in Washington, D.C., and Atlanta. After initially focusing on medical malpractice defense and related trial work, he broadened his practice to include general commercial litigation, serving clients in the telecommunications, pharmaceutical, healthcare, and gaming industries, and gained significant experience representing companies and executives in Securities and Exchange Commission enforcement matters. Mr. Menichetti graduated magna cum laude from Georgetown University Law Center.

Andrew Shipe is a member of the firm’s Financial Services group and resident in the Washington, D.C. office. Mr. Shipe concentrates his practice on the regulation of intermediaries in the securities and derivatives markets. His practice includes counseling broker-dealers regarding their obligations under federal and state securities laws and the rules of self-regulatory organizations; legislative and regulatory advocacy on behalf of financial firms and investment industry associations; advising banks as to the permissible ranges of securities activities under Regulation R; and advising on compliance with securities and financial regulations. Prior to joining the firm, Mr. Shipe practiced with the SEC’s Division of Market Regulation (2000-2006) and in the enforcement and regulatory divisions of the Commodity Futures Trading Commission (1998-2000). Mr. Shipe began his legal career as a prosecutor in the Office of the Bronx District Attorney in New York City where he was responsible for the investigation and litigation of violent crimes and narcotics offenses. He graduated from the Fordham University School of Law.

Stuart Turner is a member of the Government Contracts group and resident in the Washington, D.C. office. His practice focuses on bid protests, claims development and litigation, and compliance counseling and investigations. Mr. Turner has extensive experience in bid protests and claims before the Government Accountability Office, the Federal Boards of Contract Appeals, the U.S. Court of Federal Claims, and the District of Columbia Contract Appeals Board. He has worked with clients to develop comprehensive compliance regimes in response to evolving regulatory requirements, participated in internal audits and investigations, and aided companies in responding to inquiries from the Department of Justice and multiple other federal, state, and local agencies. Mr. Turner graduated from the College of William and Mary Law School.

Ryan Watts is a member of the Antitrust/Competition group and resident in the Washington, D.C. office. His practice focuses on a broad range of antitrust matters including private litigation, counseling, and representation before governmental agencies in transactions and civil and criminal investigations. Mr. Watts has represented clients in a wide variety of sectors including consumer products, medical devices, healthcare services, energy, chemicals, and has considerable experience in competition matters involving healthcare and pharmaceuticals. He graduated magna cum laude from the Columbus School of Law at The Catholic University of America.

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Arnold & Porter LLP is an international law firm of more than 800 lawyers with offices in Brussels, Denver, London, Los Angeles, New York, Northern Virginia, San Francisco, Silicon Valley, and Washington, DC. The firm, founded in 1946, maintains more than 25 practice areas spanning a broad spectrum of the law, with a primary focus on litigation, transactional matters, and regulatory issues.
What's happening today?

Published Thursday, March 1, 2012 Updated: Thursday, March 1, 2012 - 10:09pm

Here is what's going on around the Athens area today, March 2:

EVENTS

20th Annual Hellebore Days: 10 a.m.-4 p.m. today and Saturday, Piccadilly Farm LLC, 1971 Whipporwill Road, Bishop; the public is invited to stroll the gardens and view thousands of Lenten Roses in full bloom; (706) 769-6516.

Friends of Advantage adDRESS a Need Benefit Sale: 10 a.m.-8 p.m. today and 10 a.m.-6 p.m. Saturday, The Classic Center, 300 N. Thomas St.; browse a collection of new and gently used formal dresses, shoes, purses and jewelry ranging from $20 to $150 each; nothing priced over $150; proceeds benefit Advantage Behavioral Health Systems' Homeless Day Service Center “One Stop Shop” project; entry is $5 per person; www.friendsofadvantage.org.

Folk to Fine Arts Festival & Expo: 5-10 p.m. today, 10 a.m.-6 p.m. Saturday and 10 a.m.-5 p.m. Sunday, Civic Center, 10 State St., downtown Commerce; a variety of booths featuring an array of folk and fine art for sale in various mediums; artist sponsored workshops offered all weekend for a small fee for children and adults; features over 60 artists; mingle with the artists from 6-9 tonight during a light reception; reception is $15 and includes two
drink tickets with each adult admission and weekend re-admission passes; admission for Saturday or Sunday only is $7; [www.folkfinearts.com](http://www.folkfinearts.com).

“A Bad Year for Tomatoes” presented by Winder Barrow Community Theatre: 7:30 tonight and Saturday and at 3 p.m. Sunday, Colleen O. Williams Theater, Cultural Arts Centre, 105 E. Athens St., Winder; comedy; $12.50 for adults and $10 for seniors, teachers and students in advance; $15 for adults and $13 for seniors, teachers and students at the door; [www.winderculturalarts.com](http://www.winderculturalarts.com) or [www.winderbarrowtheatre.org](http://www.winderbarrowtheatre.org) or (770) 867-1679.

“Fairy Tale Courtroom” presented by Hart County Community Theatre: 8 tonight and Saturday and at 2:30 p.m. Sunday, Hart County Community Theatre, 83 Depot St., Hartwell; The Wicked Witch and the Big Bad Wolf—both regular villains in many fairy tales—are being hauled into court and being forced to answer for their crimes; the audience will be the jury and will decide who is guilty and who is innocent; adults $10, students $7; (706) 376-5599 or email hcct@hartcom.net.

**27th Annual Equal Justice Foundation Auction:** 9-10 p.m., The Melting Point, 295 E. Dougherty St.; the UGA School of Law student group will host its annual auction as part of the 7th Annual WIPi Conference kick-off; proceeds from the conference help support Georgia Law students who choose to take unpaid or low paying public interest legal positions during the summer; [www.law.uga.edu/news/13079](http://www.law.uga.edu/news/13079).

**PROGRAMS & CLASSES**
Friends First Friday: Volunteering at the Garden: 9-10:30 a.m., State Botanical Garden of Georgia, 2450 S. Milledge Ave.; learn about volunteering in the garden; a made-from-scratch breakfast by Countryside Catering will be provided; $10 members, $12 for nonmembers; RSVP by Feb. 29; (706) 542-6138 or www.botgarden.uga.edu.

Fantastic Friday: 9-10:30 a.m. or 10:30 a.m.-noon, Gymnastics Academy, Bishop Park, 705 Sunset Drive; parents and kids have fun in a non-structured environment; parents required to stay for the program and are responsible for leading children through various obstacle courses; for children ages 10 months to 4 years old; $5 per person/per day for 1 hour and a half or $10 per person/per day for 3 hours for Clarke County residents; $7.50 per person/per day for 1 hour and a half or $15 per person/per day for 3 hours for non-county residents; (706) 613-3589 or www.athensclarkecounty.com/bishop.

Dr. Seuss' Birthday Storytime: 4:30 p.m., Athens-Clarke County Library, 2025 Baxter St.; free and open to families and children of all ages; (706) 613-3650.

SHOWS

3 Bucks Shy, The Lonely Trio will open: 7:30 p.m., 106 West, 106 W. Athens St., Winder; $10; (770) 868-1977 or www.106west.com.

Camp-In Night II with Camper Van Beethoven and Matt Hudgins & His [filtered word]-Hot Country Band, T. Hardy Morris & the Outfit: 8 p.m., 40 Watt, 285 W. Washington St.; $20 advance; (706) 549-7871 or www.40watt.com.
“Laugh Out Loud” presented by The Second City Company: 8 tonight and Saturday, Ramsey Concert Hall, UGA Performing Arts Center, 230 River Road; $39; $5 for students with a valid UGA ID card; pac.uga.edu/mastercalendar.


Ken Will Morton, Brad Heller and The Fustics, and The Adams Family: 10 p.m., Little Kings, 223 W. Hancock Ave.; $5; (706) 369-3144.

Twin Tigers, White Violet, Grass Giraffes: 10 p.m., Caledonia Lounge, 256 W. Clayton St.; $5; $7 for ages 18-20; www.caledonianlounge.com.
Former US Ambassador-at-Large for war crimes issues plans lecture ...

Former US Ambassador-at-Large for war crimes issues plans lecture for University students

By BRITTANY FUTCH on March 1, 2012

The University law school is hosting a former United States ambassador on March 6 to discuss his work on the prevention of atrocity crimes.

David Scheffer, who served as the first ambassador-at-large for war crimes issues from 1997-2001, is touring cities around the world to promote his new book "Missing Souls: A Personal History of the War Crimes Tribunals."

Scheffer's presentation at the Larry Walker room of Dean Rusk Hall will address his role in developing tribunals to stop war crimes in the former Yugoslavia, Rwanda, Sierra Leone and Cambodia.

In his speech to University students and faculty, Scheffer plans to talk about what he refers to as "atrocity crimes" and "atrocity law."

"I will focus on the transformational developments in international justice that I participated in during [the 1990s]," Scheffer said.

He believes that these issues are extremely important for a new generation of voters to understand.

"Students need to be aware of the reality of atrocity crimes, how they shape politics and law and why the United States once was and again needs to be at the forefront of international justice," Scheffer said.

Diane Marie Amann, the Emily and Ernest Woodruff Chair in International Law at the University, said she was honored that Scheffer is able to come speak at the University.

"He is a great speaker. He tells an inside story on United States involvement in trying to stop and punish war crimes," Amann said about Scheffer.

Scheffer is now a professor of Law and the director of the Center for International Human Rights at Northwestern University. He also serves as the special representative in the United Nations that aims to correct problems with the tribunals in Cambodia and has published two books on the topic of war crimes.

"He is one of the preeminent experts on criminal law in the country, indeed in the world," Amann said.

Nadia Gabriel, a freshman biological science major from Macon, agreed that students need to be informed on these issues.

"We're upcoming voters, so stuff like that's important to help us make decisions," Gabriel said.

Scheffer also noted that atrocity crimes are relevant to University students because they are pertinent issues that appear in the news media.

"These issues are on the front pages of our papers and web sites every single day. Consider Syria. If you truly want to understand the significance of what is occurring in Syria today, my book provides the context from the 1990s that shows why accountability for atrocity crimes has become an imperative feature of international politics in our own time," Scheffer said.

Amann hopes that this lecture will promote awareness of these issues and encourage students' concern for the troubling issues unfolding around them.

Want to go?
What: Presentation on war crimes
Where: Larry Walker room of Dean Rusk Hall
When: 2:30 p.m. on Tuesday, March 6

Share this:  Email  Print  Like  Tweet 0
Lawsuit: Plant knowingly hired illegal immigrants
By Amy Wenk
STAFF WRITER

Former employees of a Moultrie, Ga., chicken plant claim in a new lawsuit that poultry giant Sanderson Farms Inc. hired undocumented immigrants to save millions of dollars in labor costs.

The suit filed Feb. 16 in federal court in Macon, Ga., alleges Mississippi-based Sanderson Farms and seven of its employees violated the federal and state Racketeer Influenced and Corrupt Organizations (RICO) Act. Sanderson Farms (Nasdaq: SAFM) was the nation's fourth-largest chicken producer in 2010, according to WATTAgNet.com, an industry publication.

The suit alleges plant managers and human resources staff conspired in illegal hiring practices, accepting "obviously fake" employment documents from immigrants.

Since 2008, at least 300 illegal immigrants were hired at the plant, suppressing wage rates for legal workers, the suit claims. The plaintiffs worked at the Moultrie plant during that time.

"This is a very detailed conspiracy to hire illegal workers, which involves a lot of people," said one of the plaintiffs' attorneys, Howard Foster of Chicago-based law firm Foster P.C.

See IMMIGRANTS, 20A
Plant knowingly hired illegal immigrants

Continued from 1A

Sanderson Farms Chief Financial Officer and General Counsel Mike Cockrell said Feb. 28 that the allegations had no merit.

"Based on our present knowledge, we consider the claims made in this lawsuit to be baseless," the company wrote the same day in a federal filing.

Charles Kuck, an attorney with Atlanta-based Kuck Immigration Partners LLC and adjunct professor at The University of Georgia, is representing Sanderson Farms. Kuck declined to comment on the case.

Sanderson Farms, which operates nine plants in the Southeast, opened the Moultrie plant in 2005, Cockrell said. With about 1,500 workers, it's one of the largest employers in Colquitt County. It has the capacity to process up to 1.25 million chickens per week.

The carpet case

Since 2000, Foster said, he has brought about 10 similar lawsuits charging companies with RICO violations for widespread hiring of undocumented immigrants.

"Illegal immigration is a tremendous national problem," Foster said, that's not adequately addressed by the federal government. "Individuals need to bring these suits."

Foster's biggest success to date, he said, was a RICO case brought in 2004 by former employees of the nation's No. 2 carpet manufacturer, Calhoun, Ga.-based Mohawk Industries Inc.

That lawsuit also alleged the wages of legal workers were negatively impacted due to illegal hiring.

Filed in federal court of Rome, Ga., the Mohawk (NYSE: MHK) suit went before the U.S. Supreme Court in 2006. In 2010, an $18 million settlement was reached with Mohawk. About 48,000 workers were eligible for the court award. Mohawk never admitted wrongdoing.

Foster had less luck with a comparable lawsuit against another poultry giant, Perdue Farms. That case was dismissed.

His cases are "pretty creative," said Polly J. Price, law professor at Emory University.

Current immigration laws are aimed at enforcement. Employers found guilty of hiring illegal workers pay fines to the government, not affected citizens.

"None of our present laws allow what we call a private right of action," Price said. "It doesn't have remedies for U.S. citizens."

First designed to combat organized crime, the RICO Act was amended in recent years to allow workers to sue corporations that knowingly hire illegal workers.

"The average person now can be represented in a suit about undocumented aliens," Price said.

Plaintiffs that prevail under the RICO Act can received triple damages.

The lawsuits seeks class-action status. Among the reliefs sought are three times the back pay for each legal worker at the Georgia plant over four years, 2008 to 2012. Several thousand could qualify for a settlement if one is awarded by the courts, Foster said. Also sought is the revocation of Sanderson's business license to operate in Georgia, as well as an injunction to stop the company from hiring illegal workers.

Sanderson Farms was founded in 1947 as a weed and seed company. Today, the company employs around 11,000 workers.

The chicken claims

The lawsuit claims Sanderson employees blatantly accepted fake employment documents at the Georgia plant. Some "appeared to have been cut and pasted from another document and then re-laminated on the ID."

The scheme saved Sanderson "millions of dollars in labor costs," says the suit Price said it's easy to take advantage of illegal immigrants. "You don't have to pay them as much. It's under the table."

The lawsuit contends illegal workers were called pseudonyms on the job. It also alleges managers would tip those workers about raids from the Department of Homeland Security, among other claims.

Price said it could be difficult to prove legal workers were paid unfair wages. "The market pays what it pays."

Reach Wenk at awenk@bijournals.com.
Law school holds variety of events

By DANIEL SUDDES on March 2, 2012

March will be a busy month for the University's law school, with events ranging from the 7th Annual Working in the Public Interest Conference to a speech from Georgia Supreme Court Justice David Nahmias.

"Most special events at the law school are planned and carried out by law students," said Paul Rollins, associate dean of administration.

According to the University of Law school calendar, there are 20 separate events that will take place in March. Such a variety of events would be difficult to hold without a large amount of funds — funds that for many colleges would be a challenge to raise. But according to the Rollins, the school has not had problems funding events.

"Funding for the majority of law student events and conferences comes from student organization activity fees, student organization dues, fundraisers, money from private donors and from registration fees charged to practicing attorneys where continuing legal education credit is available," Rollins said. "Some larger events and conferences are supplemented by law school resources when students request financial support and the benefits to students warrant funding."

The events that are scheduled to take place are designed to help the students at the University of Law learn more about their future careers. Of course, some are designed to be fun as well. Besides special guest speakers, events include a golf tournament and the "Barrister's Ball," which will take place in the Georgia Theatre.

Barrister's balls are held in law schools throughout the country and commonly in Canada and the United Kingdom, celebrating the end of the school year.

The school does not just celebrate, however, they also participate in some volunteer activities.

"Law students are very active in the University and broader community. An essential part of their legal education involves coordinating and participating in service and learning opportunities outside of the classroom," Rollins said. "The events the law school hosts are largely determined by students and their success rests primarily on law student initiative and hard work."

Although the events are to take place at the law school, many are opened to the rest of the University. Interested students should visit the law school calendar at www.law.uga.edu/event-calendar.
DA's new cold case unit hopes to solve old Athens murders

By JOE JOHNSON - joe.johnson@onlineathens.com

Published Saturday, March 3, 2012 Updated: Sunday, March 4, 2012 - 12:13pm

Athens Banner-Herald - Richard Hamm/Staff Elizabeth Goss, left, talks about her daughter murder as her grandson, Markel plays outside her home on Wednesday, Feb. 29, 2012 in Athens, Ga. The Athens-Clarke County Police Department recently created a cold-case unit that will re-open the murder case of Goss' daughter, Shanta "Dena" Dowdy, whose body was discovered in 2005 after being missing for nearly two years.

Related Links

- Slideshow: Unsolved murders of Athens
Elizabeth Goss sees her daughter each time she looks at Marcus and Markel, the grandsons she’s raised since their mother went missing nearly a decade ago.

And she prays for the day that the person who killed 21-year-old Shanta “Dena” Dowdy’s will be brought to justice.

“Someone knows what happened to Dena, and I can’t understand how they can hold something like that in for so long,” Goss said last week. “I’ve never lost hope that someone will talk, to bring peace and closure.”

With some luck and a lot of leg work, Western Judicial Circuit District Attorney Ken Mauldin hopes a new cold case unit will help bring peace of mind to Goss and other survivors.

Dowdy’s homicide is just one of more than 40 cold cases that prosecutors and investigators are currently reviewing, Mauldin said.

The chief prosecutor for the local judicial circuit — which includes Clarke and Oconee counties — formed the unit last year, and in the summer its members began the laborious task of copying each page in the police files for the unsolved cases.

Now, prosecutors and investigators are actually reviewing the unsolved crimes to see which might be solved.

“It’s a big task over a period of time, and they’re getting to point where they’re hitting the ground on a few things,” Mauldin said.

