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Adams is proud of the success of UGA athletics

by Murray Poole

Dr. Michael Adams jokes that he was a "partial athlete" while participating in high school and collegiate athletics but, unquestionably, it's the University of Georgia president's love of sports that has enabled him to competently carry out his role on the UGA Athletic Association Board of Directors.

"I love sports back to high school days," said Adams, who serves as chairman of the athletic board. "I played a little basketball, ran track, played summer baseball and went to college on a partial track scholarship. I laughed and said that's because I was a partial athlete," he mused. "I have great respect for the young men and women who do this every day and balance their academics, and we just had a report in (the recent) board meeting at Lake Oconee that all of our athletes together for the first time had over a 3-point combined GPA in addition to a very good year so I'm proud of that."

Dr. Adams, who has served as president of the university for the past 15 years and who will be retiring from his office at the end of June 2013 to return to a faculty position, said he's simply a huge Bulldog fan who makes it to as many of Georgia's athletic events as he possibly can.

"I get to virtually every football game home and away because there are always alumni events associated with the games," he said. "I get to most men's and women's basketball games and then I try to get to at least one of every other sport ... soccer, equestrian, volleyball. I get to several baseball and softball games. It's just like everything, it's depending on schedule. If all I had to do was deal with sports, I'd be at all of them because I love it but you just can't be at everything."
Explaining the makeup of the athletic board, Dr. Adams said it's an honor for him to serve with the 17 other members that comprise the body of directors.

"I serve as chair of the board by office," Adams pointed out. "That's according to university policy and according to the accrediting agents saying the president has to be in control of athletics, so for both of those reasons. My role basically is to chair the meetings, to make sure that the finances are managed properly and to assist the athletic director in arranging coaching contracts and salaries.

"Tim Burgess is the treasurer because he's senior vice president for finance.

David Shipley is the faculty athletic rep and secretary of the board by appointment," he continued. "David is a former dean of the law school who had resigned and had gone back to the law faculty and he succeeded Jere Morehead. Jere Morehead was faculty athletic rep before he became provost and I think Jere's long knowledge about athletics at UGA was one of the reasons the board wanted to change the bylaws to where the provost was a member of the board as well.

"There are 18 members on the athletic board," said Dr. Adams. "There are three key positions by office: mine, then the senior vice president for finance at the university serves as treasurer of the association and the faculty athletic representative, who's appointed by the president, serves as secretary of the association. As I said, we also changed the bylaws last year to make the provost a member of the board so there's really today three people by office, the provost, the president and the senior VP for finance. And then the faculty athletic rep is a year to year appointee."

Dr. Adams said, in addition to the above members, there are six faculty members comprising the athletic board.
"There are three appointed by the president and three elected by the university council," he informed. "There are six outside board members with voting rights. Three are elected by the board and three are recommended to me by the alumni association and I think I've always accepted whatever those recommendations are. And then there's one voting student member who is elected by the board from three finalists that are selected in an interview process. Then there are two non-voting student-athletes on the board; they get to speak and weigh in on issues. There's one male student-athlete and one female student-athlete so we do pay a lot of attention to student opinion. They don't carry the day on every issue but they have a lot of influence on what we get done and I think that's as it should be."

Dr. Adams said he's really proud of the manner the Georgia athletic board has worked diligently in its attempt to take the university's athletic program to another level.

"I feel very good about the breadth of the board," Adams declared. "We have female faculty members, we have people who played Division I football, we have distinguished researchers, we have people of every stripe on the board. We have significant donors to the university who are on the board. And sometimes I think people think that this is all a uniform kind of effort but there's diversity of opinion on most matters, and my role as much as anything is to make sure that all voices are heard but I must say that the board has done a very good job that once a decision is made everybody seems to lock arms and move forward and I think it's one of the reasons the athletic program has done as well as it has. I think you know this but I would remind you that there's not a nickel of state money that goes into athletics at UGA - we have to figure out ways to pay our own way.

The budget has more than doubled in
my 15 years here and the reserves have more than tripled and we're thankful to literally thousands of alumni and fans who have given money and bought tickets and made this one of the best athletic programs in the country because it's the fans and the students who I think deserve the lion's share of credit for what's happened here."

And Michael Adams feels like Georgia's athletic program today is in better shape, both financially and on the playing fields itself, than at any other time within memory.

"I certainly don't think our athletic program has been stronger (than it is now), certainly not in my time here and maybe not in history," he said. "Our reserves are strong, we have a great new leader in Greg McGarity as athletic director and we're doing things right.

We're doing drug testing and we're staying out of trouble. There was a time Georgia was known for infractions and being on probation and, knock on wood, we haven't had any serious problem in 10 years now and I think that's because of the leadership we've had in good AD's and coaches who believe that you do things right, and I have very high regard for the coaches who are on the staff at UGA. They're not only great coaches, they're great people, they believe in following the rules and doing things ethically and I think over the last decade or so, I believe we've become nationally known for that."
Entering the Hall of Fame

AALL honors Bintliff, Chiorazzi, Hein, and Surrency for professional leadership

By Margaret K. Maes

Four longtime members of AALL will be inducted into the Hall of Fame in July. The Hall of Fame was created in 2009 to recognize AALL members who have made significant, substantial, and long-standing contributions to the Association and the profession. The Awards Committee is pleased to present Barbara Bintliff, Michael Chiorazzi, William S. Hein Jr., and Erwin Surrency with this honor.

Barbara Bintliff
Barbara Bintliff is Joseph C. Hutcheson professor in law and director of research of the Tarlton Law Library Jamail Center for Legal Research at the University of Texas at Austin. Her many leadership positions have included AALL president, chair of the Academic Law Libraries Special Interest Section (ALL-SIS), president of the Southwestern Association of Law Libraries, and president of the Colorado Association of Law Libraries. She has chaired and served on numerous national and regional committees for AALL and its chapters as well as committees within the American Bar Association and the Association of American Law Schools. Most recently, she was the reporter for the Drafting Committee for Uniform Electronic Legal Material Act of the National Conference of Commissioners on Uniform State Laws.

In addition to her extensive record of service to the profession, Bintliff is a prolific scholar, writing and presenting on topics related to legal research, lawyering skills, law library administration, faculty status, and academic freedom. Her 1996 article, "From Creativity to Computerese: Thinking Like a Lawyer in the Computer Age," was included in "The Essential Law Library Journal," a 2008 compilation of influential readings from the first 100 years of Law Library Journal's publication. She received the AALL Spectrum Article of the Year Award in 2007 for her article, "The Ethics of Electronic Record Sharing," which she co-authored with Georgia Briscoe. Bintliff also organized the Boulder Summer Conferences on Legal Information in 2009 and 2010, which inspired published scholarship from other librarians on topics of legal research instruction and pedagogy.

Bintliff was previously honored with AALL Presidential Certificates of Appreciation in 2006 and 2010. She received the Frederick Charles Hicks Award for Outstanding Contributions to Academic Law Librarianship from the ALL-SIS. She is a member of the American Law Institute and a fellow of the American Bar Foundation.

Michael Chiorazzi
Michael Chiorazzi, associate dean for information services at the University of Arizona College of Law Library in Tucson, has been the editor of the professional journal Legal Reference Services Quarterly (LRSQ) since 1999. In this capacity, he has encouraged other law librarians from all experience levels to produce scholarly work, published important research studies, and written his own contributions to the literature. He co-edited two significant standalone issues of LRSQ: the 2002 Law Library Collection Development in the Digital Age and the two-volume Prestatehood Legal Research: A Guide to the Fifty States, Including the District of Columbia and New York City in 2006. Chiorazzi's leadership of the journal over a 12-year period has helped highlight the major issues facing the profession and advance the conversation on the future of law libraries.

At his own institution, Chiorazzi began a Law Library Fellows Program in 2000, working with the University of Arizona School of Information Resources and Library Science to offer a two-year fellowship in law librarianship for lawyers seeking to become law librarians. Fellows receive work experience in all aspects of library practice and take specialized courses in law librarianship; to date, more than 20 graduates have been placed in law libraries around the country. As a teacher and mentor to a new
generation of law librarians, Chiorazzi is helping to shape the future of our profession.

Chiorazzi is a frequent presenter at AALL meetings; he chaired the Legal History and Rare Books SIS and served as the AALL representative to the Association of Library and Information Science Education. He has received three previous awards from AALL: the inaugural Law Library Publications Award in 1984 (co-recipient), the Call for Papers Award in 1987, and the Joseph L. Andrews Bibliographical Award in 2007 (co-recipient).

William S. Hein Jr.
Bill Hein Jr. is chairman of the board of William S. Hein & Co., Inc. in Buffalo, New York. His longstanding and continued support of AALL and law librarians has been unwavering since 1976, when he became the public face of the company after his father's untimely death. Hein and the company have been regular exhibitors at the AALL Annual Meeting and advertisers in AALL and chapter publications. They have sponsored events at the national and regional level, contributed to scholarships and grants, created popular activities for conference attendees, and supported the archive of AALL publications. Hein's contributions to AALL have helped the Association provide better educational opportunities for all its members.

Equally important to law librarians is Hein's interest in bringing the customers what they want and need. From his earliest days of visiting libraries to his oversight of company operations and his role in setting strategic direction for the company, Hein has ensured that the customer's input is taken into consideration in the development of new products and services. The creation of HeinOnline in 2000 is a prime example of a product that was not just developed in house but was the culmination of several years of asking librarians what would help them manage their collections and serve the research needs of their users. It has achieved that and more.

In an age when global conglomerates govern most of a library's purchasing decisions, Hein's commitment to his employees, customers, and local community has kept the company small and customer-driven. Hein's leadership has promoted excellence in legal publishing and a firm commitment to supporting AALL and the law library community.

Erwin Surrency
Erwin Surrency, director of the law library emeritus at the University of Georgia Alexander Campbell King Law Library in Athens, retired in 1995 after a long career as an academic law library director at two major institutions. His extensive service to AALL includes a term as president in 1973-1974, but he also served in many capacities as a representative to other associations, as chair of numerous committees, and as contributor to educational programs. During his AALL presidential year, Surrency appointed the Task Force on AALL Organization, which ultimately led to the Association's restructuring and the creation of SISs in 1976.

During the 1950s, Surrency helped found the American Society for Legal History and served as its first president. He also served as editor of the American Journal of Legal History (later renamed Law and History Review) for 25 years. The journal annually awards the Surrency Prize for the best article of the year. Surrency's interest in history prompted many of his scholarly contributions, including articles on American legal literature and federal court history, as well as bibliographies of the Restatements of the Law and the American Bar Association. He has published or co-authored 14 books, more than 50 articles, and dozens of book reviews. His 1990 book A History of American Law Publishing is a standard work that all law librarians should read. Surrency is a founding member of the Legal History and Rare Books SIS and continues to be a regular contributor of book reviews to the section newsletter.

Although Surrency retired 17 years ago, he maintains his interest in law librarianship and his membership in AALL.

Offering Congratulations
The Hall of Fame awards will be presented at the AALL Business Meeting on Monday, July 23, at the Annual Meeting in Boston.

The members of the 2012 Hall of Fame Subcommittee are Joseph Hinger, Heidi Frostestad Kuehl, Elizabeth Moore, and Chair Margaret K. Maes. Please join the Awards Committee and the Association in congratulating the 2012 Hall of Fame inductees.

Margaret K. Maes (mkmaes@gmail.com) is executive director of the Legal Information Preservation Alliance in Bloomington, Indiana.
Top administrators (from right) Tom Landrum, senior vice president for external affairs; Jere Morehead, provost and senior vice president for academic affairs; Tim Burgess, senior vice president for finance and administration; and President Michael F. Adams prepare to cut the ribbon dedicating the new Richard B. Russell Building Special Collections Libraries on North Campus.

GRAD SCHOOLS MAKE THE GRADE

UGA 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 School of Public and International Affairs ranked fourth among graduate schools of public affairs; the College of Education 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. SPIA is now alone in the fourth position, having surpassed Princeton University with whom it was previously tied. The only schools ranked above SPIA are Harvard (No. 3), Indiana (No. 2) and Syracuse (No. 1). Other UGA colleges and schools ranked in the report include the College of Pharmacy at 26th and the School of Social Work at 37th. The rankings, with methodology used by U.S. News & World Report, are available at http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools.

Guided tours of the Richard B. Russell Building Special Collections Libraries, which was dedicated with a ribbon-cutting ceremony in February, are available to the public every Tuesday at 2 p.m. Visitors will get a tour of each of the galleries that store some of the most significant and treasured materials from the collections. Participants can explore interactive kiosks with access to oral history interviews, historical film, video and sound recordings. Documents and objects dating back to colonial times and beyond will be available for viewing. Faces from the state’s political history are featured in the mural “Doors” by UGA Professor Emeritus of Drawing and Painting Art Rosenbaum.

The $46 million building, named in honor of Sen. Richard Russell, who spent a half-century in public service, houses the Hargrett Rare Book and Manuscript Library, the Walter J. Brown Media Archives and Peabody Awards Collection, and the Richard B. Russell Library for Political Research and Studies.

To join a Tuesday tour, visitors should meet in the second floor rotunda of the building at 300 S. Hull St. The building and galleries are open to the public Monday through Friday from 8 a.m. to 5 p.m. and on Saturdays from 1-5 p.m. For information on group tours call (706) 542-8079. Learn more about the new facility at www.libs.uga.edu/scl.
TAKE 5 — President Michael F. Adams on food modification and safety at UGA

**Q:** Your grandfather was a lifelong farmer in Alabama and your father spent his entire career as an executive with Kraft Foods. How does that background shape your perspective on UGA’s role in food production, research and safety?

**A:** I literally grew up in the food and fiber industry. My grandfather owned a farm, some forestry acres and a sawmill in South Alabama. I remember that work, literally at the ground level, during summers as a child. Growing up, I watched my father’s career in the international food and agricultural industry as Kraft grew into one of the two or three biggest companies in that industry. I spent my summers in college in the food sector—I’ve done everything from warehouse work to driving delivery trucks to stacking crates to sales.

**Q:** Agriculture was one of the earliest fields of instruction at UGA, established as a college in 1859. How relevant is the college today?

**A:** It’s more relevant than ever. I’m afraid that we sometimes take agriculture in Georgia for granted. Food doesn’t grow on shelves behind cellophane. I wish more of Georgia’s population understood the challenges faced by the people growing food and fiber in this state. Having spent my youth in Albany, I have known these people all my life and know that they are some of UGA’s most dedicated and conscientious supporters.

**Q:** In your opinion, what is the university’s biggest contribution to the agricultural community in Georgia in the past 20 years?

**A:** It’s two-fold. First is the explosion in relevant research that we are doing on everything from peanuts and cotton to poultry and forestry. Agriculture is still this state’s largest industry in dollar terms, and the research produced at UGA serves to enhance virtually every aspect of production. When you add in blueberries and pecans and soybeans and watermelons, all directly connected to UGA research, you get a full understanding of the breadth of our research in this area.

Second, we serve this state through the leadership of Dean Scott Angle and his advisory council, the most important convening body on agricultural issues in the state. Consumer groups, commodity producers, the legislature and the governor’s office talk to each other most effectively when the effort is led by the university.

**Q:** A lot of research being done on food in biological sciences is leading to better insights into disease prevention and cures, and pharmaceutical research. Do you see this as an area that will continue to grow at UGA?

**A:** Absolutely. The coming together of pharmaceutical and agricultural research will continue. We need to study both plant- and animal-borne diseases more effectively and use researchers in agriculture, pharmacy, public health, veterinary medicine and medicine to combat disease and improve health. I don’t have the figures in front of me but my guess is that research-funding growth in these areas is probably the greatest at UGA in the past five years.

**Q:** Just about any time there is an outbreak of food-borne disease in the U.S., researchers from the UGA Center for Food Safety in Griffin are called in to help investigate and called by media to comment. How does the university, as well as the state, benefit by having such a high profile center?

**A:** It’s really simple—our food is safer and we have the capacity to ferret out problems when they occur. Remember the E. coli outbreaks and the problems with peanut butter a few years ago? Whenever these sorts of problems occur throughout the Southeast, UGA researchers in Griffin are the first professionals called. When the problems reach a national level, Mike Doyle is the first person called by congress to testify. Our entire food supply is safer because of that work, and I am happy that, with the governor’s support, we are about to begin a $4.5 million expansion of that facility.
The end of an era

Michael F. Adams will step down as president of the University of Georgia on June 30, 2013, after 16 years at the helm of the state's flagship institution. Adams publicly announced his retirement in the UGA Chapel on May 3. Under his leadership, UGA has increased the size of its student population as well as the academic stature of its students. Adams has overseen the creation of five new colleges or schools: the School of Public and International Affairs, the College of Environment and Design, the College of Public Health, the Eugene P. Odum School of Ecology and, most recently, the College of Engineering. In partnership with the Georgia Health Sciences University, Adams also helped establish a medical school campus in Athens. UGA's endowment grew from $249 million in fiscal year 1997 to more than $745 million in fiscal year 2011. Adams and his wife Mary plan to remain in Athens after his retirement, and he will serve on the university faculty.

CELEBRATING 65 YEARS

The Georgia Review, a literary magazine published by UGA since 1947, celebrates its anniversary with the book Stories wanting only to be heard, a compilation of 28 of the most remarkable works of short fiction published in the journal over the past six and a half decades. The 384-page soft cover book is available for purchase at www.ugapress.org/index.php/books/stories_wanting_only_to_be_heard. For more on The Georgia Review, go to http://garev.uga.edu.

$1.3 MILLION TO CONTINUE RESEARCH IN GULF

Two years after the Deepwater Horizon oil spill in the Gulf of Mexico, UGA researchers remain at the forefront of the investigation into the incident, this time with a $1.3 million grant from the Gulf of Mexico Research Initiative to study more thoroughly the ecosystem impacts of the disaster.

UGA marine scientist Samantha Joye, who is the Athletic Association Professor in Arts and Sciences, and UGA colleagues Patricia Medeiros and Christof Meile will work with scientists from 13 other institutions over the next three years to develop a way for researchers and emergency responders to better predict and respond to future spills. Joye will serve as the associate science director for the project, “Ecosystem Impacts of Oil and Gas Inputs to the Gulf.” Raymond Highsmith, executive director of the University of Mississippi’s National Institute for Undersea Science and Technology, is the lead investigator.

To learn more about the ECOGIG project, see http://niust.org/griproject/.

LAW STUDENTS TAKE TOP PRIZE

A team of students from the School of Law took first place in the Robert R. Merhige Jr. National Environmental Negotiation Competition, a two-day event that involves several rounds of negotiation centered on current issues in environmental law. Second-year Georgia law students Christopher A. Knapik and Christopher S. Smith defeated Georgetown University Law Center in the semifinals and Lewis and Clark Law School in the finals to take home the top trophy. Held at the University of Richmond, the contest was created in memory of the late U.S. District Court Judge Robert Merhige.
BEST IN SHOW
A BARK OUT TO

... College of Education Professor JoBeth Allen, who was named a 2012 inductee into the Reading Hall of Fame, established by the International Reading Association.

... Allan Cohen, director of the Georgia Center for Assessment and the Aderhold Professor of Research Methodology in the College of Education, who received the 2012 Award for Career Contributions to Educational Measurement from the National Council on Measurement in Education.

... College of Education Professor Thomas Hebert, who won a 2011 Legacy Book Award from the Texas Association for the Gifted and Talented, the nation's largest state advocacy group of its kind.

... Julie A. Luft, the inaugural Athletic Association Professor of Mathematics and Science Education in the College of Education, who received a 2012 Journal of Research in Science Teaching Award from the National Association of Research in Science Teaching.

... John Knox, associate professor of geography; Audrey Haynes, associate professor of political science; and Charles Kutal, professor of chemistry and associate dean of the UGA Franklin College of Arts and Sciences, who are listed among the Princeton Review's best undergraduate college professors as determined by RateMyProfessors.com.

... Henry F. Schaefer III, Graham Perdue Professor of Chemistry, who received the 2012 Southeastern Universities Research Association Distinguished Scientist Award.

... The UGA Career Center, which received the Outstanding Achievement Award for Innovative Programs in the College Career Services Field from the Chevron Corporation and the National Association of Colleges and Employers (the Chevron Award).

UNDERGRADUATES TAKE TOP HONORS

... Georgia undergraduates continue to win national acclaim, with four this year named 2012 Barry M. Goldwater Scholars and three awarded 2012 Morris K. Udall and Stewart L. Udall Foundation Scholarships.

Goldwater recipients Victoria DeLeo, a sophomore from Davie, Fla., who is pursuing bachelor's degrees in biotechnology and genetics; Marianne Ligon, a sophomore from Clemson, S.C., who is pursuing a bachelor's degree in cellular biology; Theresa Stratmann, a junior from Irmo, S.C., who is pursuing a bachelor's degree in ecology; and Waring "Buck" Trible III, a junior from Fredericksburg, Va., who is pursuing bachelor's degrees in ecology and entomology, will receive up to $7,500 a year to cover their education expenses. UGA has had 43 Goldwater scholars.

Udall award winners Heather Hatzenbuhler, a junior from Lawrenceville, who is pursuing a bachelor's degree in environmental ethics and management; Malavika Rajeev, a junior from Tifton, who is pursuing a joint bachelor's/master's degree in ecology, and Stratmann will receive $5,000 in scholarship money. Two other UGA students, juniors Ian Karra of Roswell and Rosemary Gay of Douglasville each received honorable mentions in the national scholarship competition. Since 2003, UGA has had 10 Udall award winners.
June 01--Incumbent Brunswick Judicial Circuit District Attorney Jackie Johnson will seek to keep her office in the July 31 Republican primary.

Johnson was first appointed in 2010 to the office by former Gov. Sonny Perdue after former lead prosecutor Stephen Kelley was sworn in as a Glynn County Superior Court judge.

Before Johnson was appointed, she was an assistant district attorney for 12 years and has handled more than 2,000 criminal cases in the circuit's five counties of Glynn, Camden, Wayne, Appling and Jeff Davis.

Since becoming district attorney, Johnson has overseen 35 employees in four offices throughout the circuit and administered a caseload of about 4,000 cases a year, according to a campaign statement.

Her chief goals as district attorney have included making the office more fiscally efficient, addressing jail overcrowding and improving working relations with law enforcement, she said.

"The district attorney's office is working more closely with law enforcement to build and prosecute solid criminal cases against dangerous offenders; moving criminal cases to court more quickly to reduce jail populations and save tax dollars; and operating more efficiently on a reduced staff," Johnson said.

"Over the last two years, the office has focused on cases involving the most dangerous criminal offenders and successfully gained convictions in more than a dozen homicide cases throughout the circuit."

As an honor graduate of the University of Georgia School of Law and a graduate of the university's Terry College of Business, Johnson said her skill set has brought a balanced budget to the office.

Johnson also serves as chairman of the Golden Isles Children's Advocacy Center and is a founding member of the Camden Criminal Justice Council.

She has served on the Child Fatality Review Committee, the Multi-Disciplinary Task Force on Child Abuse and as a special prosecutor for the Altamaha Drug Task Force.

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LOAD-DATE: June 1, 2012
Deal gets short list for next state Supreme Court justice

By Marcus K. Garner
The Atlanta Journal-Constitution

8:08 p.m. Friday, June 1, 2012

Gov. Nathan Deal on Friday named his short list of candidates to fill the seat of outgoing state Supreme Court Chief Justice George Carley.

The list includes DeKalb County Superior Court Judge Cynthia J. Becker, Georgia Court of Appeals Judge Keith Blackwell, Gwinnett County Superior Court Judge William Ray II, Bibb County Superior Court Judge Tillman Self III and Henry County State Court Chief Judge Ben W. Studdard III.

A pair of Atlanta-based nonjurists, former federal prosecutor Michael L. Brown and governmental affairs lawyer Elizabeth L. Branch, round out the list.

"It reflects a diversity of practice and perspective and background, and will give the governor a variety of options to select from," state Judicial Nominating Commission member Robert Highsmith, one of the attorneys charged with making the selection, told The Atlanta Journal-Constitution.

Commission co-chairman Pete Robinson said numerous qualifications are considered.

"Everybody brings a different skill set," Robinson said. "Some people bring it through tenure and service on the bench. Some people bring it through their practice."

Deal will have his work cut out for him, spokesman Brian Robinson said.

"It's a strong list," he said. "It will be a tough decision."

The Judicial Nominating Committee began with 31 applicants, of which 30 were interviewed before the 19 commission members met this week in Savannah to winnow the choices.

Deal will take the current list and set his own criteria for selecting the candidate who will take the justice seat left vacant when Carley steps down in July.

University of Georgia law professor Ronald Carlson said that based upon history, the five sitting judges stand a better chance of being chosen.

"Traditionally, there's been some slight advantage to having judicial branches," Carlson said. "Still, you can get excellent judges from the private practice."
Legal expert: Accused Athens cop-killer's incompetency bid destined to fail

By JOE JOHNSON - joe.johnson@onlineathens.com

Published Saturday, June 2, 2012

Defense attorneys may claim Jamie Hood is mentally unfit to stand trial for the murders of an Athens-Clarke police officer and another man, but their bid to have him declared incompetent appears destined to fail, a local legal expert said.

Under Georgia law, a defendant can be deemed incompetent if he has a mental health issue that prevents him from understanding charges against him and the court proceedings he faces, or to assist his attorneys in his own defense.

But during several pretrial hearings since he was indicted in August, Hood has demonstrated that he does not meet the first two requirements of the law, according to University of Georgia law professor Ron Carlson, who has closely followed Hood's death-penalty case.

Hood has publicly apologized for killing Athens-Clarke Senior Police Officer Elmer "Buddy" Christian III, has argued legal points in court, and has drafted a legally correct letter to one of the judges in his case, Carlson said.

"Preliminary indications in this case strongly suggest this is a competent person," Carlson said. "Hood has shown he has the knowledge and ability to understand and appreciate the nuance of criminal law and procedures, as well as the role of court filings — especially the letter he authored and sent to the judge."
Legal expert: Accused Athens cop-killer's incompetency bid destined ...

Hood — also accused of the attempted murder of Athens-Clarke SPO Tony Howard and murder of Kenneth Omari Wray in a different shooting — wrote the letter while at the Barrow County Detention Center. In it he told Superior Court Judge David Sweat that he wanted a new judge and wanted his case to be tried in a different county.

Western Judicial Circuit District Attorney Ken Mauldin held up Hood’s letter to Sweat as the work of a competent person. 

“Jamie Hood styled the letter appropriately for a criminal case, notarizing the writing, and even submitted a certificate of service upon (the judge),” Mauldin stated in a motion filed Thursday. “Jamie Hood specifically requests a judge from a different circuit to preside over this case. This request is accompanied by a factual basis, principles of law, and citation of authority.”

The only legal standard for incompetency that Hood might meet is his inability to assist his attorneys, but even that’s doubtful, according to Carlson.

“The DA will counter in his argument that’s not an inability to assist counsel, but rather it’s Hood’s unwillingness to assist his lawyers and that’s not legal insanity,” Carlson said.

Hood has ranted, argued with the judge and his attorneys and made unusual statements during pretrial hearings, but those could more the antics of a narcissistic person trying to take control of proceedings and even playing for the television cameras that have been in court, Carlson said.

Hood and his attorneys have repeatedly clashed in open court concerning his legal representation, and on May 10, Sweat held a closed-door conference with Hood and his attorneys in an attempt to sort out their problems.

Such behavior contrasted with the letter Hood wrote in the solitude of his jail cell.

“The highly polite tone of this guy’s letter is very different from
what you see on TV, where he's flying off the handle and engaging in different types of rhetoric," said Carlson, who has authored more than a dozen books on evidence, trial practice and criminal procedure.

"You come away with one impression from what you see on TV and an entirely different one when you read what he's written in his own advocacy," Carlson said.

Mauldin objected to a competency trial for Hood and called the request for one a delaying tactic by the defense.

The prosecutor also argued that the only thing Sweat needs to be concerned about is the matter that was assigned to him — to decide if Judge Lawton Stephens should remain as the trial judge in Hood's case.