“They have been reviewing these cases and assessing their potential for solvability based on a number of factors,” he said, “such as the availability of witnesses and physical evidence, new information developed, and the advancement of scientific testing not available at the time the crime was committed.”

Assistant District Attorney Tony Volkodav — a former Atlanta police homicide detective — heads up the cold case unit, but that doesn’t mean the new unit is only looking at unsolved murders.

Perhaps the oldest case the unit is taking up is the string of
attacks by the so-called Sunset Rapist.

Authorities believe the same man invaded homes in the area of Sunset Drive and Holman and Prince avenues between 1973 and 1975, raping six women.

That's one of the cold cases that might benefit from scientific advances over the nearly four decades since the rapes happened, specifically in DNA analysis, according to Mauldin.

Volkodav works under the direction of Mauldin and Chief Assistant District Attorney Brian Patterson, and with the help of Jeff Ingram, chief investigator for the DA's office, and his assistant investigator, Kelly Meredith.

The new prosecution team is examining some high-profile murder cases, like University of Georgia law student Tara Baker, who was slain in her Eastside home in 2001, and UGA student Jennifer Stone, who was raped and murdered in her apartment near downtown in 1992.

But cold case investigators won't treat those cases any differently than that of Janie Mae Weaver, a 40-year-old woman with a history of prostitution who was stabbed to death and her badly decomposed body later found in some bushes on North Billups Street.

"We're looking at every pending murder case," Mauldin said.

Members of the cold case unit will order lab tests on evidence and re-interview suspects and witnesses, or might just decide there already is enough to bring a case to court, Mauldin said.

Dowdy's homicide could be just such a case.

Athens-Clarke police have long believed they know who was responsible for killing Dowdy — an abusive ex-boyfriend she argued with the last time anyone saw her alive, the evening of April 18, 2003.

Soon after Dowdy went missing, the boyfriend moved in with a
new girlfriend at a home on Freeman Circle. Authorities found Dowdy's skeletal remains two years later, in a shallow grave behind that same house.

Police investigators discussed the case several years ago with Mauldin, and during one meeting even presented a report that included a timeline of events they said connects the dots linking the boyfriend to Dowdy's death.

"We took the case file and everything we had to discuss it with him, and he informed me he didn't feel we had enough to prosecute," Athens-Clarke police Capt. Clarence Holeman said. "The only thing I can do is come up with the facts and present them to the DA and leave it up to him to decide whether to prosecute."

Ingram, a former city of Athens police sergeant, has been Mauldin's investigator for more than a decade. The addition of relative newcomers Volkodav and Meredith have "put a fresh set of eyes" on the unsolved cases, Mauldin said.

When their mother went missing, Markel and Marcus were 3 months and 1 year old, respectively, and they know Dowdy only from photos and what relatives tell them, according to Goss, who both boys call "mom."

For Goss, the pain of losing a daughter returns each time she switches on the TV and sees another family mourning the loss of a loved one.

"Every time I see on the news that someone's been killed, it hurts, and it hurts because I know the pain that their families are feeling, the same hurt I felt when the police first notified me about Dena," Goss said.

After the cold case unit exhausts all possibilities in a case, survivors might not get the news they hoped for, but they can understand that everything possible has been done, Mauldin said.

"At the least, the family of a victim may have feelings that they're
not forgotten," he said.

"But if we can solve just one of those cases, that would be remarkable."

- Follow Criminal Justice reporter Joe Johnson at
Justices to Weigh Foreigners' Lawsuits

By JESS BRAVIN

The Supreme Court indicated Monday that it may scale back an 18th-century federal law that permits foreigners to sue in U.S. courts over violations of international law.

Last week, the justices heard arguments over whether the Alien Tort Statute, passed by Congress in 1789, allows suits against corporations. The case involves Nigerian citizens who allege human-rights violations in Nigeria by the Anglo-Dutch oil company Royal Dutch Shell PLC. Shell denies the allegations.

But several justices clearly had a bigger question in mind. On Monday, the court ordered the case reargued, directing parties to submit new briefs before July addressing whether the statute permits suits for international-law violations occurring outside the U.S. The case is likely to be reargued after the court returns from its summer recess in October. Previously, a decision had been expected by the end of the current term in July.

The law at issue authorizes federal courts to hear "any civil action by an alien for a tort only, committed in violation of the law of nations or a treaty of the United States." Dormant for most of its history, the statute was rediscovered in the 1970s by human-rights lawyers who helped political refugees file suits against alleged torturers and others for violating international law.

In 1980, the Second U.S. Circuit Court of Appeals, in New York, found that the Alien Tort Statute permitted a Paraguayan refugee to sue a former Paraguayan police official, also living in the U.S., for the alleged torture and murder of her brother. Since then, other federal courts also have permitted suits over alleged international-law violations committed overseas.

Diane Amann, an international-law professor at the University of Georgia, said the Supreme Court has been increasingly willing to limit the application of U.S. laws overseas, as it did in a 2010 ruling that foreign shareholders couldn't sue under the Securities and Exchange Act for misconduct related to shares traded on foreign exchanges.

Separately, Rio Tinto has an appeal pending at the Supreme Court, arguing that the statute doesn't cover its actions in Papua New Guinea.

There, residents allege the company helped suppress a rebellion against its copper-mining operations, resulting in thousands of deaths.
In that case, the Ninth U.S. Circuit Court of Appeals, in San Francisco, ruled that certain universally recognized international-law violations—alleged genocide and war crimes, in the Rio Tinto case—were covered by the Alien Tort Statute, while dismissing other allegations, such as racial discrimination.

A Rio Tinto spokeswoman said at the time, "We intend to vigorously defend ourselves against these improper claims."

Write to Jess Bravin at jess.bravin@wsj.com
Virginia: W&L Law Team Wins Best Draft Award at Transactional Lawyering Competition.

Richmond: Department of Education, The State of Virginia has issued the following news release:

Washington and Lee University law students Steve Harper and Lauren Meehan earned the Best Draft award for the term sheet they prepared for the regional Transactional LawMeet, held Feb. 17 at the University of Georgia School of Law.

Now in its third year, the Transactional LawMeet was created to give students an opportunity to compete against other schools in the realm of "deal making." While there are many opportunities for law students to test their trial and appellate advocacy skills, few opportunities exist for students interested in transactional law practice.

Although the Meet's specific agreement and transaction vary from year to year, each Meet's agreement presents essential challenges in transactional problem solving, the type that corporate departments at law firms or in-house counsel at corporations tackle on a daily basis. The competition is judged by panels of senior deal lawyers.

For this year's competition, Harper and Meehan used information provided and email interviews conducted prior to the competition to prepare an executive compensation package proposal on behalf of their client, a top executive being recruited by another company. The W&L students then represented their client in negotiations with students from other schools representing the company trying to lure her away.

Harper and Meehan received top honors for submitting the best draft term sheet in the regional competition, which featured teams from the law schools at Emory, the University of Virginia, Drexel, William and Mary, and American University, among others. With the award comes the opportunity to compete at the National Competition, to be held March 29 and 30 at Drexel University.

Recognizing the need for more transactional training for law students, W&L Law put substantial focus on helping students develop deal making skills when it reformed its third-year curriculum. In addition to choosing from an array of rigorous practice simulations that expose students to planning, negotiating, and document drafting in connection with business transactions, all W&L law students participate in a two-week transaction skills immersion, during which they handle a simulated purchase and sale of a business, representing either the buyer or seller at each stage of the transaction.

For further information please visit: http://www.blogs.wlu.edu/
Briefly: Tipton Co. agents shoot pit bull, seize drugs in raid, John Stevens campaigns for seat in state Senate, Community forum set on online safety

Tipton Co. agents shoot pit bull, seize drugs in raid

Tipton County sheriff's deputies shot a pit bull this weekend after authorities said the dog attacked narcotics investigators serving a search warrant in Mason, according to a news release.

Fred Masters Jr., 44, is charged with five counts of aggravated assault, evading arrest and several drug charges in the Saturday incident. He remains a fugitive, the release said.

Masters turned and unlocked the chain-link fence, releasing his female pit bull, which attacked sheriff's office personnel and police dog Ero, the release said. The release said that during the attack, deputies had to shoot the pit bull to free Ero and Deputy B.J. Williams.

Masters ran into the wooded area behind the residence, the release said. Hebert was taken into custody.

Williams and Ero received minor injuries during the incident. Tipton County Animal Control took custody of the pit bull.

The release said investigators recovered an active lab in the attic of the residence. In the bedroom, investigators recovered pseudoephedrine tablets, which are the main ingredient in the process of cooking meth. In addition, there were about 3 grams of meth, hydrocodone pills, paraphernalia and other meth components within the residence.
About 8 p.m. Saturday, narcotics investigators were executing a search warrant on manufacturing of methamphetamine at 4530 Pickens Store Road in Mason, according to the news release. Investigators and deputies encountered Masters, 44, and his wife, Sharon Hebert, 40, who were outside the
Investigators have charged Masters and Hebert with initiation of methamphetamine, promotion to manufacture meth, possession of narcotics with intent to sell and possession of drug paraphernalia. Hebert remains in custody with no bond awaiting her initial appearance in Tipton County General Sessions Court.

Masters was last seen on foot and is described as a white man, 5 feet 11 inches tall and weighing 160 pounds, with red, curly, medium-length hair and a mustache.

If anyone has information on the whereabouts of Masters, call the Criminal Investigations Division at (901) 475-3300, Central Dispatch after hours at (901) 475-4300, phone in tips at (901) 475-3007, or e-mail tips to Sheriff@tiptonco.com.

John Stevens campaigns for seat in state Senate

Republican John Stevens announced his candidacy for state Senate District 24, saying he believes the district needs strong leadership to create jobs in an Obama-weakened economy.

"I'm running because my political hero, Herron, a Democrat who has served 16 years in the Senate, announced in January that he won't run for re-election and instead plans to lead the Ned McWherter Center for Rural Development.

Stevens has retained The Hopper Company to assist his campaign, the same firm that promoted Stephen Fincher to two upset victories in the 2010 congressional race.

Stevens says he'll work to keep state government focused on its core mission. "Tennessee should provide a business-friendly climate for job growth," he stated in the release. "That means keeping taxes low, government small and regulations few. In the Senate, I'll support small businesses by cutting red tape and opposing new taxes."

He said improving schools is also a top priority. Stevens lives in Huntingdon with his wife, Elicia, and their two daughters. He is an attorney in a private practice focusing on elder law and estate planning. Stevens coached his daughter's soccer and
Ronald Reagan, said that freedom is never more than one generation from extinction. I was willing to run against Roy Herron, and I remain a candidate in what is now an open seat,” Stevens said in a news release. “I share the beliefs and values of the people of our district, and I will fight for those values in Nashville.”
basketball teams and leads a weekly Bible study at First Baptist Church of Huntingdon.

Community forum set on online safety

Henderson County School counselors will host forums for parents and community leaders concerning significant issues facing children on a daily basis, according to a news release.

At these forums, the counselors will present information on the challenges students face and what adults can do to support them. These C-4 Meetings, Counselors Communicating about our Community's Children, will be held on an ongoing basis at schools in the district, the release states.

The first meeting in the series will be held at 6 p.m. today at Lexington High School. The meeting will last approximately 30 to 40 minutes. Parents, grandparents, guardians, and church and community leaders are invited and strongly encouraged to attend.

The purpose of this first meeting is to inform and discuss with parents the importance of helping children protect their

Begala to headline Union Forum luncheon

CNN political analyst Paul Begala will speak at Union University Wednesday 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 Beast 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-Al Gore presidential campaign. He
online reputation, net safety issues and cyber bullying.
served as counselor to Clinton and helped define the administration’s agenda on economic, domestic and international issues, the release said.

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.

Begala received his bachelor’s degree in government and his law degree from the University of Texas at Austin, where he was also the student body president.

"It is our privilege in the spring of 2012 once again to host a well-known figure in the person of Paul Begala to speak to this most interesting political season in the life of our country," Union University President David S. Dockery said in the release. "We look forward to welcoming Mr. Begala to Jackson and to Union University."

The luncheon will begin at 11:45 a.m. in the Carl Grant Events Center on the Union campus. Tickets are $40 each, or $200 for a table of six.
Kathy Stephens Palmer, chief superior court judge for the Middle Judicial Circuit of Georgia, has been awarded the Outstanding Service Award by the University of Georgia College of Family and Consumer Sciences. Palmer was presented the award during the college’s Alumni Awards Luncheon in late February.

Palmer, who holds a bachelor of science in home economics degree and a law degree from the University of Georgia, spends long hours on the bench ruling on a broad range of criminal and civil court matters. Outside of court, she is just as busy, judging high school mock trial events, providing motivational and educational talks to civic and professional organizations, serving as a mentor to college students, and helping prepare Wednesday night suppers at her church.

“My father taught me to enjoy meeting people and trying new activities, and my mother never went anywhere without carrying food to share,” Palmer says. “We learned at an early age to be thankful for what others did to help us and to give back of ourselves.”

Among her many activities, Palmer has been extensively involved in university-related service opportunities, including currently serving on the executive committee of the University of Georgia National Alumni Association and chair of the Georgia 4-H Foundation Board of Trustees. She also has been actively involved with the College of Family and Consumer Sciences Alumni Association since its founding in the late 1970s, as well as the College of Agricultural and Environmental Sciences Advisory Council and the UGA Cooperative Extension Service Advisory Council.

“Judge Palmer works with the boys and girls in this community to enrich their lives and help them make career choices for the future,” says Emanuel County Schools Superintendent Erma Jenkins, who recalled how the judge’s involvement with the mock trial team led her own daughter to become a practicing attorney.

Bill Woodson, senior pastor for Swainsboro First United Methodist Church, says Palmer’s involvement with the church includes arranging numerous social events and ministry opportunities, including helping to prepare and serve more than 100 meals each Wednesday, many to underprivileged children and their family members.

“She has served as an advocate for the underserved and is the person I call upon when questions in her field of expertise arise.”
Woodson says, "She devotes countless hours to serving beyond her vocation and enriching the lives of many in her church and community."
Tipton County sheriff's deputies shot a pit bull this weekend after authorities said the dog attacked narcotics investigators serving a search warrant in Mason, according to a news release.

Fred Masters Jr., 44, is charged with five counts of aggravated assault, evading arrest and several drug charges in the Saturday incident. He remains a fugitive, the release said.

About 8 p.m. Saturday, narcotics investigators were executing a search warrant on manufacturing of methamphetamine at 4530 Pickens Store Road in Mason, according to the news release. Investigators and deputies encountered Masters, 44, and his wife, Sharon Hebert, 40, who were outside the residence near the garage.

Masters turned and unlocked the chain-link fence, releasing his female pit bull, which attacked sheriff's office personnel and police dog Ero, the release said. The release said that during the attack, deputies had to shoot the pit bull to free Ero and Deputy B.J. Williams.

Masters ran into the wooded area behind the residence, the release said. Hebert was taken into custody.

Williams and Ero received minor injuries during the incident. Tipton County Animal Control took custody of the pit bull.

The release said investigators recovered an active lab in the attic of the residence. In the bedroom, investigators recovered pseudoephedrine tablets, which are the main ingredient in the process of cooking meth. In addition, there were about 3 grams of meth, hydrocodone pills, paraphernalia and other meth components within the residence.

Investigators have charged Masters and Hebert with initiation of methamphetamine, promotion to manufacture meth, possession of narcotics with intent to sell and possession of drug paraphernalia. Hebert remains in custody with no bond awaiting her initial appearance in Tipton County General Sessions Court.

Masters was last seen on foot and is described as a white man, 5 feet 11 inches tall and weighing 160 pounds, with red, curly, medium-length hair and a mustache.

If anyone has information on the whereabouts of Masters, call the Criminal Investigations Division at (901) 475-3300, Central Dispatch after hours at (901) 475-4300, phone in tips at (901) 475-3007, or e-mail tips to Sheriff@tiptonco.com
John Stevens campaigns for seat in state Senate

Republican John Stevens announced his candidacy for state Senate District 24, saying he believes the district needs strong leadership to create jobs in an Obama-weakened economy.

"I'm running because my political hero, Ronald Reagan, said that freedom is never more than one generation from extinction. I was willing to run against Roy Herron, and I remain a candidate in what is now an open seat," Stevens said in a news release. "I share the beliefs and values of the people of our district, and I will fight for those values in Nashville."

Herron, a Democrat who has served 16 years in the Senate, announced in January that he won't run for re-election and instead plans to lead the Ned McWherter Center for Rural Development.

Stevens has retained The Hopper Company to assist his campaign, the same firm that promoted Stephen Fincher to two upset victories in the 2010 congressional race.

Stevens says he'll work to keep state government focused on its core mission. "Tennessee should provide a business-friendly climate for job growth," he stated in the release. "That means keeping taxes low, government small and regulations few. In the Senate, I'll support small businesses by cutting red tape and opposing new taxes."

He said improving schools is also a top priority. Stevens lives in Huntingdon with his wife, Elicia, and their two daughters. He is an attorney in a private practice focusing on elder law and estate planning. Stevens coached his daughter's soccer and basketball teams and leads a weekly Bible study at First Baptist Church of Huntingdon.

Community forum set on online safety

Henderson County School counselors will host forums for parents and community leaders concerning significant issues facing children on a daily basis, according to a news release.

At these forums, the counselors will present information on the challenges students face and what adults can do to support them. These C-4 Meetings, Counselors Communicating about our Community's Children, will be held on an ongoing basis at schools in the district, the release states.

The first meeting in the series will be held at 6 p.m. today at Lexington High School. The meeting will last approximately 30 to 40 minutes. Parents, grandparents, guardians, and church and community leaders are invited and strongly encouraged to attend.

The purpose of this first meeting is to inform and discuss with parents the importance of helping children protect their online reputation, net safety issues and cyber bullying.

Trenton school board to meet today

The Trenton Special School District Board will meet at 6 p.m. today at the Central Office, located at 201 W. 10th St. in Trenton.

Begala to headline Union Forum luncheon

CNN political analyst Paul Begala will speak at Union University Wednesday 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 Beast 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-Al Gore presidential campaign. He served as counselor to Clinton and helped define the administration's agenda on economic, domestic and international issues, the release said.

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.

Begala received his bachelor's degree in government and his law degree from the University of Texas at Austin, where he was also the student body president.

"It is our privilege in the spring of 2012 once again to host a well-known figure in the person of Paul Begala to speak to this most interesting political season in the life of our country," Union University President David S. Dockery said in the release. "We look forward to welcoming Mr. Begala to Jackson and to Union University."

The luncheon will begin at 11:45 a.m. in the Carl Grant Events Center on the Union campus. Tickets are $40 each, or $200 for a table of six.

LOAD-DATE: March 7, 2012

Virginia: W&L Law Team Wins Best Draft Award at Transactional Lawyering Competition.

Richmond: Department of Education, The State of Virginia has issued the following news release:

Washington and Lee University law students Steve Harper and Lauren Meehan earned the Best Draft award for the term sheet they prepared for the regional Transactional LawMeet, held Feb. 17 at the University of Georgia School of Law.

Now in its third year, the Transactional LawMeet was created to give students an opportunity to compete against other schools in the realm of "deal making." While there are many opportunities for law students to test their trial and appellate advocacy skills, few opportunities exist for students interested in
transactional law practice.

Although the Meet's specific agreement and transaction vary from year to year, each Meet's agreement presents essential challenges in transactional problem solving, the type that corporate departments at law firms or in-house counsel at corporations tackle on a daily basis. The competition is judged by panels of senior deal lawyers.

For this year's competition, Harper and Meehan used information provided and email interviews conducted prior to the competition to prepare an executive compensation package proposal on behalf of their client, a top executive being recruited by another company. The W&L students then represented their client in negotiations with students from other schools representing the company trying to lure her away.

Harper and Meehan received top honors for submitting the best draft term sheet in the regional competition, which featured teams from the law schools at Emory, the University of Virginia, Drexel, William and Mary, and American University, among others. With the award comes the opportunity to compete at the National Competition, to be held March 29 and 30 at Drexel University.

Recognizing the need for more transactional training for law students, W&L Law put substantial focus on helping students develop deal making skills when it reformed its third-year curriculum. In addition to choosing from an array of rigorous practice simulations that expose students to planning, negotiating, and document drafting in connection with business transactions, all W&L law students participate in a two-week transaction skills immersion, during which they handle a simulated purchase and sale of a business, representing either the buyer or seller at each stage of the transaction.

For further information please visit: http://www.blogs.wlu.edu/
Former ambassador for war crimes advocates international justice

By MEGAN ERNST on March 7, 2012

David Scheffer framed the way the world dealt with Libyan leader Muammar Gaddafi, among other international criminals.

Former Ambassador-at-Large for War Crimes Issues and U.N. Secretary-General’s Special Expert on United Nations Assistance on the Khmer Rouge Trials addressed students at Dean Rusk Hall Tuesday in a presentation titled: “The End of Impunity: War Crimes Tribunals in the 21st Century.”

Scheffer discussed his book “All the Missing Souls: A Personal History of the War Crimes Tribunals,” which draws from his experience as an ambassador during the Clinton administration.

In this presentation organized by the Dean Rusk Center for International Law and Policy and the Georgia Society of International and Comparative Law, Scheffer addressed atrocity crimes past, present and future, and how indicted leaders will face either international trial or “vengeful retribution.”

Scheffer was the first person to serve in the American government in his position. He called the time before war crimes tribunals “the Old World: Before World War II, little thought was given to achieving justice in cases of atrocity crimes, Scheffer said.

The Nuremberg trials and Tokyo military tribunals were the closest thing to the modern day international war tribunals, he said, but nothing of its kind was done between the end of WWII and the 1990s, when his job was created under then-US Ambassador to the United Nations Madeleine Albright.

“I had the privilege of having the lead American job in building the international criminal tribunals in the former Yugoslavia and Rwanda, the special court for Sierra Leone, the Extraordinary Chambers in the Courts of Cambodia, and the permanent International Criminal Court,” Scheffer said.

The policies Scheffer created are still functional today. They frame the way leaders such as Muammar Gaddafi, Omar al-Bashir and Charles Taylor have been treated internationally.

He thought of himself as a “carpenter” of war crimes tribunals, but carried also the weight of the knowledge that “these would be the international community’s frontal assault on impunity.”

“I was the ambassador to hell,” he said. “But I was also the ambassador to hell and back.”

When discussing the importance of an international criminal justice system, Scheffer used an example familiar to many.

“I'm going totally against the grain here — I could never win political office — but I do have a difficulty with the fact that Osama bin Laden was killed under a kill order,” he said. “For me, that’s a problem in terms of justice.”

Scheffer’s experience in international law and policy helped him form strong convictions on the subject.

“With respect to international justice and treaty-making, I find it to be an incredibly destructive argument. It backfires constantly,” he said, when asked about American exceptionalism.

And many were happy to hear his strong convictions.

“We are very lucky to have Ambassador Scheffer come and talk to us. He is truly one of the most prominent experts in war crimes law in the world,” said Diane Marie Amann, the Emily and Ernest Woodruff Chair in International Law at the University, “and it was an easy decision to invite him and we are very happy he accepted.”
Benfield calls it a career

By Bobby Tedder
btedder@neighbornewspapers.com

District 85 State Rep. Stephanie Stuckey Benfield, D-Atlanta, is set to conclude a memorable legislative run in the coming weeks.

Benfield announced last month she will finish her term but will not seek re-election, bringing her 14-year legislative career to a close.

The self-described optimist reflected on her time in the Georgia House of Representatives, offering a frank assessment of victories large and small, as well as the next chapter of her life.

"I think I've been a consensus builder," said Benfield. "And I try to be inclusive.

"A question I always like to ask is 'Who's not at the table?' Who's not being represented?"

Benfield's new post with GreenLaw will primarily entail public speaking engagements.

State Representative Stephanie Stuckey Benfield, right, talks with Legislative Aide Dolly Purvis in the Capitol Building.

Advertisement
Benfield helped bring about the Georgia Equity in Sports Act, designed to eliminate gender disparities in public school athletic programs more than a decade ago. She also had a hand in the legalization of high-gravity beer in 2004, which has since resulted in a boon for the Georgia craft beer industry.

"Since then, being in the minority party, you have to measure success in the bills you defeat," said Benfield, pinpointing the recurring rejection of a bill allowing inter-basin water transfers to make up for Atlanta water shortfall to illustrate her point.


"I'm very sad to see her go," Drenner said. "She is an outstanding legislator. And not only in the sense that she does good policy work," Drenner said. "She's also outstanding at constituent work. She genuinely cares about her constituents and has spent an inordinate amount of time attending meetings, helping people and making the world a better place."

As intense as her call of duty as an elected official was, Benfield acknowledged the pull of of her young family was far too great to maintain her spot in the House.

"Spending time with my children and husband was definitely a big factor in my decision," Benfield said. "Politics is not always conducive to family life.

"My kids really don't care that I'm a legislator. They're at a critical age ... they need me."
Advocates Hopeful, Want Supreme Court to Reject Life Without Parole for Juveniles

Written by: Ryan Schill on Mar 7, 2012

As the U.S. Supreme Court prepares to hear oral arguments in the cases of two 14-year-olds sentenced to spend the rest of their lives in prison, many advocates and attorneys predict a majority of the justices will decide that life sentences for juveniles without the possibility of parole amounts to cruel and unusual punishment.

Children are “categorically different” from adults, says Andrea Dennis, associate professor at the University of Georgia School of Law, and she wants to see the Court acknowledge that.

“At a minimum,” she said, “I hope the court would reject mandatory juvenile LWOP [life without parole] sentences for all homicide crimes and require juries be allowed to consider the defendant’s youth and other factors as mitigation.”

In both cases, Jackson v. Hobbs and Miller v. Alabama, the sentences were mandatory regardless of the defendant’s age or circumstances and the judges had no discretion in sentencing.

In Jackson, a 14-year-old was convicted as an accomplice to the murder of a store clerk. He did not have a gun or pull the trigger. Miller involved a 14-year-old convicted of murder.

“It’s particularly troublesome when you can’t individualize the results,” said attorney Randee Waldman, director of the Barton Juvenile Defender Clinic at Emory University School of Law, in Atlanta. “Nobody is looking at the kids themselves.” But, she says she is “hopeful for a positive outcome” in the Supreme Court.

The appeal relies on previous decisions by the court, Roper v. Simmons and Graham v. Florida, which recognize children as developmentally different from adults. Advocates argue children are more likely to be rehabilitated because their brains do not fully develop until their early-20s.
"If children commit crimes they should be punished, but the sentence should reflect the fact that they are still developing," said Melanie Velez, an attorney at the Southern Center for Human Rights (SCHR) in Atlanta.

But the difficulty for the courts has always been in determining when a child finishes developing and reaches maturity. In an article published in the Houston Law Review attorney and law professor Jonathan Todres writes about how society and the law tackle the question by dividing every life into two parts — childhood and adulthood.

"In reality," Todres writes, "an individual does not cross this divide neatly at one point in time into adulthood and self-governance, but rather the law allows individuals to cross into adulthood for select activities while holding them back with respect to others," such as voting or financial independence.

When the first juvenile courts were established in the early 20th century, he writes, "they were based on the recognition that children are different, have reduced culpability, and have greater likelihood of successful reform."

Early on, juvenile court judges developed a system that was rehabilitative in nature, not punitive, but a rise in juvenile crime in the 1980s and 1990s lead to tougher measures and more legislation allowing children to be tried as adults for serious crimes.

Recently, the trend has started to reverse. In 2005, in the case of *Roper v. Simmons*, the Supreme Court ruled the death sentence was unconstitutional for juveniles, overturning a previous ruling allowing capital punishment for adolescents 16 and older. In 2010, the Court went further in *Graham v. Florida*, holding juveniles were only subject to life imprisonment in cases involving homicide.

"The inadequacy of penological theory to justify life without parole sentences for juvenile nonhomicide offenders, the limited culpability of such offenders, and the severity of these sentences all lead the Court to conclude that the sentencing practice at issue is cruel and unusual," Justice Anthony Kennedy writes in the majority opinion for *Graham v. Florida*.

According to Velez, part of what makes a life sentence for children cruel and unusual are the prisons themselves. She says the Southern Center for Human Rights receives hundreds of letters about juveniles in prison every year.

"So much of what we hear about are the conditions in the prison," she said. "Prisons are violent places and for individuals to serve life sentences is incredibly harsh. For children who commit crimes it would subject them to a very difficult life."

But Waldman believes the sentence is cruel and unusual because of how rarely it is applied.

"There are very few 13 or 14-year-olds serving life without parole," she said. "It's disproportionately used. That's why it is unusual."
### MARCH 9
**Entertainment Law Institute.** Sponsored by the Institute of Continuing Legal Education in Georgia. Six CLE hours, including one ethics hour and 1 trial practice hour. From 8 a.m. to 3:45 p.m. at Emory University's Tull Auditorium, 1301 Clifton Road, Atlanta. Register at www.iclega.org.

**MARCH 12**
**Pro Bono Tango for Transactional Attorneys** with instructions by Mona Maerz of Chamberlain Hrdlicka on corporate structure of nonprofits, duties of their officers, tax rules and contract provisions. Sponsored by the Atlanta Bar Association. Three CLE hours, including one trial practice hour. From 1:30 p.m. to 4:45 p.m. at the State Bar of Georgia Conference Center. Register at www.atlantabar.org or call 404-521-0781.

**MARCH 16**
**Building Your Litigation Practice.** Sponsored by Henning Mediation & Arbitration Service. Two CLE hours, including one professionalism hour and one ethics hour. Register at www.henningmediation.com.

**MARCH 21**

### MARCH 23
**Annual Red Clay Conference**, daylong symposium on how to balance long-term sustainability of Georgia's ecosystems with efforts to improve its economy. Six CLE hours available. Free for UGA community; others $10 for pre-registration, $20 for day-of-registration. 8:30 a.m. - 4:30 p.m. at Walker Room of Dean Rusk Hall at UGA School of Law, Athens. Register at www.law.uga.edu/red-clay-conference.

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

**Nonprofit law seminar.** Sponsored by the Institute of Continuing Legal Education in Georgia and the State Bar of Georgia's Nonprofit Law Section. Six-point-five CLE hours, including one ethics hour and one professionalism hour. From 7:45 a.m. to 4 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

**Civil Mediation Training.** Sponsored by Henning Mediation & Arbitration Service. Twenty-four CLE hours, including two ethics, two professionalism and six trial practice hours. Register at www.henningmediation.com.

**Mediation Advocacy.** Co-sponsored by Dispute Resolution Section, State Bar of Georgia, and General Practice & Trial Law Section. Six CLE hours including one ethics hour, one professionalism hour and 3 trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

**Plaintiff's Personal Injury.** Co-sponsored by the Institute of Continuing Legal Education in Georgia and the General Practice & Trial Law Section. Six CLE hours, including 1 ethics hour, one-half professionalism hour and three trial practice hours. From 7:45 a.m. to 3:30 p.m. at the State Bar of Georgia headquarters in Atlanta. Register at www.iclega.org.

**Civil Mediation Training.** Sponsored by Henning Mediation & Arbitration Service. Twelve CLE hours, including one ethics. Register at www.henningmediation.com.

**Mediation Practicum.** Sponsored by Henning Mediation & Arbitration Service. Twelve CLE hours, including one ethics. Register at www.henningmediation.com.

**Hot Topics in Public Interest Law.** Co-sponsored by the Institute of Continuing Legal Education in Georgia and the Public Interest Law Society. Three and one-half CLE hours including one professionalism hour. From 7:45 a.m. to 12:15 p.m. at John Marshall Law School's Blackburn Conference Center, 1422 W. Peachtree St. N.W., Atlanta. Register at www.iclega.org.

For a complete listing of events, visit DailyReportOnline.com
Georgia Law wins two regional tournaments; advances to nationals in three

By CINDY H. RICE

Published Friday, March 9, 2012

The University of Georgia School of Law recently took home the top trophy during the regional rounds of the American Bar Association National Appellate Advocacy Competition, held in Atlanta, and at the Texas Bar Association National Trial Competition, held in Memphis, Tenn.

Second-year law students Nneka A. Egwuatu, Emily A. Cook and Rory A. Weeks went undefeated through all five rounds of the ABA tournament to capture first place and the right to compete at the national level of the competition, which will take place in Chicago, Ill. in April. Additionally, Weeks received a Best Oralist award.

Securing the Region 5 championship title at this year's National Trial Competition were third-year law students Scott S. Eren and Grace N. Witte. The duo will now travel to Texas to compete in the national round this month. This is the third time in the last five years a team from Georgia Law has placed first in this regional competition.

“I am very proud of our students for what they have achieved,” Georgia Law Director of Advocacy Kellie Casey said. “They each defeated a challenging field of competitors to earn the right to advance to the national rounds of these tournaments, and it is exciting to see their hard work pay off.”
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Business Law and Ethics Program Instructor Carol Morgan said transactional competitions, like advocacy tournaments, give law students a chance to hone their practical legal skills.

"Transactional competitions, like the Transactional LawMeet, have emerged in recent years to provide opportunities for law students interested in transactional practice to build their drafting and negotiation skills. This experience is extremely valuable for our students to help them become more prepared for the practice of law," she said.

Athens Banner-Herald ©2012. All Rights Reserved.
ATHENS, Ga. — The University of Georgia's School of Law will hold a conference on how to balance the long-term sustainability of Georgia's ecosystems with efforts to improve the state's economy.

The daylong event is known as the "Red Clay Conference," which has focused on environmental issues annually for the last 24 years. This year's conference is March 23 at 8:30 a.m. in the Larry Walker Room of Dean Rusk Hall.

The keynote speakers are Dorinda G. Dallmeyer, director of the environmental ethics certificate program at UGA's College of Environment and Design, and James Salzman, a professor of law and environmental policy at Duke University.

The event is free for UGA faculty, staff and students. Attendance is
University of Ga. to host conference on state's ecosystems, economy | The Republic

$10 for others in advance and $20 at the door.

Online:

http://www.uga.edu

We also have more stories about:
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Attorneys to argue dozens of motions in accused Athens cop-killer case

By JOE JOHNSON - joe.johnson@onlineathens.com

Published Saturday, March 10, 2012

Attorneys for accused cop-killer Jamie Hood have filed so many pre-trial motions that a judge has scheduled three straight days of hearings this week to consider the requests.

Beginning Monday morning, Western Judicial Circuit Chief Judge Lawton Stephens will hear arguments from defense and prosecuting attorneys concerning nearly 80 motions.

They include requests to allow Hood to visit crime scenes and to forbid police officers from wearing uniforms, even if attending Hood’s trial as observers and not witnesses.

Hood’s attorneys have asked for the psychiatric and criminal histories of the witnesses, to disallow “snitch testimony,” and for prosecutors to disclose any deals they made with witnesses.

Defense attorneys also challenge the constitutionality of the death penalty and the racial makeup of the jury pool in the motions, all of which were filed in Clarke County Superior Court on Feb. 17.

Though some motions might seem frivolous, they all are important safeguards when a defendant’s life is in the balance, according to University of Georgia law professor Ron Carlson.

“The defense is trying to make sure that they leave no stone unturned, to deflect or avoid any criticism later that they neglected to protect the defendant’s rights in one respect or another,” Carlson
“Yes, we do see a proliferation of motions in capital cases, but in this one, it appears that the defense has been particularly careful,” he said.

Hood is accused of murdering Athens-Clarke Senior Police Officer Elmer “Buddy” Christian and attempting to kill SPO Tony Howard on March 22, 2011.

The officers were shot after Howard stopped a car Hood was in because he was a suspect in an armed-robbery kidnapping that happened earlier in the day.

After shooting the officers, Hood carjacked a woman at gunpoint then led authorities on a four-day manhunt that ended at a home where he allegedly held several hostages.

District Attorney Ken Mauldin plans to seek the death penalty for Hood is he’s convicted of those crimes, and also of murdering another man in December 2010.

Because of the high stakes in death penalty cases, they are more complex and involve more procedures than other murder cases, which typically go directly from a grand jury indictment to arraignment to trial.