"The filing of a special plea of incompetence to stand trial does not suspend any and all proceedings," Mauldin stated in response to the request for a competency trial.

Hood's defense team may very well be using a delaying tactic, Carlson said, but the law professor also praised Sweat for granting the request because settling the incompetency claim could forestall a successful appeal should Hood be convicted.

Mauldin had argued that the only issue for Sweat to decide was a motion demanding removal of the trial judge, Stephens, who disclosed that he's known Howard and his family for many years, visited the wounded officer in the hospital, and attended both a special service at Howard's church for the officer and Christian's funeral.

"Judge Sweat wisely gave priority to sorting out the mental incompetency issue before advancing to more substantive decisions in the case," Carlson said.

"One does not want to risk adjudicating other major issues when a defendant might later claim he was not able to understand court decisions due to mental instability," he said.
Even Sweat appeared to acknowledge that Hood was not incompetent, stating in a court order that there were “numerous indicia that (Hood) understands these proceedings . . . .”

In that order, Sweat stated he was guided by the law granting a request for a competency trial.

“In addition to common law and statutory rights, an accused also has a constitutional right to not be put on trial while incompetent, and procedural due process requires the court to afford the accused an adequate hearing on the issue of competency,” Sweat said in his order.

The judge scheduled a bench trial for July 30, when Sweat will act as both judge and jury when hearing the testimony of mental health experts and arguments of prosecuting and defense attorneys.

But attorneys on both sides of the case have 20 days from the time Sweat signed the order on Thursday to ask for a jury to decide Hood’s mental competency.

Whether it’s a trial before a jury or just a judge, Carlson believes the outcome will be the same.

“Unless something more is shown, pending any kind of psychological evidence the defense can generate, I think the odds are against the claim of incompetency,” he said.

• Follow Criminal Justice reporter Joe Johnson at www.facebook.com/JoeJohnsonABH or www.twitter.com/JoeJohnsonABH.
Tela Names Intellectual Property Lawyer as General Counsel

Liz Stewart Joins Executive Team as Company Evolves Its IP and Licensing Strategies

LOS GATOS, CA, Jun 04, 2012 (MARKETWIRE via COMTEX) -- Tela Innovations, which provides design solutions to enable continued cost-effective scaling of semiconductor manufacturing, today announced the appointment of Liz Stewart as Vice President, General Counsel. In her role she will be responsible for overseeing all legal matters of Tela including intellectual property, licensing, commercial transactions and management of outside counsel.

"Tela has a broad portfolio of intellectual property assets, including a number of patents, that we wish to both protect and leverage as our technology strategy evolves," said Scott Becker, president and CEO of Tela. "Liz brings exceptional skills and experience in all aspects of IP and will play an important role in how our many man-years of development and innovation are brought to the market."

The company's website lists an overview of the patents currently held by Tela.

Ms. Stewart has spent her career representing technology companies in Silicon Valley. Prior to joining Tela, she held in-house positions including Assistant General Counsel of Artisan Components and a position with NEC Electronics, Inc. She also represented public and private technology companies for a number of years with her own firm. Previously, she was a member of the Technology Transactions Group of Cooley Godward LLP and she began her career in intellectual property litigation with Skjerven Morrill LLP.

She holds a J.D. from University of Georgia School of Law and a B.A. from Emory University.

About Tela

Tela Innovations is a privately-held company based in Los Gatos, California that provides solutions addressing the challenge of scaling semiconductor design and manufacturing to advanced process nodes. Tela was founded in 2005 by a team of experts in semiconductor IP, design automation and process technology, and is backed by a number of venture firms and corporate investors, including Intel Capital, Cadence Design Systems, KT Venture Group, LLC, the investment partner of KLA-Tencor Corporation, and Qualcomm Incorporated. For more information on the company visit www.tela-inc.com.

All trademarks referred to are the property of their respective owners.

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SOURCE: Tela Innovations
UGA Trip to Deepen China Research Ties
Trevor Williams
06.03.12

The University of Georgia's top international educator is leading a trip to China this month in a bid to deepen partnerships with three major universities.

Kavita Pandit, associate provost for international education, will be accompanied by academics from the schools of pharmacy and international affairs as well as the university's graduate research center.

The group will visit Fudan University in Shanghai, where UGA has its strongest ties. The UGA School of Law has a summer program there, while the College of Pharmacy has a partnership addressing Food and Drug Administration regulations.

UGA's Carl Vinson Institute of Government often hosts Chinese officials for training on public administration, another area in which it has a key partnership with Fudan, according to Jane Gatewood, the university's director of international partnerships, who will also join the delegation.

At Jiangnan University in the city of Wuxi, just west of Shanghai, the group will meet with leaders to discuss deepening research and exchange on food science, an area where that Chinese university excels.

At Nanjing University in the capital of Jiangsu province, the groups will discuss ongoing partnerships on ecology and the genetics of invasive species.

While most collaborations involve graduate programs, the officials will also discuss ways to increase study-abroad opportunities for undergraduates, Dr. Gatewood said.

She said it's vital for UGA leaders to go to China in order to maintain existing ties and develop new ones.

"When you develop strong, sustainable partnerships, you have to go visit and remain connected," she said.

Over the last five years, UGA has sent 200 students to China. Every year, the Athens university hosts about 350 Chinese students and scholars, mostly at the graduate level, Dr. Gatewood said.
The delegation will host a special outreach event for UGA alumni in Shanghai June 10, the first event of its kind held in China.

Additional members of the delegation:

- **Paul Brooks**, assistant dean, College of Pharmacy
- **Robert Grafstein**, associate dean, School of Public and International Affairs
- **Dexi Liu**, Panoz professor of pharmacy and head of Pharmaceutical and Biomedical Sciences department, College of Pharmacy
- **Robert Scott**, distinguished research professor and associate vice president for research at the **Boyd Graduate Studies Research Center**.

Visit [www.uga.edu](http://www.uga.edu) for more information.

For more about the Shanghai alumni event, contact Irving Steel at Irving@e8r.asia.
JNC picks 7 for short list for Ga. Supreme Court vacancy

Kathleen Baydala Joyner

Daily Report

06-04-2012

SAVANNAH — After interviewing 30 applicants and deliberating for two hours Thursday in Savannah, the governor’s Judicial Nominating Commission submitted a short list of seven candidates — five judges, a former federal prosecutor and a business litigator — for a vacancy on the Supreme Court of Georgia.

The finalists are: DeKalb County Superior Court Judge Cynthia “C.J.” Becker; state Court of Appeals Judge Keith Blackwell; Elizabeth “Lisa” Branch, a litigator at Smith, Gambrell & Russell; Michael Brown, co-leader of Alston & Bird’s Government and Internal Investigations Group; Gwinnett County Superior Court Judge William “Billy” Ray Jr.; Macon Superior Court Judge Tilman “Tripp” Self III; and Henry County State Court Chief Judge Ben Studdard III.

Governor Nathan Deal’s choice will fill the seat being vacated next month by retiring Chief Justice George Carley.

The only major surprise of the short list was its length, as the JNC was expected to give Deal only five names. But the names on the list did not raise eyebrows, as many of the candidates had made short lists for previous judicial vacancies and were rumored to be favorites among the attendees of the State Bar of Georgia’s annual conference in Savannah.

Before the JNC interviewed the candidates, the panel heard briefings from several legal groups, including the Judicial Qualifications Commission.

Becker, 55, was a finalist for a Supreme Court opening in 2005 and was nominated this time by Fulton County Superior Court Judge Craig Schwall and former DeKalb County District Attorney Bob Wilson. She has been a superior court judge since 2001, after winning an open seat election in 2000, and also presides over DeKalb’s drug court. Becker began her legal career in 1987, after graduating from Georgia State University School of Law, as corporate counsel for The Home Depot Inc.

Blackwell, 36, was appointed to the Court of Appeals bench in fall 2010 by then-Gov. Sonny Perdue. Prior to his appointment, Blackwell was a partner in the litigation practice group at Parker, Hudson, Rainer & Dobbs. He also chaired the “Lawyers for Deal” committee during Deal’s gubernatorial campaign.

Branch, 44, was a finalist for the state Court of Appeals last year. She is a partner at Smith, Gambrell & Russell, specializing in complex business litigation and government affairs. From 2004 to 2008, Branch was a senior officer with the George W. Bush administration, serving first as associate general counsel within the Department of Homeland Security and then as a counselor to the administrator within the Office of Management and Budget.

Brown, 43, is co-leader of Alston & Bird’s government and internal investigations group and a former federal prosecutor. He is representing former DeKalb County Schools Superintendent Crawford Lewis in a criminal case involving corruption, bribery and theft charges, which is being prosecuted by DeKalb County DA Robert James, who is a JNC member. (Coincidentally, the Georgia Court of Appeals found last year that Becker wrongly disqualified Brown from the case, based on prosecutors plans to
Daily Report: JNC picks 7 for short list for Ga Supreme Court vacancy

http://www.dailyreportonline.com/PubArticleFriendlyDRO.jsp?id=12...

call a witness employed by a client of Alston & Bird's on unrelated matters.)

As a lawyer with the U.S. Department of Justice's Atlanta drug unit, Brown prosecuted former Baltimore Ravens running back Jamal Lewis for his alleged involvement in drug dealing. Lewis was convicted and served four months in prison.

Ray, 49, has been a Gwinnett County Superior Court judge since being appointed in 2002, and has presided over the drug court program for many years. Prior to his judgeship, he was a trial lawyer at Andersen, Davidson & Tate, focusing on business, construction, real estate and family law. He was on the short list for a 2009 Supreme Court vacancy. Ray, who is also a former state senator, was nominated this time by several legislators, including Senate Rules Committee Chairman Don Balfour, R-Snellville, and Sen. Renee Unterman, R-Buford, as well as by numerous colleagues on the Gwinnett County Superior Court bench. The Gwinnett County Bar Association also circulated a letter supporting his candidacy.

Self, 43, served as a field artillery officer with the Army from 1990 to 1994. He earned his law degree from the University of Georgia in 1997 and then worked with Sell & Melton in Macon, eventually becoming an equity partner. He was elected to the superior court in the Macon Judicial Circuit in 2006. In 2007, he ruled for a woman whose efforts to adopt a 7-year-old girl were blocked in part on the grounds that the woman had been living with a same-sex partner. Self held that another judge's order holding the woman in contempt did not preclude him from giving her custody of the girl, saying the child's emotional and academic regression since leaving the woman's care amounted to a change in circumstances.

Studdard, 50, was a finalist for the 2009 Supreme Court vacancy and last year's Court of Appeals opening. An Atlanta native, he practiced law for 14 years, including a stint as city attorney in Hampton, before winning election in 1998 to become the first judge of the Henry County State Court. Studdard earned his law degree from Mercer and practiced with the firm then known as Smith, Welch, Studdard & Brittain and now known as Smith, Welch, Webb & White. In his 2009 application, Studdard noted a host of procedures he has instituted as chief judge, including requiring indigent defendants convicted in his court to reimburse the county for the cost of their public defender if they are able to do so, via either cash or community service.

The JNC used the first day of the State Bar of Georgia's annual conference in Savannah to conduct an all-day session of interviews, broken into 10-minute time slots.

They occurred in a dimly-lit, windowless room tucked away from the rest of the conference events. Inside was a long, rectangular table with one open seat at the head, referred to by several JNC members as "the hot seat."

The subsequent closed-door discussions among members were intense, said JNC co-chairmen Randy Evans and Pete Robinson, though several bursts of laughter rang out into the hallway leading to the meeting room.

There were 54 nominations and 31 resulting applicants.

Robinson said the nominee-to-applicant ration was unusually high, attributing the difference to the possibility that many people were nominated as a show of courtesy or respect, but they were not truly interested in the job.

Longtime JNC member Frank Strickland said 31 interviews was comparable to the number conducted by the JNC in 2005 and 2009 for the last state Supreme Court vacancies.

One candidate who did not show up for interviews was Matt Wilson, a trial lawyer and mediator in Atlanta who in 2010 unsuccessfully challenged Justice David Nahmias for his post. Wilson could not be reached on Friday.

Many candidates showed up well before their interviews. They chatted, paced or tapped on their smartphones to pass the time. Afterward, none was willing to talk candidly about how their interviews went or what sorts of questions were asked, but some described the process in broad generalities.

"It's an incredibly short amount of time," Studdard said of the 10-minute slots, which were five minutes shorter than lawyers typically get to make their arguments in the Supreme Court.

"I think they want an understanding of your knowledge and to see how you respond," said DeKalb County chief assistant district attorney Don Geary, who was an applicant. "The [application] packets are so detailed. I think, in the interviews, they wanted to get a comfort level, to see if you can respond quickly, accurately in a pressure cooker."

Evans said the JNC's questions tried to probe candidates' knowledge of the high court and its caselaw.

Robinson added that the interviews focused less on candidates' personal information, because most of the candidates were already known to the JNC members, and more on "their outlook and responses to quantitative questions."

"We wanted to get a sense of their philosophy," Evans said.

Prior to the interviews, the JNC heard reports from agencies and associations that conducted their own vetting, including the Judicial Qualifications Commission, which investigates bad judges.

The high court interviews were only the second time the JQC has briefed the JNC on candidates, Evans said. The first time was...
during interviews last month for two Enotah Judicial Circuit seats which were vacated after JQC probes.

"It just makes sense because we have so many judges apply," he said.

Evans said Deal has appointed JQC director Jeffrey Davis as an ex-officio member of the JNC.

Davis said that his confidential briefing could help the JNC avoid recommending a candidate who may be under investigation. Davis also said the JNC often looks at state bar disciplinary records of lawyer-candidates and so it is logical that the nominating panel would want the same information on judge-candidates.

"It's a natural progression with judges to expect their disciplinary files with the JQC would be something that the nominating committee would want to consider," he said.

The other groups to brief the JNC were the Atlanta Bar Association, Georgia Association for Women Lawyers, Georgia Association of Black Women Attorneys and the state bar's Judicial Evaluation Committee. Robinson said the group's representatives gave verbal reports based on their own vetting, per tradition, and rated each candidate as qualified, well qualified, not qualified or not qualified to say, meaning that the group could not reach a consensus or didn't have enough information.
CHS Alumni Association Inducts First Four Members - Coventry, RI...

The first annual induction dinner was held on the evening of May 31 at Nino's. Guests were greeted by Ernest DiMicco, CHS Alumni Association President before being entertained by members of the CHS Jazz Band and enjoying a dinner of salad, pasta, stuffed chicken breast, roasted vegetables and dessert.

CHS Principal Michael Hobin and Coventry Public Schools Superintendent Michael Convery welcomed guests and thanked them for being part of such an important evening in Coventry High School history.

The evening's inductees were nominated and chosen for their achievements while at Coventry High School and post graduation, the obstacles that they overcame in pursuit of their goals, how well their achievements inspired others in the school community, service to the community, honesty, integrity, concern for others and outstanding character. Each of the following inductees demonstrated the standard of excellence that is encouraged at Coventry High School:

Andrea Hopkins is a graduate of CHS and the University of Rhode Island with a major in political science and double minors in history and journalism. She recently retired as the liaison for state and federal government relations for URI and previously held leadership positions at AAA Southern New England, Meeting Street School and AT&T.

Among her involvements with Kent County Hospital, the Government Relations Advisory Committee and Women’s Development Council, Ms. Hopkins is also President of the Coventry Public Library Foundation and the first woman to hold the position of Centreville Bank Trustee.

Her daughter Kathryn spoke of how the qualities that Ms. Hopkins showed as a CHS student are still with her now and described her mother as "very skilled and generous with her time and talents."
Bob Peltier was born in 1935 and raised in the Harris section of Coventry. He attended LaSalle Academy and proved to be an exceptional football and baseball player. After graduating in 1953, he attended Dean Academy where he continued to play both sports. Peltier then went to URI and graduated in 1959 with a degree in physical education. After spending time teaching at Westerly and West Warwick high schools, he began at CHS in 1964 and soon became the head football coach, leading the team to two state championships and a 24-game winning streak over two and a half years.

"Bob was an excellent football coach," said DiMicco. "His impact on the kids and on the Coventry football program has been amazing.

Peltier's son, Steve, gave an emotional speech in his father's honor, focusing on his solid relationships with his players.

"My father cared about his players and I haven't met a football player who was coached by him that didn't say what a great guy my dad was," he said. "This moment tonight means a lot to all of us and to my father.

"I want to thank all of the people that made this day possible," said Peltier as he accepted his plaque.

Anne Proffitt Dupre graduated from CHS in 1970 and then from URI with degrees in history and psychology in 1974. After teaching for five years, she found her passion in the law and decided to attend law school at the University of Georgia where she graduated first in her class in 1988 and served as editor-in-chief of the Georgia Law Review. She served as a judicial clerk to the U.S. Supreme Court Justice Harry A. Blackmun following her clerkship with Judge J.L. Edmondson of the U.S. Court of Appeals for the 11th Circuit. Ms. Dupre then practiced law with the Washington, D.C., firm of Shaw, Pittman, Potts & Trowbridge.

In 1994 she joined the faculty at UGA, School of Law where she was a teacher, researcher and mentor until her untimely death in June 2011. Ms. Dupre was nationally recognized as an expert in education law and policy and she published two books, numerous articles and book chapters. She also received the Blue Key Young Alumnus Award and was honored by law students with the 2011 Faculty Book Award for Excellence in Teaching.

Her husband Bill shared a story capturing his wife’s unique and spirited take on law and freedom of speech, telling of how she would bring her clarinet to a speech and would not say a word - simply play for two or three minutes, then ask her audience if she had the right to play her instrument instead of giving her speech. The tactic would always open up meaningful discussions on the topics at hand.

He also explained that she wished to be known for having a scholarship in her name to support non-traditional students at UGA.

"She brought so much to Coventry High School and had said so many times what a foundation it had given her," said Ms. Dupre's father, George.

James A. DiPrete, Principal Emeritus of Coventry High School came to CHS in the Fall of 1972 as its fourth principal. As a new principal, DiPrete worked hard to get a new bond passed to complete construction of a new building, leading to the end of the dreaded double sessions and the beginning of a "golden age for CHS".

"He was really goo with people and really good at running the school," said DiMicco. "He was just the embodiment of Coventry High School in the time he was there and he always made sure the faculty had what they needed to make certain that the students did also."

While principal, he worked to revise and strengthen the curriculum and extracurricular programs, chaired a number of NEASC visiting committees and served a term on the National Association of Student Councils. After retiring after 21 years in 1993, DiPrete served as chairperson of the RI Board of Regents for 10 years as well as numerous interim positions around Rhode Island.

He was nominated for the induction by Coventry Schools Liaison and former CHS student Mary Vandervelde, who explained that DiPrete had an immediate impact when he became principal and was completely invested with the school despite its multiple problems at the time including double sessions and jeopardized accreditation.

"James built a climate that was inclusive, positive and kind," she said. "He always made me and others feel that we were special and important."

DiPrete commented on how proud he was to be inducted alongside the other three Hall of Fame members and accepted his plaque after explaining his philosophy.

"Schools are not simply about academics," he said. "They are about the people and the kids and the further you get away from that, the further away you get from your focus."

DiMicco concluded the ceremony with a quote from Louisa May Alcott: "Far away there in the sunshine are my highest aspirations. I may not reach them, but I can look up and see their beauty, believe in them, and try to follow where they lead."

"I believe that is what tonight's inductees have done," he said.

Take a look at the attached images for individual inductee profiles and association information.
Father and son open law office in Aiken

A father-and-son attorney team who between them have nearly 50 years of experience in trial law have brought their legal skills to Aiken and opened a law office downtown.

Ken Connor and son Caleb moved to Aiken from Virginia and La Grange, Ga., respectively, in part because of the mild weather and horse enthusiasm and are ready to serve the community's needs in the areas of catastrophic personal injury, nursing home cases and business litigation, among others.

"We love Aiken, and it's nice to be back in the South," Ken said. "Aiken] is just a vibrant community."

The Connors, who also opened an Augusta office earlier this year, are joined in their practice by staff attorney Anne Moore, who is from Austin, Texas, and is a former classmate of Caleb's.

The pair always talked about going into practice together, but the timing was never right until recently. Now, both living in Aiken with their families, they have opened the Aiken office on the corner of Park Avenue and Fairfield Street and share their time between the Augusta and Aiken locations.

A major part of Ken Connor's background is in elder abuse and nursing home cases, and he has represented some high profile parties, including Erin Brockovich and Gov. Jeb Bush, who he represented as a Florida trial lawyer in the Terri Schiavo case.

He also tried a case against former Chicago Bears player Walter Payton, whom was involved as a majority owner of a nursing home in a case brought by the widow of a patient who died, alleging neglect.

"America's dirty secret is the way we fail to care for the elderly in our nursing homes," he said. "We really do have, in this country, an epidemic of nursing home abuse and neglect."

Ken Connor is a graduate of Florida State University, where he earned his undergraduate degree, as well as his law degree in 1972. He is licensed to practice in 14 states, including Georgia and most recently South Carolina, as well as Washington, D.C.

Caleb Connor is a graduate of the University of Alabama and earned his law degree from the University of Georgia in 2006.

After law school, he worked with an Augusta-based law firm and later worked in several in-house corporate roles before moving to Aiken to start Connor & Connor LLC with his father.

"It finally worked for us to join forces," Caleb Connor said.

Caleb Connor has a background in business litigation and is licensed to practice law in Georgia. He will soon take the South Carolina Bar Exam.

Moore, who earned her undergraduate degree at the University of Texas, is a 2006 graduate of the UGA School of Law.

Prior to joining Connor & Connor, Moore was a risk management consultant, working with organizations that serve children and vulnerable adults to deal with incidents of abuse.

Moore is licensed in Colorado and plans to take the Georgia Bar this summer, followed by the South Carolina Bar.

Connor & Connor LLC is located at 224 Park Ave. S.E. and can be contacted by calling 226-0543 or visiting www.theconnorfirm.com.

The firm's Augusta location is located at 507 Courthouse Lane in Augusta and can be reached by calling (706) 993-4004.

Anna Dolianitis is a reporter for the Aiken Standard. She covers the Department of Energy's Savannah River Site, as well as court and legal matters affecting Aiken County. She has been with the Aiken Standard since August 2010.
From Parts Unknown

June 5, 2012 10:00 am

by Stefan · 25 comments

...Intown Atlanta, that is.

I'm a good democrat, defined in Georgia as one who votes for republicans less than 50% of the time.

I was born in this fine state, and other than brief stints in New York and DC, I've called it my home. I went to Wake Forest (back when it was cheap), Georgia State (back before football), and University of Georgia Law school (back when it was good).

In my past I was a Capitol Hill staffer for Mary Landrieu (D-LA) and Denise Majette (remember when?) before working statewide races in Georgia for four years.

I was the Finance Director for Mark Taylor's run for Governor in 2006, a Finance Consultant to Jim Martin's Lieutenant Governor campaign in the same cycle, and in the previous cycle, I was Deputy Communications Director for Denise Majette's Senate run.

So I am used to being on the losing end of statewide campaigns. To be a Democratic Operative in Georgia, you have to stomach losing and make compromises. After 2006, I decided I was done doing both (at the same time anyway).

So I occasionally consult, and otherwise limit my involvement to fundraising. Toward that end, I am the Vice Chairman of the Civil Justice PAC, and, as of this post, a member of the Democratic Party of Georgia Finance Committee.

In my spare time, I am an Employment Attorney and play that most socialist of sports, soccer.

Other socialist endeavors in which I am secondarily involved include urban planning, transportation, and complaining.

I am a longtime reader and commenter on this site and I am very excited to be more involved.

Should you enjoy following people on the twitter, I can be found at @StefanTurk.
Candidates for two open Athens-Clarke Commission seats agree that jobs are the top issue in the county, but they have different ideas for how to create those jobs.

The candidates — Allison Wright and David Ellison in District 4 and Ron Winders and Jerry NeSmith in District 6 — offered few stark differences at a Federation of Neighborhoods forum Monday night.

Ellison, a lawyer who lives in Five Points, and NeSmith, a western Clarke County resident who works at the University of Georgia, raised fears that competition from commercial development in Oconee County will hurt Athens businesses.

Retailers are opening in Oconee County because taxes are lower and the permitting process is easier, Ellison said. He serves on the county hearings board, which decides whether to grant developers zoning code variances, and said he wants to streamline the planning process while protecting Athens’ unique character.

“Everyone seems to have a story about Athens-Clarke County and how they’re difficult to work with,” he said.

A new shopping center under construction in Oconee County will “devastate” retailers on Atlanta Highway, said NeSmith, a county planning commissioner. But more development is headed for
Bogart, he said.

“The Caterpillar plant is going to put development pressure on us that we can’t forsee,” NeSmith said. “We must prepare for that.”

The commission should remove barriers to business but also commit to following its land-use plan, he said.

Winders, a business consultant who lives near Georgia Square Mall, agreed that development in Oconee County is threatening Athens' retail base. He said he would like to attract life-sciences companies to empty big boxes on Atlanta Highway.

Poverty is his top issue, he said, and jobs are the only way to alleviate it.

“Caterpillar is a great feather in the cap for this community, but it is by no means the end,” he said. “It should be the beginning.”

Wright said the commission should focus on keeping and expanding existing businesses. She would encourage economic development by expanding the Athens Transit bus system, she said.

“It could become self-sufficient if we could get people to jobs, not just shopping,” she said.

Wright, a two-term member of the Clarke County Board of Education, and NeSmith, who has served nine years on the planning commission, cast themselves as experienced leaders who will fit in with the current commission and can do the job from Day 1. Winders, a political newcomer, and Ellison, a recent UGA law school graduate, said they'll bring unique backgrounds and fresh ideas to the commission.

On the county budget, Wright called for zero-based budgeting, requiring department heads to justify all their spending every year, a process officials have said would cost more than taxpayers would save. Ellison said he would trim SPLOST projects, and Winders and NeSmith said they can’t say what they’d cut until they’re elected and get a closer look at spending.
On transportation, Ellison said he wouldn’t support bicycle lanes along busy roads like Prince Avenue because they’re unsafe and could push car traffic into neighborhoods. Winders said he supports alternative transportation but wouldn’t divert road funding to pay for it. NeSmith and Wright said they would shift money from roads to sidewalks and bike lanes.

None of the candidates would commit to allowing residents to raise backyard chickens, although none entirely dismissed the idea.

All four also dodged a question about Selig Enterprises’ proposed downtown development anchored by Walmart, saying they’d reserve judgement until plans are filed.
Your late jolt: Examining the Achilles' heels of 12th District GOP candidates

11:53 am June 5, 2012, by jgalloway


There was widespread agreement on the major issues. All four pledged to support federal financing for the dredging of the Port of Savannah. All four pledged to vote against any further increase in the federal debt ceiling – which is likely to become the first issue facing the White House next January.

But each of the four – businessman Rick Allen of Augusta; state Rep. Lee Anderson of Grove City; Wright McLeod of Augusta; and Maria Sheffield of Dublin, Ga. – were asked by a quartet of panelists to address a personal Achilles' heel:

Vidalia Tea Party chief Jim Anderson asked Lee Anderson to explain his vote, as a member of the General Assembly, to put a transportation sales tax on the July 31 ballot:

Lee Anderson: “What I voted on was to let the people have the freedom of choice to decide whether they wanted to have it or not.”

Jim Anderson: “But there are penalties in there to force you to vote for this tax increase.”

Lee Anderson: “Again, I say, I voted for it to let the people have their freedom. At the same time, if we deepen the Port, the harbor at Savannah, then we will need good and solid roads.”

Yours truly asked Maria Sheffield, only recently a fellow Cobb County resident, how she could paint Barrow as a stranger to a newly redrawn 12th Congressional District when she herself is something of a newcomer. Said Sheffield:

“I certainly don’t consider myself new to the area. When you are born and raised in middle Georgia, you have a family that goes back for five generations – I’ve worked in the Republican party, the grassroots of this party, since I was 15 years old. During that time, I have voted in – part of it not through moving, but the Legislature and the courts – I have voted in the 8th, the 10th, the 11th and 13th congressional districts.”