Court watchers expect Hood’s case will proceed at a deliberate pace made necessary by the Unified Appeal Procedure used in all Georgia death penalty trials.

It’s a system of checklists designed to make sure the defense raises all possible challenges prior to trial so the case can withstand scrutiny from higher courts should the verdict be appealed later.

The extensive rules and safeguards of capital murder cases keep them in the courts for at least twice as long as a standard murder trial; most take nearly two years to come before a jury.

In other trials, only a conviction can be appealed, but in death
March 10, 2012 Saturday 10:37 PM EST

LENGTH: 133 words
HEADLINE: IntLawGrrls
BYLINE: Mary L. Dudziak

BODY:

Just a note to highlight for you a new link on the Balkinization blog list: IntLawGrrls. This blog was launched five years ago by the indefatigable Diane Marie Amann, now the Emily and Ernest Woodruff Chair in International Law, University of Georgia School of Law. It has become a go-to site for breaking news in international law, especially related to gender and women's rights, including coverage of the U.N. Commission on the Status of Women, Violence Against Women Act reauthorization, posts on women in the history of international law, and much more. InLawGrrls contributors have included a long list of women active in international law, including founding co-editor Beth Van Schaack, who is soon to become the Deputy to the U.S. Ambassador-At-Large for War Crimes Issues. Highly recommended!

LOAD-DATE: March 10, 2012

March 9, 2012 Friday 4:53 PM EST

LENGTH: 375 words
HEADLINE: GEORGIA LAW WINS TWO REGIONAL TOURNAMENTS, ADVANCES TO NATIONALS IN 3

BODY:

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LOAD-DATE: March 10, 2012

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LOAD-DATE: March 10, 2012
SHAREHOLDER SUITS

Big ups, downs in legal battles

Shareholder lawsuits' settlement swings reflect tougher rules.

Institutional plaintiffs supersede individuals.

By Russell Grantham
rgrantham@ajc.com

Shareholder lawsuits, the high-stakes legal battles that can keep CEOs up at night, have been an up-and-down business for law firms such as Atlanta-based Chitwood Harley Hames.

The firm, among the nation's top 10 litigators in this niche, has won settlements totaling well over $1 billion since 2003, according to Institutional Shareholder Services, which tracks the lawsuits for big investors such as pension plans, foundations and money managers.

But the firm's settlement tallies have seesawed wildly - from as much as $583 million in 2004 to as little as $35 million in 2006 - mirroring the ups and downs of new lawsuits filed after waves of corporate scandals and changes in the law.

Over the years, the law firm has focused more on big institutional plaintiffs that stand to collect sizable settlements, rather than individuals who often get only a few dollars.

Institutional investors such as pension plans were the lead plaintiffs in two-thirds of cases settled in 2010, according to Cornerstone Research, a consulting firm for law firms.

"Firms that don't represent

Lawsuits continued on D2

NEW SHAREHOLDER LAWSUITS

New lawsuit filings by shareholders peaked in 2001 after the dot-com bubble burst, and again in 2008 during the financial crisis among mortgage lenders and Wall Street firms.

But the volume of investor class actions also dipped after a new federal law in 1995 and a Supreme Court ruling in 2005 raised the bar for such lawsuits.

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2007 176
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Source: Stanford Law School and Cornerstone Research
Institutions supersede individuals

Lawsuits cont. from D1

Institutions don’t do well in this environment,” said managing partner Martin Chitwood. “Like other large players that have survived a shakeout in this arena, the Chitwood Harley firm has done an effective job of bringing in new business by forging ties to pension plans, industry watchers say.

After the legal rules for filing shareholder lawsuits were tightened in 1995, big institutional investors have increasingly served as the lead plaintiffs because they usually have the biggest losses. While the lawsuits can result in multimillion- or even billion-dollar settlements, by some measures, shareholders rarely recover more than pennies on each dollar that they lost to alleged fraud or other causes.

Still, for large investors such as pension plans and mutual funds, the recoveries “can be millions of dollars,” said Elizabeth Chamblee Burch, an associate law professor at the University of Georgia.

Most lawsuits allege corporate fraud and typically follow a large stock price drop, restate-ment of past earnings, investigation, or other signs of trouble. Corporate targets counter that the lawsuits are frivolous and an expensive nuisance.

Investors and companies often butt heads because “an inherent conflict of interest” between shareholders and corporate managers, said Chitwood.

Executives “don’t want scrutiny,” he said. Some end up fraudulently hiding problems, or worse.

Tony Powers, a partner at Atlanta firm Rogers & Hardin who has long defended companies and executives, believes the number of shareholder lawsuits has been in decline in recent years because, over the years, courts and Congress have tightened the rules for both shareholder lawsuits and corporate executives’ conduct.

“That’s a good thing” for both investors and corporations, he said.

Given the high stakes, it’s not surprising that investors, corporations, and their respective legal teams have been locked in a perpetual tug of war that extends well beyond the courthouse.

As a result, the yearly crop of new lawsuits has yo-yoed as acts of Congress, Supreme Court decisions, waves of corporate scandals and financial market crashes have alternately slowed and hastened the pace of filings.

Nationwide, new shareholder lawsuits dropped to a low of 317 filings in federal court in 1995, according to a database of securities lawsuits compiled by Stanford Law School and Cornerstone Research.

The 1986 law of new lawsuits came one year after Congress passed the Private Securities Litigation Reform Act, which raised the bar in several ways for filing such actions.

Then, mega-scandals such as the collapses of Enron and WorldCom spawned nearly 500 shareholder lawsuits in 2001, despite the tougher rules.

Four years later, in 2005, as many of those cases were settled, the dollar total of settlements nearly tripled over the 2003 total, to $10.2 billion, according to Cornerstone Research. The total nearly doubled again in 2006, to $18.6 billion.

Congress reacted to the scandals by passing the Sarbanes-Oxley Act, which among other things requires corporations’ top executives to personally attest to the accuracy of companies’ financial statements.

But a 2005 Supreme Court decision in corporations’ favor required shareholder lawsuits to show that stock declines were due to disclosures of fraud rather than other causes.

The following year, new federal shareholder lawsuits plunged to 210 filings nationwide, the lowest tally since the earlier tightening of the rules in 1996. Plaintiffs’ lawyers welcomed the move in 1995 and 2005 to clamp down on shareholder lawsuits because “defense has always thought it was too easy” to file such lawsuits.

Powers said that when he first started defending companies in Atlanta about 25 years ago, plaintiffs’ lawyers would race to the courthouse to file hastily written shareholder lawsuits after a company’s stock price plunged or investigators accused it of fraud.

“I used to get complaints that were practically out of the newspaper,” said Powers. The plaintiffs’ lawyers raced to file the first lawsuit to increase their odds of leading the case and getting a bigger share of any fees ultimately awarded.

Now, the firm that represents the plaintiff with the largest loss typically gets to be lead counsel when related lawsuits are merged into a class action.

“They’re still very quick” about filing lawsuits, said Powers, but at least now, “you have to do your homework before filing.”

In the wake of the 2008-09 financial crisis, the number of shareholder lawsuits jumped again to 223 new filings in 2008, according to Stanford and Cornerstone. But that increase wasn’t nearly as big as the 2001 spike in new lawsuits after the dot-com bubble burst.

Powers speculated that plaintiffs’ lawyers didn’t file as many shareholder lawsuits because so many companies’ stock prices fell at the same time in 2008 and 2009, making it difficult to prove that fraud caused losses.

Chitwood believes it’s partly a sign that the battleground has tipped too far in corporations’ favor.

“There’s a higher pleading standard for our type of lawsuit than any other lawsuit in the United States,” he said. “You basically have to validate your claims at the time you file a case.”

He said law firms like his already have little incentive to file frivolous lawsuits because they have to shoulder legal expenses that can add up to millions of dollars.

“They don’t get paid unless they reach a settlement or win a verdict. Congress’ legal overhaul in 1995 also increased the potential penalties for frivolous lawsuits, he said.

The plaintiffs’ law firms typically get to keep 20 percent to 30 percent of the settlements in very few cases that reach trial, and slightly over half are settled.

Both sides are watching to see whether new rules to encourage whistleblowers to expose corporate wrongdoing — a part of the Dodd-Frank financial reform law Congress enacted after the 2008-09 blow-up on Wall Street — will launch more shareholder lawsuits.

It’s too early to tell how many lawsuits will get a jump-start from investigations by the U.S. Securities and Exchange Commission’s new whistle-blower office, said Powers.

“I suspect that it will increase the number of cases,” he said.
Janet E. Hill of Hill & Associates in Athens has been named one of the Top 50 Women Lawyers in Georgia for 2012 by Atlanta Magazine. She is one of only two women outside the metro Atlanta area given this honor.

Hill was also named a Super Lawyer in the Employment and Labor category. Ms. Hill has practiced law in Athens since graduating from the University of Georgia Law School in 1982. Her law practice focuses on employment law. She also serves as a mediator in employment related disputes.
COUNCIL FOR THE ADVANCEMENT AND SUPPORT OF EDUCATION

Communications professionals win awards for their PR efforts

By Matt Weeks
mweeks@uga.edu

UGA staffers took home 14 honors at the 2012 Council for the Advancement and Support of Education District III awards competition last month in Atlanta.

Dot Paul, a photographer in public affairs’ broadcast, video and photographic services, received the Grand Award in the photography category for “Parkour Kid.” She also earned a Special Merit Award in the photo essay and series category for “India Spring Break.”

Andrew Davis Tucker, a photographer in broadcast, video and photographic services, earned an Award of Excellence for his photograph “Eye Exam.”

Nancy Evelyn, a digital imaging coordinator in the Graduate School, won an Award of Excellence in the photography category for “Paper Plane.” She also captured two Special Merit Awards in the photography and photo essay category for “Samli and Mask” and “Daniel Streiker.”

Cynthia Adams, Julie Sanders and Evelyn earned a Special Merit Award for the UGA Graduate School Magazine.

The university received another Award of Excellence in the media relations projects category for “50 Years of Courage: Celebrating Desegregation at UGA.” That award went to staff in the Office of Public Affairs, the Office of the Provost, the Grady College of Journalism and Mass Communication, the School of Social Work, the School of Law, the Georgia Museum of Art, the College of Pharmacy and the UGA Libraries.

An Award of Excellence went to the Office of Public Affairs, the Office of the Provost and the Office of Institutional Diversity for their work on “50th Anniversary of Desegregation at UGA Keepsake Program.”

“The Alumni Association Baldwin Stame Appeal” took home a Special Merit Award in the fundraising publications category for Mary Andrews, Office of Public Affairs, Brandon Jackson, Office of Development, and Stan Jackson, the Alumni Association.

Jay Bauer, a senior graphic designer in the College of Agricultural and Environmental Sciences, won a Special Merit Award in the visual design and illustrations category for “A Heavy Burden: Georgia's Obesity Epidemic.”

Sandi Martin, Elizabeth Hagin and Jim Sweeney in the Warnell School captured a Special Merit Award for the Warnell School of Forestry and Natural Resources Annual Report.

Martin, Hagin and Ami Flowers also won a Special Merit Award in the improvement in design category for their “Natural Resources Brochure.”

In addition, Martin and Hagin received a Special Merit Award for The Log, Warnell’s alumni publication.

By Matt Weeks
mweeks@uga.edu

Women’s His Month opens personal sto

Athens native LaTrey Wilkinson, a kind of the woman who all through the cracks.

After overcoming a diving in a low-paying job day care for her two sons, she received the HOPE Scholarship, a 39-year-old to consider d to college to make ends n.

“I did not grow up w that was focused on the in education and knowing the mke, I was told I was the sole pay family, and I was mak month. If you’re talking back to school, how do y still support your children?

That’s when she learn Jeannette Rankin Found organization that awards sc low-income women older are going to college. Th received from JRF in 201 to pay for her studies at 1 she majors in child and f opment and religion an at the Center for Fam Program for Strong Afric Marriages.

Stokes shared her stor a packed room at the Mil Center on the first day of Vity Month during a pane Sponsored by the Institute Studies, the event also f from Michele Pearson, development representa

“Women who have degree earn almost double who don’t graduate from earn,” Lawrence told th what happens to women v the poverty line with the they don’t quite fit the i for the kinds of social p are out there? LaTrey example of someone who on her own, but for wh help is making a big d

Information about ot History Month events online at igma.edu.

Dot Paul’s photograph of Amar Mirza, an avid Parkour enthusiast, performing a handstand on the Arch, won the Grand Award for photography at the recent CASE District III competition.

employees retired Feb. 1. Retirees, their job ment and length of employment are:
administrative associate I, child and family years/9 months; Donald T. Bullard, IT list, Office of the VP for Research—Sciences; Jim Frank Crawford, public ser Extension—Southeast District, 24 mes R. Mooney, associate director, Of Africal, 10 years/3 months; William T. sociate III, libraries—general operations, Bernard C. Patten, Regents Proteool of Ecology, 43 years/10 months; Pitts, electronics technician II, Office earch—Services, 13 years/2 months.

By Matt Weeks
mweeks@uga.edu
Red Clay Conference to explore balance between sustainability, economic growth

The School of Law’s 24th annual Red Clay Conference will be held March 23 beginning at 8:30 a.m. in the Larry Walker Room of Dean Rusk Hall. The symposium will address how to balance the long-term sustainability of Georgia’s ecosystems with efforts to stabilize and improve its economy.

“The need for statewide economic improvement is producing questions about how and where to grow, and thoughtful conclusions will have to consider the effects of this growth on Georgia’s valuable ecological resources,” said Ian P. Caldwell, conference co-chair and second-year law student. “This conference will explore options for reconciling what are often considered divergent goals.”

Keynote speakers for the conference are Dorinda G. Dallmeyer, director of the Environmental Ethics Certificate Program at the College of Environment and Design, and James Salzman, the Mordecai Professor of Law and Nicholas Institute Professor of Environmental Policy at Duke University. They will discuss the balance of human impacts on Georgia’s natural habitats and the challenges and opportunities of creating markets for ecosystem services, respectively.

Four panel sessions will cover market-based conservation, managing the impact of non-indigenous species, longleaf pine restoration and possible changes to the endangered species list.

The conference is $20 for day-of registration, $10 in advance and free for members of the UGA community. To register or for more information, visit www.law.uga.edu/ella.

Retirees

February

Seven UGA employees retired Feb. 1. Retirees, their job classification, department and length of employment are:

Diane Adams, administrative associate I, child and family development, 12 years/9 months; Donald T. Bullard, IT professional specialist, Office of the VP for Research—Services, 17 years/8 months; Jim Frank Crawford, public service associate, Cooperative Extension—Southeast District, 24 years/3 months; James R. Mooney, associate director, Office of Student Financial Aid, 10 years/3 months; William T. Murray, library associate III, libraries—general operations, 22 years/2 months; Bernard C. Patten, Regents Professor, Odum School of Ecology, 43 years/10 months; and Randall M. Pitts, electronics technician II, Office of the VP for Research—Services, 13 years/2 months.

Source: Human Resources

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Judge Dale P. Smith, 58: Dispensed justice and Tootsie Rolls from the bench

By Michelle E. Shaw
The Atlanta Journal-Constitution

5:09 p.m. Monday, March 12, 2012

Before handing down a sentence or presiding over an inmate’s first appearance, Judge Dale Smith would give the accused something to chew on. He’d reach into his stash of Tootsie Rolls and hand one over.

“He’d say something like, ‘I know you’re having a bad day, and this is the best I can do right now,’” said the judge’s son Jared Smith. “Sure in many ways he was ‘the man,’ you know, but he was very helpful and super friendly.”

And when the chief magistrate of Stephens County was unavailable and another magistrate had to sit in for him, his office staff made sure the deputy judges had a handful of Tootsie Rolls.

“I don’t know why he did it, but when I sat in for him, I did it, too” said deputy magistrate David “Chip” Prather, with a laugh. “I made sure I told them the candy was from the upper judge.”

Dale Patrick Smith, of Toccoa, died suddenly Saturday after experiencing a massive heart attack while tending to animals on his farm. He was 58.

A funeral service is planned for 3 p.m. Tuesday at St. Mathias Episcopal Church, Toccoa. A private burial, with military honors, will follow. Whitlock Mortuary is in charge of the arrangements.

Born in Ohio and raised in Warner Robins, Judge Smith’s road to the bench was not a traditional path. He sought other degrees before he enrolled in law school, with the hope of becoming a better attorney, his son said.

Judge Smith earned a master’s degree in public administration and a doctorate in political science from the University of Georgia, where he also got his law degree. He was first elected to the bench in Stephens County in 1988 and was sworn in to office the following January. Jared Smith said his father was the first Republican elected to that post, in the northeast Georgia county.

Judge Smith appointed two deputy magistrates when he took office, including Judge Prather, the first African-American magistrate in Stephens County.

At the time of his death, Judge Smith was serving his sixth four-year term and planned to run for re-election in November, his son said.

Judge Smith’s role in Stephens County wasn’t just to uphold the law, but also to live by example, said
Judge Prather, also a friend of 30 years.

"With Dale, the truth came first," said Judge Prather. "Whether you loved him or liked him, or not, you had to say he was honest, and I think everybody respected him for that."

The duo of Smith and Prather, and their families, did a lot of things together, including dinner on Wednesday nights.

The two also traveled together. One road trip in particular, sticks out in Judge Prather's mind. The plan was to drop Judge Prather's son off at medical school in Buffalo, N.Y. Once they were done, the men were to head back to Georgia, but Judge Smith had a different idea.

"He said he wanted to go over to Niagara Falls, and I ask him why and he says, 'I want to get a refrigerator magnet,'" Judge Prather said, starting to laugh. "So we get to the Canadian border and the border patrol officer looks at us in the vehicle, we have no luggage, we're a black man and a white man crossing into Canada, and he says, 'What's your business in Canada?' And what does Dale say but, 'I want to get a refrigerator magnet.' Well, that border patrol officer made us pull over. But like I said, for Dale, the truth came first."

In addition to his son, Judge Smith is also survived by his wife, Lynne Smith; and mother, Betty Smith, both of Toccoa.

Find this article at:

ATLANTA — The sweeping overhaul of juvenile laws and criminal sentencing reflects some changes in Georgia’s approach to law and order, but observers say the state leadership isn’t getting soft on crime.

The juvenile-code revision passed the House unanimously. It gives judges more flexibility, ends the practice of housing in detention centers children who haven’t been adjudicated as offenders and makes greater use home-bound supervision in place of incarceration.

At the same time, a major rewrite of the criminal-justice law for adults is due any day now for a vote in the legislature. Championed by Gov. Nathan Deal and a special council he appointed, House Bill 1176 raises the threshold for a felony and also makes greater use of intensive supervision as the alternative to imprisonment.

The stated threefold goal of each revision is taxpayer savings, reduced recidivism and focused attention on the most hardened criminals.

“We have to decide who we’re scared of and who we’re just mad at,” Deal said. “This is not a ‘Get out of Jail Free Card.’ If you commit a violent crime in Georgia, you’re going to prison, and we’ll have more cells to keep you there for as long as needed.”

Sentencing drug users to counseling, raising the threshold for felony theft and reducing the punishment for some burglaries and nonviolent crimes may strike some observers as relaxing the get-tough attitude of the last two decades. After all, in the 1990s, then-Gov. Zell Miller pushed for boot-camp prisons to “scare straight” first-time offenders of minor crimes. He also got passed the state’s “two strikes and you’re out” law that imposes life sentences for a second felony and mandatory minimum sentences for one of the “seven deadly sins” including kidnapping, armed robbery, rape and child molestation.

Under Miller, the legislature abolished parole for murderers.

Since these latest proposed revisions don’t weaken the two-strikes or seven-deadly-sins laws, observers say the Republican leaders of the state are as strident as their Democratic predecessors.
It's only because Deal as a former prosecutor and one-time juvenile judge belongs to a party with a reputation for tough-on-crime rhetoric that he can avoid political fallout, notes Ronald Carlson, law professor emeritus at the University of Georgia.

"A Democratic administration in the governor's office would be accused of coddling criminals," he said.

Deal and his GOP colleagues in the General Assembly are in good company, notes Doug Ammar, executive director of the Georgia Justice Project, an Atlanta foundation that advocates for defendants.

"Conservative legislators in other states -- Texas, Kentucky, South Carolina and Arkansas -- are already working successfully to shift priorities so that incarceration is focused on people who have committed violent crimes, while those whose crimes were nonviolent must work toward restitution and a return to productive lives," he said.

One of the most persuasive arguments for the reforms is the potential savings, which is also a bedrock Republican principle. Georgia's adult corrections budget is on track to rise $265 million in the next five years.

"No one suggests that Georgia should be more lenient on criminals, especially hardened criminals who present a threat to society. On the other hand, a system that puts one in every 70 adults in prison at a cost of $1 billion per year is not the best way," wrote conservative columnist and long-time GOP advisor Randy Evans, whose wife Linda was on the reform council. "Unless a smarter way of approaching crime is adopted, the costs will keep going up."

Evans and other supporters note that the crime rates dropped in states that have implemented the reforms Georgia is considering. Of course, the Peach State crime rate has been dropping for the last two decades as well.

Georgia's recidivism rate -- the pace at which criminals commit another crime within three years of leaving prison -- declined 8.3 percent between 1999 and 2007. In the same period it dropped just 0.8 percent in Texas and increased in Kentucky by 5.6 percent.

In a year when the legislature is also aiming to make welfare recipients submit to drug tests, raising fines for contempt of court and making those on food stamps take "personal growth courses," justice reforms may seem out of place.

"I think there's always a perception of people being soft on crime," notes Chara Fisher Jackson, legal director of the American Civil Liberties Union of Georgia. True leadership doesn't flinch at such accusations, she said.

Jackson's opposite number at the Southeastern Legal Foundation, which bills itself as the conservative alternative to the ACLU, doesn't view the reforms as a
step backward.

“\textcolor{red}{\text{It does not appear that from the committee's intent is that they want to relax sentencing in Georgia,}}" said Shannon Goessling, the foundation's executive director.

Instead, the money savings predicted by alternative sentencing could reach 33 percent, she said.

“\textcolor{red}{\text{That's a very big deal,}}" she added.
University of Georgia graduate programs continue to rank among the best in the nation, according to the U.S. News & World Report's 2013 edition of America's Best Graduate Schools. UGA's College of Education was ranked 38th, up from 46th last year; the School of Law ranked 34th, up one position from last year; and the Terry College of Business ranked 57th nationwide.

"The fact that UGA is consistently ranked highly by a variety of publications for the quality and value of the education provided here is testimony to the talent, hard work and quality of the students, faculty and staff," said UGA President Michael F. Adams. "The consistently good ranking of our graduate programs bodes well for both the graduates of those programs and the state of Georgia."

UGA Graduate School Dean Maureen Grasso said, "These rankings are an acknowledgement of the excellent graduate education provided by the University of Georgia. Our graduate programs, which bring together outstanding faculty and students to address the many complex issues we are facing today, are essential to realizing Georgia's goals of economic growth and global competitiveness."

Moving up eight positions in the rankings from the previous year, the UGA College of Education tied for the 38th position with the University of Colorado in Boulder and the University of Illinois in Chicago, tied for 29th among public colleges and universities, and...
was fourth among graduate education schools in the South. In subspecialty categories, the college placed in six of the 10 categories: second in counseling/personnel services and in vocational and technical education; fifth in elementary education, higher education administration and secondary education; and 10th in curriculum instruction.

"To be recognized among the best education colleges in the country affirms the quality of our graduate programs and the tremendous productivity of our faculty," said Arthur M. "Andy" Horne, dean and Distinguished Research Professor in the College of Education. "Equally important, however, is our profound commitment to make a positive difference in the lives of children and families in Georgia by preparing world-class education and health professionals."

While coming in at 34th overall, UGA's School of Law was ranked among the top 13 public law schools in the nation and among the top three public schools in the Southeast. Each of these rankings was up one position from last year.

The graduate program in the Terry College of Business tied for the 57th ranking with George Washington University, the University of Arizona and the University of Massachusetts in Amherst.

"We continue to see improvement in the placement of our graduates from our full-time MBA program," said Robert Sumachrist, dean of the college. "I am proud that Terry continues to be ranked among the country's best."

The School of Public and International Affairs' master of public administration degree program continues to be ranked fourth in the nation. SPIA also has two highly ranked specialty programs. The specialization in public finance and budgeting as well as the specialization in public management and administration are ranked fifth and second respectively.

The doctorate program in the College of Veterinary Medicine program was ranked in 2011 and tied for ninth position with
Michigan State University and the University of Minnesota. "We are honored to be listed among the top 10 colleges of veterinary medicine in the country, as compiled by U.S. News & World Report," said Sheila W. Allen, dean of the College of Veterinary Medicine. "We are proud of the accomplishments made by our students, faculty, staff and alumni, and it is to them that we owe thanks for this great recognition."

The Franklin College of Arts and Sciences continued to have a major presence in the rankings. The master of fine arts programs was tied for the 22nd position with five other leading institutions in the nation, up 11 positions from last year. Ranked in 2011, its graduate programs in psychology and the biological sciences program were listed in the 50th position and 46th ranking respectively.

“Successful graduate programs are crucial to the overall success of the university and these rankings are welcome indicators on the vibrancy of our programs," said Hugh Ruppersburg, interim dean of the Franklin College of Arts and Sciences. “The diversity of disciplines represented in these rankings reflects a strategic vision for excellence that stretches across Franklin College. That is the result of efforts of many faculty and staff working to make sure UGA is among the best and most competitive American universities."

The rankings, with methodology used by U.S. News & World Report, are available online at

UGA graduate programs ranked well by U.S. News & World Report

By UGA NEWS SERVICE on March 13, 2012

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http://redandblack.com/2012/03/13/uga-graduate-programs-ranked-w...
By Louie Brogdon The Brunswick News, Ga.

March 13--The race for the next Glynn County State Court judgeship is getting an early and active start.

Brunswick attorney Alan Tucker announced Monday he would join two others seeking the judgeship now held by Judge Orion Douglass, who has decided not to seek reelection after 20 years on the bench.

Tucker has held a private practice in Brunswick since returning to the area in 1982 after graduating from the University of Georgia School of Law in 1981. His law practice, focusing on everything from criminal defense to real estate and professional malpractice, has kept Tucker in the courtroom for most of his career.

After 30 years in the courtroom, Tucker said he has long thought of working on the other side of the bench.

"I have thought about doing this for a long time, and I have decided to get into the race now since Judge Douglass has decided to step down," Tucker said.

Tucker said he is not a typical politician and pledged to work hard to clear the State Court backlog. He also said as a judge he would make an effort to be accessible and available to the public.

"It is my desire to be one of the best jurists to ever sit on the bench in the Brunswick Judicial Circuit. That desire will only come to fruition through many hours of hard work and dedication to the office to which I hope to be elected," Tucker said in a prepared statement.

Also seeking the judge's seat are former Glynn County State Court and Brunswick Municipal Court assistant solicitor Grant C. Buckley, a St. Simons Island attorney, and Vince Sowerby, an attorney.

Candidates must qualify for the July 31 nonpartisan election between May 23 and noon May 25.

Voters must register by July 2 to be eligible to vote in the judge's election and in the Republican and Democratic primaries, also slated for July 31.

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Distributed by MCT Information Services

-0- Mar/13/2012 09:16 GMT
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"To be recognized among the best education colleges in the country affirms the quality of our graduate programs and the tremendous productivity of our faculty," said Arthur M. "Andy" Horne, dean and Distinguished Research Professor in the College of Education. "Equally important, however, is our profound commitment to make a positive difference in the lives of children and families in Georgia by preparing world-class education and health professionals."

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"We continue to see improvement in the placement of our graduates from our full-time MBA program," said Robert Sumachrist, dean of the college. "I am proud that Terry continues to be ranked among the country's best."
The School of Public and International Affairs' master of public administration degree program continues to be ranked fourth in the nation. SPIA also has two highly ranked specialty programs. The specialization in public finance and budgeting as well as the specialization in public management and administration are ranked fifth and second respectively.

"I am very pleased that our master of public administration degree program continues to be ranked among the top four programs in the nation," said Tom Lauth, dean of the School of Public and International Affairs. "This ranking is a great tribute to the faculty of our department of public administration and policy."

The doctorate program in the College of Veterinary Medicine program was ranked in 2011 and tied for ninth position with Michigan State University and the University of Minnesota. "We are honored to be listed among the top 10 colleges of veterinary medicine in the country, as compiled by U.S. News & World Report," said Sheila W. Allen, dean of the College of Veterinary Medicine. "We are proud of the accomplishments made by our students, faculty, staff and alumni, and it is to them that we owe thanks for this great recognition."

The Franklin College of Arts and Sciences continued to have a major presence in the rankings. The master of fine arts programs was tied for the 22nd position with five other leading institutions in the nation, up 11 positions from last year. Ranked in 2011, its graduate programs in psychology and the biological sciences program were listed in the 50th position and 46th ranking respectively.

"Successful graduate programs are crucial to the overall success of the university and these rankings are welcome indicators on the vibrancy of our programs," said Hugh Ruppersburg, interim dean of the Franklin College of Arts and Sciences. "The diversity of disciplines represented in these rankings reflects a strategic vision for excellence that stretches across Franklin College. That is the result of efforts of many faculty and staff working to make sure UGA is among the best and most competitive American universities."

The rankings, with methodology used by U.S. News & World Report, are available online at

Highlights of the graduate school rankings will be published in the Best Graduate Schools 2012 edition.

Writer: Mickey Montevideo

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US Fed News

March 13, 2012 Tuesday 4:13 PM EST

LENGTH: 887 words

HEADLINE: UNIVERSITY OF GEORGIA GRADUATE PROGRAMS RANKED WELL BY U.S. NEWS AND
ATHENS, Ga., March 13 -- The University of Georgia issued the following news release:

University of Georgia graduate programs continue to rank among the best in the nation, according to the U.S. News & World Report's 2013 edition of America's Best Graduate Schools. UGA's College of Education was ranked 38th, up from 46th last year; the School of Law ranked 34th, up one position from last year; and the Terry College of Business ranked 57th nationwide.

"The fact that UGA is consistently ranked highly by a variety of publications for the quality and value of the education provided here is testimony to the talent, hard work and quality of the students, faculty and staff," said UGA President Michael F. Adams. "The consistently good ranking of our graduate programs bodes well for both the graduates of those programs and the state of Georgia."

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March 9, 2012 Friday

LENGTH: 442 words

HEADLINE: LAW STUDENTS FROM ACROSS THE COUNTRY WILL DEMONSTRATE DEAL-MAKING SKILLS AT THIRD ANNUAL TRANSACTIONAL LAWMEET

BYLINE: States News Service

DATELINE: PHILADELPHIA, PA

BODY:

The following information was released by Drexel University:

While generations of law students have sharpened their litigating skills in moot court and mock trial competitions, the Transactional LawMeet..., created by professor Karl Okamoto of the Earle Mack School of Law at Drexel University is the first of its kind anywhere that allows students of transactional law to practice their deal-making skills against their peers. The law school will host the Third Annual Transactional LawMeet..., on March 29 and 30, beginning at 1:30 p.m.
The Transactional LawMeet..., was conceived of in 2010 by Okamoto, a law professor and director of Drexel's Business and Entrepreneurship Law Program, to put students' negotiating skills to the test under the scrutiny of seasoned transactional lawyers who serve as judges. Interest in the meets has been so high that teams from many law schools were turned away in the first two years.

"Law schools struggle to provide "hands on' learning for future transactional lawyers," said Okamoto. "LawMeets..., provide a taste of real deal lawyering by exposing students to realistic transactional challenges and to expert deal lawyers. Both students and our experts from practice have been very excited about the program."

Professor Karl Okamoto created Transactional LawMeets in 2010

This year, five regional competitions were held across the country on February 17, allowing much greater participation. In addition to the Mid-Atlantic Regional Meet hosted by Drexel in Philadelphia, other competitions were hosted by Western New England College School of Law in Springfield, Mass.; the University of Georgia School of Law in Athens, Ga.; the University of Missouri-Kansas City School of Law in Kansas City, Mo.; and UCLA Law School in Los Angeles, Calif.

The final four teams from each region and two "wild card" teams will advance to the national Transactional LawMeet ..., to be held here at the law school (3320 Market St.) on March 29 and 30. The list of participants moving on to the national competition is available at http://transactionalmeet.lawmeets.com/participants.

At each level of competition, teams are judged by seasoned transactional lawyers. The National rounds will be judged by distinguished practitioners from premier law firms and corporate law departments from both Philadelphia and New York.

This year's competition requires teams to negotiate an employment agreement for the CEO of a fictitious company. Teams will represent either the CEO or the company that is wooing her. At the close of each meet, the judges demonstrate how they would have brokered the same deal that the students had just negotiated.

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States News Service
March 9, 2012 Friday

LENGTH: 403 words

HEADLINE: CENTER FOR LAW AND GLOBAL AFFAIRS TO HOST SEVERAL SPEAKERS THIS SPRING

BYLINE: States News Service

DATELINE: Mesa, AZ

BODY:

The following information was released by Arizona State University:

The Center for Law and Global Affairs has hosted several speakers this
semester, with several more on the schedule for this spring.

The Center for Law and Global Affairs conferences, annual colloquium and public lectures bring together different audiences scholars from around the country, international lawyers, policy experts, practitioners, law students, graduate students and members of the community to discuss and debate a broad range of issues related to law, policy, social science and global affairs, said Daniel Rothenberg, executive director of the Center for Law and Global Affairs.

David Scheffer, Mayer Brown/Robert A. Helman Professor of Law and Director of the Center for International Human Rights at Northwestern University School of Law, will deliver a speech titled, All the Missing Souls: A Personal History of the War Crimes Tribunals, in the Great Hall on April 4.

Professor George Thomas, from the College of Liberal Arts and Sciences School of Politics and Global Studies, will give a speech titled, Contentions over Religious Rights in World Society, in Room 266 of Armstrong Hall on April 6.

LGA also hosted the following lectures this semester:

A lecture by ASU Lincoln Professor of Law, Ethics and Sustainability Dan Bodansky: Whither the U.N. Climate Change Regime?: The Durban Conference and Beyond

A lecture by Century Foundation Fellow Michael Wahid Hanna: A Test for Egypt: Revolution, Law and Democracy in Uncertain Times

A lecture by Professor Carolyn Warner, Faculty Head of the ASU School of Politics and Global Studies: Religious Infusion and Intergroup Conflict: Results from the Global Group Relations Project

A lecture by Professor Charles M. Katz, Watts Family Director at the Center for Violence Prevention and Community Safety: Documenting and Addressing International Human Trafficking

A lecture by John Coyle, Assistant Professor at the University of North Carolina School of Law: The Decline of the Treaty of Friendship, Commerce and Navigation

A lecture by Tim Meyer, Assistant Professor at the University of Georgia School of Law: Codifying Custom

The diverse Center events express a commitment to strengthening relations across scholarly disciplines, among distinct interest groups and between the university and the community, highlighting the exciting intellectual life at the College of Law, Rothenberg said.
UGA graduate programs ranked well by U.S. News & World Report

By UGA NEWS SERVICE on March 13, 2012

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UGA graduate programs ranked well by U.S. News & World Report | The Red and Black

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Add New Comment

Type your comment here.

Showing 1 comment

TedMichaelMorgan1

Graduate programs in religion are excellent.
The race for the next Glynn County State Court judgeship is getting an early and active start.

Brunswick attorney Alan Tucker announced Monday he would join two others seeking the judgeship now held by Judge Orion Douglass, who has decided not to seek reelection after 20 years on the bench.

Tucker has held a private practice in Brunswick since returning to the area in 1982 after graduating from the University of Georgia School of Law in 1981. His law practice, focusing on everything from criminal defense to real estate and professional malpractice, has kept Tucker in the courtroom for most of his career.

After 30 years in the courtroom, Tucker said he has long thought of working on the other side of the bench.

"I have thought about doing this for a long time, and I have decided to get into the race now since Judge Douglass has decided to step down," Tucker said.