Then there were the two candidates with Democratic pasts.

Charlie Harper, editor of PeachPundit.com, asked Allen about a $1,000 check he wrote to Democrat Champ Walker, son of former Senate majority leader Charles Walker, for his 2002 congressional campaign against Republican Max Burns. Said Allen:

“We built Champ a church. Champ asked me to contribute to his campaign. And it was one of the biggest mistakes I ever made in my life. Yes, I do regret it, terribly. I paid a heavy price – and I assure you that will never happen again. But there’s a silver lining in every cloud. Champ was the worst candidate to come out of a Democratic primary.... As soon as I saw what Champ was doing, I was on Max Burns’ team.”

Elliot Echols, a Young Republican from Rome, Ga., asked McLeod about his decision to vote in the 2008 Democratic presidential primary:

“I voted for Bill Richardson in the presidential primary, in the Democratic race. I voted against [Barack Obama] then, I voted against him in the general election, and I’m going to vote against him in this next election. I’m in Richmond County, I’m in a Democratic county, I’m in a liberal county. That was the best of the evils. I don’t apologize for it. I wish my thought process were wrong.”

(The Rick Allen campaign says no votes for Richardson were recorded in McLeod’s precinct in 2008, but we have not checked this ourselves.)

Later in the program, Allen attacked McLeod for giving $7,100 to Rob Teilhet, an unsuccessful candidate for the 2010 Democratic nomination for attorney general. McLeod's wife, Sheri, gave Teilhet $3,600.

After his Navy service, McLeod explained, he packed up the family and enrolled at the UGA School of Law in Athens. Still burdened with reservist duties, McLeod said he wouldn’t have graduated without Teilhet's help.

The campaign contribution was simply a personal debt repaid, he said. It would help McLeod’s explanation if he could show that the favor
Your late Jolt: Examining the Achilles' heels of 12th District GOP ca... has been returned - say, a campaign contribution from the former Democratic candidate. That hasn't happened yet.

The results from a straw poll conducted afterwards: McLeod, 55; Sheffield, 32; Anderson, 11; and Allen, 4.

One last note: In the audience of the Toombs/Montgomery GOP forum was a very relaxed state Sen. Tommie Williams, who only a day before had announced that he wouldn't seek another term as the Senate president pro tem.

...

Just in case you didn't think that U.S. Rep. Tom Price, R-Roswell, qualified as a wild and crazy guy, consider this excerpt from a Q&A on Townhall.com:

> What pop culture souvenir do you own that people would be surprised to learn that you cherish?
>
> Price: It's a tie between the program of the seventh game of the 1968 World Series between the Detroit Tigers and the St. Louis Cardinals that I attended; or a ticket to a Jimi Hendrix concert I attended in 1969.

Who knew they made tie-dyed T-shirts with button-down collars?

...

The AJC's Politifact Georgia today takes a look at an accusation from Republican challenger Pam Davidson that state Public Service Commissioner Stan Wise receives "about 95 percent" of his campaign contributions from utilities that he helps regulate.

- By Jim Galloway, Political Insider

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Atty Wright McLeod (R) said he voted in GA's '08 Dem primary for ex-NM Gov. Bill Richardson (D). However, Richardson "didn't receive any votes in the precinct where McLeod was registered to vote. The registration was confirmed by the Richmond Co Board of Elections and vote totals for the precinct" are from the GA Sec/State office.

Richardson received just 0.2% of the vote in GA, "probably because he'd quit the presidential race more than three weeks earlier."

"On the same day, McLeod could have instead voted in the GOP primary a tight three-way race" won by ex-AR Gov. Mike Huckabee (R).

Businessman Rick Allen (R) mgr Scott Paradise, "accused" McLeod of "defending his vote in the 2008 Democratic presidential primary with a fib."

Paradise: "Wright McLeod continues to prove to Georgians that he will do or say anything to get elected, by breaking laws that every other Georgian has to follow."

Atty Maria Sheffield (R): "I think Mr. McLeod will continue to explain himself ... on this issue ... I'm going to focus on beating John Barrow, and on veterans and Obamacare and regulations that are hurting farmers and small businesses" (Peterson, Savannah Morning News, 6/6).

Kryptonite

The four GOP candidates "gathered" at a 6/4 forum at Southeastern Technical College.

"There was widespread agreement on the major issues. All four pledged to support federal financing for the dredging of the Port of Savannah. All four pledged to vote against any further increase in the federal debt ceiling."

But each of the four - Allen, state Rep. Lee Anderson (R), McLeod and Sheffield "were asked by a quartet of panelists to address a personal Achilles' heel"

Anderson, when asked about a vote he made as in the General Assembly to put a transportation sales tax on the 7/31 ballot: "What I voted on was to let the people have the freedom of choice to decide whether they wanted to have it or not."

Vidalia Tea Party head Jim Anderson: "But there are penalties in there to force you to vote for this tax increase."

L. Anderson: "Again, I say, I voted for it to let the people have their freedom. At the same time, if we deepen the Port, the harbor at Savannah, then we will need good and solid roads."

Sheffield, on how she can accuse Rep. John Barrow (D) of being a stranger in the district when she just moved there: "I certainly don't consider myself new to the area. When you are born and raised in middle Georgia, you have a family
that goes back for five generations - I've worked in the Republican party, the
grassroots of this party, since I was 15 years old. During that time, I have
voted in - part of it not through moving, but the Legislature and the courts - I
have voted in the 8th, the 10th, the 11th and 13th congressional districts."

Then there were the two candidates with Democratic pasts.

Allen, on how he donated $1K to '02 nominee Champ Walker (D): "We built Champ
a church. Champ asked me to contribute to his campaign. And it was one of the
biggest mistakes I ever made in my life. Yes, I do regret it, terribly. I paid a
heavy price - and I assure you that will never happen again. But there's a
silver lining in every cloud. Champ was the worst candidate to come out of a
Democratic primary. As soon as I saw what Champ was doing, I was on [ex-Rep] Max
Burns' (R) team."

McLeod: "I voted for Bill Richardson in the presidential primary, in the
Democratic race. I voted against [Barack Obama] then, I voted against him in the
general election, and I'm going to vote against him in this next election. I'm
in Richmond County, I'm in a Democratic county, I'm in a liberal county. That
was the best of the evils. I don't apologize for it. I wish my thought process
were wrong."

McLeod also explained his donation to '10 AG candidate Rob Teilhet (D).

"After his Navy service, McLeod explained, he packed up the family and
enrolled at the UGA School of Law in Athens. Still burdened with reservist
duties, McLeod said he wouldn't have graduated without Teilhet's help." The camp
contribution "was simply a personal debt repaid, he said. It would help McLeod's
explanation if he could show that the favor has been returned."

"The results from a straw poll conducted afterwards: McLeod, 55; Sheffield,
32; Anderson, 11; and Allen, 4" (Galloway, Atlanta Journal Constitution, 6/5).
State Bar Annual Meeting, Savannah Photos by John Disney

From left, Rarely Evans, Georgia Supreme Court Presiding Justice Carol W. Hunstein, Daily Report editor in chief Ed Bean, and Fulton Superior Court Judge Craig L. Schwall.

Jonathan Perrelli, president-elect of the bar's Young Lawyers Division, presents the Ethics and Professionalism Award to Ivey Castle, right.

Sherly Barnes, left, with Georgia State University College of Law Dean Steven Kimmey.

Robin Frazier Clark is installed Saturday night as the State Bar center, watches as Chief Justice George H. Carley of the

Georgia Supreme Court Chief Justice George H. Carley, lawyer division, admires a caricature of Carley during the

Outgoing state bar President Ken Sibley, left, and Georgia Supreme Court Justice Hugh P. Thompson at the USA alumni reception.

From left, Cobb County Superior Court Judge J. Stephen Schwall, Court of Appeals Judge Christopher J. McFadden, and Douglas Circuit Judge David T. Emerson.
From left, Randy Evans, Georgia Supreme Court Presiding Justice Carol W. Hunstein, Oaily Reporter editor in chief Ed Bean, and Fulton Superior Court Judge Craig L. Schwall.

Georgia Supreme Court Clerk Theresa "Tee" Barnes, chief deputy clerk Tia Chandra Milton and Presiding Justice Carol W. Hunstein at the Young Lawyers Division dinner.

From left, Leigh Anne Landle, Robert Hicks, Rachel Wilson, Stephanie Powell and Lamar Baxemere Jr. at the Mercer Law School alumni reception.

University of Georgia law professor Paul Kurtz and Joel Wooten received UGA Law School Association Distinguished Service Scroll Awards during the bar meeting.

Emory University Law School Dean Robert Schapiro speaks during the Emory alumni breakfast on Saturday morning.
Stephanie Joy Kunian, outgoing president of the Young Lawyers Division, with inclusive Leadership Award recipient Donna Barwick, right.

Jane, president of the bar's Young n dinner Friday night.

Leah Ward Sears, former chief justice of the Georgia Supreme Court, and her husband, Haskell Ward.

Senior Court Judge Mary E. Staley, left, ally Ruffin at the Mercer School of Law.

 Winners of the state bar golf tourney are, from left, Hansell Roddenberry, Samuel Matchett, Charles Tanksley and William Barwick.

Winners of the state bar golf tourney are, from left, Hansell Roddenberry, Samuel Matchett, Charles Tanksley and William Barwick.

Office Justice Robert Benham, Nell Benham, UGA Law Dean Rebecca White, Morehouse School of Medicine's Santhia Curtis and UGA Law School Alumni Association President J. Tom Morgan.

Henry Walker IV received the Ross Adams Award during the Young Lawyers Division dinner on Friday.
Saturday night was the 50th president, George H. Carley, administered the oath of office.

Justice George H. Carley and Stephanie Joy Kirijan, president of the Young Lawyer Division dinner Friday night.

Former Governor Roy Barnes, left, and Jim Butler attended the Distinguished Service Scroll Award breakfast.

Stephanie Joy Kirijan, outgoing president of the Young Lawyer Division, left, with the Leadership Award recipient Donna Barwick, right.

Leah Ward Sears, former chief justice of the Georgia Supreme Court, and her husband, Haskell Ward.

State bar tennis tournament participants are, from left, Dale Brown, Taylor Baldwin, Caroline Brasher, Southwest District Superior Court Judge R. Rucker Smith, Margaret Washburn, Kim Burroughs, Dee Dee Worley, and Jennifer Davis.

Winners of the state bar golf tournament, from left, Hansell Roddenberry, Samuel Matchett, Charles Tankersley, and William Barwick.
The state Supreme Court on Tuesday heard yet another challenge to the part of the 2005 tort reform package that requires juries to apportion liability in civil cases among all who may have harmed the plaintiffs — even among those alleged wrongdoers who aren't defendants and can't pay damages.

In the ruling that was before the court on Tuesday, DeKalb State Court Judge Alvin Wong said the apportionment statute was so sloppily drafted that it violated the state Constitution. The ruling potentially applies to all tort cases, not just the premises liability matters that have been the battlefields for much of the recent litigation over apportionment.

The lawyer who secured the ruling by Wong, Atlanta plaintiffs attorney Andrew Rogers, on Tuesday faced persistent questioning from Justices Harold Melton and David Nahmias, while the other justices were largely silent. Tuesday's argument marked the second time this year that Rogers has challenged the statute at the high court. In March, he argued another case, Couch v. Red Roof Inns, that tests whether the apportionment rule should apply to premises liability cases in particular. That case reached the state high court in the form of certified questions about Georgia law by a federal district court judge.

Appearing for the defense on Tuesday, Hawkins Parnell Thackston & Young attorney David Marshall said the case was broader than Couch, with greater ramifications for tort law. If the high court affirms Wong's ruling, Marshall told the justices, "it will be an abolishment of apportionment, which the Legislature clearly intended."

In contrast to Marshall's insistence that the issue before the court was a broad one, Rogers focused on an argument that has seen some success in the state trial courts, even if it wasn't the one on which he won before Wong: that mandatory apportionment doesn't make sense in the context of premises liability cases sparked by criminal assaults.

Rogers' client in the case argued Tuesday is Terence L.D. Medina, who was shot in the leg at an apartment complex managed by GFI Management Services. The police didn't find the assailant, and Medina sued GFI.

Medina filed a motion asking Wong to preclude any apportionment of damages to the assailant. Ruling on that motion, Wong rejected some of the constitutional challenges to the apportionment law that have been raised in other cases, such as those made on grounds of right to trial by jury.

But Wong said he still had a problem with the statute, finding it so unconstitutionally vague such that it deprives people of due process and equal protection. As Wong saw it, the 2005 legislation, known as Senate Bill 3, made only minor changes to O.C.G.A. § 51-12-31, which had allowed, but did not require, a jury to allocate damages among several defendants and generally permitted joint and several liability.

He noted that legislators placed the new mandatory apportionment rule in § 51-12-33, which previously permitted apportionment in multidefendant cases when plaintiffs were also to some degree responsible for their own injuries.
The DeKalb judge said the Legislature thus inexplicably made apportionment under sections 33 (a) and (b) mandatory with the use of the word "shall" but left apportionment discretionary under section 31 by keeping the word "may." On the one hand, Wong concluded, there’s no rational basis to justify applying mandatory apportionment only if the plaintiff is at fault. On the other hand, wrote Wong, if mandatory apportionment applies regardless of whether the plaintiff is at fault, then § 51-12-31 is meaningless.

The property management company appealed before trial, leading to Tuesday’s argument. Marshall, the company’s attorney, told the justices that Wong’s 12-page order was well thought out. "He got it right for about seven pages," said Marshall, noting the plaintiffs arguments that Wong had rejected.

Nahmias questioned whether those aspects of Wong’s ruling could be reviewed by the court, noting the plaintiff had filed no cross appeal. Chief Justice George Carley wondered whether the court might nonetheless consider those points given the rule that says a ruling can be affirmed if it is right for any reason.

Wong would have ruled for the defense altogether, Marshall suggested, if he had the benefit of a March 2012 decision of the state high court, McReynolds v. Krebs, issued after Wong entered his order. The implications of that decision aren’t entirely clear; it involved a complicated fight over a car accident defendant’s ability to reduce her obligations to the plaintiff by pointing to a settlement between the plaintiff and a car manufacturer. But the high court in McReynolds disappointed plaintiffs lawyers who had hoped the court would decide the state Legislature hadn’t really abolished joint and several liability and expanded the applicability of apportionment in 2005.

On Tuesday, Marshall said the high court would have to overturn McReynolds in order to affirm Wong’s ruling.

Marshall said Wong was wrong to say § 51-12-31 and § 51-12-33 were irreconcilable, noting that § 51-12-31 begins with the phrase "[e]xcept as provided in Code Section 51-12-33."

"While many commentators want to criticize the Legislature for lack of clarity," said Marshall, "how can you be more clear?"

Rogers, the plaintiffs lawyer, began his argument by referencing amicus briefs — largely supportive of his side — that had been filed by the Crime Victims Advocacy Council, the Georgia Network to End Sexual Assault, the DeKalb Rape Crisis Center, University of Georgia law professors Thomas Eaton and Michael Wells, and Athens attorney Edward Tolley.

He argued that in premises liability cases brought under various Georgia statutes, a plaintiff would need to convince a jury both that the assault was foreseeable and that it was not a superseding, intervening cause of the plaintiff’s injury. He said the new apportionment law was "in hopeless conflict" with those statutes, enacted to require a person or entity to protect people from harm by others.

But Nahmias noted that other states ask juries to apportion damages in the premises liability context. "If it’s hopeless, if you can’t do it, how do those states do it?” he asked.

"They have statutes that are written differently from ours," Rogers replied.

Melton questioned Rogers’ argument that it’s absurd to apportion liability in premises attack cases: “That’s a policy analysis, right?”

Nahmias added that apportionment doesn’t change a landowner’s duty, just the percentage of a plaintiff’s damages for which the landowner will be responsible. "Your view is that it has to be 100 percent," Nahmias told Rogers.

Rogers went on to point out that in Atlanta Oculoplastic Surgery v. Nestlehutt, the justices struck down caps on noneconomic damages in medical malpractice cases, another part of the 2005 legislative package. The court killed the caps, Rogers said, because they harmed, rather than protected, citizens.

Nahmias jumped on the lawyer’s conclusion, saying the court instead struck the caps down because they were unconstitutional under the right to trial by jury. "Is there anything in Nestlehutt that says we think it’s a bad idea?” Nahmias asked.

"No, I don’t know that there’s any Supreme Court case that says ‘we think it’s a bad idea,’” Rogers replied.

The case heard Tuesday is GFI Management Services v. Medina, No. S12A1228.

Associated Videos:

- David Marshall for the Appellant in oral arguments before the GSC
- Andy Rogers for the Appellee in oral arguments before the GSC

6/8/2012 3:09 PM
Joe DeGaetano Will Bring Honest Work Ethic To Judgeship

Thursday, June 07, 2012

We have known Joe DeGaetano and his parents since we moved to Hixson in 1986. We have proudly watched Joe progress from elementary school through Notre Dame High School and to Vanderbilt University where he graduated magna cum laude. He then worked hard to put himself through the University of Georgia Law School where he graduated second in his class. All through these years, no matter how many varied honors he achieved, Joe has always remained the same honest, hardworking, caring and respectful person we have always known.

Joe now has his own law firm in Chattanooga, and along with his delightful, community-involved wife, Heather, they are raising their daughter with their same family-based values.

Please join us in voting for Joe DeGaetano for Hamilton County Sessions Court Judge.

We are confident that he will give our community the gift of his values, compassion and respect for others, along with the dedicated, honest work ethic he will bring to this position.

Dick & Judy Smith
Hixson
Opinion

Welch Is Right Choice For District 2

Dr. Jonathan Welch is the right choice for the Hamilton County Board of Education, District 2. Having grown up with Jonathan playing little league baseball, we remain friends today; he's also my dentist and we recently finished another baseball season, this time as coaches. I am supporting Jonathan Welch due to his authenticity, character, and desire to serve. What you see is ... (click for more)

There Is Greatness In All Youth

There are lots of positive things going on in poor/ and minority poor communities we never hear about. Somewhere, in our society, we have mistakenly come to equate money and wealth with being good of character and values, and the poor as being bad, with no scruples, no character or having no value system in tact, and therefore deserve whatever negative image bestowed upon them. ... (click for more)

Discrepancy Problems In The Assessor’s Office

Why You Should Vote For Mike Helton For Sheriff

Where Were Al And Jesse? - And Response

What’s It Going To Take To Fix Igou Gap Road? - And Response

Breaking News

Police Answering Burglary Call Find 39-Year-Old Man Shot In East Chattanooga; Teen Also Shot

Officers answering a burglary call in East Chattanooga found a 39-year-old man seriously injured with a gunshot wound. He was rushed to a local hospital and is in critical condition. The location of the early afternoon incident is 3004 Pope Dr. At the same time, police were advised that a 17-year-old had shown up at a different hospital with a non-life threatening gunshot ... (click for more)

Soddy Daisy Commissioners Delay Action On Garbage Contract

Soddy Daisy’s waste services contract was a major topic for discussion at Thursday night’s meeting of the Soddy-Daisy Commission. The bids were opened on May 6 with the lowest submitted by Waste Connection, which is the same company that has been providing garbage service to the city for the last nine years. It is now up to the commissioners to accept or deny the bid and ... (click for more)

Small Fire Forces Partial Evacuation At Erlanger Hospital

Dade County Arrest Report For June 1-7

Latest County Jail Booking Reports

Beer Board Referees “Cat Fight” At Scully’s Bar

Sports

Kraig Campbell Hired As New Red Bank Girls Basketball Coach

Kraig Campbell has been hired to succeed Brandon Crews as the girls basketball coach at Red Bank High School. Crews recently resigned to take a job in Alabama. Campbell has coached basketball for eight years and has been a TSSAA basketball official for 11 years. I began my basketball coaching career at Tyner High School in 1995 working as the assistant boys coach ... (click for more)

UTC Women’s Tennis Has 9th Best Recruiting Class

Led by 2011 Alabama state champion Kelsey Coots (Huntsville HS) and Kayla Jones (White Station HS), ranked No.3 in Tennessee, the Tennessee at Chattanooga women’s tennis program is listed ninth among 25 “Mid-Major” schools for the 2012 recruiting class by Tennisrecruiting.net. Coots is ranked No.1 in Alabama in 18s (21 in the South, 77 in the nation) and ... (click for more)

Racquets on the Riverwalk

Montgomery Nips Lookouts In Close Game, 1-0

Five Flames Taken In MLB Draft

Fairyland Flash Shocks Stuart Heights In Swim-League Thriller, 376-375

2 of 3

http://www.chattanoogan.com/2012/6/7/227837/Joe-DeGaetano-Wil...
Happenings
Missionary Ridge Local Is Fun For Railfans Of All Ages
Street Closings Announced For Bessie Smith Strut
Jen Jeffrey: Come Fly With Me
Bonsai Exhibit And Demonstration Set For June 23-24
Weekly Road Construction Report
All Happenings Articles

Business
Supreme Court Rules On Workers' Compensation Claim Due To PTSD Diagnosis
Corker Introduces Bill To Encourage More Global Investment In U.S. & Tennessee
All Business Articles

Dining
Taco Mamacita's - "Simon Sez"
Restaurants Open On Frazier Avenue At Former Site Of American Cafe At Hamilton Place
Downtown Chattanooga Gets A Sweet Flavor, Fork & Pie Bar
St. Elmo Deli & Grill Open For Business At The Foot Of Lookout Mountain
Bar Louise Set To Open June 11
All Dining Articles

Real Estate
Walldorf Property Management Appoints New Director For Condominium & Homeowner Association Management
Retired Chattanoogan Becomes First-time Homeowner
All Real Estate Articles

Student Scene
GNTC Law Enforcement Academy Graduation Is June 14
Angela Lawson Named Principal At Michigan Avenue Elementary School In Bradley County
Westmore, GOAL Academy "Reach With Care" In Bradley County
All Student Scene Articles

Church
Summer Children's Church At Rivermont Presbyterian
Vacation Bible School At Signal Mountain Presbyterian
All Church Articles

Outdoors
City's Bike Chattanooga Bicycle Transit System Begins Beta Testing Friday
New National Wildlife Refuge Proposed To Protect Some Of Appalachia's Rarest Places
All Outdoors Articles

Memories
Antique Typewriter Exhibit at Chattooga Academy
History Center to Preview New Exhibit through Lecture Series
All Memories Articles
Attorney James Pannell cited for professionalism, integrity

Posted: June 9, 2012 - 12:50am

By Ian Skutch

Savannah attorney James “Jim” Pannell comes from a family of lawyers and judges and an even greater family of mentors in fellow attorneys since he started practicing law in 1974.

His colleagues in the Savannah Bar Association Thursday night named Pannell the 2012 winner of the Frank Cheatham Professionalism Award, named after the late Chatham County Superior Court Judge Frank S. Cheatham Jr.

“It was actually a total surprise,” Pannell, 63, said Friday, adding that of course his wife, Karen, already knew. “I kind of feel like doing this bond work I don’t know anybody anymore.”

The award, presented during the bar’s annual cocktail party at the Savannah History Museum, has gone to some of the city’s top attorneys since 2000, all recognized for their integrity in the practice.

“Jim is the consummate professional,” attorney Paul W. Painter Jr., who introduced Pannell Thursday night, said Friday. “He treats everyone from the highest ranking judge to the lowest staff member with courtesy and dignity.”

While Cheatham was considered “the judge’s judge who had a very broad range of legal knowledge, Jim is a lawyer’s lawyer who over the years has been at home in the courtroom, the board room and the record room,” Painter said, calling Pannell one of the dying breed of general practitioners.

Pannell, who specializes in bond work with attorney Tom Gray, said his practice has been guided by attorneys whose own practices have been marked by integrity and honesty.

“You tend to practice like your mentors,” he said, naming among others Gray, Bill Franklin, and the late Ed Maner and Joe Oliver. “I was very fortunate to have good role models.”

Pannell joined the Oliver Maner & Gray law firm after earning his law degree from the University of Georgia law school and remained there until he and Gray left in 2008 to go on their own as Gray & Pannell, now Gray Pannell & Woodward.

His career seems to have been cast at birth; his father was the late Charles Pannell, a Georgia Court of Appeals judge. His brother, Charles Pannell Jr., is a federal judge in Atlanta, and another brother, Bill, is an Atlanta attorney. His son, Jon, practices with Gray and Pannell here.

“There ain’t much originality in the family,” he said.

Even his law school produced bonds that following him in his professional career.

His legal writing class included Painter and Carl Pedigo, who were taught by then-law student, now U.S. Bankruptcy Judge, Lamar Davis Jr.

Pannell followed Gray to Savannah where the others also practice.

Pannell said he and Cheatham have commonality. Both were “double dogs” — graduating from the University of Georgia and its law school. Cheatham was president of his senior class; Pannell president of the student senate. Both served in the Georgia legislature, were long-time members and leaders of Wesley Monumental United Methodist Church and held leadership roles with the YMCA of Coastal Georgia board of directors.

And both are former presidents of the Savannah Bar Association.

“I respected (Cheatham) greatly, so winning this award is very important to me,” Pannell said.
Young to speak at annual tribute

BY W. WINSTON SKINNER

winston@newnan.com

Ambassador Andrew Young will be the speaker for the annual Atkinson-Arnall Tribute on June 23 in Newnan.

Young, now 80, was a Civil Rights activist and a protege of Dr. Martin Luther King Jr. Young has served in Congress, as mayor of Atlanta and as U.S. ambassador to the United Nations.

The Atkinson-Arnall Tribute is sponsored each year by the Coweta County Democratic Party. The event honors the two Georgia governors from Coweta County, William Yates Atkinson and Ellis Gibbs Arnall.

This year's Atkinson-Arnall gathering will be June 23 at 6:30 p.m. at Something Special Events Center, 83 Greenville St. Tickets are $50 each and are available from any Coweta County Democratic Committee officer or committee member.

Ticket information can also be obtained by contacting Morris Steward at msteward@melvillejohnson.com or Dee Crouch at deecrouch@deecrouchlaw.com.

A native of New Orleans, Young is a longtime resident of Atlanta. He is a founding principal and co-chairman of GoodWorks International.

He attended Dillard University and holds a bachelor of science degree from Howard University and a bachelor of divinity degree from Hartford Theological Seminary. Ordained by the United Church of Christ, Young served as a pastor in Marion, Ala., and in Thomasville and Beachton in Georgia.

Young worked for four years with the National Council of Churches and served as executive director and executive vice president of the Southern Christian Leadership Conference. He was chairman of the Atlanta Community Relations Commission from 1970-1972.

He was elected to three terms in Congress before resigning in 1977 to become the U.S. representative to the United Nations. He served in that post for more than two years.

Young served as mayor of Atlanta from 1982-1990. He sought nomination as governor of Georgia in 1990.

Young was co-chairman of the Atlanta Committee for the Olympic Games. In 1994, Young was appointed by Pres. Bill Clinton as chairman of the $100 million Southern Africa Enterprise Development Fund.
Last year, South Africa's president, Jacob Zuma, honored presented Young with the Order of the Companions of O.R. Tambo Award.

Both Atkinson and Arnall were progressive Democrats. Atkinson's wife, particularly, had strong political instincts and helped her husband - when he was in the legislature - get the votes to pass a bill creating the Georgia State College for Women.

Atkinson and Arnall both were governors during the era of the "Solid South" when Democrats held virtually every elective office in Georgia and nearby states. Both had interests in education, legislature reform and economic development.

A native of Meriwether County, Atkinson grew up on his family's farm and graduated from the University of Georgia Law School in 1877. He opened a law practice in Newnan the following year.

He was soon appointed county court solicitor and then rose through the ranks of Georgia's Democratic party. Atkinson was president of the state Democratic convention in 1890 and served four terms in the legislature. His wife, Susan "Susie" Cobb Milton Atkinson, was the granddaughter of John Milton, the governor of Florida during the Civil War.

Atkinson was elected governor and re-elected two years later. While he was in office, the legislature passed an anti-trust bill, a commission was formed to select textbooks for school, and election legislation was reformed. He appointed a commission to study conditions in the state's prisons.

Atkinson also sought to establish the office of lieutenant governor and to pass anti-lynching legislation, but those goals remained for later politicians to fulfill.

The Atkinsons' youngest child, Georgia, was the only child of a Georgia governor to be born in the Governor's Mansion.

Atkinson left office in 1898. The next year he underwent an appendectomy, then a new medical procedure. He survived the operation, but died at age 44 on Aug. 8, 1899. His widow remained in Newnan where she ran an insurance agency and later served as postmaster.

Arnall was born in the house where Leslie and Carol Toole now reside on Wesley Street. His Arnall grandparents lived nearby in the home where Bob and Georgia Shapiro live today.

He grew up among cousins and friends in Newnan and was quarterback on the Newnan High School team.

Arnall attended Mercer University briefly, and matriculated at the University of the South where he majored in Greek. He then earned a law degree at the University of Georgia.

Upon completing his education, he returned to his hometown where he began practicing law, joined the Newnan Civitan Club and got involved in politics. In 1932, he won a seat in the General Assembly. When he was only 31, he became Georgia's youngest attorney general.

Arnall's years as governor from 1943-1947 were significant. He appointed a new board of regents for the state's universities and set up a system to protect the colleges from political manipulation.
Arnall worked to upgrade and modernize the penal system and undertook a thorough reworking of the Georgia Constitution. Under this leadership, Georgia became the first state in the nation to lower the voting age to 18 and the fourth in the South to abolish the poll tax.

You make the call for the Georgia Supreme Court

Alyson M. Palmer
Daily Report
06-11-2012

While Governor Nathan Deal mulls over the seven finalists for an open seat on the Supreme Court of Georgia, Daily Report readers can check out his options online.

Readers here can examine the Judicial Nominating Commission's application packets - including recommendation letters received by the JNC - for each finalist.

Each candidate's name will take you to their nomination packet. Or you will find a list of the seven finalists' packets at the bottom of the page.

Most of the shortlisters are well-known quantities, but the packets still contain some interesting tidbits.

DeKalb County Superior Court Chief Judge Cynthia "C.J." Becker, born at the Air Force Base at Cape Canaveral, Fla., notes that she was enrolled in ROTC during her junior and senior years at the University of Central Florida but didn't accept a military commission. She worked in law offices for several years before enrolling in law school at Georgia State University. She acknowledges being the subject of six complaints with the Judicial Qualifications Commission, all of which she says have been dismissed.

Court of Appeals Judge Keith Blackwell notes that he finished first in both his undergraduate and law school classes at the University of Georgia, which he attended on full scholarships. Asked about some of the most significant legal matters that he's handled, he lists two cases in which his positions on a divided Court of Appeals were adopted by the state Supreme Court in unanimous decisions: one case about police searches of cellphones, in which he wrote a majority opinion that sided with police, and another in which he wrote a dissent siding with the state Department of Community Health in a dispute with the Georgia Society of Ambulatory Surgery Centers.

Smith, Gambrell & Russell partner Elizabeth "Lisa" Branch was an editor on the Emory Law Journal and clerked for U.S. District Judge Owen Forrester. She's a member of the National Rifle Association and the Republican National Lawyers Association.

Like Blackwell, finalist Michael Brown clerked for Judge J.L. Edmondson for the U.S. Court of Appeals for the Eleventh Circuit, the same judge for whom Deal's executive counsel, Ryan Teague, clerked. Now co-chair of Alston & Bird's government investigations and special matters section, Brown says he expects to be lead defense counsel for former DeKalb County Schools Superintendent Crawford Lewis in a corruption case scheduled to be
tried before Becker later this year.

Gwinnett County Superior Court Judge William "Billy" Ray II was a state senator from 1997 to 2002. He says that due to a drafting error, a 1997 bill that he sponsored expanding a property tax exemption for senior citizens in Gwinnett required a special election rather than a vote at a regularly scheduled election. To save the cost of a special election, he says, he filed a lawsuit to delay the vote.

Macon Circuit Superior Court Judge Tilman "Tripp" Self III is a graduate of The Citadel who did a military tour of duty along the North Korean border in the 1990s. He's an NCAA football umpire in the Southern Conference and was home plate umpire for the 2003 Junior League World Series Championship game between California and Panama. The Daily Report named him to its 2007 list of lawyers under 40 who are "On the Rise."

Henry County State Court Chief Judge Benjamin Studdard III created and maintains an online treatise on developments in Georgia criminal law. He plays the tenor saxophone and once appeared on Jeopardy.

The list:
- Cynthia "C.J." Becker
- Keith Blackwell
- Elizabeth "Lisa" Branch
- Michael Brown
- William "Billy" Ray II
- Tilman "Tripp" Self III
- Benjamin Studdard III

Note for Adobe users: Rotate the PDF to the correct position by choosing Rotate View in the View pulldown menu. Or if you're on a PC, right-click into the document to rotate.
Two law faculty named to endowed professorships

By Heidi Murphy
hmurphy@uga.edu

Two School of Law faculty members have been awarded endowed professorships. Lori A. Ringhand has been named a J. Alton Hosch Professor of Law, while Peter B. "Bo" Rutledge has been named to the Herman E. Talmadge Chair of Law.

Ringhand joined the Georgia Law faculty in fall 2008. She teaches courses on constitutional law, election law, and state and local government. Her research focuses on empirical work regarding the voting patterns and practices of U.S. Supreme Court justices, and she is currently writing a book about the Supreme Court confirmation process. Her work has been published in journals such as the University of Pennsylvania Journal of Constitutional Law, Constitutional Commentary, the Columbia Journal of Transnational Law and the Oxford Journal of Legal Studies.

Ringhand was recently recognized for her scholarship by the Southern Political Science Association with its 2012 Neal Tate Award, an honor for outstanding papers in judicial politics.

Rutledge also joined Georgia Law in 2008. His teaching and research interests include international dispute resolution, arbitration, international business transactions and the Supreme Court. He is the author of the forthcoming book Arbitration and the Constitution and co-author of International Civil Litigation in the United States. He has published books and book chapters with the Yale University Press, the Oxford University Press and the Cambridge University Press.

Rutledge regularly files briefs and advises lawyers in matters before the Supreme Court and lower courts. He previously served as an associate professor of law at the Catholic University of America and was a Fulbright Visiting Professor at the University of Vienna School of Law from 2010-2011. He has lectured at universities around the world including Oxford, Cambridge, the London School of Economics, Mainz, Stockholm, Oslo and Bologna.
WSB Legal Expert: Hard to stop KKK from adopting Ga. road

Related

By Pete Combs

The Georgia Department of Transportation may have no choice on whether to grant a stretch of road to the beautification efforts of an organization not known for its charitable efforts.

If the state of Georgia tries to go to war with the Ku Klux Klan over its efforts to adopt a stretch of Highway 515 near the North Carolina border in Union County, WSB legal analyst Ron Carlson said Georgia would lose on "First Amendment grounds as well as the Equal Protection Clause" of the US Constitution.

The courts would give the KKK every right afforded other groups that sponsor highway beautification, like the Kiwanas or the Lions Clubs, said Carlson, a professor emeritus of law at the University of Georgia.

But he also suggested one way Georgia might be able to say "no."

If the spectacle of Klansmen picking up roadside garbage becomes too distracting for drivers, "The state might be able to claim this is a danger to public safety," said Carlson.

A decision could come as early as Tuesday.

Comments

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6 Comment(s)
Comment(s) 1-6 of 6

- Posted by gofigure at 7:25 a.m. Jun. 12, 2012
- Report Abuse

If the spectacle of Klansmen picking up roadside garbage becomes too distracting for drivers, "The state might be able to claim this is a danger to public safety," said Carlson. Was the last paragraph. If people will just drive by them like we all do to the
Atlanta Trial Attorney Marc Howard Appointed GTLA Education Chair

Source: Meta Media Inc
Dated: Jun 12, 2012

Co-founder of Atlanta’s Pope & Howard, P.C. will organize continuing legal education events

Atlanta, GA — (June 12, 2012) Trial lawyer Marc Howard, co-founder of the Pope & Howard, P.C. Law Firm in Atlanta, Georgia, has been appointed the new Education Chair for the Georgia Trial Lawyers Association (GTLA). His duties as Education Chair will include the organization of continuing legal education events for all GTLA members.

“I am honored to take on the responsibility of helping to educate almost 2,000 GTLA members as Education Chair this year,” Howard said. “It is my goal to deliver engaging, informative content that will be useful to all trial lawyers in the state.”

To keep their licenses, all lawyers in the state of Georgia must take 12 hours per year of continuing education classes. GTLA is known for providing high quality education on a wide variety of topics related to trial practice.

Howard is currently planning an event with the Auto Torts seminar in Hilton Head. “The seminar deals with topics ranging from truck and car wrecks to product defects and presentation of evidence at trial. We expect trial lawyers from across Georgia to attend,” Howard added.

Howard, a 2012 Georgia Super Lawyer who was also named a “Legal Elite” lawyer in Georgia Trend Magazine, received his Juris Doctor from the University of Georgia’s School of Law in 1993. He partnered with Geoff Pope in 2005 to start the Pope & Howard, P.C., law firm in Atlanta. His full professional bio is available online at http://popehoward.com/howard.php.

About Pope & Howard, P.C.

The lawyers at Pope & Howard, P.C. in Atlanta, Georgia, are experienced trial lawyers dedicated to fairly representing clients for just compensation. The firm’s specialties include brain and spinal cord injuries, construction site accidents, trucking and tractor trailer, automobile and aviation accidents, and other cases involving wrongful death and catastrophic personal injury. Please visit the firm online at www.popehoward.com to learn more. Free consultations are available to potential clients.

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Lisenby honored as OurTown Hero

Posted: Tuesday, June 12, 2012 5:30 pm

Mayor Charles Schwabe began the June 4, 2012 meeting of the Swainsboro City Council by presenting the OurTown Hero Award, which he stated “recognizes the volunteerism and spirit of citizenship.”

The recipient of the award, Mike Lisenby, is a native of Macon and a lifelong resident of Georgia. He now resides in Swainsboro with his wife, Nancy [the former Nancy Smith, the daughter of James and Anna Smith, and herself a native of Swainsboro.] Of course, most everyone knows James and Anna as lifelong residents of Swainsboro, who themselves were strong community supporters. The Lisenbys have two children, Joseph Michael of Savannah, and Jamie Anna of Baltimore, Maryland. Joseph graduated from Georgia Southern with a degree in Logistics, and Jamie graduated from the University of Georgia Magna Cum Laude with a degree in Nursing. Lisenby was educated at Young Harris College, the University of Georgia and the University of Georgia School of Law. He met Nancy at the University of Georgia, and he married her in 1974, shortly after they each graduated from UGA. They were married in Swainsboro at the First United Methodist Church, where they now attend.

A chess enthusiast since the age of twelve, Lisenby, during his working years, had often considered retiring to Swainsboro with the expectation of spending at least some of his retirement time teaching local kids the game of chess on a volunteer basis. After retiring three years ago from ING Investment Management, as Vice President and Counsel, he and Nancy moved back to Swainsboro where he began pursuit of his long-time hope that he could introduce Emanuel County's kids to chess and its benefits.

Lisenby began his direct efforts in August, 2011 by first approaching Don Wilkes in his capacity as President of the Swainsboro Exchange Club, which he had then recently joined. Lisenby said that Wilkes immediately committed to provide his personal financial support and his backing of chess due to its influence on scholarship, given that chess is known to assist in critical thinking, personal responsibility, good decorum, and higher standardized test scores. Wilkes, with his wife, Tammy [Assistant Superintendent of Schools] actively assisted in getting things started. The Exchange Club undertook sponsorship of the Chess Club activity, providing funds from the club itself, and from its members and their companies, and in some instances providing their time. Lisenby names Marty Ray as an important Exchange Club volunteer of his time.

After obtaining the Exchange Club’s support, Lisenby then spoke with John Torpy, his friend and a member of the Emanuel County School Board. Torpy agreed that chess would be a positive, and he approached and received the support of the full Board. As mentioned, Tammy Wilkes, as Assistant Superintendent, also provided her support. The Board then met with three
Lisenby honored as OurTown Hero - MySwainsboroNews.com: Co...

http://www.forest-blade.com/news/community/article_c57db224-b4...

initial schools, Swainsboro Elementary, Middle and High. Lisenby says that the principals at these schools went above and beyond the call of duty, and provided him with swift and strong support in the persons of Anne Rogers, Renae McNeely and Robbie Warnock, all of whom gave full commitment. Lisenby says that he could not have had success without this commitment. He adds that there are many other supporters, and he hopes that people will understand that all cannot be individually recognized.

After the chess teams were established, Lisenby sought financial support for perpetual licenses for “Think Like a King Software” which is endorsed by the US Chess Federation for scholastic chess. This software was purchased for each of the initial three schools, and allows school administrators to track the progress of each student. Also, Lisenby sought financial support for the purchase of chess sets. He says that Mill Creek made a substantial contribution, as did many Swainsboro citizens and businesses. School PTO’s also have spoken to financial needs, and have offered support. All in all, Lisenby believes that close to $4,000 has been raised to support the purchase of tournament chess sets [pieces, boards, and boxes]; to provide assistance in kids’ attending tournaments; and, to purchase software licenses. He commends all supporters.

Lisenby’s efforts have resulted in the introduction of chess instruction at all Swainsboro public schools and Twin City Elementary School, with more than one hundred students participating in the instruction. During the course of the initial chess year, the Emanuel County Schools won a total of eleven school trophies and one individual trophy at two chess tournaments held in Statesboro and featuring public and private schools from around the region. He considers this feat indicative of the commitment of Swainsboro students who were competing against kids from other schools who have had as many as five years of tournament experience. The excitement over the game looks to continue in the 2012-2013 school year as Emanuel County students prepare to compete in at least four tournaments.

Lisenby notes that, after the first Statesboro tournament where three trophies were won, the Emanuel County Board of Education invited him and all of the Swainsboro tournament players to attend a special session of the Board, where students were recognized for their academic performance. By way of example, the Board recognized various “students of the year.” In that meeting, Lisenby received a Certificate of Appreciation, and his chess students were individually honored with Certificates of Merit. He was indeed pleased to see this level of commitment at the Board level.

In conjunction with the tournament play, Lisenby wants to personally give his thanks to Jay Youngblood, a Swainsboro native and a member of Swainsboro High School’s 1978 chess team which won the State Championship and 1979 chess team which took Third Place in the State Championship. This is quite remarkable, given that the State Championship included the much larger Atlanta Public and Private Schools. Importantly, Youngblood reports that the 1978 chess team won the State Chess Championship under the tutelage of Dr. John Simmons, who in 1978
was a math teacher, and who recently has retired as a Professor of Mathematics at East Georgia College. Lisenby quotes Youngblood as saying that Dr. Simmons took the Swainsboro High School to “a whole different level of chess play.” Dr. Simmons is a consummate chess player who holds “Expert” status as recognized by the US Chess Federation, in part due to his having won in a national competition. Lisenby reports that Youngblood also is a highly-rated chess player with extensive tournament experience. Per Lisenby, Youngblood attended all of last year’s Statesboro tournaments, and provided direct, expert tournament advice contributing to the success. Lisenby also states that he has provided important financial support allowing the purchase of tournament chess sets, and the defrayment of expenses in tournament participation.

As an aside, Jay Youngblood, Marty Ray, Dr. Simmons, and Lisenby, on a volunteer basis and with the assistance of Jean Schwabe [East Georgia’s Director of the Fulford Center], will conduct a Chess Camp at The Fulford Center, at East Georgia College, over four days, July 16, 17, 18 and 19, this Summer. The camp is limited to 30 kids, and notice of this camp opportunity was provided at the end of last school year, and in notices contained in this newspaper. Lisenby reports that only five slots now remain in the camp registration. The camp will include a tournament on Wednesday, July 18, at the Fulford Center. He says that East Georgia has not only provided a forum as a service to the community, but graciously is providing many of the tournament prizes.

As a further note, Lisenby would like the community to know that Schwabe has informed him that East Georgia College supports adult chess classes at East Georgia’s Fulford Center. Dr. Bob Boemer, Interim President at East Georgia, has expressed to Lisenby his interest in a chess club at the College. Lisenby notes that, in formal remarks made to the Exchange Club, Dr. Boemer also stated that East Georgia had a deep commitment to supporting Swainsboro’s and Emanuel County’s community needs. He hopes to kick off an adult class sometime in the Fall of 2012. The class will likely commence in the late afternoon or early evening. Lisenby ends by saying that he welcomes calls from any parents in respect of opportunities for Emanuel County kids. He is hopeful that his teaching chess will foster more contact among the kids and their parents, in the form of in-home chess games.

He commented, “I’m proud to be here in Swainsboro. I love the town, I love the people, and the huge community spirit.”
DOT Denies KKK request to 'Adopt-A-Highway'

Related

By Pete Combs and Condace Pressley

The state of Georgia will not allow the Ku Klux Klan to adopt a stretch of Georgia Highway 515 near the North Carolina state line.

That word came late Tuesday in a letter to the Klan from the Georgia Department of Transportation.

But WSB legal analyst Ron Carlson is almost certain this is not the last we'll hear of this case.

"I have to admit I was surprised," Carlson said.

Carlson, a professor emeritus of law at the University of Georgia, earlier predicted the state would have little choice but to approve the KKK's request to adopt a stretch of highway near Blairsville. The Klan would be responsible for picking up trash along the highway in Union County, and in return, would be recognized for its efforts with a sign in that area.

But instead, the Georgia Department of Transportation denied the Klan's application late Tuesday.

- Read the DOT's denial letter to the KKK

The letter from Georgia Transportation Commissioner Keith Golden said the Klan has a reputation for civil disruption of which the state wants no part.

"The impact of erecting a sign naming an organization which has a long rooted history of civil disturbance would cause a significant public concern," Golden wrote. "Impacts include safety of the travelling public, potential social unrest, driver distraction, or interference with the flow of traffic. These potential impacts are such that were the application granted, the goal of the program, to allow civic minded organizations to participate in public service for the State of Georgia, would not be met."

The commissioner also told the woman who applied for the Adopt-a-Highway program, April Chambers, that the stretch of road in question is too dangerous and is not eligible for the program because the speed limit is higher than 55 MPH.

"You have applied for a controlled access section of SR 515, with a speed limit of 65 mph. The Department has determined, in accordance with the written Adopt-a-Highway documentation, for the safety of any volunteers and the travelling public, this location is not an area which may be adopted," explained Golden.

But Carlson said the KKK could get around that. "Let's see if the Klan asks for a spot in a 35 MPH or a 40 MPH zone," he said.

Carlson predicted this case is headed for court in what he thinks will be a long- and expensive lawsuit – one he believes the state is almost certain to lose.
Some KKK officials are quoted as saying if denied they would seek help from the American Civil Liberties Union. Calls and emails from News/Talk WSB to April Chambers, the Klan official whose name appears on the application, have gone unanswered.

The organization submitted an application to the state's Adopt-A-Highway Program May 21. In 1997, a similar request in Missouri touched off a court fight that lasted for years and reached the Supreme Court. The high court declined to hear the case. The lower court had held that the state could not keep the KKK from participating in the program.

Missouri's DOT eventually kicked the Klan out of the program for "not picking up trash as agreed," and later renamed the stretch of Interstate 55 after civil rights pioneer Rosa Parks.

Comments

If you would like to post a comment please Sign in or Register

8 Comment(s)
Comment(s) 1-8 of 8

- Posted by billpierce at 5:12 p.m. Jun. 12, 2012
  - Report Abuse

They may as well let them have their mile. The state can't afford another lawsuit they can't win.

"We must secure the existence of our people and a future for white children."

14/88

- Posted by RANDALFLAGG at 6:05 p.m. Jun. 12, 2012
  - Report Abuse

I encourage everyone, even maladjusted weirdos, to go clean up litter from the roadside.

- Posted by whiteperson at 4:49 a.m. Jun. 13, 2012
  - Report Abuse

Let them join forces with the other klan (naacp) and then they can talk while picking up litter.

- Posted by gofigure at 6:35 a.m. Jun. 13, 2012
  - Report Abuse

The Black Panthers will be right behind asking for the same mile stretch of road and they will be approved and Eric Holder and Obonehead will give them a ground breaking ceremony to thank them for creating GREEN JOBS.
Active fathers make a difference

There are 70 million fathers in America. In a poll, half the dads surveyed had one wish -- to spend the day relaxing with their families. The rest said that they wanted to visit their own fathers or do something active with their kids. So if you have a father you can spend time with thank God and give your dad a heartfelt card, a phone call or visit, a gift and a big hug -- but no neckties!

The National Center for Fathering reports there's a crisis: 27 million children in America are affected by their father's absence. Studies show children not living with their married biological parents suffer from higher rates of poverty, abuse, failure in school and delinquency, teenage unwed pregnancy, drug use, crime and depression.

Surveys show the most common factor in regard to men in prison is lack of a good father. Over 80 percent had no father or an abusive father.

Children growing up with a father have a better foundation for, and likelihood of, success as well-adjusted, healthy and productive adults. Without a good father, by the butterfly effect or ripple effect every future configuration for children is henceforth negatively altered forever!

DANIEL D. NAVE, Elizabethton, Tenn.

Focus on Mills' spending hurt story

An article (May 27) on Olan Mills' company's underfunded pension plan was newsworthy. But to attack the ownership I think was unfortunate. I worked for the company and would like to offer a different perspective.

During my time with the company, I had the opportunity to interact with Mr. Mills and his late brother on a daily basis. I found both men to be approachable by all employees and very aware the employees were a large part of the company's success. The compensation and benefits package was more than competitive for this area and the industry.

Millions of families have memories of loved ones because of this company.

I'm not an authority on pension plans but I'm a participant in this one. I believe Mr. Mills and the management team did everything to ensure the plan would continue.

It was unfortunate the article got sidetracked on how Mr. Mills spends his money. I worked for him, and the company treated me and all employees fairly. How he spends his own money is his business. Mr. Mills and his family have been very generous to this community. I would hate to see that change because a newsworthy article was sensationalized and attacked one of Chattanooga's finest families!

KYLE PRICE, Signal Mountain

Prayer is of essence in our nation now

We need to remember that our country has always made the declaration of our God. Since the beginning of our nation, we have put him in our hearts to praise, pray and worship. The license plates that state "In God We Trust" are wonderful to see.

We are straying away from God's truths and our blessed country. We have prospered in our economics and our manufacturing things to give us a better life. We have allowed lawmakers to legalize abortions, same-sex marriages and abolish prayer in our schools and school functions. Our morals are at a level of disregard to God's law.

Our silent majority needs to make its voices heard! Also, elect responsible people who will willingly work to reinforce our nation to the belief in God. "God Bless America" once was a great song. We were proud to be Americans. When we turn from God, he will turn from us, unless we repent and ask forgiveness. America -- wake up, before it's too late. At this time, prayer is of essence.

JUDY CORBIN, Soddy-Daisy

Strut impressive on short notice

A lot of opinions have surfaced regarding this year's Bessie Smith Strut ... the good, the bad, the ugly!

I have attended the Strut since the beginning. This year took me back to where it all began, a little taste of Mardi Gras feeling in Chattanooga. The weather was near perfect, the "grownfolk" crowd grew to a wonderful size, the food was still great and you could get to it. You could hear the music and see (the musicians). The security was on point. There was a festival atmosphere and an air of calmness. My mom felt safe, and my grandchildren and I did the "electric slide" and ate and had fellowship. It was wonderful!

What I didn't miss: too many tightly dressed, half-naked "young ladies," loud "young men," baby strollers, dogs and beer bottles, paper and trash lining the street. With only a couple of months to pull this together, I was very impressed and hope this is the beginning of what the future of the "Strut" will be.

Chattanooga and Friends of the Festival ... It was good!

ROSIE HART RUSSELL

Necessities come first

Re: the article, "Fathers in public housing honored" (June 9), about a father who was raising five children in public housing and helping his 15-year-old daughter raise $1,000 to enter a beauty pageant.

As a middle-class father, if one of my daughters had asked to be in a beauty pageant costing $1,000, I would have told her no. I wouldn't have spent $1,000 on a pure luxury, such as a beauty pageant, when there were many necessities we needed more. This is a vivid illustration of what's wrong with the government welfare system. Taxpayers are paying for the necessities of welfare recipients who spend their money on luxuries such as beauty pageants, tattoos, $200 sneakers, cell phones, tobacco, alcohol, drugs, etc.

When my wife and I first started out, we did without the luxury of a car, a television, air conditioner, telephone, living room furniture, or health insurance. We rented a partially furnished apartment without receiving any welfare whatsoever. We also paid our share of taxes, (there wasn't any Earned Income Credit). We spent my paycheck on rent, food, health care and other necessities and denied ourselves luxuries we wanted but couldn't afford.
'Active fathers make a difference' and other letters to the editors | time...

http://timesfreepress.com/news/2012/jun/14/letters-to-the-editors/?print

JOHNNY FRAZIER

Today's young people different
As a young lad, our father taught us, if an officer of the law stops you, "answer his questions fairly." Do what he asks you to do. He is a friend and is here only to protect you and your interest. Always respect his authority! Never forget to thank him before he leaves. "For without law there will be no order."

Now in my mid-'80s, I have never forgotten this advice from my dad.

What amazes me today: Why young people want a "confrontation," as well as a very few educated people.

A "cop" is a "friend."

JAMES L. THORNTON, Hixson

Check the Bible on public prayer
Why don't you so-called Christians who get all twisted up about public praying read what Jesus had to say about praying in public. Read Matthew, Chapter 6 in the New Testament.

FREDRIC J. SHARK, South Pittsburg, Tenn.

DeGaetano brings values, respect
We have known Joe DeGaetano and his parents since we moved to Hixson in 1986. We have proudly watched Joe progress from elementary school through Notre Dame High School and to Vanderbilt University, where he graduated magna cum laude. He then worked hard to put himself through the University of Georgia Law School, where he graduated second in his class. All through these years, no matter how many varied honors he achieved, Joe has always remained the same honest, hard working, caring and respectful person we always have known.

Joe now has his own law firm in Chattanooga, and along with his delightful, community-involved wife, Heather, they are raising their daughter with their same family-based values.

Please vote for Joe DeGaetano for Hamilton County Sessions Court judge.

We are confident that he will give our community the gift of his values, compassion and respect for others, along with the dedicated, honest work ethic he will bring to this position.

Learn more about Joe by reading "Joe's Story" at his website, www.joeforsessionsjudge.com.

DICK AND JUDY SMITH, Hixson
Search committee named for next UGA president

By LEE SHEARER updated Friday, June 15, 2012 - 10:16pm

A 22-person search committee will find a successor to retiring University of Georgia President Michael Adams, who will step down in June of 2013.

Larry Walker, a former state legislator and current member of the University System Board of Regents, which oversees the state's 35 institutions of higher education, will chair the committee. The group includes six other regents, UGA administrators and professors, and representatives of the UGA Foundation, the UGA Alumni Association, the UGA Staff Council, the UGA Student Government Association and the Georgia Department of Economic Development.

"I take the responsibility as chair of this committee very seriously and I am certain each member of the search committee feels the same. We will do our best to find the right leader for this great university," said Walker, a graduate of UGA, in a news release.

Members of the committee, announced Friday, include regents Rusty Griffin, Don Leebern, Dink NeSmith, Doreen Poitevint, Ben Tarbutton III and Philip Wilheit in addition to Walker.

Others members of the committee, announced by regents chairman Tarbutton Friday, are:

- Alan Darvill, Regents Professor of Biochemistry and Molecular Biology and Plant Biology and director of UGA's Complex Carbohydrate Research Center.

- Steve Stice, Georgia Research Alliance Eminent Scholar in Reproductive Physiology, College of Agricultural and Environmental Sciences, and Director of the Regenerative Bioscience Center at UGA.