Tucker said he is not a typical politician and pledged to work hard to clear the State Court backlog. He also said as a judge he would make an effort to be accessible and available to the public.

"It is my desire to be one of the best jurists to ever sit on the bench in the Brunswick Judicial Circuit. That desire will only come to fruition through many hours of hard work and dedication to the office to which I hope to be elected," Tucker said in a prepared statement.

Also seeking the judge's seat are former Glynn County State Court and Brunswick Municipal Court assistant solicitor Grant C. Buckley, a St. Simons Island attorney, and Vince Sowerby, an attorney.

Candidates must qualify for the July 31 nonpartisan election between May 23 and noon May 25.

Voters must register by July 2 to be eligible to vote in the judge's election and in the Republican and Democratic primaries, also slated for July 31.
Clinic combines counseling services, offers students experience

By ADINA SOLOMON on March 14, 2012

Anna Auman is a home design service provider, counseling clients in home organization and design projects - while she is still earning her degree.

Auman, a first-year graduate student in interiors from Stone Mountain, works at the Aspire Clinic. All service providers at the clinic are students.

"It's been a really cool experience for me because the clinic has a very holistic approach," Auman said.

The Aspire Clinic, which was founded in 2010 as a unit of the College of Family & Consumer Sciences, offers counseling services in individual, couple and family therapy, financial counseling and education, nutrition education and home design and consulting. The clinic has also partnered with the University School of Law to offer legal problem-solving services.

Megan Ford, clinic coordinator, explained why the Aspire Clinic at the McPhaul Center houses so many different services under one roof.

"We believe that problems are interconnected and often times when clients come into the clinic with one problem in a specific area, we find there is impact in other areas," Ford said. "Our approach is a very innovative and holistic care model that helps to target problems in a number of areas sort of all at one time."

Auman said she often collaborates with other service providers. For instance, if one service provider is giving marriage and family therapy to a couple, Auman might be invited to consult on how to organize their home.

"I think a lot of times in interior design, you expect your clients to have like a really easy life and not really a tight budget and all these sorts of things," she said. "but in the clinic, we experience different situations that a client may be living in or financial constraints."

About 25 service providers work at the clinic from the Child & Family Development, Housing & Consumer Economics, Foods & Nutrition, and Textiles, Merchandising & Interiors. Because all service providers are graduate students - along with two undergraduates - eight licensed faculty supervisors monitor the providers' work.

Students work for academic credit and experience.

The clinic offers its services to everyone - both University-affiliated people and members of the community. Ford said there is a "good balance" between clients who are associated with the University and those who are not.

The clinic also partners with non-profit organizations, such as homeless shelters and Habitat for Humanity, to generate clientele.

"Our target population would be lower to middle income individuals who aren't able to access these kinds of services on their own because of cost," Ford said.

During 2011, the clinic opened 160 new cases. Ford noted multiple people, such as a family, may be included in a single case. The clinic's projected number for 2012 is to have a total of 200 cases.

The cost of a session is based on a sliding scale taking into account a family's annual income and number of dependants. A visit can cost anywhere from $15 to $65. University students have a special rate of $15 per session.

Even though some of the clinic's individual services are offered elsewhere on campus, Ford said the clinic looks at problems from a different vantage point than other University entities.

"We feel the benefit is that clients have this wonderful opportunity to really kind of get help in a number of different areas that they may not even realize are connected to their original issue or their original problem that they come in with," she said.
Clinic combines counseling services, offers students experience | The...

The students of different disciplines also have an opportunity to learn from one another, she said. For example, the clinic began relational financial therapy, combining a financial counselor with a marriage and family therapist. Ford said finances can be a contentious issue in relationships, so this pairing of services is successful.

Auman, who has worked at the clinic for about a year, said it is a “well-rounded experience.”

“It’s a really good learning experience for us and for the clients that come in to get lower-rate service,” she said. “We’re all kind of helping each other, so it works out really well.”
Joe DeGaetano announced his candidacy for the position of General Sessions Judge formerly held by Judge Bob Moon. The County Commission recently filled the position on an interim basis until the general election to be held on Aug. 2. Mr. DeGaetano chose not to apply for that interim appointment, and said he looks forward to earning the support of the voters of Hamilton County.

"I want to serve the people of Hamilton County as General Sessions Judge because I have the energy, patience, and knowledge of the law necessary to render fair, unbiased, and accurate decisions in the very busy environment of General Sessions Court," said Mr. DeGaetano.

Raised in Hixson, Mr. DeGaetano attended school from kindergarten through high school in Chattanooga, and now makes his home in North Chattanooga with his wife of 10 years and their daughter, who attends kindergarten at their neighborhood public school. His law office is at the entrance to Coolidge Park, in a century-old building that he preserved and renovated last year. That building houses several small businesses, including a retail shop that has operated in the same space for over 65 years.

Mr. DeGaetano’s legal experience is diverse. Twelve years ago he was appointed by a senior judge on the United States Court of Appeals to advise and consult on cases ranging from money laundering to murder. Following that term of service, he worked for one of the largest law firms in Tennessee, on a wide variety of civil cases on behalf of individuals and businesses of all sizes. His practice has taken him to courts all over Tennessee, from General Sessions Courts to the Supreme Court. Three years ago he opened his own law firm, where he continues to represent people and companies in civil cases, and where he also is appointed by federal judges to represent criminal defendants who are unable to afford a lawyer. His experience with criminal law is not limited to defense - his first taste of the courtroom consisted of prosecuting dozens of misdemeanor cases for the state of Georgia, under a special law that allows students in their final year of law school to represent the state in criminal trials.

Mr. DeGaetano graduated second in his class at the University of Georgia School of Law, after obtaining an economics degree, magna cum laude, from Vanderbilt University. He is chair of the Tennessee Bar Association’s Tort & Insurance Practice Section Executive Council, a volunteer Arbitrator for the Chattanooga Bar Association’s fee dispute resolution service, and a volunteer attorney for Legal Aid of East Tennessee, which provides free legal services to people who cannot afford a lawyer. He has been a frequent lecturer to other lawyers across the state on the topic of civil liability for irresponsible alcohol service.

Mr. DeGaetano states that if elected, he will work as hard as he can toward his goal of "making Hamilton County a better and safer place, while following the laws as written, without favor or preference."
World Court Judge to speak at UGA School of Law

By CINDY RICE
Published Monday, March 19, 2012

International Court of Justice Judge Joan E. Donoghue will present "The Role of the World Court Today" as the University of Georgia School of Law's 108th Sibley Lecturer. To be held April 3 at 3:30 p.m. in the Hatton Lovejoy Courtroom of Hirsch Hall on North Campus, the event is free and open to the public.

The International Court of Justice is the principal judicial arm of the United Nations and was established in 1945 to settle, in accordance with international law, legal disputes submitted to it by various countries. Since then, international law has evolved to address new topics, and many other courts and tribunals have been created. During her presentation, Donoghue will discuss the continuing role of the World Court in light of these developments in international law.

Prior to being elected to the 15-judge court in 2010, Donoghue was a U.S. government lawyer. As the principal deputy in the U.S. Department of State Office of the Legal Adviser, her duties included advising Secretary of State Hillary Clinton and other officials on all aspects of international law. In 2009, she received the Distinguished Honor Award, the highest honor given by the secretary of state. Additionally, she received the Presidential Rank Award at the meritorious level, a recognition that requires presidential approval.

Donoghue began her career with the State Department in 1984 as an attorney for the Office of Inter-American Affairs and held a...
Julie Wade running for Savannah-Chatham school board

Posted: March 27, 2012 - 12:03am

By Savannah Morning News

NAME: Julie Wade

RACE: Savannah-Chatham public school board District 1

INFO: Wade is a lawyer who was educated in Georgia's public schools and earned undergraduate and law degrees from the University of Georgia. She was elected to the Savannah-Chatham public school board in 2010 after running for the First District seat unopposed.

She is a graduate of Leadership Savannah and serves on the board of directors of the Historic Savannah Foundation. She and husband Drew have three young children, a toddler and two who attend Jacob G. Smith Elementary School.

Wade's priorities include restoring the local Pre-K to a full-time program, creating stronger public middle schools and improving the district's disciplinary process.

OTHER CANDIDATES: No other candidates have announced for the office.

WEBSITE: www.wadeforschools.com/category/news/

ELECTION TERMS: In 2010 House Bill 1509, controversial new legislation introduced by former school board member State Rep. Mickey Stephens, reduced the new board members' terms from four years to two. But four-year terms were restored in 2011.

To get them back on a staggered schedule, elections for all board members will take place July 31, 2012. All those elected in July will begin their board service on Jan. 1, 2012. Representatives of Districts 1, 2, 3 and 7 will be up for re-election in 2016. Representatives of Districts 4, 5, 6 and 8 will run again in 2014.

- Jenel Few
If the individual health insurance purchasing mandate is declared unconstitutional, many conservatives will undoubtedly hail the decision as a heroic act that takes the nation back from the brink of a yawning abyss of federal tyranny, a nation where proud Americans are forced to eat broccoli. But depending on how such a hypothetical decision is tailored, there’s another “floodgates” proposition that needs to be discussed: the possibility that unraveling ObamaCare could unravel decades of Supreme Court Commerce Clause decisions that undergird much of the contemporary landscape of domestic policy and civil rights protections.

This is the issue Michael Kinsley raises in a piece at Ten Miles Square. And it’s an issue no one should just brush away as scare-mongering.

Ever since Wickard v. Filburn (1942), with only a couple of minor exceptions, the courts have upheld the use of federal power under the Commerce Clause, which gives the federal government the authority to “regulate commerce.” Even the 1964 Civil Rights Act is considered constitutional as a regulation of commerce.

Now, maybe the court has been wrong all this time. Maybe the federal government’s authority under the Commerce Clause is much narrower. Maybe that authority doesn’t extend to requiring individual citizens to have health insurance or pay a fine. But if so, it is not only the future of Obamacare that will suddenly be shaky. Every piece of legislation for about the last 70 years that rested on the Commerce Clause will suddenly be up for grabs. This includes the Civil Rights Act. It includes laws protecting the environment and consumers.

Basically anything the government does that has ever been justified by the Commerce Clause will be open to challenge. For the sake of their own sanity and summer recesses, the justices ought to proceed cautiously.

I’ll offer a personal validation of Kinsley’s concerns. When I took Constitutional Law a few decades ago, we were taught (by the conservative Dean of a relatively conservative law school, the University of Georgia) that Commerce Clause jurisprudence had removed virtually any practical constitutional limitation on the power of the federal government to
regulate economic and social activity (barring some violation of individual rights guaranteed elsewhere in the Constitution), on grounds that a modern economy made almost any activity you could imagine a part of interstate commerce. The key Court decision upholding the highly controversial public accommodations section of the Civil Rights Act of 1964 involved a small Birmingham barbecue joint. It was, the Court ruled, part of interstate commerce because it was located near a major highway.

Now as Kinsley notes, you can certainly argue if you wish that the *Ollie's Barbecue* case was wrongly decided and sent America down the kind of slippery slope opponents of ObamaCare warn against. That was certainly the view of Ollie himself, who said of the December 1964 decision: “It seems to me that the ownership and use of private property is essential to the American way of life.” A spokesman for another restaurant affected by the decision said it opened “a frightful door to the unlimited power of a centralized government.”

But let’s don’t pretend that invalidating the individual mandate would represent some sort of defensive reaction against a frightfully unprecedented constitutional doctrine offered to promote a frightfully unprecedented expansion of federal power. It would instead represent a judicial counter-revolution of potentially great scope—a counter-revolution at least as shocking as the sudden transformation of conservatives from being the inventors and strong supporters of an individual health insurance purchasing mandate to opponents shrieking about tyranny.

*Ed Kilgore* is a contributing writer to the Washington Monthly. He is is managing editor for The Democratic Strategist, a senior fellow at the Progressive Policy Institute, and a Special Correspondent for The New Republic.
Canton on ‘environmental justice hotspots’ list; City leaders skeptical of firm’s findings

by Megan Thornton
mthornton@cherokeetribune.com
03.28.12 - 12:00 am

CANTON — A report released Monday by an environmental advocacy group puts Canton second on a list of five metro Atlanta “environmental justice hotspots” — areas where minorities, low-income families and families who speak a language other than English are most impacted by pollution sources near where they live.

One of the two authors of the report by GreenLaw, an Atlanta-based environmental law firm, says Canton earned its spot on the list for a total of 53 violations, most of which were attributed to violations of the city’s clean water permit.

But local city officials are skeptical about what those results really mean.

Mayor Gene Hobgood said after an initial reading of the release that he’s wary about what the data might imply. Hobgood said the report left more questions than answers.

“I think it’s important that people don’t look at this and think we’re the second worst polluter in the 14 metro county area,” Hobgood said. “We may be second worst in violations relative to low-income population. It may say that, but what does that really mean?”

Hobgood also said the findings provide information that city officials are already well aware of.

“We do have problems,” he said. “But we’re working to alleviate those problems.”

City Manager Scott Wood said he questioned the basis of the conclusions and the limited time frame within which the data was collected.

Wood said the city incurred numerous discharge violations at the city wastewater treatment plant from 2008 to 2011, but said those occurred “at no compromise to the quality of life in our community and certainly to the detriment of no one socio-demographic group.”

“Additionally, the city received an increase in our treatment allocation to 4 million gallons last year, which has served to reduce discharge violations significantly,” Wood said.

Wood said without the 49 permit violations at the wastewater treatment plant the city would have never made the rank identified in the report.
"Were the study to be conducted beginning in year 2012, the results and conclusions would be radically different and Canton would not have been included," Wood said.

In the report, researchers with GreenLaw broke the 14 counties in the metro region up into 10-square kilometer blocks and analyzed the correlation between demographics and the amount and type of pollution in each area.

The results show that minority, low-income and linguistically isolated communities in metro Atlanta are more likely to be living in close proximity to pollution than others, the report said.

GreenLaw provides free legal and technical assistance to environmental organizations and community groups throughout Georgia to compel state government and industry to take the steps GreenLaw deems necessary to protect Georgia’s citizens and the environment, according to its mission statement.

"While this report may confirm what many have already suspected, this level of analysis simply cannot be ignored," said David Degnanian, lead author of the report and attorney at GreenLaw, "We now have solid evidence that deep connections exist between pollution levels and demographic characteristics such as race and income. Our hope is that this report will allow decision makers to implement science-based laws and policies that will protect all of Atlanta’s residents equally."

Degnanian said Canton stands out on the list because 49 out of the 53 “pollution points,” or locations of pollution sources, in the study represent violations of the City of Canton Water Pollution Control Plant’s Clean Water Act permit.

The report was conducted in part with funding by The Community Foundation for Greater Atlanta, Patagonia, the University of Georgia School of Law’s Public Interest Fellowship, the Waterfall Foundation, as well as other “individuals, businesses, law firms and foundations” that are not listed.

Degnanian said in most areas, the pollution points used in the study come from a variety of different pollutants. However, Canton landing the number two spot came mostly from one source of pollution.

"In this block (of central Cherokee County), all but four points come from one source," Degnanian said.

The 10-kilometer square block includes south Canton, portions of Marietta Highway, Sunnyside, the Univeter Road area and the Canton-Cherokee Industrial Park.

The city of Canton reported continuous Clean Water Act violations at Canton Water Pollution Control Center between 2008 and 2011, according to the report.
"These include violations for fecal coliform, phosphorus, and nitrogen in levels exceeding permit limits, all of which negatively impact water quality," Deganian wrote in the report.

Canton was fined $3,000 by Georgia’s Environmental Protection Division on July 26, 2011, for its Clean Water Act permit exceedances, the report states.

The GreenLaw findings said Cherokee County experienced unprecedented growth in recent years, noting Canton saw an almost 200 percent population surge between 2000 and 2010. With this growth comes an additional demand on the area’s wastewater treatment systems, leading to the multitude of infractions, the report claimed.

“Something is missing on the enforcement side to get the plant in line with the law,” Deganian said.

The other pollution sites are designated toxic release inventory sites by the report and include the former Seaboard Farms, now Pilgrim’s Pride on Univeter Road, Allied Readymix on Univeter Road and Isotec International on Longview Street, according to an interactive map available online from the organization.

Though little more than 20 percent of Canton’s residents are minorities, the city’s demographic score is also in the upper quartile because high school graduation rates are 20 percent lower than the regional average, a quarter of all residents are living in poverty, and more than 20 percent of households are “linguistically isolated,” the report said.

The report shows the area has 63.4 percent graduation rate, with 25.4 percent living in poverty and 21.9 percent speakers of a language other than English. It also notes that 14.8 percent of the area has vacant housing.

Deganian said there are several things local authorities can do to improve the pollution problems, including focusing on zoning to reduce environmental impact on residents, especially minorities and low-income communities, as well as ensure the plant is in compliance with the Clean Water Act.

Hobgood said city engineers have sent in a design development report to state officials to determine what will have to be done to bring the plant into compliance.

Hobgood also noted that from his initial reading of the report, faster-growing counties in the metro region, like Cherokee County, have the largest ratios of violations to pollution sources — a factor he said should also be considered.

The mayor said he wasn’t sure if Canton’s violations were due to the recently acquired permit.

Coming in above Canton’s score, the region’s top offender is the two-mile stretch of Fulton Industrial Boulevard connecting Fulton, Cobb and Douglas counties; in
third, the border that separates DeKalb and Gwinnett counties; fourth, Atlanta’s Grove Park neighborhood; and coming in last is central Douglas County.

Justine Thompson, GreenLaw executive director, said in the news release she hopes the report convinces lawmakers and local leaders to create policies and laws needed to reduce toxic pollutants in vulnerable communities.

“Georgia has fallen behind,” Thompson said. “As states across the country strive to protect all of its citizens — regardless of race or economic status — from the health impacts of pollution, Georgia remains one of the only states in the nation with no mechanism to ensure equality in environmental decision-making.”

Thompson said policymakers need to show the world Atlanta takes care of the health and well-being of its residents to remain a player in the global economy.

GreenLaw researchers also provide several recommendations in response to these patterns of pollution, including creating an alliance of environmental justice advocates in the region, forming a working group of business and government leaders to attend to environmental justice issues and implementing environmental justice efforts with state and locally-directed federal funds.