- Paige Carmichael, professor of pathology, Josiah Meigs Distinguished Teaching Professor and associate dean, UGA College of Veterinary Medicine.

- Dennis Epps, deputy director of UGA's Carl Vinson Institute of Government, and associate director of the institute's Governmental Services and Research Division.
• Denise A. Spangler, professor of mathematics education and department head of mathematics and science education in UGA's College of Education, and a member of the Clarke County Board of Education.

• John C. Inscoe, Albert W. Saye Professor and UGA Professor of History.

• Robert Sumichrast, dean and Simon S. Selig, Jr. Chair for Economic Growth, UGA Terry College of Business.

• Jerry Daniel, information technology professional in UGA's math department and president of the UGA Staff Council.

• Will Burgess, president of the UGA Student Government Association.

• William D. Young Jr., president of General Wholesale Company and chair of the University of Georgia Foundation.

• Judge Steve Jones, United States District Court for the Northern District of Georgia and President of the UGA Alumni Association.

• Rogers Wade, president and chief executive officer of the Georgia Public Policy Foundation and member of the UGA Agricultural Engineering Advisory Board.

• Chris Cummiskey, commissioner of the Georgia Department of Economic Development.

• Larry Thompson, John A. Sibley Professor in Corporate and Business Law, UGA School of Law; former deputy attorney general for the United States, and former senior vice president of government affairs, general counsel and secretary for PepsiCo.
Search committee formed to find Adams successor

Staff Reports | Posted: Friday, June 15, 2012 2:56 pm

A 22-person search committee to find a successor for University President Michael Adams, who is leaving his post in June 2013, was announced Friday by the Georgia Board of Regents.

“I am pleased we have such a great committee to assist with the search for the next president of the University of Georgia,” said Ben Tarbutton III, chair of the Board of Regents. “The University of Georgia is a great institution and we expect that many strong candidates will be interested. I am excited about the search and look forward to working with Chairman Walker and the members of the search committee.”

Chancellor Hank Huckaby concurred, “The identification and selection of a leader for one of the top public universities in the country is one of our most important tasks.”

The Search Committee, created as outlined in board policy, will guide the first stage of the search. USG Chancellor Hank Huckaby and the Board of Regents have retained R. William Funk and Associates, Dallas, Texas, to provide executive search consulting services.

The initial meeting of the Presidential Search Committee will be held on July 24 at 1:30 p.m. on the UGA campus, at which time the members will be formally charged with their roles and responsibilities in conducting the search.

“I take the responsibility as chair of this committee very seriously and I am certain each member of the search committee feels the same,” said Regent Larry Walker, chair of the search committee. “We will do our best to find the right leader for this great university.”

Members of the Presidential Search Committee are as follows:

- Regent Larry Walker, committee chair
- Regent Rusty Griffin
- Regent Don Leebern
- Regent Dink NeSmith
- Regent Doreen Poitevint
- Regent Ben Tarbutton III
- Regent Philip Wilheit
- Dr. Alan Darvill, Regents Professor of Biochemistry and Molecular Biology, and Plant Biology, Franklin College of Arts and Sciences, and Director of the Complex Carbohydrate
Research Center

- Dr. Steve Stice, Georgia Research Alliance Eminent Scholar in Reproductive Physiology, College of Agricultural and Environmental Sciences, and Director of the Regenerative Bioscience Center
- Dr. K. Paige Carmichael, Professor of Pathology, Josiah Meigs Distinguished Teaching Professor and Associate Dean, College of Veterinary Medicine
- Mr. W. Dennis Epps, Deputy Director, Carl Vinson Institute of Government, and Associate Director for the Vinson Institute’s Governmental Services and Research Division
- Dr. Denise A. Spangler, Professor of Mathematics Education and Department Head of Mathematics and Science Education, College of Education
- Dr. John C. Inscoe, Albert W. Saye Professor and UGA Professor of History
- Dr. Robert Sumichrast, Dean and Simon S. Selig, Jr. Chair for Economic Growth, Terry College of Business *Mr. Jerry Daniel, IT Professional, Department of Mathematics and President of the UGA Staff Council
- Mr. Will Burgess, President, UGA Student Government Association
- Mr. William D. Young Jr., President, General Wholesale Company and Chair of the University of Georgia Foundation
- Judge Steve Jones, United States District Court for the Northern District of Georgia and President of the UGA Alumni Association
- Mr. Rogers Wade, President and Chief Executive Officer Georgia Public Policy Foundation and member of the UGA Agricultural Engineering Advisory Board
- Mr. Chris Cummiskey, Commissioner, Georgia Department of Economic Development
- Mr. Larry Thompson, John A. Sibley Professor in Corporate and Business Law, School of Law; former deputy attorney general for the United States; and former senior vice president of government affairs, general counsel and secretary for PepsiCo
The state Board of Regents has appointed a 21-member committee to search for the next president of the University of Georgia.

Michael Adams, who has been president since 1997, will step down next June. He plans to return to teaching and become a member of the UGA faculty.

Regent Larry Walker will chair the committee, which includes six other regents.

Other committee members are:

-- Will Burgess, president of the UGA Student Government Association
-- K. Paige Carmichael, associate dean of the College of Veterinary Medicine
-- Chris Cummiskey, commissioner of the Georgia Department of Economic Development
-- Jerry Daniel, president of the UGA Staff Council
-- Alan Darvill, director of the Complex Carbohydrate Research Center
-- W. Dennis Epps, deputy director of the Carl Vinson Institute of Government
-- John C. Inscoe, history professor
-- Judge Steve Jones, president of the UGA Alumni Association
-- Denise A. Spangler, department head of mathematics and science education in the College of Education
-- Steve Stice, director of the Regenerative Bioscience Center
-- Robert Sumichrast, dean of Terry College of Business

-- Larry Thompson, law professor
-- Rogers Wade, president of the Georgia Public Policy Foundation and a member of the UGA Agricultural Engineering Advisory Board
-- William D. Young Jr., chairman of the University of Georgia Foundation
The first meeting is scheduled for July 24 in Athens.

The firm R. William Funk and Associates of Dallas will consult on the search.
UGA Presidential Search Committee Named

A 21-person group will pick a replacement for President Michael Adams, who leaves in 2013.

By Rebecca McCarthy  Email the author  June 15, 2012

They are drawn from just about every constituent group involved with the University of Georgia: students, alumni, faculty, staff, regents. And the 23 people named Friday to the UGA Presidential Search Committee will soon be working together to select the next president for the state's flagship institution.

According to a story in the Athens Banner Herald, Regent Larry Walker, the former Democratic Majority Leader of the Georgia House, and a college and law school graduate of UGA, will chair the committee.

Other members of the Board of Regents on the committee, and the schools with which they are associated, are: Rusty Griffin (UGA), Don Leeb (UGA), Dink NeSmith (UGA), Doreen Poltevint (UGA), Ben Tarbutton III (Ga.Tech) and Philip Wilheit (Sewanee).

Other committee members, according to the Banner Herald, from the University and elsewhere, are

Alan Darvill, Regents Professor of Biochemistry and Molecular Biology, and Plant Biology, Franklin College of Arts and Sciences, and Director of the Complex Carbohydrate Research Center;

Steve Stice, Georgia Research Alliance Eminent Scholar in Reproductive Physiology, College of Agricultural and Environmental Sciences, and Director of the Regenerative Bioscience Center;

Paige Carmichael, Professor of Pathology, Josiah Meigs Distinguished Teaching Professor and Associate Dean, College of Veterinary Medicine;

Dennis Egger, Deputy Director, Carl Vinson Institute of Government, and Associate Director for the Vinson Institute's Governmental Services and Research Division;

Denise A. Spangler, Professor of Mathematics Education and Department Head of Mathematics and Science Education, College of Education, and a member of the Clarke County Board of Education;

John C. Inscoe, Albert W. Saye Professor and UGA Professor of History;

Robert Sumichrast, Dean and Simon S. Selig, Jr. Chair for Economic Growth, Terry College of Business.
Rogers Wade, President and Chief Executive Officer, Georgia Public Policy Foundation and member of the UGA Agricultural Engineering Advisory Board;

Chris Cummiskey, Commissioner, Georgia Department of Economic Development;

Larry Thompson, John A. Sibley Professor in Corporate and Business Law, School of Law; former deputy attorney general for the United States; and former senior vice president of government affairs, general counsel and secretary for PepsiCo.

Genevieve
4:53 pm on Friday, June 15, 2012
no one from the Arts? too bad.....

Flag as inappropriate
Reply

Kelly McGlaun-Fields
10:23 am on Saturday, June 16, 2012
No one from the arts and very few women,

Flag as inappropriate
Reply

Leave a comment
Search committee formed for new UGA president

Atlanta Business Chronicle by Dave Williams, Staff Writer

Date: Friday, June 15, 2012, 1:43pm EDT

A 20-member committee will lead the search for the next president of The University of Georgia, Ben Tarbutton III, chairman of the state university system Board of Regents announced Friday.

UGA President Michael Adams announced last month that he would retire at the end of fiscal 2013 next June after 16 years in office.

The search panel will include seven regents, eight UGA faculty members, a federal judge, a state agency head, two business leaders and the head of the university's student government.

"I am pleased we have such a great committee to assist with the search," Tarbutton said in a prepared statement. "We expect that many strong candidates will be interested."

The board has retained R. William Funk and Associates of Dallas to provide consulting services for what will be a national search for Adams' successor.

The search committee will be chaired by Regent Larry Walker of Perry.

The panel will hold its first meeting on July 24.

Dave Williams covers Government
Lawyer Snapshot: Michele L.A. Rollins

Age: 44
Family: Husband (Alvin), parents (Ron & Maureen), sisters and five amazing nephews.
Pets: None
Education: University of Georgia School of Law
Admitted to the Bar: 2009
Employed by: L.A. Law PA
Fields of practice: Real Estate; Immigration; Family; Mediations
Professional organizations: The Jacksonville Bar Association, Member, ADR, Juvenile, Solo, YLS and Immigration sections; The Florida Bar, Member RPPTL, ADR, Solo committees.
Community involvement: I have been heavily involved with the Guardian ad Litem Program for the past eight years, and have contributed more than 500 pro bono hours for each year of involvement with them over the past few years. These wonderful, amazing and inspiring kids really need an advocate to fight for their rights who will do the right thing. Commissioner, Vice Chair JHRC; Leadership Jacksonville, Class of 2011.
How did I get involved: I have always been compelled to help the children who are usually unrepresented and have no voice at all in the legal system. All it took was someone asking me to get involved and I did. I find it very difficult to say "no" to a good cause.
How someone else can get involved: Contact the Guardian ad Litem Program at 630-1200.
What have you learned/achieved through the experience: Don't be so quick to judge others. Everyone deserves to have their voices heard, especially the children who are so often overlooked.
What was the last book you read or are reading: George Bush "Decision Points" and Joel Osteen "Every Day A Friday."
Asian Immigration Outpaces Hispanics

By Orlando Montoya
Updated: 2 days ago

SAVANNAH, Ga. — Asians have surpassed Hispanics as the nation’s largest group of new immigrants.

The news doesn’t come as a surprise to Georgia immigration advocates. Fewer Hispanics have been migrating to the US for years because of the economic downturn and tougher enforcement of immigration policies.

The Pew Research Center says, Asians now make up 38% of new arrivals to the US while Hispanics are at 31%.

University of Georgia Law School professor and immigration lawyer Charles Kuck says, the numbers have the potential to sway public opinion on controversial matters like immigration reform.

"Certainly it brings a new dynamic to the debate today about what the future of America looks like," Kuck says. "It brings us back to more of a melting pot than others may have thought in the past."

Kuck is leading a lawsuit challenging Georgia’s immigration law.

Census Bureau figures show that Asians are now 3% of Georgia’s population, up from 2% percent a decade earlier.

Metro Atlanta has the highest concentrations, with zip codes in Norcross, Duluth and Clarkston showing more than 10% of the population as Asian, according to US Census data.

Attorney Sarah Hawke of the Georgia Asian Pacific American Bar Association says, the figures reinforce the need for business leaders to make connections in Asia.

"More cities and states are recognizing the need to have an outreach toward Asia because of this world economy and the fact that they can come and invest in the U.S." Hawke says. "This demonstrates that as a nation, we're still reaching out and growing."

The Pew study notes how much emphasis Asian-Americans place on education, business and traditional values.

It also notes a great deal of variety in income and education among many Asian nationalities.

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"We are excited to welcome Larry back to PepsiCo," said Nooyi. "Larry is a proven and seasoned leader with a strong track record of success at PepsiCo. He has been a highly regarded and trusted advisor, and he has a deep knowledge of, and passion for our business. We will benefit greatly from Larry's leadership moving forward."

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Original source:

This article was originally published on just-drinks.com on 19 June 2012. For authoritative and timely drinks business information visit http://www.just-drinks.com.

LOAD-DATE: June 20, 2012

2 of 3 DOCUMENTS

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June 18, 2012

ACC-NO: 293547234
LENGTH: 672 words

HEADLINE: PepsiCo Names Larry Thompson Executive Vice President, Government Affairs, General Counsel and Corporate Secretary.

BODY:

Byline: Benzinga Staff

PepsiCo Names Larry Thompson Executive Vice President, Government Affairs, General Counsel and Corporate Secretary

PR Newswire

PURCHASE, N.Y., June 18, 2012

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About PepsiCo

PepsiCo is a global food and beverage leader with net revenues of more than $65 billion and a product portfolio that includes 22 brands that generate more than $1 billion each in annual retail sales. Our main businesses -- Quaker, Tropicana, Gatorade, Frito-Lay and Pepsi-Cola -- make hundreds of enjoyable foods and beverages that are loved throughout the world. PepsiCo's people are united by our unique commitment to sustainable growth by investing in a healthier future for people and our planet, which we believe also means a more successful future for PepsiCo. We call this commitment Performance with Purpose: PepsiCo's promise to provide a wide range of foods and beverages for local tastes; to find innovative ways to minimize our impact on the environment by conserving energy and water and reducing packaging volume; to provide a great workplace for our associates; and to respect, support and invest in the local communities where we operate. For more information, please visit www.pepsico.com.

SOURCE PepsiCo, Inc.
Jelly Belly Candy Co. announced the appointment of John Di Giusto as its inaugural general counsel. Di Giusto previously was a managing shareholder in the corporate and securities and tax groups of Boutin Jones Inc. He brings more than 30 years of experience to the candy corporation, which was one of his firm's long-term clients.

PepsiCo Inc. announced the return of Larry Thompson as executive vice president, general counsel and secretary, a position he formerly held from 2004 to 2011. In the interim, Thompson was the John A. Sibley Chair in Corporate and Business Law at the University of Georgia school of Law. He previously served as a deputy attorney general in the U.S. Department of Justice and as a partner at King & Spalding.

Marsh & McLennan Cos. Inc. hired Rian Miller as general counsel of Mercer, its human resource consulting branch. Most recently, Miller spent two years as managing counsel for risk and litigation at Towers Watson. She also was an associate with Pepper Hamilton.

PricewaterhouseCoopers announced the appointment of Diana Weiss as general counsel. Weiss previously served as a partner in the litigation practice of King & Spalding, where she focused on representing clients in investigations and enforcement proceedings before regulatory agencies. She also was a partner at Orrick, Herrington & Sutcliffe.

Allyson Willoughby was named general counsel and senior vice president of people at Glassdoor, a social jobs and career website. Willoughby's prior work experience includes general counsel postings at RockYou, a social gaming and advertising company, and Method Products, a manufacturer of household products. She began her in-house career at eBay.

Human genome interpretation company Knome Inc. appointed Gary Cohen senior vice president, general counsel and secretary. Cohen formerly held management positions with companies including Genzyme Transgenics Corp., Millennium Pharmaceuticals Inc. and Genetics Institute Inc. He most recently was vice president of bioethics, law and policy at Foundation Medicine Inc.

Mark DeVitre joined Entertainment Studios as executive vice president and general counsel. He comes to the company from Warner Bros. Domestic Television Distribution, where he served as senior vice president of business affairs and operations. His prior work experience also includes a stint as senior vice
Claudia Toussaint rejoined aerospace company Barnes Group Inc. as senior vice president, general counsel and secretary. Toussaint previously worked at Barnes Group from 2010 to 2012, before leaving to join Tyco Flow Control during its spin-off from Tyco International Ltd. Her prior work experience also includes stints at Embarq Corp. and Sprint Corp.

Pendrell Corp., an intellectual property investment and advisory firm, named Robert Jaffe general counsel and corporate secretary. Jaffe specializes in corporate governance, mergers and acquisitions and the protection of intellectual property rights. He spent 25 years as a partner at K&L Gates and its predecessor firm.

Susan G. Komen for the Cure, the country's largest breast cancer organization, hired Ellen Willmott as general counsel. Willmott joins the company after 12 years at Save the Children USA, where she most recently served as vice president and general counsel. In her new role, Willmott will oversee regulatory compliance and international and domestic partnerships.

Jackie Simmons will assume the position of general counsel of Indiana University, effective July 1. Simmons previously spent six years as a partner at Faegre Baker Daniels, where she served as co-leader of the firm's international practice area. An IU alumna, Simmons has served on several university advisory boards and acted as an adjunct faculty member at the Maurer School of Law for 20 years.

Other In-House Moves

The Allstate Corp. has announced that Michele Coleman Mayes will retire from the general counsel and executive VP spot after nearly five years with the company. During her time at the company, Mayes dealt with legal and regulatory matters, corporate governance and public policy. She previously was senior vice president and general counsel at Pitney Bowes. Coleman will now assume the role of general counsel and vice president of the New York Public Library. She will be succeeded by Susie Lees, who currently is senior vice president and deputy general counsel.

Leonard Amoruso, general counsel of Knight Capital Group Inc., also will assume the title of executive vice president. Amoruso joined the company in 1999, and has held his current position since 2007. As general counsel, he has managed the growth of the firm's legal and compliance structure and its regulatory policy.

Law Firm News

Steven McCracken, former general counsel, executive VP and chief administrative officer of Callaway Golf joined Fish & Richardson as of counsel. McCracken joined Callaway in 1994, prior to which he spent 19 years representing international companies as a litigation partner at Gibson, Dunn & Crutcher.

Williams Mullen hired Robert Zuckerman as of counsel in its maritime practice team. Zuckerman was formerly the general counsel, senior vice president and secretary of Horizon Lines, an ocean shipping and logistics company. In his new position, he will focus on issues including domestic and international shipping, arbitrations, maritime labor relations and customs.
PepsiCo Names Larry Thompson Executive Vice President, Government Affairs

19/06/2012 12:57 (1 Day 07:59 minutes ago)

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served as the U.S. Attorney for the Northern District of Georgia in Atlanta.

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Is Hays Prison really best Georgia has?

Re: "Hays State Prison recognized" (June 6, Region Digest). Remarkably absent from your paper's coverage of Hays State Prison's selection as Georgia Department of Corrections facility of the year is any mention of Hays' documented history of violence and prisoner abuse.

In the past year alone, the Times-Press extensively covered 1) a lawsuit brought by Hays prisoners after officers beat them while they were handcuffed. (Hays later paid the prisoners, including one who was beaten so severely that oral surgery was required, $93,000 for their injuries); 2) A fight that led to the stabbing death of one prisoner, and 3) an assault on corrections officers.

If Hays is the best the Georgia Department of Corrections has to offer, then we should fear for the lives of prisoners and guards alike.

MARY B. SINCLAIR
Atlanta

Politics doesn't belong at Riverbend

As we were leaving Riverbend, between Meo Mios and the marina, we encountered someone passing out fair-tax political items.

This person was wearing a large Riverbend badge around his neck. This wasn't the first time I've seen this. For many years in the past I've run into tea party folk, often with badges, handing out political stuff at that location as you head out toward MLK.

One small problem. There is a reason you don't see booths with the Democratic, Republican or Green Party representatives at Riverbend. Friends of the Festival is organized as a nonprofit and as such faces strict limits on political involvement. Nonprofits are not allowed to endorse candidates or parties. Yet every year at that location we seem to see a tea party activist with Riverbend credentials engaging in political pamphleteering.

Perhaps these well meaning but clueless activists are unaware of the legal liability that they are putting Riverbend in. Americans Elect, the latest "third party," is facing scrutiny from the FEC and IRS because it were set up as a nonprofit. It is not a matter of equal time for all groups. By law, Riverbend cannot promote political groups.

It is time someone put an end to this.

ROD YOUNG
Hamilton County
Green Party

Council meetings are for business
In response to a letter titled "What's the big deal if you want to pray?" (June 13). My answer is this: Give this prayer thing a rest. It's way past "overkill" here.

Religious zealots pray when they are awake, they pray over their meals, they pray at school, sporting events, community and business meetings and who knows what else in between, and they pray when they go to bed.

There is a time and place for everything, and City Council and County Commission meetings are for conducting business, not praying. If they want to pray at these meetings, why don't they just pass the collection plate and take up an offering as well?

MICHAEL

CHRISTOPHER

Dalton, Ga.

Praise to church for mission work

I would like to thank the members of Burks United Methodist Church for their mission support to our community in Alaska, not only for those who were able to come but to the entire church congregation for its spiritual and financial support of missions. It has been a pleasure to meet these wonderful people from Tennessee over the past week. Because of our heavy snowfall this winter, they were able to experience snow in June while at the same time see the beauty of our green forests and mountainsides.

Their youth group and adult volunteers helped to provide many basic services to our small community, and they are greatly appreciated. Thank you for sharing the love of Jesus Christ in Sutton. We'd love to have you back again anytime.

MICHAEL AND

SHARON AUBREY

DeGaetano sees chance to help

On Aug. 2, voters will determine our future with a new General Sessions judge. The candidates are all qualified, but Chattanooga needs to truly appreciate Joe DeGaetano.

In Times Free Press letters, Joe has been recognized for his: "thoughtful temperament," "an eye for fairness," "steady judiciousness," "good experience," "a knowledge to guide," and a "good knowledge of the city."

Joe was salutatorian of his high school and graduated magna cum laude from Vanderbilt University. He worked various jobs to put himself through University of Georgia Law School, where he maintained the highest grade point average for a class of 325 the entire four years. Joe has stated his intent for judge isn't "for prestige, for money, or boosting his law firm's reputation." Instead, he sees, as previously stated, "a greater opportunity to help more people and the community as a whole, as judge."

The city of Chattanooga deserves a judge who is focused on its people while making the city a more pleasurably place to live. So, if it is your hope to keep our city on an upward path, it's in your best interest to vote for a man with the same vision, Joe DeGaetano.

CONNOR ROBERTS III

Prayer foes should have silent moment
How is prayer harming anyone at the Hamilton County Commission meeting? I totally agree that it harms nothing. If it does, I've been harmed my whole life.

I really think these two individuals have very little to do with their time but to cost taxpayers money. I think the majority are being pushed by a few into trying to force-feed something that is simply not going away (the right to pray). If this is really harming them, maybe they should excuse themselves from the opening of the commission meeting and go to the hall for a moment of silence.

I guess I am getting older as I used to just laugh away the way some people act, but I find it hard to keep my mouth shut at what people dig up. I think some just want to get on the news. It kind of reminds me of Judge Judy (ridiculous!)

PHIL DYAR SR.
Hixson

Can orders replace the Constitution?

If the country can be governed by executive order, why do we need campaigns, elections, a Congress and a Constitution? OK, so it isn't exactly an executive order; Obama takes full credit anyhow.

JOHN ROSE
Signal Mountain

Public assistance must be changed

I grew up in a simple two-bedroom house, and we did not have a car until I was 6. If you didn't have money for lunch at school, you worked in the cafeteria.

Now, almost every time I am in a grocery line, I see different very well-dressed women with nice gold jewelry and their nails professionally done paying for their groceries with food stamps.

A teacher recently estimated half of their free-lunch students have a smartphone. Many free-lunch students have parents who buy their cigarettes for them as well. Maybe we need to add a "teen cigarette subsidy" to the food-stamp program.

If my simple two-bedroom house and no-car lifestyle was dropped into 2012, my family now would be getting food stamps, Section 8 housing subsidy, earned income tax credit and free health care. I would additionally be getting free breakfast and lunch at school, free school supplies, and get to go shopping with a cop at Christmas.

Public assistance needs to be limited to meeting the strict bare necessities of life, not to serve as a subsidy for a more elaborate lifestyle the rest of us support.

JOE KIRKPATRICK
Cleveland, Tenn.

Keep prayer everywhere

Re: citizens suing over prayers!
As a group they should be truly ashamed of themselves. Find some other drum to beat.

Let's keep prayer everywhere. Amen!

JERRY LaFRENIERE

Hixson

LOAD-DATE: June 20, 2012

2 of 3 DOCUMENTS

Copyright 2012 Aroq Limited
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just-drinks global news

June 19, 2012 Tuesday 2:42 PM GMT

LENGTH: 598 words

HEADLINE: US: Former PepsiCo executive rejoins as government head

BYLINE: Andy Morton

BODY:

PepsiCo will appoint a former executive to oversee legal work and government dealings, the company said late yesterday (18 June).

Larry Thompson will replace Maura Abeln Smith, who leaves after 30 years at PepsiCo as executive VP government affairs, general counsel and corporate secretary. Thompson returns to PepsiCo, having left last year to take a chair at Georgia School of Law.

Last month, PepsiCo appointed a new president of its global beverages group.

And last week, it created the post of chief design officer to oversee the company's global brands design strategy.

Press release follows:

PepsiCo Names Larry Thompson Executive Vice President, Government Affairs, General Counsel and Corporate Secretary

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"We are excited to welcome Larry back to PepsiCo," said Nooyi. "Larry is a proven and seasoned leader with a strong track record of success at PepsiCo. He has been a highly regarded and trusted advisor, and he has a deep knowledge of, and passion for our business. We will benefit greatly from Larry's leadership moving forward.

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Smith said, "It was a privilege to be part of the PepsiCo senior leadership team, and I wish all of my colleagues great success in the future."

"I'm delighted to return to PepsiCo and to work again with Indra and the PepsiCo team," Thompson said. "I'm committed to the long-term vision and success of PepsiCo, and I'm excited to get to work to help drive the execution of our strategy. I'm especially looking forward to rejoining Kelly Tullier and the very talented global legal function, Dan Bryant and the global public policy and government affairs team, and Dave Yawman and the global compliance team."

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Original source:

LOAD-DATE: June 19, 2012
Thompson previously served as general counsel, corporate secretary and senior vice president of government affairs from 2004 to 2011. His new position is much the same, except now he will be executive vice president of government affairs, and will also manage global compliance and the company's philanthropic organization, the PepsiCo Foundation.

While he was away, Thompson joined the University of Georgia School of Law as the John A. Sibley Chair in Corporate and Business Law, as well as sitting on several other corporate boards.

As GC, Thompson has his work cut out for him. PepsiCo recently found itself in a legal battle with the children of Pepsi's inventor over claims that they are the rightful owners of the invention. And earlier this year, the company settled charges that its hiring practices were racially biased—agreeing to improve training and extend job offers to applicants who were denied under the old policy.

"Larry is a proven and seasoned leader with a strong track record of success at PepsiCo," said Indra Nooyi, PepsiCo's chairman and CEO in a press release. "He has been a highly regarded and trusted advisor, and he has a deep knowledge of, and passion for our business. We will benefit greatly from Larry's leadership moving forward."

Read more at MarketWatch.

LOAD-DATE: June 20, 2012

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Q&A with the candidates: Magistrate Judge

06.20.12 - 12:20 pm
Andrea Conarro, Joy Edelberg, Kathi Haney and Randy Pruitt will face off in the July 31 Primary for the position of Lumpkin County Magistrate Judge. The candidates were asked questions concerning the office for which they are running by The Nugget. Their responses appear below, following a short introduction.

Andrea Conarro

Andrea Conarro is a local attorney who has been practicing law for the last eight years. She is a graduate of Lumpkin County High School, North Georgia College & State University and earned her law degree at Tulane Law School in New Orleans.

She was nominated to be considered for one of two positions for Superior Court Judge for the Enotah Circuit, but withdrew her name from consideration in favor of running for Magistrate Judge.

"I was honored to be nominated, but decided I would be better suited to serving my local community as Chief Magistrate Judge. I have the training for the position. It is a cost-effective choice for the county, and the voters and taxpayers know they are getting a trained professional for the position. I am invested in this county and make a commitment to serve," Conarro said. "And I am ready to apply the elbow grease and will work hard to make sure my fellow Lumpkin citizens are given a fair hearing."

Joy Edelberg

Joy Edelberg is a local attorney who has been practicing law in Lumpkin County since 1999. She has been with the same firm, Horne & Horne, P.C., since she began working there during her high school years.

She is a graduate of Lumpkin County High School, North Georgia College & State University and holds her law degree from the University of Georgia School of Law.

"I am running for Chief Magistrate Judge because I have a strong desire to serve my community. I see this position as an opportunity to apply my education, skills and experience for the good of our county," she said. "I feel my education and work experience, coupled with my unwavering dedication to our community make me the best candidate for the position. Although our county does not have local legislation requiring the Chief Magistrate to be an attorney, our county deserves to have a professional specially trained and experienced in Georgia law to make these decisions. I am educated in the law and I have over 12 years of experience as an attorney representing clients in Lumpkin County."

Kathi Haney
Kathi Haney is the current Chief Deputy Clerk in the Magistrate Court. She has worked in the judicial system since she was 17 years old. She has worked as a clerk in the Magistrate Judge's office since 2004, and held her current position since 2006.

"My decision to run for Chief Magistrate Judge is the result of many prayers, great family support and lots of encouragement from a fantastic group of friends," she said. "The Magistrate Court is truly 'the people's court. You do not have to retain an attorney to present your case to the court. Although I have great respect for attorneys and truly appreciate the hard work and dedication it took to achieve their passion, the position of Chief Magistrate Judge does not require you to be an attorney. It is truly the people's court. It does however, require honesty, integrity, compassion, intelligence, reasoning, patience, fairness and the ability to understand the law. I do possess all of these qualities. I will continue to see that the Magistrate Court office provides the professional, courteous, helpful information that the citizens have come to know, expect and deserve."

Randy Pruitt

Randy Pruitt is the current Assistant Magistrate Judge, a position he has held since April 2011. Prior to becoming the Assistant Magistrate he served as a Post Certified Police Officer for over 19 years.

"Service to our community is what I am all about," Pruitt said. "Our city and county means so much to me. Our citizens are who I serve," he said. "I have met all the qualifications of the Georgia Magistrates Council to serve in this position as magistrate. Serving in my current position ensures that I have the qualifications to be elected to the chief magistrate position. I am proud to be an appointee of Chief Judge Lowe. It's been an honor working under him. I am grateful for having been appointed by him and been approved by the Superior Court Judges, and I am proud and honored to be running for this office."

Q&A

Q: Since part time positions do not require a benefits package, would you be willing to use a part time assistant magistrate judge, or two part time positions so that there is less impact on the county's budget?

Conarro: I am fiscally conservative and am mindful as a current small business owner that pinching pennies matters. I will look at the finances of the office and the budget, making decisions to keep costs down. If the county finds that the Magistrate Court should have two part-time assistant magistrate judges as a cost-cutting measure, I will work with that decision. However, as with any budget cutting measure, we must not fail to provide quality service to our community and administer justice in a timely, fair, and impartial manner.

Edelberg: If elected, I would evaluate the caseload and the current practices and procedures of the Magistrate Court to determine the staffing required to meet the...
The Magistrate Court is required to abide by strict rules that govern the timing of hearings for both criminal and civil matters. For example, the court must hear civil claims within 40 days of the filing of an answer. Additionally, either the Chief Magistrate Judge or an associate/deputy Magistrate must be available 24 hours a day each and every day of the year to consider warrant applications. After an arrest warrant has been issued and the defendant arrested, the court must hold an initial appearance hearing to set bond within 72 hours. In the event a person has been arrested for the commission of a crime without the issuance of a warrant, the court must hold a probable cause hearing and an initial appearance hearing within 48 hours of arrest. If a person is arrested for a good behavior bond, the court must hold a hearing within 24 hours of arrest if the defendant is being held in custody, or within seven days if the defendant has been released on bond.

If, after evaluating the caseload, I can determine that the duties of the court can be met with one or more part-time associate/deputy magistrates as opposed to a full-time associate/deputy magistrate, then I am certainly willing to explore that possibility.

Haney: First and foremost, I would review the caseload pertaining to the previous years. In the Enotah Circuit, Lumpkin County has the highest caseload of the four counties. The workload goes up yearly, it does not go down. The Magistrate Judge position requires the same amount of training as the Chief Magistrate position, therefore, if two part-time or one on-call Magistrate position was filled, the same amount of training would be for all. The citizens of Lumpkin County need to realize the Magistrate Court is on-call 24 hours, seven days a week, 365 days a year. It would be a great burden just for one position to be full time. However I would review it.

Pruitt: I am very responsive to the idea of a single part-time assistant magistrate judge. While Chief Judge Lowe has been on medical leave, I have been the only magistrate judge handling the entire caseload in Lumpkin County. This is a 24-hours, seven-day-a-week job. Sometimes warrants are issued in the middle of the night. I've been there, carrying the entire load, and I know the extent of that load. When the average Lumpkin County resident is tightening his or her belt, county government needs to do the same.

Q: In the last few years there has been a trend to give out community service sentences instead of fines. How would you reverse this trend?

Conarro: Judicial ethics require that I not comment on how I would rule in any criminal case that might appear before me as Chief Magistrate Judge. I believe that when we put a person with a law degree on the bench, we can trust that Chief Magistrate Judge with the discretion to listen to the facts of the case and render a fair, common-sense sentence, ensuring justice for all.

Edelberg: Canon 1 of the Judicial Code of Conduct states that judges shall uphold the integrity and independence of the judiciary system. Judges must be able to act...
without fear or favor. Public confidence in the impartiality of judges is vital in the administration of justice.

If elected, I will abide by the Judicial Code of Conduct. I will conduct a fair and impartial hearing of each case before the court. I will listen to all evidence and then make a ruling by applying the relevant law to the facts. If a defendant is found guilty, a punishment will be imposed based upon the crime committed, the relevant provisions of the law, and any previous criminal history of the defendant.

No judge, or judicial candidate, should commit to the issuance of more fines and/or increased fines as opposed to the issuance of community service. It would appear, however, that a focus on imposing only community service would be equally difficult to justify.

All punishments must be issued on a case by case basis. The judicial Canons prohibit determining the sentence prior to the trial.

Haney: Community service can be a great additional tool when sentencing someone. You have to take into consideration whether or not the person is a first time offender or has done a very minor offense. In my opinion, community service has been somewhat abused in the last several years, by the courts as well as by the offenders. Offenders have actually asked to serve jail time when they have employment that doesn’t allow them time to do community service. Serving time in jail is always a viable option for an offense and I would certainly be willing to use that option.

Pruitt: I think we have to adopt a mixed approach to community services and fines. I am not particularly inclined to impose community service in each case, since each crime costs the community money and fines are a way to offset the cost of crime by its perpetrators. With Chief Judge Lowe’s permission earlier this year, I now impose a $125 fee on every criminal case to offset court costs.

Q: Will you pursue having the records of the Magistrate Court transferred from the Clerk of Courts? Why, or why not?

Conarro: I believe in the principle of smaller government. Anything we can do to reduce the size of government, streamline our court process, or make our court process more effective is a good thing. So long as our Clerk of Court does an efficient job keeping all records in one streamlined office, then I am supportive of keeping that function where it is. Being conservative, I realize that any expenses amount to spending the taxpayers’ dollars. I want to keep expenses as low as possible.

Edelberg: I have a good working relationship with our Clerk of Courts, Rita Harkins, and her staff, which I expect to continue in the future. If elected, I have no intention to pursue the transfer of records. The Clerk of Courts office is designed to create, organize and maintain court records and to provide access to those records to judges and other court officials as well as the public.
Not only does the Clerk of Courts maintain the records, her office also manages the civil calendar for the Magistrate Court and issues required notices in connection with the civil cases. I see no reason to reinvent the wheel.

Haney: The Chief Magistrate and the Clerk of Courts have already resolved this issue. It is my understanding that as of July 1, 2012, the civil Magistrate court filings will begin filing in the Magistrate Court office. Therefore, the records prior to July 1, 2012 will continue to remain with the clerk’s office. It has been extremely inconvenient for the citizens to go back and forth between the offices for the handling of their civil matters.

Pruitt: The magistrate courts of Dawson, White, Union and Towns counties each have records of their cases. I think Lumpkin County Magistrate Court should have the same. It’s just a matter of good government and convenience to the public. I will work with the Clerk of Superior Courts in resolving this issue, but during these hard economic times, this is not a matter worth litigating.

Q: What would you use the money collected from technology fees to provide for the court?

Conarro: The Chief Magistrate Judge does not have sole final decision-making authority on the use of technology fees. However, one proposed use I would have of technology fees would be to create a video conference ability for criminal first appearance hearings. Video conferencing would allow those arrested to appear before the court by video. This process would save our community money in that the sheriff’s department would not have to transport people from the jail to the courthouse for his or her hearing. Video conferencing would also be more time-efficient. Efficient use of time always saves money.

My second proposed use of technology fees is to create the ability to sign an arrest warrant or a search warrant electronically. Again, this proposal would save time for sheriff’s department—time that is both expensive and time that may be critical to catching a criminal offender. It is my understanding that we, as Lumpkin County taxpayers, have already made investments in much of this technology, but this technology is not currently used in the Magistrate Court. I am looking forward to moving our county forward in saving money and saving time.

Edelberg: The technology fee for the Magistrate’s office was created by local legislation introduced by Representative Amerson and passed by the legislature. It is intended to shift some of the financial costs of technology from the tax payers to those using the judicial system.

A technology fee is collected as a part of the filing fee in civil claims and as a surcharge on fines imposed by the Magistrate Court. This fee is then maintained by the clerk in a segregated technology account for use at the direction of the Magistrate Court Judge. Under the terms of the local legislation imposing the fee, the funds generated from the technology fees must be used solely for computer hardware and software purchases, lease, maintenance, and installation of computer hardware, purchase, lease, maintenance, and installation of imaging,
scanning, facsimile, communications, projection, and printing equipment and software.

I would use these funds to make any necessary upgrades to the existing computers, equipment and software to allow the office to operate as efficiently as possible. Additionally, I would determine what may be necessary to make full use of the existing video conference system for first appearance hearings (and other purposes) that was previously purchased but has thus far been unused. It is not clear why this system has not been in use but making efficient use of a system already partially in place would be a priority. There would be no anticipated requirement for any increased expense to the taxpayers for this.

In my private practice I have focused on efficiency at a practical and affordable cost; I expect to continue using that standard.

Haney: The technology fees are flat fees that are added to fines that are paid through the court system. The technology fees are required by law to be spent on technology related equipment only. This is one way the Magistrate Court keeps up with the latest computer equipment and programs, which I have been continually working with IT on as these are presently in the process of upgrading. These monies cannot be spent on just any provisions for the office.

Pruitt: If elected Magistrate Judge, I will upgrade the computer system in Magistrate Court so that first appearance hearings can be done from the detention center without having to transport inmates to the Magistrate Court. This will improve courthouse security, save money and bring greater safety to the deputies. I am also in support of obtaining software for the Magistrate Judge so that search warrants can be issued from laptops. My goal is to work toward a future where Lumpkin County citizens would be able to access Magistrate Court records online.

Q: Why is the office of Magistrate Judge important to the voters?

Conarro: What do you do if someone writes you a bad check? Or if your home or car is vandalized? What happens if your family member is assaulted? Where do you go if you have a lease or contract dispute? These issues routinely come before the Magistrate Court. These issues matter. They matter to every person that has been wronged. All people in our community deserve a fair hearing and a Chief Magistrate Judge who is educated and experienced in the law to decide their cases.

Edelberg: The Magistrate Court is commonly referred to as a small claims court or the people’s court. The Magistrate Court is a forum where individuals can present their cases without the assistance of an attorney. Hearings in the Magistrate Court are typically less formal than hearings in the Superior Court.

If you have a civil claim for damages less than $15,000, you can file your claim in the Magistrate Court. The filing fee is less expensive and your claim will be resolved faster than in the Superior Court. At this time, mediation is offered for
all civil cases in the Magistrate Court at no cost to the parties. Many cases are successfully resolved through mediation without the need of a hearing. If your case is not settled through mediation, you will be able to present your case to the judge on the same day as your mediation session. Civil claims in Magistrate Court are often resolved within 60 days of filing the claim.

The Magistrate Court also has jurisdiction over landlord/tenant disputes, local ordinance violations, deposit account fraud/bad checks, good behavior bonds, search warrants, arrest warrants, probable cause review, initial appearance hearings, preliminary hearings, bail/bonds, and some misdemeanor trials.

This is vital position in our judicial system. The magistrate regularly makes decisions as to whether or not another individual will be deprived of his or her liberty when considering arrest warrants and whether or not another individual’s privacy may be invaded when considering search warrants. The magistrate frequently decides whether someone should be evicted from his or her home. These are just a few examples of critical decisions that a magistrate must routinely make.

Haney: The Magistrate Court was created in 1983 to handle some of the lesser charges and offenses, and to ease some of the burden from Superior Court. The Magistrate Court is truly the “people’s court” as it should be. Although the Magistrate Court cannot give legal advice or tell you what the outcome would be for your case, it is here for the citizens to ask questions regarding the process of whatever your case may be. The Magistrate Court has always had a true “open door” policy for the citizens of Lumpkin County. I feel it is essential to always have an office you can call with questions.

Pruitt: Magistrate Court is the ultimate people’s court. Magistrate Court is where every day disputes and problems are resolved. A magistrate court judge is responsible for issuing warrants, setting bonds, presiding over committal hearings, hearing small claims lawsuits and resolving landlord/tenant disputes. You don’t need an attorney to appear in magistrate court. It’s important that a magistrate court judge understands the needs and lives of hard-working everyday Lumpkin County citizens. The decisions of a magistrate court judge have a tremendous impact on the amount of cases that reach Superior Court. Magistrate Court is an indispensable arm of Superior Court and can do a lot to promote judicial efficiency.

Q: What will be your top priorities if elected?

Conarro: I will apply my legal training and experience to review every case on its merits. Most people that come before the Magistrate Judge do not have a lawyer representing them. My priority will be to make sure every person’s rights are protected and that a fair and just ruling is made. In my courtroom, there will be justice for all.

Edelberg: If elected my first priority will be focusing on a smooth transition from the current judicial officers. I am willing to spend as much time as necessary with
the current judges and staff to become more familiar with the internal practices of the court.

After taking office, my top priority will always be to conduct fair and impartial hearings and make all rulings by applying the law to the facts in evidence.

Another priority will be to evaluate the current practices of the court to determine if any changes are necessary to more efficiently serve the citizens and users of the Magistrate Court. I would expect all staff to conduct themselves in a professional manner and treat everyone that enters the office with courtesy.

I will personally oversee the administration of the office to ensure that all reporting requirements are met, all accounts are properly maintained and timely balanced, and all other administrative duties are met in a professional and timely manner.

I will stay abreast of any changes in the law and the rules governing the Magistrate Court and always strive to maintain public confidence in our judicial system.

Haney: With the experience of being in the Magistrate office for eight years, I can truly appreciate where we have come within this period of time. Knowing where we were eight years ago and seeing how we have progressed in that time, I am very proud of the Magistrate Court office. There are several things that I would look into, such as; accepting debit/credit cards, a website for landlord/tenant questions/information and possibly doing an after hours night court, just to mention a few, always looking to make sure they would be cost effective. The Magistrate Court office delivers a great service for the citizens of Lumpkin County and I would continue that level of service for them, now and in the future.

Pruitt: My top priority is making sure that Lumpkin County Magistrate Court continues its practice of fairness, integrity and professionalism that was the hallmark of Chief Judge Jeff Lowe. I want to make sure that the Magistrate Court continues to be accessible to the public. Everybody who comes before me will be treated with respect and civility.

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Larry Thompson tapped to refill GC position at PepsiCo

Corporate Counsel
06-21-2012

After a year in Coca-Cola's home state, Larry Thompson is returning to PepsiCo. The global food and beverage giant has rehired him to be its executive vice president of government affairs, general counsel and corporate secretary. Starting July 30, he will replace his own former replacement, Maura Abeln Smith — who, according to a statement from PepsiCo, "chose to leave the company to pursue other opportunities." She became the company's GC 13 months ago.

Thompson retired from PepsiCo last year, after seven years working in-house, to be John A. Sibley professor in corporate and business law at the University of Georgia School of Law.

Once again overseeing the legal department at a multinational company with net revenues of over $65 billion and 22 brands that retail $1 billion annually each, Thompson will be responsible for PepsiCo's worldwide legal function and government affairs and public policy organizations, as well as global compliance. Thompson also will oversee the company's philanthropic division, the PepsiCo Foundation.

Thompson will report to chairman and CEO Indra Nooyi. "We are excited to welcome Larry back to PepsiCo," Nooyi said in the company's statement. "Larry is a proven and seasoned leader with a strong track record of success at PepsiCo. He has been a highly regarded and trusted advisor, and he has a deep knowledge of, and passion for our business. We will benefit greatly from Larry's leadership."

Before working for PepsiCo, Thompson served as the deputy U.S. Attorney General from 2001 to 2003. He spent the bulk of his career at King & Spalding in Atlanta, split by a stint as U.S. attorney for the Northern District of Georgia. Thompson has a bachelor's degree from Culver-Stockton College in Missouri, a master's degree from Michigan State University, and a J.D. from the University of Michigan.

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PepsiCo is a global food and beverage company.
Bloomberg Law

Jun 22 2012 00:32:34

Affairs, General Counsel and Corporate Secretary

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PepsiCo is a global food and beverage company.

More information:

www.pepsico.com

(Comments on this story may be sent to newsdesk@closeupmedia.com)

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-0- Jun22/2012 04:32 GMT
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More information:
Three-way battle to fill court position open for first time in 28 years.

It has all the makings of a prime-time drama: colorful characters, legal challenges, questionable motives and a long-established patriarch in the midst of it all.

But this real-life drama is playing out in Cobb County's Superior Court clerk's race instead of on television.

From almost the beginning, the clerk's race has been a stark contrast to other down-ballot races, which usually feature little-known candidates running for lesser-known offices. This contest marks a sea change for the county and its court of record, partly because the position -- which oversees a staff of about 100 employees -- has been filled by the same person for almost three decades. Jay Stephenson is retiring.

All three candidates, Joan P. Davis, Rebecca Keaton and John H. Skelton, are Republicans, so barring a runoff, the July 31 primary will decide who gets the job.

"As with any open seat that has been filled a long time, there tends to be a little pent-up demand for the job," said Mike Holiman, executive director of the Council of Superior Court Clerks of Georgia, the state agency to which all 159 clerks statewide belong. "And with the economy being what it is, it's a job, and it pays well in the large metro counties."

Annual base pay for Cobb's incoming clerk: $109,425.

But the salary has taken a back seat to other issues in this race. Already two of the three candidates, Davis and Keaton, have faced legal challenges over their qualifications for the position -- challenges that were allegedly orchestrated by factions from opposing campaigns. The other candidate, Skelton, who is Stephenson's hand-picked successor, has questioned Keaton's campaign
"I know these [other court and deputy] clerks. I know the employees and how important this job is. It's an administrator's job," said Keaton, a trial lawyer from Kennesaw, whose endorsements include state Attorney General Sam Olens, the Cobb Chamber of Commerce and members of the county's delegation to the state Legislature.

She says she will bring more technology to the office, restore passport processing to pay for it, and outlaw outdated rules that prevent employees from using their cellphones in the office. "Although I haven't been an administrator of a large organization like this, I've managed a law practice and employees of my own," Keaton said.

Keaton also has managed to win a challenge to her candidacy for filing paperwork designating her likely chief deputy clerk (a nonelected position) on the same day as her own candidate qualifying forms were filed. But she is having a tougher time dispelling the perception that her politics are dirty.

In an early campaign maneuver, Keaton purchased the domain name johnskeltonforclerk.com, redirecting visitors looking for her challenger to Keaton's website instead. Keaton blames the move on bad political advice and says it was meant in fun, but she wouldn't do it again.

The move was legal, but Skelton, a Marietta attorney, points to it as a character issue.

"I would never have done this myself," said Skelton, who interned in the clerk's office during his college summers. "But there are some behaviors that have been exhibited, questionable judgment by the other candidates in some of the things they've done in the campaign. When people like that get in a race, it will draw more interest because there's more to talk about."

Much of the talk also has been about Davis. She was disbarred by the state Supreme Court this year for not adequately representing her client, attempting to withdraw from his case without telling him, but still taking the client's fee and refusing to return it. Davis has run unsuccessfully for Superior Court judge multiple times, but though a disbarred lawyer, she is eligible to run for the clerk's position. She overcame a court challenge over her listing "lawyer" as her profession on her qualifying form, but could still face a district attorney inquiry into the issue.

Despite the legal wrangling and disbarment, Davis said she is moving forward with her campaign. "Sometimes people have setbacks in their life, but you don't go and cry in a corner, you pick yourself up and move on," she said.

Davis cites her management experience as general counsel of the appellate division of the Maine Workers Compensation Committee and her legal work on numerous documents for deploying soldiers in Missouri among her qualifications. "I am very qualified, perhaps the most qualified for the position," she declared.

What people haven't been talking about is the work of the clerk, an office established by the Georgia Constitution. With an annual budget of about $4 million, the clerk is responsible for maintaining all the land records and court documents in the county, collecting and disbursing all court fees and fines, providing public access to court records, processing appeals to higher courts and recording military discharge records, among other things. The clerk is forbidden from practicing law on the job.

Stephenson, who will be 67 when he retires at the end of the year, was first elected 28 years ago. He cites improvements he has implemented in the office --- such as early scanning and e-filing of documents, overtime restrictions and
schedule changes for boards hearing property tax appeals --- to save money. Over
the years, his sometimes brusque demeanor has rubbed some people the wrong way.

"I'm just a straightforward guy, and everything I do, I do for this office,"
Stephenson said. "I want my legacy to be for that place to continue to be the
best clerk's office that anyone has ever dealt with."

The CANDIDATES

Joan P. Davis (R)
Age: 59
Education: Wellesley College, Duquesne University School of Law
Profession: Lawyer, but disbarred in Georgia, February 2012
Political experience: No previous elected office
Family status: Divorced, one child
Campaign website: www.joandavis forc1erk.com

Rebecca Keaton (R)
Age: 46
Education: Birmingham-Southern College, John Marshall Law School
Profession: Attorney, Rebecca Keaton Criminal and Family Law
Political experience: No previous elected office
Civic experience: Member, Business Advisory Council for the National
Republican Congressional Committee; founder and executive director, the Keaton
Foundation, helping older orphans and special needs children find families;
board member, Right in the Community, helping families of children with
disabilities
Family status: Married, three children
Campaign website: www.rebeccaforclerk.com

John H. Skelton (R)
Age: 41
Education: Rice University, 1993, University of Georgia School of Law, 1996
Profession: Attorney, Skelton & Skelton Attorneys
Political experience: No previous elected office
Civic experience: Member, board of trustees at Powder Springs First United
Methodist Church; past chair, Staff-Parish Relations Committee at PSFUMC;
assistant coach, Marietta youth baseball team
Family status: Married, two children
Campaign website: johnhskeltonforclerk.com

LOAD-DATE: June 24, 2012
Governor Deal Appoints Keith Blackwell to Georgia Supreme Court

By Carrie Severino

June 25, 2012, 6:26 P.M.

Congratulations to Keith Blackwell on his appointment to the Georgia Supreme Court. Blackwell, currently a judge on the Georgia Court of Appeals, graduated summa cum laude from Franklin College, served as senior editor of the law review at the University of Georgia School of Law, and clerked for Judge Edmondson on the U.S. Court of Appeals for the 11th Circuit. After clerking, Judge Blackwell distinguished himself in private practice and in several government roles, including service as deputy special attorney general representing Georgia in the Obamacare litigation. He is a longtime member of the the Federalist Society, and has served as president of the Atlanta Lawyers Chapter of the society. He has been a judge on the Court of Appeals since late 2010, when he was appointed by Governor Perdue along with another conservative standout, Steve Dillard, perhaps better known to court-watchers as “Feddie” from the now-defunct legal blog Southern Appeal.

Blackwell’s elevation creates a vacancy on the Georgia Court of Appeals. I suspect Governor Deal will have many highly qualified applicants to choose from, but I hear great things about former Bush administration lawyer Lisa Branch. With candidates like Blackwell, Dillard, and Branch, a future President Romney shouldn’t have to look too hard to fill federal vacancies in Georgia or on the 11th Circuit.

Kudos to Governor Deal on this excellent choice, and good luck to Justice Blackwell.
Key parts of Georgia law see little action

By Jeremy Redmon
The Atlanta Journal-Constitution

6:04 a.m. Monday, June 25, 2012

Two of the toughest and most ballyhooed parts of Georgia's anti-illegal immigration law have seen little or no action in the year since they went on the books, an Atlanta Journal-Constitution investigation has found.

One of those measures seeks to block illegal immigrants from getting jobs by severely punishing those who use phony identification to work in Georgia. The punishment — which can apply to any adult, not just illegal immigrants — is up to 15 years in prison and up to $250,000 in fines.

Ten district attorney offices representing 15 counties across the state — including Cherokee, Clayton, Cobb, DeKalb, Forsyth, Fulton and Gwinnett — said they have not prosecuted anyone for this offense.

The incoming president of the Georgia District Attorneys' Association and the head of the Georgia Prosecuting Attorneys' Council said they also were unaware of any prosecutors seeking such convictions.

Another provision in the law created a state panel empowered to crack down on local and state government agencies that violate Georgia's immigration-related statutes. The Immigration Enforcement Review Board has received only two complaints since it was formed last year and has not sanctioned anyone.

Critics of Georgia's law say the AJC's findings show the statute is unnecessary. Proponents argue it is too early to judge the law and that it could be working by acting as a deterrent.

Georgia lawmakers approved the law — known as HB 87 — last year, hoping to block illegal immigrants from taking jobs and consuming taxpayer-funded resources such as public schools and hospitals.

Georgia has the ninth-largest population among states but ranks sixth for the estimated number of illegal immigrants living within its borders. A federal Homeland Security Department report released in March put that number at 440,000.

Law a deterrent?

The Republican author of HB 87, state Rep. Matt Ramsey of Peachtree City, said it is premature to draw conclusions about the law, since portions of it are still tied up in a federal appeals court in Atlanta.

He said the statute is "serving as a deterrent, and there is a widespread good faith effort by state and local governments in Georgia to follow the law, and thus citizens have no reason to file any complaints."

Charles Kuck, a local immigration attorney who is fighting parts of HB 87 in federal court, offered a different
view.

"It says to me that the Legislature wasted everybody's time passing laws that were political and not legally necessary to keep our state safe," said Kuck, who teaches immigration law at the University of Georgia.

State political leaders appointed the seven members of the Immigration Enforcement Review Board in September. The panel has the power to investigate complaints filed against city, county and state officials, hold hearings, subpoena documents, adopt regulations and hand out punishment. That punishment could include loss of state funding for government agencies and fines of up to $5,000 for officials who "knowingly" violate the state's immigration-related laws.

Since its members were appointed, the panel has elected its own leadership, adopted its own rules and received two complaints.

One of those complaints says an Atlanta ordinance violated state law by allowing people to use Mexican matricula consular ID cards in city government transactions. Georgia law says city officials may not accept such ID cards when people apply for public benefits.

Ben Vinson, chairman of the Immigration Enforcement Review Board, said his panel likely will dismiss that complaint since Atlanta repealed the ordinance in April.