“A lot of the recommendations have to do with (putting) specific policies in place to prevent sources of pollution to be repeatedly cited in one area,” Deganian said.

In addition, researchers recommend the state Environmental Protection Division adopt a policy that “promotes the health of all of Georgia’s citizens and requires environmental equity in its practices.”

Along with the findings, GreenLaw revealed a new website that allows people to type in an address and learn more about pollution sources in their communities. To find nearby pollution points, visit www.greenlaw.org/info/96472.
For Fayetteville resident and Atlanta attorney Ronnie Mabra, the time has come to take on what he says is a new challenge.

The Fayette County High School graduate and Democratic candidate announced last week that he will be running for the new District 63 seat in the Georgia House of Representatives that includes portions of Fayette, Clayton and south Fulton counties.

Mabra spoke to supporters March 22 at his campaign headquarters at the Fayette Pavilion.

A result of legislative reapportionment after the 2010 Census, the newly created District 63 spans much of northeast and east central Fayette County and includes portions of Fayetteville and areas immediately to the west of the city. The district also includes south Clayton County and portions of College Park and the unincorporated areas south of the city in south Fulton County.

For Mabra, it is his first foray into elected office. While noting his Fayetteville roots, Mabra told the room full of supporters that his campaign has essentially been one that has been ongoing since his childhood.

"This campaign didn't just start right now. It started when I was playing at McCurry Park. It started at East Fayette Elementary. And it started at Fayette Middle and at Fayette County High School where they prepared us for college. They told us that we were their future," Mabra said.

Mabra's campaign is anchored on three issues: creating jobs in the community, guaranteeing educational opportunities and promoting safe and healthy neighborhoods.

"My parents are successful business owners who taught me the value of a hard day's work. Now that I run my own business I want to improve our community by putting people back to work, attracting new visitors and keeping tax dollars in our community," Mabra said.

On the issue of education Mabra said that while in Fayette schools his teachers inspired him to succeed and to give back to the community.

"They prepared me to graduate with honors from Fayette County High School and to earn degrees from Georgia Tech and the University of Georgia School of Law. As someone who was educated in Georgia's best public schools, I'll be an unwavering voice for improving education and will fight to save the HOPE scholarship so more of our children can attend college," said Mabra.

Speaking as a former varsity athlete at Fayette County High School, Mabra said ensuring safe neighborhoods involves both effective law enforcement and sentencing and providing appropriate outlets to help keep children out of trouble.

"As a homeowner and attorney, I've seen firsthand how crime affects our communities. I'll be an advocate for fair sentencing and community policing and I'll work to give children creative outlets like sports and the arts to keep them out of trouble," Mabra said. "Protecting our neighborhoods and growing the economy go hand in hand and I'll fight for laws that keep us safe and help us prosper."

Mabra is a trial lawyer and founder of the Mabra Firm, LLC, a personal injury firm in Atlanta. Mabra and his wife Dawn live in Fayetteville.

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Top 10
1. Fayette County's big yard sale is this coming Saturday
2. Fayette County law enforcement arrest reports — March 13-20
3. Reasons for tax reform bill and 'Chase's Law'
4. 15 citations issued in St. Patty's Day road check in PTC
5. PTC students win Atlanta Hawks' Poetry Slam
6. Tyrone egregiously ignores residents' protests
7. Equal Justice, Social Justice or Vigilante Justice... Where do you stand in the Sanford Florida shootings?
8. What's different about Trayvon?
9. 'Drop Dead Diva' gets a plaque in Senoia
10. Tyrone takes gun safety seriously!

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FAYETTEVILLE THUR FRI SAT MARCH 29th, 30th
This is a post on behalf of Professor Elizabeth Weeks at the University of Georgia Law School, whom I invited to join us but is having trouble getting her essay up here.

The Respondents' hour of argument over the constitutionality of the individual mandate this morning was divided between Paul Clement, representing the twenty-six state plaintiffs, and Michael Carvin, representing the National Federation of Independent Businesses (NFIB) and four individual members of that organization. Media attention rightly has focused on the remarkable occasion of a majority of states challenging the constitutionality of a federal law in the Supreme Court. The individual and association plaintiffs have not made headlines, except for the irony of the lead individual plaintiff declaring personal bankruptcy, due to unpaid medical bills, during the pendency of the appeal.

At first blush, it is not immediately apparent what interest states have in the individual mandate. The mandate is enacted under federal law, carries a federal tax penalty for noncompliance, and will be enforced by federal authorities. Medicaid certainly impacts state's interests, but that's tomorrow's argument. Bear in mind that the only way that the states were properly before the Court today - their ticket to the Big Dance - was the presence of the NFIB and individual plaintiffs. The Fourth Circuit, on Virginia's go-it-alone challenge to the individual mandate, dismissed the Commonwealth for lack of standing. The state plaintiffs rode into the courthouse on the individuals' and association's coattails.

The further irony of this posture is that the essential constitutional argument against the individual mandate turns on the power of the federal government with respect to states, not with respect to individuals. Or so it seemed until Justice Kennedy began questioning the litigants today.

On a visceral level, the individuals' and association's objections to the mandate seem straight-forward: They assert a right to be left alone, a right not to be told how to spend their money, a right not to enter any particular commercial transaction. Post-Lochner, however, economic liberties do not receive robust protection, and government intrusions on them are subject only to low-level scrutiny, which the individual mandate likely would survive.

Personal autonomy and medical decisionmaking claims also unavailing because the mandate does not require individuals to receive any particular medical treatment. Nor does the ACA require individuals to seek medical care the health insurance policies that they purchase; it merely requires the purchase of health insurance. In fact, from a risk-pooling perspective, it is all the better if individuals purchase health insurance policies but do not actually use them.

Accordingly, individual rights claims, while politically salient and arguably sympathetic, seemed like losing constitutional arguments. ACA challengers...
instead claimed that the mandate is unconstitutional because Congress exceeded the scope of federal enumerated powers vis-à-vis states' reserved powers. But what interest do private individuals and entities have in maintaining the federalist structure of government?

One answer is that the very purpose of diffusing power between a central government and separate sovereign states is to protect individual rights; hence, structural issues necessarily are individual rights issues. Justice Kennedy, writing for the majority in Bond v. United States, noted that "an individual has a direct interest in objecting to laws that upset the constitutional balance between the National Government and the States when the enforcement of those laws causes injury that is concrete, particular, and redressable. Fidelity to principles of federalism is not for the States alone to vindicate." Although involving a very different statute and a very different sort of injury, Bond infuses the Tenth Amendment with cognizable individual rights.

Several of Justice Kennedy's questions bring the underlying individual rights objections to the health insurance mandate the forefront. He repeatedly expressed concern that the mandate effects a "fundamental" change in the relationship between the federal government and individuals and thus requires a "heavy burden of justification." He observed that the mandate operates as an unprecedented "affirmative duty to go into commerce." He compared the mandate to the no-duty rule in torts and urged that "the reason this is concerning is because it requires the individual to do an affirmative act." Summarizing his understanding of the U.S. Government's argument, Justice Kennedy questioned Clement about the relevance of the "person who is sitting at home in his or her living room doing nothing" to the health insurance system.

Later, during Carvin's argument, Justice Breyer tried to shift focus away from the individual rights issue and back to the scope of federal power: "So I thought the issue here is not whether it's a violation of some basic right or something to make people buy things they don't want, but simply whether those decisions of that group of 40 million [uninsured] people substantially affect the interstate commerce that has been set up in part through these other programs."

The "heavy burden of justification" that Kennedy would demand seems to be effectively no-scrutiny review for federal interference with individual rights. The individual and association plaintiffs, by asserting commerce or taxing power challenges to the individual mandate, effectively elevate their libertarian objections from easily overcome rational-relation scrutiny to effectively no scrutiny at all. If a federal law exceeds enumerated powers, Congress may not enact it, no matter how good its reasons. By contrast, a substantive due process challenge would at least allow Congress to justify its reasons for infringing on otherwise constitutionally protected rights.
The Admissions Equity Struggle

Fisher case is latest in a long history of Texas legal battles over race's role in higher education.

BY ERIC FREEDMAN

It has been a long, litigious road from Heman Sweatt, an African-American mail carrier who wanted to attend the prestigious, all-White law school at the University of Texas at Austin in 1946, to Abigail Fisher, a White high school student who failed to win undergraduate admission to the same university a half-century later.

Depending on what the U.S. Supreme Court decides after hearing arguments this fall, the cases of Sweatt and Fisher may prove to be bookends in the battle over affirmative action at the flagship institution of the University of Texas system, a battle with wide ramifications for minority admissions to public colleges across the country.

Sweatt’s battle began when his application was rejected solely based on race. Unsuccessfully pursuing his goal in the state courts, he told the Houston Informer, “All I can say is that I still want ONE SEAT in the university’s law school.” Meanwhile, the Legislature scurried to create an all-Black alternative, the unaccredited School of Law at Texas State University for Negroes.

With the backing of the NAACP, Sweatt turned to the Supreme Court, where Thurgood Marshall and W. J. Durham argued his case. Arrayed against them in defense of UT’s all-White admission policy were not only the Texas attorney general but also the states of Florida, Georgia, Kentucky, Mississippi, Louisiana, Oklahoma, Tennessee, South Carolina, Virginia, Arkansas and North Carolina as friends-of-the-court.

Although the Supreme Court fell short of overturning its infamous 1896 separate-but-equal decision in Plessy v. Ferguson as civil rights advocates hoped, it unanimously found that UT and the new law school “for Negro students” were not substantially
equivalent and, thus, violated the Constitution's guarantee of equal protection of the law.

After listing such inequalities as faculty size, library and course offerings, Chief Justice Fred Vinson wrote, "What is more important, UT Law School possesses to a far greater degree qualities which are incapable of objective measurement but which make for greatness in a law school. Such qualities include reputation of the faculty, experience of the administration, position and influence of the alumni, standing in the community, traditions and prestige."

Sweatt called the court's 1950 order that UT admit him "a milestone in the progress of applied democracy."

Sandwiched between the Sweatt and Fisher bookends was another landmark reverse-discrimination suit by four White in-state applicants challenging their 1992 rejection by the UT law school. In that case, Hopwood v. Texas, the U.S. 5th Circuit Court of Appeals struck down the university's admissions policy that it characterized as adopted "with the best of intentions" but which unconstitutionally gave "substantial preference" to Mexican-American and African-American applicants compared to "Whites and non-preferred minorities."

In response to the Hopwood litigation, the Legislature in 1997 enacted the race-neutral Top 10 Percent law entitling all Texas high school seniors in the top 10 percent of their graduating class to automatic admission to any state university.

To supplement that law, UT developed a system to evaluate applicants who fall below the top 10 percent. It is based on an academic index that combines class rank and standardized test scores and a personal achievement index that includes awards, work experience, community service and "special circumstances" such as students' socioeconomic background and a high school's socioeconomic status.

Sweatt sued after she fell short of Top 10 Percent status and wasn't selected for the 2008 application cycle based on the university's evaluation of the other indices. That cycle's cohort of 6,322 newly enrolled Texas residents included 27 percent Hispanics and Blacks. Among the 1,322 new Hispanic students, 1,164 entered through the Top 10 Percent, as did 305 of the 363 African-Americans. The other White plaintiff in the Fisher case, Rachel Michelweicz, graduated from a private university and withdrew from the appeal.

Professor L. Darnell Weeden of Texas Southern University's Thurgood Marshall Law School in Houston says, "UT is a victim of its own success in diversity in terms of race. It's hard to argue that you need race because the Top 10 plan has been successful." That law was the product of political compromise, "and most Texans are satisfied."

Weeden adds, "The problem is when you invoke race in the decision making. It dominates the discussion." As for the Supreme Court, it's "been uncomfortable in using race in making higher education decisions.

"The problem is when you invoke race in the decision making. It dominates the discussion."

— Professor L. Darnell Weeden, Texas Southern University

The court has come to a realization that if we can achieve diversity and inclusion without race, we should do it.

Fisher's lawyer, Bert Rein of Washington, D.C., says the hybrid UT approach "can't pass muster" under the Constitution.

Thus, the suit contends that UT impermissibly uses race and ethnicity in two ways — among the discretionary considerations for university admission under the personal achievement index and in separate evaluations of those who want entry into high-demand majors such as business and nursing. "The scoring system, which includes race, does affect people in the Top 10 because their placement within the university is dependent on how they score," Rein says.

The Texas attorney general's office declines to discuss the litigation, but its brief argues that the UT policy is consistent with the 2003 Supreme Court decision in Grutter v. Bollinger. That ruling accepted the University of Michigan law school's "narrowly tailored use of race in admissions decisions to further a compelling interest in obtaining the educational benefits that flow from a diverse student body."

UT President Bill Powers' statement in Fisher's case echoes Grutter, asserting that need flexibility in deciding which applicants to accept, and the situation varies among the states — Iowa, for example, versus Texas — because of their different demographics, he notes.

The Grutter principle should remain intact if the court follows its own precedents, Hewitt says, and if the court doesn't change course, the only issue for debate should be whether the UT policy is consistent with that principle. "Those who are trying to sound the death knell of race-conscious diversity are jumping the gun," he adds.

However, Rein says Fisher's goal is not to overturn all affirmative action. He thinks that "people on the extreme on both sides" of the debate will file friend-of-the-court briefs seeking either a ban on affirmative action or a widening of the ways race may be considered in public higher education.

As for the key players, Sweatt enrolled at UT Law School in 1950 but didn't graduate. In 1951, Texas State University for Negroes was renamed Texas Southern University in Houston, and in 1973 its law school was named in honor of Sweatt's lawyer, Justice Thurgood Marshall. Fisher is scheduled to graduate from Louisiana State University this spring.
Each year, *Diverse: Issues in Higher Education* publishes lists of the top producers of associate, bachelor's and graduate degrees awarded to minority students based on research conducted by Dr. Victor M. H. Borden, professor of educational leadership and policy studies at Indiana University Bloomington. This year, we've decided to expand our listings to focus on law students in line with the law focus of this edition of *Diverse*. Data for this analysis are included within the Completions survey of the U.S. Department of Education's National Center for Education Statistics' Integrated Postsecondary Education Data Set. This analysis is based on degrees conferred during the 2009-2010 academic year. For the 2010 rankings, we transitioned from "first professional" to "Doctoral Degrees - Professional Practice," the new system of representation for law, medicine, dentistry, divinity, and other select fields. Thus, we have no true comparison with prior year numbers for law as is traditionally the case as represented by the asterisks.

### Total Minority Professional Doctoral

<table>
<thead>
<tr>
<th>Rank</th>
<th>Institution</th>
<th>State</th>
<th>Men 2009/10</th>
<th>Women 2009/10</th>
<th>Total 2009/10</th>
<th>%Δ 2009-2010</th>
<th>Rank</th>
<th>Institution</th>
<th>State</th>
<th>Men 2009/10</th>
<th>Women 2009/10</th>
<th>Total 2009/10</th>
<th>%Δ 2009-2010</th>
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<td>Thomas M. Cooley Law School</td>
<td>Mich.</td>
<td>87 113</td>
<td>200 223</td>
<td>223 223</td>
<td>-</td>
<td>26</td>
<td>University of California-Berkeley</td>
<td>Calif.</td>
<td>34 64</td>
<td>98 33</td>
<td>132 33</td>
<td>-</td>
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<td>American University</td>
<td>D.C.</td>
<td>52 101</td>
<td>153 322</td>
<td>205 322</td>
<td>-</td>
<td>27</td>
<td>University of the Pacific</td>
<td>Calif.</td>
<td>41 55</td>
<td>96 31</td>
<td>151 31</td>
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<td>Mass.</td>
<td>66 84</td>
<td>150 25%</td>
<td>216 25%</td>
<td>-</td>
<td>28</td>
<td>South Texas College of Law</td>
<td>Tex.</td>
<td>59 37</td>
<td>96 26</td>
<td>155 26</td>
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<td>Georgetown University</td>
<td>D.C.</td>
<td>74 75</td>
<td>149 23%</td>
<td>224 23%</td>
<td>-</td>
<td>29</td>
<td>University of Michigan-Ann Arbor</td>
<td>Mich.</td>
<td>48 46</td>
<td>94 24</td>
<td>142 24</td>
<td>-</td>
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<td>5</td>
<td>Univ. of California Hastings College of Law</td>
<td>Calif.</td>
<td>58 99</td>
<td>147 35%</td>
<td>206 35%</td>
<td>-</td>
<td>30</td>
<td>Emory University</td>
<td>Ga.</td>
<td>36 33</td>
<td>69 25</td>
<td>105 25</td>
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<td>Loyola Marymount University</td>
<td>Calif.</td>
<td>67 78</td>
<td>145 37%</td>
<td>212 37%</td>
<td>-</td>
<td>31</td>
<td>University of San Diego</td>
<td>Calif.</td>
<td>42 41</td>
<td>83 24</td>
<td>125 24</td>
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<td>Fordham University</td>
<td>N.Y.</td>
<td>59 70</td>
<td>129 26%</td>
<td>208 26%</td>
<td>-</td>
<td>32</td>
<td>Yeshiva University</td>
<td>N.Y.</td>
<td>36 46</td>
<td>82 21</td>
<td>128 21</td>
<td>-</td>
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<tr>
<td>8</td>
<td>The University of Texas at Austin</td>
<td>Texas</td>
<td>67 58</td>
<td>125 31%</td>
<td>212 31%</td>
<td>-</td>
<td>33</td>
<td>University of Houston</td>
<td>Texas</td>
<td>35 46</td>
<td>81 22</td>
<td>116 22</td>
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<tr>
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<td>Columbia University</td>
<td>N.Y.</td>
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<td>123 29%</td>
<td>206 29%</td>
<td>-</td>
<td>34</td>
<td>Rutgers University-Newark</td>
<td>N.J.</td>
<td>39 41</td>
<td>80 31</td>
<td>120 31</td>
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<td>D.C.</td>
<td>63 60</td>
<td>123 24%</td>
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<td>-</td>
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<td>Hofstra University</td>
<td>N.Y.</td>
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<td>78 22</td>
<td>101 22</td>
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<td>D.C.</td>
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<td>121 91%</td>
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<td>-</td>
<td>36</td>
<td>Florida International University</td>
<td>Fla.</td>
<td>36 41</td>
<td>77 33</td>
<td>107 33</td>
<td>-</td>
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<tr>
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<td>New York University</td>
<td>N.Y.</td>
<td>57 61</td>
<td>118 24%</td>
<td>209 24%</td>
<td>-</td>
<td>37</td>
<td>University of California-Davis</td>
<td>Calif.</td>
<td>30 47</td>
<td>77 39</td>
<td>107 39</td>
<td>-</td>
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<td>University of California-Los Angeles</td>
<td>Calif.</td>
<td>43 71</td>
<td>114 33%</td>
<td>217 33%</td>
<td>-</td>
<td>38</td>
<td>St. Mary's University</td>
<td>Texas</td>
<td>33 44</td>
<td>77 33</td>
<td>106 33</td>
<td>-</td>
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<td>Brooklyn Law School</td>
<td>N.Y.</td>
<td>50 63</td>
<td>113 26%</td>
<td>213 26%</td>
<td>-</td>
<td>39</td>
<td>Stetson University</td>
<td>Fla.</td>
<td>31 46</td>
<td>77 22</td>
<td>108 22</td>
<td>-</td>
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<td>Calif.</td>
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<td>110 36%</td>
<td>177 36%</td>
<td>-</td>
<td>40</td>
<td>Northwestern University</td>
<td>Ill.</td>
<td>38 38</td>
<td>76 26</td>
<td>116 26</td>
<td>-</td>
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<td>Texas Southern University</td>
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<td>47 60</td>
<td>107 76%</td>
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<td>-</td>
<td>41</td>
<td>Southern University Law Center</td>
<td>Ill.</td>
<td>30 46</td>
<td>76 57</td>
<td>106 57</td>
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<td>37 68</td>
<td>105 73%</td>
<td>142 73%</td>
<td>-</td>
<td>42</td>
<td>Pennsylvania University</td>
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**Source:** Diverse Issues in Higher Education Analysis of U.S. Department of Education Reports of data submitted by institutions. Rankings are based on a review of 2009-2010 preliminary data.
Past dancers share secrets to success in tonight's benefit performance