The other complaint, filed in March by Michael Dale Smith of Twin City, accuses Vidalia of giving illegal immigrants safe harbor by allowing them to live, travel and work within the city limits. The city has denied those allegations. Vinson said he sent Smith a letter this month, asking him to provide evidence backing up his complaint. Smith told the AJC he did not have such evidence but said Vinson's board could subpoena documents from Vidalia police.

Vinson said he thought the panel would have received more complaints by now. But he said the board's mere existence could be keeping public agencies in line.

"I think it is possible a lot of people were spooked and looked at it and started complying — or kept complying," he said.

Georgia's new aggravated identity fraud offense went on the books last July 1. The district attorney offices representing seven Atlanta area counties as well as Athens-Clarke County, Brooks, Colquitt, Floyd, Echols, Lowndes, Oconee and Thomas counties said they have not prosecuted anyone under that offense.

Time to build a case

One possible reason is that it takes time to build such a case, said Chuck Olson, general counsel and acting executive director for the Prosecuting Attorneys' Council of Georgia.

"When the General Assembly enacts a new criminal statute, there usually is about an 18-month delay before we first see cases brought under them," Olson said. "Remember, somebody has got to investigate this. Until there is an investigation and there is an arrest, it is not going to get to the prosecutors' offices."

In addition, such prosecutions can be more complex than others, said Gwinnett District Attorney Danny Porter.
"It is a two-step process," Porter said. "You would have to prove beyond a reasonable doubt that they obtained [the identification] falsely and that it was for the purpose of obtaining a job."

Law enforcement authorities also have the option of charging someone with the lesser but more familiar crime of identify fraud, which carries up to 10 years in prison and a fine of up to $100,000.

For example, Colquitt Sheriff's Office investigator Mike Murfin said he chose to charge a woman with that lesser offense last year. He said Martha Lilia Garcia bought someone else's Social Security number and used it to get a job at a Moultrie produce company last year. The victim, who lives in Nevada, called authorities, Murfin said.

"Just out of compassion, I guess you would say, I felt that the charge that I charged her with would be applicable," he said, noting that Garcia had young children. "Let's face it. I'm a human, too. This lady has got a family. It's still wrong, but she is not out there trying to kill anybody. She is out there actually working for a living, trying to feed her family."

**AJC Investigation - Illegal Immigration**

**Our findings**

In today's installment, we continue investigating enforcement of Georgia's immigration law:

- District attorneys say they haven't prosecuted anyone for using phony identification.
- A review board has received only two complaints of local or state government agencies violating statutes.

Find this article at:
Deal names Blackwell to state Supreme Court

By Bill Rankin
The Atlanta Journal-Constitution

2:21 p.m. Monday, June 25, 2012

Georgia's next Supreme Court justice will be a former prosecutor with strong conservative credentials, including a stint working on the state's challenge to the Obama administration's health care law.

Keith Blackwell, who serves on the state Court of Appeals, will succeed George Carley when he resigns July 17 from the Georgia Supreme Court, said Gov. Nathan Deal, who made the appointment.

"The Supreme Court will benefit from Judge Blackwell's experience on both sides of the bench," Deal said. "His intelligence, many years of experience and dedicated commitment to public service will serve Georgians well in his new role on our state's highest court."

Blackwell, 36, was one of seven finalists recently sent to Deal by the governor's Judicial Nominating Commission. Others on the short list included Superior Court Judges Cynthia "C.J." Becker of DeKalb County and William "Billy" Ray of Gwinnett County.

Blackwell's appointment is not expected to greatly change the court's dynamics with regard to appeals involving criminal cases and social issues, where Carley was often a reliable conservative vote.

But his appointment could tilt the court's leanings in cases regarding tort reform and litigation involving business interests. In civil litigation, Carley often sided with plaintiffs, but Blackwell is expected to rule more often the other way, said Atlanta lawyer Randy Evans, who co-chaired Deal's nominating commission.

"He's a phenomenal choice," Evans said. "I think everyone agrees he's brilliant. He's a solid conservative. He's got appellate experience. He brings all the things you would look for for the governor's first pick on the Supreme Court."

Blackwell, who lives in Cobb County, graduated summa cum laude from the University of Georgia in both his undergraduate and law school classes. After obtaining his law degree, Blackwell clerked for Judge J.L. "Larry" Edmondson on the 11th U.S. Circuit Court of Appeals in Atlanta.

Edmondson, the court's former chief judge, said he was delighted with Blackwell's appointment.

"He is a man of great integrity and intelligence," he said. "I am fully confident that he will give excellent service to the state and court."

Blackwell later served two years as an assistant district attorney in Cobb County and, in 2005, he entered private practice, focusing on complex commercial litigation.
After the federal health care law was signed, Blackwell joined a number of private Georgia attorneys who, working for free as special assistant attorneys general, helped file the state’s challenge.

He worked on the case until October 2010, when then-Gov. Sonny Perdue appointed him to the state Court of Appeals.

Since 2006, Blackwell has donated more than $3,000 to a number of state campaigns. This includes $500 to Mike Wiggins’ failed campaign against Justice Carol Hunstein, who will soon be one of Blackwell’s colleagues.

Blackwell, who chaired Lawyers for Deal, also donated $500 to the governor’s 2010 campaign.

On Monday, Blackwell thanked Deal for putting him on the state’s highest court. “I have given my word to Governor Deal, and I give my word to the citizens of this state, that every day and in every case I will adhere to the high standards of impartiality, independence and integrity that Georgians rightfully expect of their judges.”

Find this article at:
What the Supreme Court's immigration rulings mean for Georgia

By BLAKE AUED
updated Monday, June 25, 2012 - 10:41pm

The U.S. Supreme Court's ruling Monday on Arizona's anti-immigration law likely spells doom for a similar law in Georgia, according to a prominent immigration attorney.


"By upholding an Arizona provision that is similar to a provision in Georgia's law, which allows state and local law enforcement officers to check the immigration status of criminal suspects, the Supreme Court has confirmed that states can implement this common-sense and important public safety measure," Ramsey said in a news release.

However, that part of the law can't be enforced without illegal racial profiling, and local and state police now are barred from arresting those violating immigration law, said Charles Kuck, past president of the American Immigration Lawyers Association and an adjunct professor at the University of Georgia School of Law.

"How do you tell somebody's undocumented?" Kuck said. "Because they don't speak English? Tell that to the guys who work at Kia."

The ruling sets up grounds for future lawsuits that likely will overturn the law, he said. Because of the decision, Kuck said he expects a federal appeals court to rule Georgia's illegal immigration law unconstitutional in August or September. Federal judges put parts of the 2011 law on hold last year.

The court struck down provisions requiring immigrants to carry registration papers, banning illegal immigrants from working and allowing police to arrest suspected illegal immigrants without warrants.

Five states - Alabama, Georgia, Indiana, South Carolina and Utah - adopted variations on Arizona's law. Parts of those laws also have been on hold pending the outcome of the Supreme Court case.

The Obama administration sued to block the Arizona law soon after its
enactment two years ago. Federal courts had refused to let the four key provisions take effect.

The Supreme Court was unanimous on allowing the immigration status check to go forward. The justices were divided on striking down the other portions.

Justice Anthony Kennedy said the law could — and suggested it should — be read to avoid concerns that status checks could lead to prolonged detention.

Chief Justice John Roberts and Justices Stephen Breyer, Ruth Bader Ginsburg and Sonia Sotomayor joined all of Kennedy’s opinion.

Justices Antonin Scalia and Clarence Thomas would have allowed all the challenged provisions to take effect. Justice Samuel Alito would have allowed police to arrest undocumented immigrants who seek work, and also make arrests without warrants.

Justice Elena Kagan sat out the case because of her work in the Obama administration.

The Arizona case focused on whether states can adopt their own measures to deal with an estimated 11 million illegal immigrants in the face of federal inaction on comprehensive reform, or whether the federal government has almost exclusive authority in that area.

Kennedy wrote obliquely about the impasse at the national level.

"Arizona may have understandable frustrations with the problems caused by illegal immigration while that process continues, but the state may not pursue policies that undermine federal law," Kennedy said.

• The Associated Press contributed to this report.
Governor Deal Appoints Keith Blackwell to Georgia Supreme Court

By Carrie Severino
June 25, 2012 6:26 P.M.

Congratulations to Keith Blackwell on his appointment to the Georgia Supreme Court. Blackwell, currently a judge on the Georgia Court of Appeals, graduated summa cum laude from Franklin College, served as senior editor of the law review at the University of Georgia School of Law, and clerked for Judge Edmondson on the U.S. Court of Appeals for the 11th Circuit. After clerking, Judge Blackwell distinguished himself in private practice and in several government roles, including service as deputy special attorney general representing Georgia in the Obamacare litigation. He is a longtime member of the Federalist Society, and has served as president of the Atlanta Lawyers Chapter of the society. He has been a judge on the Court of Appeals since late 2010, when he was appointed by Governor Perdue along with another conservative standout, Steve Dillard, perhaps better known to court-watchers as “Feddie” from the now-defunct legal blog Southern Appeal.

Blackwell’s elevation creates a vacancy on the Georgia Court of Appeals. I suspect Governor Deal will have many highly qualified applicants to choose from, but I hear great things about former Bush administration lawyer Lisa Branch. With candidates like Blackwell, Dillard, and Branch, a future President Romney shouldn’t have to look too hard to fill federal vacancies in Georgia or on the 11th Circuit.

Kudos to Governor Deal on this excellent choice, and good luck to Justice Blackwell.
Presidential search committee appointed

The board of regents has appointed a committee to help find the next president for the University of Georgia. A national search will be conducted to find a successor to UGA President Michael F. Adams, who will step down on June 30, 2013. Adams has served as UGA's president since 1997.

Regents on the committee are Larry Walker (committee chair), Rusty Griffin, Don Leebern, Dink NeSmith, Doreen Poitevint, Ben Tarbutton III and Philip Wilheit. Chris Cummiskey, commissioner of the Georgia Department of Economic Development, also has been named to the committee.

Search committee members from UGA are Alan Darvill, Franklin College of Arts and Sciences; Steve Stice, College of Agricultural and Environmental Sciences; K. Page Carmichael, College of Veterinary Medicine; Dennis Epps, Carl Vinson Institute of Government; Denise A. Spangler, College of Education; John C. Inscoe, Franklin College of Arts and Sciences; Dean Robert Sumichrast, Terry College of Business; Larry Thompson, School of Law; Jerry Daniel, Franklin College of Arts and Sciences and chair of the Staff Council; Will Burgess, president of the Student Government Association; William D. Young Jr., chair of the University of Georgia Foundation; Judge Steve Jones, president of the UGA Alumni Association; and Rogers Wade, member of the UGA Agricultural Engineering Advisory Board.

The Dallas, Texas, firm of R. William Funk and Associates has been retained to provide executive search consulting services. The committee will hold its first meeting July 24.
Trey PHILLIPS

Family-Placed Death Notice

PHILLIPS, Trey Troy Phillips, age 43, of Lawrenceville, Georgia, passed away on June 22, 2012 from injuries received in a motorcycle accident. He is preceded in death by his mother, Joyce Lane Phillips. He is survived by his father, James M. Phillips, Sr. and his wife Salli of Baton Rouge, LA; two brothers, James M. Phillips, Jr. and his wife Lisa of Los Altos, CA, Douglas Phillips and his significant other Kathryn of London, England; two nephews, Ryan and Paxton; niece, Charlette; Trey's beloved Jack Russell K9 companion, "Eddie", and many loving extended family members, a host of loyal friends, and grateful clients. Trey Phillips was born in Baton Rouge, Louisiana on January 26, 1969. He was a Honorably Discharged United States Army Veteran serving in the 82nd Airborne Division, 3rd Ranger Battalion, and 11th Armored Calvary. He served as a Combat Medic (Sergeant), Paratrooper and Special Forces Diving Medical Technician. Trey left the Army due to a jump-related parachute injury. He attended Emory University graduating with a Finance Degree. He received his Juris Doctor Degree from the University of Georgia Law School. Trey owned his own law firm, Law Office of Trey Phillips, LLC. He was also a licensed pilot, certified Master Scuba Diver, and Sky Diver. Everyone that knew this remarkable man knew about his great passion for life. Trey will be deeply missed by his loving family and many devoted friends and clients that he had the honor of service. A Service Celebrating the Life of Trey Phillips will be held on Thursday, June 28, 2012 at 11:00 A.M. at Tom M. Wages Lawrenceville Chapel. Interment will follow at 2:30 P.M. at the Georgia National Cemetery, Canton, GA with Military Honors. The Patriot Honor Guard and The Blue Bloods will escort Trey to his final resting place. The family will receive friends on Wednesday from 4:00 P.M. to 8:00 P.M. at the funeral home. Those desiring may make contributions to the Canine Pet Rescue, P.O. Box 248, Lawrenceville, GA 30046 (1-855-HELPGSDS) in memory Trey Phillips. Condolences may be sent or viewed at www.wagesfuneralhome.com. Tom M. Wages Funeral Service, LLC, "A Family Company," Lawrenceville Chapel (770-963-2411) has been entrusted with the arrangements.

Published in The Atlanta Journal-Constitution on June 26, 2012
SMYRNA resident Keith Blackwell will be the newest justice on the Georgia Supreme Court, following his appointment on Monday by Gov. Nathan Deal.

He will succeed Justice George H. Carley, whose resignation announced last year takes effect July 17. Blackwell has served on the Georgia Court of Appeals since 2010, when he was appointed by Gov. Sonny Perdue. Blackwell could run for election for a full term on the court in 2014. He'll be sworn in to succeed Carley on July 19.

The new justice is a native of Cherokee County, having graduated from Cherokee High School. He went on to graduate first in his class from the University of Georgia's College of Arts and Sciences with a political science degree in 1996, then capped that by graduating first in his class from the University of Georgia School of Law in 1999.

He spent two years in Cobb as an assistant county prosecutor early in his career. His most noteworthy case was probably that of Cortez Lornell Carter, who was accused of robbing and beating to death a pizza deliveryman, Paul Wojcik, during a fierce struggle in the Windmill Lake Apartment complex on Favor Road in Marietta in 2002. The robbery netted Carter $10 and a pizza. The victim was the father of three children. Carter was found guilty after a brief trial in 2004 and sentenced to life plus 20 years in prison.

Blackwell later worked as a partner with Parker, Hudson, Ranier & Dobbs in Atlanta until 2010, when he was appointed to the Appeals Court along with Macon attorney Stephen Dillard to fill a pair of vacancies on that 12-member court created by the retirement of Judge Alan Blackburn and the untimely cancer-related passing of Judge Debra Bernes, both of east Cobb.

“I have given my word to Governor Deal, and I give my word to the citizens of this state, that every day and in every case, I will adhere to the high standards of impartiality, independence and integrity that Georgians rightfully expect of their judges; that I will faithfully apply the law as it is, not as I might wish it to be; and that I will respect the separation of powers, bearing in mind that the judicial power, though indispensable to our system of government, is a limited one,” said Blackwell in a statement.
Blackwell and his wife, Angela, have three daughters.

FORMER KENNESAW STATE UNIVERSITY  Provost Dr. Lendley Black has only been chancellor of the University of Minnesota-Duluth for a little more than year, but he already has a controversy on his hands due to his strong support for an ad campaign designed to promote “racial justice” by raising awareness of “white privilege.”

As reported last week on the CampusReform.org watchdog site, Black has directed the UMD to partner with local organizations and lead the well-funded UnFair Campaign, which has as its motto, “It’s hard to see racism when you’re white.”

The centerpieces of the campaign are online videos featuring close-ups of Caucasians confessing their guilt for the “privilege” they say comes with their color.

“We’re privileged because the system was set up for us and our silence keeps it in place,” says one man.

Those in the videos have “Unfair” slogans scrawled on their faces by ink pen or Magic Marker. Black sent a lengthy message to the campus in April endorsing the campaign as part of an effort to create an “inclusive campus.”

Black’s school also made news briefly last September after one of his diversity administrators called a student a “white supremacist” for handing out free pocket-sized copies of the U.S. Constitution.

Black served as provost of KSU for six years before taking the UMD job in early 2011. In fact, KSU President Dr. Dan Papp was in Duluth for Black’s investiture as chancellor when he was apprised via a phone call from an MDJ reporter that Phys-Ed professor Dr. Timothy Chandler of Kent State University, his choice to succeed Black as provost (the second-ranking job at the school) appeared to be a closet Marxist. That assessment was obvious after plowing through an opaque academic paper penned by Chandler, a critique of university governance that embodied Marxist philosophy and described the U.S. as “the most violent nation in history.”

Many KSU faculty members argued “academic freedom” entitled Chandler to whatever views he desired; but Papp was quick to understand Chandler would have been a disaster for KSU. His support for Chandler quickly turned tepid, and Chandler decided to stay put at Kent. KSU promoted Dr. Ken Harmon to the provost slot instead.

IS THEATRE IN THE SQUARE  soon to rise from the ashes, phoenix-like, under another name but at its familiar Whitlock Avenue location? Possibly.

East Cobb’s Ed Howard, author and producer of the “Greater Tuna” series of plays, and Gene Bradley, longtime house manager and hostess at the theater, have
announced plans for "The Marietta Theatre." It has the blessings of Theatre in the Square co-founder Palmer Wells, in contrast with the "Trackside Theatre Company" proposal floated this spring by former Theatre in the Square board chair Mike Russell and education director Susan Reid.

Theatre in the Square closed in March for financial reasons and many saw the "Trackside" proposal as the latest act in a thinly veiled coup attempt by Russell and Reid to depose Wells. The two requested $50,000 in start-up money from the city, but later withdrew the request when it appeared likely to be rejected.

Those behind The Marietta Theatre group are not asking for donations, but are requesting "pledges to donate." Once they have secured the appropriate level of pledges for Year-One operations, Howard could sign a lease on the theater space at 11 Whitlock Ave., and ask for donations, which would be tax-deductible.

Howard and Bradley have emailed nearly 3,000 people asking for pledges. Howard said rent for the building is about $7,000 monthly, and that he has collected about $10,000 in pledges thus far. The Springer Opera House in Columbus would provide administrative and tech support for the start-up and transition to an independent, non-profit, community-based professional theater, Howard said.

"I believe so in the healing power of theater and I think everybody needs to have a chance to be a part of it," said 63-year-old Howard.

Howard also promises "an eclectic mix of shows geared to the tastes and values of the community with an emphasis on the works of Southern writers."

In addition, the theater's budget emphasis would be on artistic talent, with other expenses kept to a minimum, he said.

**POLITICS:** Many, if not most, of those whose names will appear on the July 31 primary ballot will converge this evening at Parc at Piedmont for a non-partisan forum organized by Oliver Halle and Don Jenacova. The candidates make no remarks and then mingle with the crowd. For more call Halle at (770) 321-2778.

Another non-partisan event will be Wednesday, when state Rep. David Wilkerson (D-Austell) will conduct a meet-and-greet for all candidates for the District 4 seat representing southwest Cobb on the county commission and Post 3 on the Cobb school board.

The event will be from 6:30 to 8 p.m. at the Ron Anderson Recreation Center in Powder Springs.

**MORE POLITICS:** It will be a case of dueling fundraisers on Thursday in the race for county commission chairman. Butch Thompson and Paul Chastain will conduct a breakfast for Commission Chair candidate Bill Byrne from 7 to 9 a.m. at Butch Thompson Enterprises on Moon Station Drive in Kennesaw. And a
fundraiser for Commission Chairman Tim Lee will be from 6:30 to 8 p.m. that evening at the Atlanta Marriott Northwest. ...

Also Thursday, U.S. Sen. Johnny Isakson, Georgia Attorney General Sam Olens and Cobb Sheriff Neil Warren will be honorary hosts at a reception welcoming Kimberly Carroll as deputy clerk designee for Cobb Clerk of Superior Court candidate Rebecca Keaton from 5:30 to 7:30 p.m. at the offices of Moore Ingram Johnson & Steele at 326 Roswell St. ...

THE STRAND THEATRE in Marietta will be transformed into “Hitsville, USA” starting July Fourth for five performances of classic Motown tunes from the 1960s by a live band and vocalists. Shows are July 4 to 8, with the Sunday show a matinee. Last year’s Motown show was a sell-out, reminds director Earl Reece. Tickets are $20.

Go to www.earlsmithstrand.org or call (770) 293-0080.

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Blackwell chosen as Gov. Deal's first pick to Ga. Supreme Court

Alyson M. Palmer
Daily Report
06-26-2012

Governor Nathan Deal on Monday named Court of Appeals Judge Keith Blackwell as his pick for the state Supreme Court.

Blackwell has been a judge since Governor Sonny Perdue appointed him to the appeals court 20 months ago. He will replace George Carley, who is retiring from the court July 17.

Blackwell will be sworn in to the new job on July 19, according to the governor's announcement. Blackwell is Deal's first Supreme Court pick.

By plucking Blackwell from the state Court of Appeals, Deal will get to choose Blackwell's replacement on that court. The governor made his first appellate court appointment in December, when he named Michael Boggs to the Court of Appeals.

At 36, Blackwell brings to the job a mix of youth and serious manner, political work and strong academic credentials. He worked on Deal's gubernatorial campaign before being tapped for the bench in 2010; he also clerked for a federal appeals court judge and says he finished first in his law school and undergraduate classes at the University of Georgia.

Passed over for the job were six others put on a short list by Deal's Judicial Nominating Commission: DeKalb County Superior Court Judge Cynthia "C.J." Becker; Elizabeth "Lisa" Branch, a litigator at Smith, Gambrell & Russell; Michael Brown, co-leader of Alston & Bird's Government and Internal Investigations Group; Gwinnett County Superior Court Judge William "Billy" Ray Jr.; Macon Superior Court Judge Tilman "Tripp" Self III; and Henry County State Court Chief Judge Ben Studdard III. A spokeswoman for Deal, Stephanie Mayfield, confirmed Deal personally interviewed all seven finalists.

The Supreme Court also-rans may have a chance for Blackwell's seat on the appeals court. Deal's spokeswoman said the JNC will open its application process for two weeks so that candidates who didn't apply for the Supreme Court opening may apply for the Court of Appeals.


"The Supreme Court will benefit from Judge Blackwell's experience on both sides of the bench," Deal said in the release. "His intelligence, many years of experience and dedicated commitment to public service will serve Georgians well in his new role on our state's highest court."

Blackwell didn't make himself available for interviews on Monday. The governor's press release quoted Blackwell as saying, "I have given my word to Governor Deal, and I give my word to the citizens of this state, that every day and in every case, I will adhere to the high standards of impartiality, independence and integrity that Georgians rightfully expect of their judges; that I will faithfully apply the law as it is, not as I might wish it to be; and that I will respect the separation of powers."
Blackwell was born in Canton and grew up in nearby Ball Ground, a small Cherokee County town. The son of a teacher and aircraft mechanic and technician with the Georgia Air National Guard, Blackwell has said he had a lot of military and law enforcement people in his family — and no lawyers — and initially planned to return home after law school to become a prosecutor. During school and in the summers, he interned with district attorney offices in North Georgia.

But he was on the Georgia Law Review at UGA. And, he has said, his professors encouraged him to apply for a judicial clerkship. He landed a position with J.L. Edmondson on the U.S. Court of Appeals for the Eleventh Circuit.

That's the same judge for whom Ryan Teague, Deal's executive counsel, clerked. And, speaking at Blackwell's 2010 swearing-in, the usually-reticent Edmondson said out of the approximately 80 law clerks who had worked for him, no more than one or two were as talented as Blackwell.

Blackwell has said the clerkship gave him a broader exposure to other areas of the law. After his clerkship, Blackwell went to work as an associate at Alston & Bird. He stayed there about three years, then took a job as an assistant district attorney in Cobb County. A couple of years later, he returned to private practice, joining Parker, Hudson, Rainer & Dobbs. He became a partner there in 2009.

Meanwhile, Blackwell was making political connections. He was president of the Atlanta lawyers' chapter of the Federalist Society from 2007 to 2010. He volunteered as a lawyer for the state Republican party, and Perdue put him on the JNC in 2009. He worked on John McCain's presidential campaign and chaired the Lawyers for Deal committee during Deal's gubernatorial campaign until Perdue tapped him for the appeals court.

Also before joining the appeals bench, Blackwell was part of the team appointed by Perdue to represent the governor in a challenge to the federal health care overhaul. (The U.S. Supreme Court is expected to rule on that case on Thursday.)

When Perdue tapped Blackwell for the appeals court in 2010, Blackwell responded to grumbling about his being a political insider by saying it was natural for someone interested in public policy to be involved in politics.

After his 2010 appointment, Blackwell also addressed questions about his relative lack of experience before the state appeals court, saying he had a wide breadth of experience handling criminal matters, product liability lawsuits and business disputes. He has also tried a murder case.

As an appeals court judge, Blackwell has won some validation from the court he will soon join. In *Hawkins v. State*, 307 Ga. App. 253 (2010), a case about police searches of cellphones, Blackwell wrote a majority opinion that sided with police, and the state high court upheld that decision unanimously. In another case, *Georgia Society of Ambulatory Surgery Centers v. Georgia Department of Community Health*, 309 Ga. App. 31 (2011), Blackwell wrote a dissent siding with the state Department of Community Health in a dispute with a group of surgery centers; again, the high court endorsed Blackwell's view, this time overturning the Court of Appeals.

Atlanta lawyer Robert Highsmith, a member of the JNC, said Blackwell's Supreme Court interview "was among the very, very best of the day, and his intellect and command of the law and presence were stunning." Asked about Blackwell's having not been a trial court judge, Highsmith said the new appointee has "done everything but that."

"Someone with his intellect and encyclopaedic command on the law — he's just going to be a fabulous asset to the Georgia Supreme Court," Highsmith said.

Another JNC member, Statesboro attorney James "Jimmy" Franklin, said in a written statement that Blackwell will make an "outstanding" justice.

"His intellect, work ethic and experience, both as a practicing attorney and appellate Judge, will serve him and the people of Georgia well," said Franklin. "The Governor is to be complimented for his dedication and commitment to the nominating process."

Blackwell won't be the youngest person ever to serve on the state's highest court. That distinction goes to former Chief Justice Leah Ward Sears, who in 1992 was appointed to the court by Governor Zell Miller when she was several months shy of her 37th birthday. Blackwell turns 37 next week.

Carley has been serving a brief term as the court's chief justice, but, unlike the U.S. Supreme Court, the chief is not chosen by the executive branch and confirmed by the legislature. Instead, the Georgia high court selects its own leader from within, traditionally by seniority.

Former Chief Justice Carol Hunstein is expected to resume her tenure as chief when Carley steps down next month.

Carley issued a written statement welcoming Blackwell on behalf of the court and calling him "eminently qualified" for his new job.
Around Town: Smyrnan tapped by governor for state's Supreme Court

by Marietta Daily Journal Editorial Board

June 26, 2012 12:00 AM | 2481 views

SMYRNA resident Keith Blackwell will be the newest justice on the Georgia Supreme Court, following his appointment on Monday by Gov. Nathan Deal.

He will succeed Justice George H. Carley, whose resignation announced last year takes effect July 17. Blackwell has served on the Georgia Court of Appeals since 2010, when he was appointed by Gov. Sonny Perdue. Blackwell could run for election for a full term on the court in 2014. He'll be sworn in to succeed Carley on July 19.

The new justice is a native of Cherokee County, having graduated from Cherokee High School. He went on to graduate first in his class from the University of Georgia's College of Arts and Sciences with a political science degree in 1996, then capped that by graduating first in his class from the University of Georgia School of Law in 1999.

He spent two years in Cobb as an assistant county prosecutor earlier in his career. His most noteworthy case was probably that of Cortez Lornell Carter, who was accused of robbing and beating to death a pizza deliveryman, Paul Wojcik, during a struggle in the Windmill Lake Apartment complex on Favor Road in Marietta in 2002. The robbery netted Carter $10 and a pizza. The victim was the father of three children. Carter was found guilty after a brief trial in 2004 and sentenced to life plus 20 years in prison.