Former "stars" advise this year's teams

By ANDRE GALLANT - andre.gallant@onlineathens.com

Published Saturday, March 31, 2012 Updated: Saturday, March 31, 2012 - 9:37pm

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- Slideshow: This year's contestants practice for tonight's performance.
- Photo Gallery: Best of Dancing with the Athens Stars performances

Past dancers share secrets to success in tonight’s benefit performance

When teams of amateur dancers hit the Classic Center stage tonight to kick off the fifth annual Dancing with the Athens Stars, months of practice and fundraising comes to a close.

Ten teams comprised of local “stars” and dance instructors, who
are dancing to raise money for Project Safe, a nonprofit that aims to end domestic violence and support those stuck in its grasp, perform at 7 p.m.

As they prepped their routines, the fleet-footed duos simultaneously fundraised for the nonprofit. Their concurrent duties conclude tonight with two possible awards: judge’s choice, based on their performance; and audience choice, which crowns the top fundraisers.

For some "stars" not used to performing or dancing, tonight’s competition might seem a bit daunting. But don’t worry, past Dancing with the Athens Stars winners said, all it takes to succeed is “dedication to the task at hand, a willingness to put one’s trust in the professional dancer and a lot of practice,” according to 2009 audience choice champ Paul Kurtz, associate dean of the University of Georgia’s Law School.

Kurtz, who practiced diligently with this partner, Natalie Cox, said he was amazed at how the performance passed in a blur.

“My prowess is not dancing, as was evidenced that day,” said Hugh Acheson, who won top fundraiser in 2010 alongside partner Natalie Cox. “My prowess is in getting people to give money.”

Like Kurtz, Acheson called his teammate, Natalie Cox, the greatest asset in their victory, adding that their existing connections to the community contributed to their fundraising haul.

Acheson had no regrets about his preparation or his performance: “We raised a lot of money.”

Beth Gavrilles admits that she isn’t the most coordinated person in the world, but that didn’t stop her and partner Derrek Walters from taking top dance troupe in the judge’s choice category in 2008.

“You have to get over your inhibitions, be willing to not hold back at all and try stuff that’s beyond what you think you can do or you won’t get anywhere,” said Gavrilles, public relations coordinator for the Odum School of Ecology. “If you aren’t really confident –
pretend."

Music producer John Keane, who dressed as an elderly man while swing dancing, said "the acts that do the best are the ones that inject some sort of humor into" their routine. But that doesn't mean dancers shouldn't take the performance seriously.

"Know your routine so well you can perform it no matter what," he said. Nervousness can't be beat and fear doesn't go away, he said. "Know it so well you can do it in your sleep."

When Erin Thompson started learning hip-hop steps from partner Angelo Kalevel, the new dance moves took her out of her comfort zone. In salsa and other Latin American dances, which Thompson is familiar with, partners rely on each other, she said. But that's not the case in hip-hop dancing, she said, partners often stand next to each other mimicking moves.

Over the months she practiced for the competition, Thompson, a regional program director for the Hispanic Scholarship Fund, kept one song on her iPod - a mash-up of Michael Jackson, Jamie Foxx and Ciera that Kalevel made for their routine - and put in extra practice at the gym. The hard work paid off when the judges picked Thompson and Kalevel as top dancers in 2010.

The week before the performance, Thompson performed for family members who offered their constructive criticism, which she said helped her engage the audience.

"You've got to own the audience," she said. "If they sense you are having a good time, they respond to that. I got our there and strutted."

Talk show host Liz Dalton and Judge Lawton Stephens host tonight's event. Dance experts Mark Wheeler and Tenisha Cole and musician Ike Stubblefield judge the competition.

Since the first event in 2008, Dancing with the Athens Stars has raised over $325,000 for Project Safe, which helps the nonprofit provide emergency and long-term housing, counseling and job
training to survivors of domestic violence.

Tickets for tonight's event are $20.
'Stand your ground law' in effect in Georgia more than 100 years

By Rhonda Cook
The Atlanta Journal-Constitution
7:19 a.m. Saturday, March 31, 2012

The debate about the shooting death of Trayvon Martin has made it clear that "stand your ground laws" are simple in theory but when used for a claim of self-defense they become complicated.

It's an old legal concept, one that has been in place in Georgia like Florida, for more than a century. But Martin's death has drawn national attention to the law that makes it OK to shoot to kill.

George Zimmerman, a self-described neighborhood watch captain, told police he was justified in shooting the 17-year-old Martin, who Zimmerman said attacked him. Martin's parents and supporters say the teen was attacked without provocation while returning to his father's home in Sanford, Fla. after walking to a convenience store for tea and candy.

The details of the case, now well-known around the country, illustrate just how muddy "stand your ground" laws can become. Twenty-five states, including Georgia and Florida, have virtually identical laws. Stand your ground laws provide immunity from prosecution if you kill someone while defending yourself.

In Georgia there have been 21 cases of justifiable homicide since 2003, according to the Georgia Bureau of Investigation. Those are homicides in which the police at the scene, prosecutors later on or a judge in an initial hearing decided no crime had been committed.

Many prosecutors, defense attorneys and gun rights advocates agree there is a need for the laws that allow deadly force in some circumstances, but there are some who disagree.

"We were adamantly opposed to the shoot-first-ask-questions-later law," said Brian Malte with the Brady Campaign to Prevent Gun Violence. "That's a recipe for tragedy."

Still, the courts have said for more than a century it's legal to "stand your ground" with deadly force when faced with a threat of death or serious injury.

Georgia's Supreme Court wrote in 1898 -- and many times since -- there is no requirement that a victim of an attack first try to escape before using deadly force to stop an aggressor. The U.S. Supreme Court ruled also in 1898 that "a true man does not fly in the face of an aggressor who seeks to do him grievous bodily harm."

"That came to be known as the 'true man rule' and that has evolved into the stand your ground rule," said
University of Georgia law professor Ron Carlson.

It has only been in recent years that states have included those court decisions in their laws. Florida’s adopted a stand your ground law in 2005 and Georgia in 2006, expanded upon the self-defense rights the courts have upheld for years. There are 23 other states with similar laws that allow for justifiable homicide with no requirement that the victim first try to escape; seven other states allow residents to defend themselves with deadly force in specific areas -- such as at home in the car or at the workplace.

Self-defense claims are made often in homicide cases, Georgia prosecutors say. But it’s hard to make a legitimate claim of self-defense.

"Rational, reasonable citizens who use deadly force to protect themselves... are fairly rare," said Gwinnett County District Attorney Danny Porter.

In Dekalb County, said chief assistant district attorney Don Geary, "In half the drug murders we get, they claim it was self defense.... The problem with self-defense is if you’re in the commission of a felony, you can’t claim self-defense."

A key question in the Martin shooting is whether Zimmerman was the aggressor. If so, Carlson said, he was not justified to use deadly force.

"Can you say ... ‘I triggered this thing...but then I backed off ?’" Carlson said. "When do you stop being the aggressor?"

But Martin’s family deny teenager attacked Zimmerman. They believe he was an innocent victim.

Often there is only one witness, the person who pulled the trigger or had the knife, and that person is claiming self-defense.

"Sometimes you ... make a judgment call based on all the evidence [and] whether the acts were reasonable," said Gwinnett prosecutor Porter. "The standard is whether or not a reasonable man would have acted the same way under the circumstances."

And even if police and prosecutors believe there was no self-defense, a jury can find otherwise.

Lona Scott shot her husband, Cliff, six times during an argument in their bedroom on March 4, 2008, after the 42-year-old trucking executive had transferred assets totaling $5 million into a bank account in the Bahamas and was divorcing her.

The police and prosecutors believed it was murder. Lona Scott said it was self defense. She was indicted 14 months later.

The Dunwoody mother of two argued at trial she had no choice, she couldn't escape so she had to stand her ground and kill her husband before he killed her.

On Feb. 2, 2010, a jury deadlocked 11-1 in favor of guilty. When she went on trial a second time, she was acquitted.

"If you’re truly a victim, you don’t have to wait and give the man or the woman (attacker) another chance,"
Stand your ground law in effect in Georgia more than 100 years old...

said Lona Scott's defense attorney, Brian Steel.

Cliff Scott's family was stunned by the verdict.

Josephine Scott said a "stand your ground" claim is appropriate sometimes but it was not in the death of her son.

"How many shots constitute self-defense?" said Josephine Scott. "The first shot severed his aorta. The next one pierced his elbow... There were two [shots] to the elbow. The fourth shot was between the eyes. Then she shot him twice in the back as he was flat on the ground. You call that self-defense?"

And sometimes it's easy to decide deadly force was justified.

Law enforcement officials said there was little question Georgia's stand your ground law applied to Georgia Tech student Lewis Moore when he shot and killed 30-year-old Yuhanna Abdulah Williams in December 2010.

Moore was getting out of his car at a Conyers grocery store when Moore grabbed him, put a knife to his throat and demand money and car keys.

Moore told police he grabbed his Taurus .357 Magnum from its a holster, turned and shot Williams in the face.

The first thing he said to a Rockdale County deputy was "this guy tried to rob me and I shot him."

Witnesses agreed.

"It was a clear-cut case of self defense," said Rockdale County Sheriff's Office investigator Michael Camp.

Moore was not charged.

Find this article at:

Food carts show potential beyond hot dogs

By ANDRE GALLANT - andre.gallant@onlineathens.com

Published Saturday, March 31, 2012 Updated: Sunday, April 1, 2012 - 11:50am

Grabbing a hotdog from a downtown stand is a pretty speedy experience — add mustard, ketchup or relish and split.

But the organizers of the Food Cart Fest have a different type of food-on-the-go in mind: cuisine, sold quick and on the street.
In Athens, an ordinance restricts the type of carts and trucks needed to produce such mobile grub.

And until county commissioners decide to rework the laws covering mobile food vending, the street food menu is mostly confined to franks.

Local ordinance prohibits carts larger than 4-feet-wide, 6-feet-long and 7-feet-tall, as well as all motorized carts, from vending on sidewalks, keeping street merchants, even non-food retailers, relegated to small tables or hotdog stands.

Such restrictions stop the Farm Cart, the popular mobile arm of Farm 255, from opening shop anywhere besides private property because the ordinances also bar carts from the streets and Farm Cart is too big for the sidewalks.

Farm Cart’s troubles, among other reasons, prompted the festival’s organizers to schedule the event to raise awareness in Athens about mobile food vending’s benefits, which they said includes both civic and economic advantages.

Besides Farm Cart’s success on its parent restaurant’s patio and at the Athens Farmers Market, growth in the local food cart scene has been limited and sometimes short-lived.

A bicycle-pulled, non-motorized cart famous for its carrot dogs serves vegetarian food semi-regularly on the Go Bar patio off Prince Avenue.

On rare weekdays, the Empanada Guy, a farmers market regular, rolls his cart onto the corner of College Avenue and Washington Street in front of the Smoker’s Den.

In 2010, Uncle Jerry’s Biscuits and Burger opened on Chase Street and braved winter temps to sling breakfast and lunch to commuters. But the food truck ultimately closed unannounced in the summer of 2011.

Downtown is already home to a few other food carts, mostly in the hotdog-stand vein. But only six food vendors operate within the 15
Food carts show potential beyond hot dogs

permitted spots downtown, and that six includes boiled peanut and soft drink carts, according to county officials. The other nine spots are held by jewelers, UGA merchandise vendors and other retail carts, many of whom only appear on football gamedays.

A group of UGA students and a law fellow, along with landscape architecture master's degree students who organized the food cart festival, think Athens can support a small fleet of food carts and perhaps a few of the food cart's motorized sibling, the food truck.

And as far as the rules are concerned, they don't think it would be that hard.

About a year ago, David Daganian, a public interest fellow at the UGA School of Law, and group of students from the law school's Land Use Clinic started looking into state and local rules that impact food carts. They collaborated with students from the College of Environment and Design to produce the College Avenue Mobile Food Vending Study which they plan to present to the Athens-Clarke County commission this month.

Unlike in Atlanta, Athens-Clarke ordinances wouldn’t be difficult to amend, Daganian said, because there’s a lot less rules to simplify.

The study Daganian led recommends amending existing laws to create four more vending areas along College Avenue sidewalks and easing any requirements placed on those locations and creating a new ordinance allowing four food trucks to use parallel parking spaces on College Avenue between Broad and Clayton streets.

Commissioners are interested in expanding the areas where food carts can set up, said District 10 commissioner Mike Hamby, who provided insight into the county’s inner workings to food cart festival organizers and the authors of the College Avenue study.

"Food trucks have been a successful economic development tool in other towns, so I'd like to see how that plays out here," he said. "Somebody who starts off as a hotdog stand might be able to open a brick and mortar store one day."
The food cart festival organizers said they had all lived in cities with vibrant food cart scenes before moving to Athens, including Portland, Ore. A report compiled by that city’s planning department, cited in Daganian’s study, found that food carts serve as an entry point into business ownership for new entrepreneurs, who are often minorities and immigrants, according to the report.

Conversations about food carts often revolves around their economic impact, festival organizers said, but the discussion should include carts’ impact on human relationships as well.

When customers and vendors interact on the sidewalks they enliven the streets, said Carrie Landers, a graduate student in Landscape Architecture.

The space around a food cart is a setting for generating social capital, said Eric MacDonald, assistant professor in the College of Environment and Design, who teaches a class called “Ideas of Community” that nurtured this weekend’s festival.

Eating at a food cart on the street, in a public space, allows people who wouldn’t normally run into each other to meet, MacDonald said. Food carts make dining out a shared experience, he said, which might not happen at a restaurant four-top. Because of this diverse interaction, food carts, he added, like farmers markets, can be ground zero for mobilizing the community around social issues.

Wide sidewalks around the new Washington Street parking deck could house more food carts, Hamby said. But Athens-Clarke staff said there isn’t enough room downtown for more food carts, especially not on College Square’s sidewalks — and don’t even think about parking a cart on the street.

“Parking is at a prime downtown,” said Angel Helmly, permit coordinator for Central Services. Central Services staff questions “where we could realistically fit them without causing a problem.”

On top of increasing fees for vending permits, Daganian suggested that food trucks offset the lost parking revenues on College Avenue by making the mobile businesses pay $6 a day for the space.
Food carts show potential beyond hot dogs | Online Athens

food truck consistently used one of the parallel spaces, the proprietor would end up paying over $2,000 for the year.

But space isn’t the only issue.

Last year, when county commissioners considered new regulations for food carts, they cited potential threats to existing brick and mortar businesses as a reason not to expand mobile food vending downtown, even though studies from other cities found that a bustling food cart scene attracts foot traffic and boosts the overall economy.

Some businesses, like Farm 255 and some local bars, support food carts and trucks, while other worry about the impact on their business.

Mike Bradshaw, owner of the Grill, doesn’t want any of the parking spots in front of his restaurant going to mobile operations.

“To me, it is no different than setting up a flea market in front of Walmart,” he said.

Portland’s food carts impressed Bradshaw when he visited the city last year, so he’s not opposed to them in general, but he’d prefer they set up in a less restaurant-dense part of downtown. “Putting them on the square in front of us is a problem.”

He suggested the parking spots around City Hall or the lot at the corner of Clayton and Pulaski streets next to Agora as more appropriate locations.

“I’d like them to draw business into downtown,” he said, like how the Farmers Market draws crowds out to Bishop Park. “They shouldn’t feed off what’s existing.”

Ricky Vaughn, owner of the Mayflower, isn’t interested in any more competition from mobile food vendors, even if they meet the health code and pay extra fees.

In the past 25 years, foot traffic downtown began tailing off, Vaughn said, due mostly to shifts in the North Campus geography.
The art school left, he said, and so did the music school. He pointed to the UGA buses dropping off students on the other side of Broad St. from the restaurant his family started running 44 years ago. "They used to be packed like sardines."

Vaughn said there are more restaurants today competing for a dwindling pool of customers.

"There's not enough pie to go around," he said.