Blackwell later worked as a partner with Parker, Hudson, Ranier & Dobbs in Atlanta until 2010, when he was appointed to the Appeals Court along with Macon attorney Stephen Dillard to fill a pair of vacancies on that 12-member court created by the retirement of Judge Alan Blackburn and the untimely cancer-related passing of Judge Debra Bernes, both of east Cobb.

"I have given my word to Governor Deal, and I give my word to the citizens of this state, that every day and in every case, I will adhere to the high standards of impartiality, independence and integrity that Georgians rightfully expect of their judges; that I will faithfully apply the law as it is, not as I might wish it to be; and that I will respect the separation of powers, bearing in mind that the judicial power, though indispensable to our system of government, is a limited one," said Blackwell in a statement.

Blackwell and his wife, Angela, have three daughters.

FORMER KENNESAW STATE UNIVERSITY Provost Dr. Lendley Black has only been chancellor of the University of Minnesota-Duluth for a little more than year, but he already has a controversy on his hands due to his strong support for an ad campaign designed to promote "racial justice" by raising awareness of "white privilege."

As reported last week on the CampusReform.org watchdog site, Black has directed the UMD to partner with local organizations and lead the well-funded UnFair Campaign, which has as its motto, "It's hard to see racism when you're white."

The centerpiece of the campaign are online videos featuring close-ups of Caucasians confessing their guilt for the "privilege" they say comes with their color.

"We're privileged because the system was set up for us and our silence keeps it in place," says one man.

Those in the videos have "Unfair" slogans scrawled on their faces by ink pen or Magic...
Marker. Black sent a lengthy message to the campus in April endorsing the campaign as part of an effort to create an "inclusive campus."

Black's school also made news briefly last September after one of his diversity administrators called a student a "white supremacist" for handing out free pocket-sized copies of the U.S. Constitution.

Black served as provost of KSU for six years before taking the UMD job in early 2011. In fact, KSU President Dr. Dan Papp was in Duluth for Black's investiture as chancellor when he was apprised via a phone call from an MDJ reporter that Phys-Ed professor Dr. Timothy Chandler of Kent State University, his choice to succeed Black as provost (the second-ranking job at the school) appeared to be a closet Marxist. That assessment was obvious after plowing through an opaque academic paper penned by Chandler, a critique of university governance that embodied Marxist philosophy and described the U.S. as "the most violent nation in history."

Many KSU faculty members argued "academic freedom" entitled Chandler to whatever views he desired; but Papp was quick to understand Chandler would have been a disaster for KSU. His support for Chandler quickly turned tepid, and Chandler decided to stay put at Kent. KSU promoted Dr. Ken Harmon to the provost slot instead.

IS THEATRE IN THE SQUARE soon to rise from the ashes, phoenix-like, under another name but at its familiar Whitlock Avenue location? Possibly.

East Cobb's Ed Howard, author and producer of the "Greater Tuna" series of plays, and Gene Brustess, house manager and hostess at the theater, have announced plans for "The Marietta Theatre." It has the blessings of Theatre in the Square co-founder Palmer Wells, in contrast with the "Trackside Theatre Company" proposal floated this spring by former Theatre in the Square board chair Mike Russell and education director Susan Reid.

Theatre in the Square closed in March for financial reasons and many saw the "Trackside" proposal as the latest act in a thinly veiled coup attempt by Russell and Reid to depose Wells. The two requested $50,000 in start-up money from the city, but later withdrew the request when it appeared likely to be rejected.

Those behind The Marietta Theatre group are not asking for donations, but are requesting "pledges to donate." Once they have secured the appropriate level of pledges for Year-One operations, Howard could sign a lease on the theater space at 11 Whitlock Ave., and ask for donations, which would be tax-deductible.

Howard and Bradley have emailed nearly 3,000 people asking for pledges. Howard said rent for the building is about $7,000 monthly, and that he has collected about $10,000 in pledges thus far. The Springer Opera House in Columbus would provide administrative and tech support for the start-up and transition to an independent, non-profit, community-based professional theater, Howard said.

"I believe so in the healing power of theater and I think everybody needs to have a chance to be a part of it," said 63-year-old Howard.

Howard also promises "an eclectic mix of shows geared to the tastes and values of the community with an emphasis on the works of Southern writers."

In addition, the theater's budget emphasis would be on artistic talent, with other expenses kept to a minimum, he said.

POLITICS: Many, if not most, of those whose names will appear on the July 31 primary ballot will converge this evening at Parc at Piedmont for a non-partisan forum organized by Oliver Halle and Don Jenacova. The candidates make no remarks and then mingle with the crowd. For more call Halle at (770) 321-2778 ...

Another non-partisan event will be Wednesday, when state Rep. David Wilkerson (D-Austell) will conduct a meet-and-greet for all candidates for the District 4 seat representing southwest Cobb on the county commission and Post 3 on the Cobb school board.

The event will be from 6:30 to 8 p.m. at the Ron Anderson Recreation Center in Powder Springs.

MORE POLITICS: It will be a case of dueling fundraisers on Thursday in the race for county commission chairman. Butch Thompson and Paul Chastain will conduct a breakfast fundraiser for Commission Chair candidate Bill Byrne from 7 to 9 a.m. at Butch Thompson Enterprises on Moon Station Drive in Kennesaw. And a fundraiser for Commission Chairman Tim Lee will be from 6:30 to 8 p.m. that evening at the Atlanta Marriott Northwest. ...

Also Thursday, U.S. Sen. Johnny Isakson, Georgia Attorney General Sam Olens and Cobb Sheriff Neil Warren will be honorary hosts at a reception welcoming Kimberly
Carroll as deputy clerk designee for Cobb Clerk of Superior Court candidate Rebecca Keaton from 5:30 to 7:30 p.m. at the offices of Moore Ingram Johnson & Steele at 326 Roswell St. ...  

THE STRAND THEATRE in Marietta will be transformed into "Hitsville, USA" starting July Fourth for five performances of classic Motown tunes from the 1960s by a live band and vocalists. Shows are July 4 to 8, with the Sunday show a matinee. Last year's Motown show was a sell-out, reminds director Earl Reece. Tickets are $20. 

Go to www.earlsmithstrand.org or call (770) 293-0080.

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Comments (3)

thisispathetic | June 26, 2012

can we elect Keaton to SOME OFFICE so she will quit bothering us. it's clear that she has nothing else to do other than to run (and lose). nothing like having family money to spend time with pet projects.

Reply

Perfect Keaton Job | June 26, 2012

The only office Keaton is running for is Chief Rat Cather. If there are no people working for her, Rats could learn a lot from her. There wouldn't be any challengers; that's the only way she'd win.

Reply

Black and White | June 26, 2012

Black obviously hates being white. While i am sorry for him, I suggest the only remedy is to speak to the Almighty and ask for advice. Or maybe just go to a Spa and chill out for awhile.

Reply

*We welcome your comments on the stories and issues of the day and seek to provide a forum for the community to voice opinions. All comments are subject to moderator approval before being made visible on the website but are not edited. The use of profanity, obscene and vulgar language, hate speech, and racial slurs is strictly prohibited. Advertisements, promotions, spam, and links to outside websites will also be rejected. Please read our terms of service for full guides.
Amazing Zeb is a seven-year old Chesapeake Bay Retriever (Chessie) who was originally found blind, matted, in pain from arthritis, and malnourished, but Angels Among Us Rescue has gotten him on the road to recovery. All he needs now is a home.

He gets along well with kids, cats and other dogs, and is 100% house-broken, maneuvers well though he's blind, and his arthritis is under management inexpensively.

He is available for adoption from Angels Among Us Rescue and will make someone a great pet. You can also support Angels Among Us by donating online, applying to be a foster parent, or volunteering at adoption events.

Georgia Politics, Campaigns, and Elections

Yesterday was Supreme Court day, with the United States Supreme Court handing down a decision on Arizona's immigration reform statute, and denying certiorari for the Tri-State water case involving Georgia, Florida, and Alabama. A lot of attention was paid to a decision by the Georgia Supreme Court involving payouts for diminished value of buildings after insurance payouts, and Governor Deal's appointment of a new Justice of the Georgia Supreme Court.

Shortly after 10 AM yesterday, the US Supreme Court released an opinion in Arizona v. United States, involving the state's immigration reform law, to which Georgia's HB 87 is often compared.

SCOTUSblog has a plain English analysis of the arguments in the Arizona case, which happens to have been argued by Paul Clement, who also argued for Georgia in the Obamacare case. SCOTUSblog also has a plain English analysis of the decision. Please excuse the extended excerpt:

while the Court acknowledged that Arizona had valid concerns about the effects of illegal immigration, the Court explained that the federal government's power to regulate immigration is extensive and complex. Among other things, the Court emphasized that it is fundamental that foreign countries be able to communicate with just one government the federal government about immigration issues; equally important is the broad discretion that the federal government has when it decides whether and how to enforce immigration laws.

the Court then turned to the four provisions of S.B. 1070 at issue in this case. First up was Section 3, which makes it a crime to fail to carry valid immigration papers while in Arizona. The state had argued that this provision should survive because it essentially does the same thing as federal law, which also requires immigrants to carry valid papers.

the Court explained that Congress had already made clear that it would provide the full (and only) set of standards to govern when and how immigrants must register with the federal government a concept known as field preemption. When Congress has provided this full set of standards, the Court continued, state efforts to govern the same thing cannot be valid, even if the
state laws and regulations are identical to the federal ones.

The Court next turned to Section 5(C) of S.B. 1070, which would make it a crime to apply for or hold a job in Arizona unless you have valid immigration papers. Unlike Section 3, Section 5(C) has no counterpart in federal law. But the Court again relied on the concept of field preemption to hold Section 5(C) invalid. [The court] explained, Congress made a deliberate choice not to criminalize the very conduct that Arizona now seeks to make a crime.

The third and final provision that the Court struck down was Section 6 of S.B. 1070, which would allow police officers to arrest someone without a warrant if the police officer has probable cause to believe that the individual has done something that would justify his deportation from the United States. Because Section 6 would give state law enforcement officials a much broader power to make arrests than under the federal system, the Court concluded, it cannot stand.

Section 2(B) of S.B. 1070, which requires police officers to check the immigration status of anyone whom they arrest or detain and allows them to stop and arrest someone if they believe that he is an undocumented immigrant [was upheld for the time being]. The Court relied heavily on the fact that Section 2(B) requires police officers to contact the federal government to verify an individual's immigration status.

The Supreme Court made quite clear that the key to the provision surviving in the future will be whether it is interpreted in a way that does not prolong detentions of people who are stopped by police.

Governor Nathan Deal, who signed House Bill 87, was cautiously optimistic about the impact of the Arizona case on Georgia's law:

We'll have to wait to see how the ruling on the Arizona immigration law will affect our state's enforcement reforms because Georgia's law is not identical to Arizona's. That said, it appears the court has upheld the major thrust of our state's statute: That states have the right to assist in enforcing federal immigration law.

Attorney General Sam Olens said:

I am pleased that the Supreme Court recognizes that states have an important role to play in upholding the law. I look forward to further proceedings in the Eleventh Circuit regarding Georgia's immigration reform law in the light of this decision.

Further analysis of the impact of the Arizona decision on Georgia's law is likely to trickle out over the coming days, as lawyers and commentators get a handle on what the case said.

According to the Marietta Daily Journal:

State Rep. Rich Golick (R-Smyrna) said the provisions in the Arizona law that the Supreme Court struck down are not in the Georgia law he helped write last year.

Moreover, Golick said, the Arizona provision the Court upheld goes further than the Georgia law, so it seems as if the Georgia law had a good day at the Supreme Court, and it seems to validate the measured approach taken by (state Rep. Matt Ramsey, a Peachtree City Republican) and myself.

State Sen. Judson Hill (R-east Cobb) said, Today's ruling confirms our belief that not only was Georgia's House Bill 87 an important step in protecting taxpayers from the social and economic consequences of illegal immigration, but the statute was also drafted to withstand constitutional scrutiny. At the state
level, we must continue to create laws and provisions which protect those who are here legally.

Immigration reformer D.A. King of the Dustin Inman Society called the ruling a huge loss for the anti-enforcement coalition here and in the White House and a victory for the majority of Georgians who are pro-enforcement.

King said, "[w]e know that attrition of the illegal alien population through enforcement of the law works where elected officials have the courage to move forward.

Atlanta immigration lawyer Charles Kuck suggests that HB 87 supporters are celebrating too early. Kuck suggests that Georgia's implementation of immigration status checks will determine whether it is upheld by the Eleventh Circuit Court of Appeals.

For Georgia to avoid having that law overturned based on arguments that such checks amount to racial profiling, officers would have to investigate the immigration status of every person they detain, said Kuck. He said it was a mistake for supporters of the law to interpret the high court's ruling as a victory.

This is a massive defeat for those who believe states can regulate immigration, Kuck said. "I think it's funny that anybody could read that decision and come to any other conclusion.

I don't think this is a total victory for our side by any stretch of the imagination," said Mary Bauer, legal director of the Montgomery-based Southern Poverty Law Center, which is challenging Alabama's law. "But I think it's a blow to other states that would think about going down this road.

State Rep. Matt Ramsey, (R-Peachtree City), who wrote House Bill 87, disagrees with Kuck:

Ramsey doesn't see the court's ruling the way Kuck does.

He says that's because three Arizona provisions, the court struck down, do not mirror any part of Georgia's law.

He says the part that does was upheld by the justices, allows state and local law enforcement officers the ability to check immigration status of criminal suspects.

Immigration attorney Charles Kuck and state representative Matt Ramsey differ on which provisions matter the most.

But both agree the Supreme Court's ruling lays the foundation for a possible decision on a challenge to Georgia's immigration law.

Kuck is optimistic the law will be ruled unconstitutional.

However Representative Ramsey maintains, not only was HB 87 a good step for protecting Georgia taxpayers from bearing the costs of illegal immigration it was also drafted to withstand constitutional scrutiny.

Through his blog, State Rep. Ramsey said:

I look forward to reading the opinion in its entirety, but I am pleased that the United States Supreme Court has recognized that the states do clearly have a role in enforcing our nation's immigration laws. By upholding an Arizona provision that is similar to a provision in Georgia's law, which allows state and local law enforcement officers to check the immigration status of criminal suspects, the Supreme Court has confirmed that states can implement this
common-sense and important public safety measure. Today's ruling confirms our belief that not only was Georgia's H.B. 87 an important step in protecting taxpayers from the social and economic consequences of illegal immigration, but the statute was also drafted to withstand constitutional scrutiny.

The second major decision by the U.S. Supreme Court that will affect Georgia was announced with no fanfare, but simply noted that the cases involving the water dispute between Georgia, Florida, and Alabama were denied certiorari, meaning the Court will not hear the case and the lower court decision stands. (If you hit that link, the disposition is on page 9 of the .pdf). Florida flew a pair of jean shorts at half staff from their state capitol.

WABE reviews the process of the case:

In 2009, a federal judge ruled Congress never intended for Lake Lanier to supply drinking water for Metro Atlanta. Alabama and Florida liked that ruling because they don't want the Atlanta area sucking up water that could be going to their states.

Georgia appealed that ruling to the federal appeals court in Atlanta and won last year. In other words, Metro Atlanta can use water from Lake Lanier. In response, Alabama, Florida and others asked the U-S Supreme Court to step in. In its announcement, the nation's highest court said it will not step in.

Now that we know Metro Atlanta can drink from Lake Lanier, the next question is how much? Chattahoochee River Keeper Executive Director Sally Bethea says the Army Corps of Engineers has been working on an answer to that question.

Once they have done that, then the three states should be able to sit down and have a lot of the facts at their disposal to come up with some water sharing agreement, said Bethea.

Jeremy King, a spokesman for Alabama Governor Robert Bentley, told WABE Alabama is disappointed will continue to fight. Lane Wright, a spokesman for Florida Governor Rick Scott, told WABE Florida is also disappointed and Governor Scott is exploring all options to ensure Florida's needs are met.

In Metro Atlanta, the decision was widely hailed as a victory:

Governors from the three states must reconvene negotiations over water rights and it means Georgia will be in a much stronger position when that occurs. All three states are also eagerly awaiting a decision, expected later this week, by the Corps on the allocation of water from the man-made reservoir.

Monday, however, was a time of celebration for Georgia government and business leaders.

Shortly after the high court made its announcement, Sam Williams, president of the Metro Atlanta Chamber, took the stage at a Rotary Club of Atlanta meeting wearing a broad smile.

We can legally drink the water of Lake Lanier, Williams said to booming applause throughout the banquet hall.

The much-anticipated decision could have monumental ramifications for economic development across the state and growth of the metro region.

Some companies have been hesitant to move to or expand in Atlanta, given the uncertainty of water supply, Williams said.

Georgia must not only negotiate with its neighboring states, it must also satisfy a number of federal regulators, including the U.S. Fish and Wildlife Service, the Environmental Protection Agency, the National Marine Fisheries
The 11th Circuit's ruling tasked the Corps with deciding how much water metro Atlanta can use from Lake Lanier.

The Columbus Ledger-Enquirer notes that downstream communities in Georgia may have interests closer to those of our neighbors.

Columbus Mayor Teresa Tomlinson said she hopes the competing entities can reach an agreement suitable to all involved.

Hopefully they can get together and work something out, Tomlinson said. The whole state depends on the prosperity of Atlanta, but those of us downstream also depend on the river for our prosperity.

Hopefully they can reach an agreement fair to all three and balances the interests within the state of Georgia.

During this decades-old dispute, Columbus interests have more closely aligned with Alabama and Florida rather than Georgia. The governors of neighboring Alabama and Florida were not ready to concede. While the last ruling strengthened Atlanta's hand, it did not by itself address all the issues in a dispute that dates to 1990.

Georgia has spent $18.7 million on outside counsel in the water case, not including approximately 1000 hours by state-employed lawyers.

A third case handed down by the Supremes will have a limited direct effect in Georgia, affecting only 31 Georgia prisoners who were sentenced to life without parole for crimes committed when they were 17 or younger. In Miller v. Alabama, the Court held that a life without parole sentence cannot be mandatory for minors who are convicted, and sent two Alabama cases back to state courts for individualized sentencing.

The AJC writes:

Georgia Attorney General Sam Olens' office and the state Board of Pardons and Paroles said they were reviewing the decision and those 31 cases to determine what if anything to do next.

The impact in Georgia will depend on each individual case, said Olens spokeswoman Lauren Kane.

Stephen Bright, executive director of the Southern Center for Human Rights, said an assessment of Georgia's cases, even though the sentence was not mandatory, would be the prudent thing to do. Monday's ruling addressed mandatory sentencing, which isn't how those a life without the possibility of parole sentence is handed down to juveniles in Georgia.

In this state, a sentence of life without the possibility of parole has been given to juvenile convicts, in most cases, as an alternative to death.

John Oxendine's back!

Former Georgia Insurance Commissioner John Oxendine returned to the news with a headline that did not include the words ethics or violation, as a decision released by the Georgia Supreme Court nearly a month ago could mean changes in the insurance industry.

Georgia Supreme Court Appointment

Rounding out yesterday's State and National Supreme Court Day, Governor Deal appointed Judge Keith Blackwell of the Georgia Court of Appeals to fill the
Georgia Supreme Court seat being vacated by Justice Carley. Announcing the appointment, Deal said:

The Supreme Court will benefit from Judge Blackwell's experience on both sides of the bench, said Deal. His intelligence, many years of experience and dedicated commitment to public service will serve Georgians well in his new role on our state's highest court.

Blackwell is a graduate of Cherokee High School, and graduated from the University of Georgia as a Political Science major in 1996 and from the University of Georgia School of Law in 1999. He graduated first in his class both times at UGA.

LOAD-DATE: June 26, 2012

PepsiCo, Inc has announced that Larry Thompson has rejoined the company as executive vice president, or EVP, of government affairs, general counsel and corporate secretary, effective July 30, 2012.

Thompson will succeed Maura Abeln Smith, who chose to leave the company to pursue other opportunities. Thompson will be responsible for PepsiCo's legal function and government affairs and public policy organizations. He also will oversee the company's global compliance function and the PepsiCo Foundation, the company's philanthropic arm. Thompson, who will report to PepsiCo Chairman and CEO Indra Nooyi, was PepsiCo's senior vice president of government affairs, general counsel and corporate secretary from 2004 to 2011. Prior to rejoining the company, he served as the John Sibley Chair in Corporate and Business Law at the University of Georgia School of Law. Thompson also has been serving as a member of several prestigious corporate boards, and undertook other special projects. "We are excited to welcome Larry back to PepsiCo," said Nooyi. "Larry is a proven and seasoned leader with a strong track record of success at PepsiCo. He has been a highly regarded and trusted advisor, and he has a deep knowledge of, and passion for our business. We will benefit greatly from Larry's leadership moving forward. "Maura has a distinguished 30-year record of achievement and service on behalf of PepsiCo and other public companies. During her tenure at PepsiCo, she worked tirelessly and made significant contributions. We wish her the very best in her future endeavors."

LOAD-DATE: June 26, 2012

******* Print Completed *******
Breaking News

Teenager killed in crash Sunday night July 2, 2012

Trey Phillips

Want daily summaries and Breaking News alerts?

By Staff (11110)

Trey Phillips, age 43, of Lawrenceville, Georgia, passed away on June 22, 2012 from injuries received in a motorcycle accident. He is preceded in death by his mother, Joyce Lane Phillips. He is survived by his father, James M. Phillips, Sr. and his wife Salli of Baton Rouge, LA; two brothers, James M. Phillips, Jr. and his wife Lisa of Los Altos, CA, Douglas Phillips and his significant other Kathryn of London, England; two nephews, Ryan and Paxton; niece, Charlette; Trey’s beloved Jack Russell K9 companion, “Eddie”, and many loving extended family members, a host of loyal friends, and grateful clients.

Trey Phillips was born in Baton Rouge, Louisiana on January 26, 1969. He was a Honorably Discharged United States Army Veteran serving in the 82nd Airborne Division, 3rd Ranger Battalion, and 11th Armored Calvary. He served as a Combat Medic (Sergeant), Paratrooper and Special Forces Diving Medical Technician. Trey left the Army due to a jump-related parachute injury. He attended Emory University graduating with a Finance Degree. He received his Juris Doctor Degree from the University of Georgia Law School. Trey owned his own law firm, Law Office of Trey Phillips, LLC. He was also a licensed pilot, certified Master Scuba Diver, and Sky Diver. Everyone that knew this remarkable man knew about his great passion for life. Trey will be deeply missed by his loving family and many devoted friends and clients that he had the honor of service. A Service Celebrating the Life of Trey Phillips will be held on Thursday, June 28, 2012 at 11:00 A.M. at Tom M. Wages Lawrenceville Chapel. Interment will follow at 2:30 P.M. at the Georgia National Cemetery, Canton, GA with Military Honors. The Patriot Honor Guard and The Blue Bloods will escort Trey to his final resting place. The family will
receive friends on Wednesday from 4:00 P.M. to 8:00 P.M. at the funeral home. Those desiring may make contributions to the Canine Pet Rescue, P.O. Box 248, Lawrenceville, GA 30046 (1-855-HELPGSDS) in memory of Trey Phillips. Condolences may be sent or viewed at www.wagesfuneralhome.com. Tom M. Wages Funeral Service, LLC, “A Family Company,” Lawrenceville Chapel (770-963-2411) has been entrusted with the arrangements.
Trott & Trott Expands Ranks with Five New Attorneys

By: Tory Barringer  06/26/2012

Trott & Trott, P.C. announced Monday that the firm gained five new attorneys.

Caren Bales comes to Trott’s litigation department. Bales earned her B.A. magna cum laude from Wayne State University and got her Juris Doctor from Wayne State University Law School. Before joining Trott, she worked as an associate attorney with Blatt, Hasenmiller, Leibsker & Moore, LLC, based out of Bingham Farms, Michigan.

Sarah Biedron joins Trott as a post-sale attorney in the firm’s foreclosure department. Biedron earned a B.A. from the University of Michigan and a Juris Doctor from Wayne State University Law School. She formerly served as executive assistant at Universal Health Group Management, LLC, based in Southfield, Michigan. She also worked as a law clerk at Aldrich Legal Services in Plymouth, Michigan.

Christina Sayegh joins the firm as an attorney in the judicial foreclosure department. Sayegh earned a B.A. from Wayne State University and a Juris Doctor from Thomas M. Cooley Law School. Before joining Trott, she worked as an independent contractor and completed externships with Metalase Technologies in Clinton Township, Michigan and Maloof Law Group, PLLC in Bloomfield Hills, Michigan.

Theresa Woodbridge is Trott’s new trial review attorney in the foreclosure department. Woodbridge received her B.A. from Aquinas College and her Juris Doctor from Michigan State University College of Law. She formerly served as a legal extern for the United States Coast Guard Office of Maritime & International Law in Washington, D.C.

Jonathan Zadoff joins Trott as an attorney in the litigation department. Zadoff earned his B.A. from George Washington University and his Juris Doctor from the University of Georgia School of Law. Before joining the firm, he practiced litigation as an attorney with Ekonomou, Atkinson & Lambros in Atlanta, Georgia.

Farmington Hills, Michigan-based Trott & Trott specializes in residential default procedures and represents mortgage bankers, banks, credit unions, mortgage servicers, and other industry groups in Michigan.

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New Supreme Court judge has ties to area

by Staff and wire reports
06.27.12 - 12:55 am

CANTON - When Gov. Nathan Deal on Monday appointed Judge Keith Blackwell to a seat on the Georgia Supreme Court being vacated by a retirement he chose someone many Cherokee County residents know well.

For Associate Judge of the Probate Court John Cline, Blackwell is a childhood pal, former college roommate and partner on the debate team when the two were in high school.

For previous Cherokee High School Principal Susan Padgett-Harrison, he is a former student. For members of the Cherokee High School Class of 1993, he is their classmate.

For Robert and Peggy Blackwell of Ball Ground, he is their son.

Blackwell, who led “Lawyers For Deal” during the gubernatorial election, will replace outgoing Justice George Carley, who has decided to retire next month.

Blackwell’s selection was the Republican governor’s first appointment to the state Supreme Court, with the swearing-in scheduled for July 19.

Blackwell, who previously practiced civil and criminal law, will serve on the court until 2014, when voters will decide whether to keep him on the bench for a six-year term.

“The Supreme Court will benefit from Judge Blackwell’s experience on both sides of the bench,” Deal said in a statement. “His intelligence, many years of experience and dedicated commitment to public service will serve Georgians well in his new role on our state’s highest court.”

Blackwell chaired a lawyers group formed to support Deal and gave $500 to Deal’s campaign, according to state records. Deal spokesman Brian Robinson said that Blackwell’s political support for Deal did not influence the governor’s appointment.

“The fact that he had excellent taste in candidates should not disqualify him from a Supreme Court seat,” Robinson said.

Cline said that Blackwell always was a standout. The two roomed together at the University of Georgia in undergraduate school and shared living quarters with Canton attorney Jeff Rusbridge who is running for a state court judgeship.

Blackwell graduated first in his class from the University of Georgia’s College of Arts and Sciences with a political science degree in 1996, receiving his degree in only three years.
He then capped that by graduating first in his class from the University of Georgia School of Law in 1999.

"Keith was always one of the most intelligent people I knew; he was always very motivated," Cline said. "Some people have one and not the other — he had both. He was always at the top of most everything he ever attempted. He always had great potential, and that was something he had even in middle school."

The two became friends at Teasley Middle School, where they enjoyed sports and other activities.

"I think he is very capable of doing the job he will have to do, and he will do us proud," Cline said.

The newly picked justice said in a statement that he was humbled by being chosen and he expressed his gratitude to Carley, who will serve as the court's chief justice for less than two months before he retires.

I have given my word to Governor Deal, and I give my word to the citizens of this state, that every day and in every case, I will adhere to the high standards of impartiality, independence and integrity that Georgians rightfully expect of their judges; that I will faithfully apply the law as it is, not as I might wish it to be; and that I will respect the separation of powers, bearing in mind that the judicial power, though indispensable to our system of government, is a limited one," said Blackwell in a statement.

Former Gov. Sonny Perdue appointed Blackwell to the Georgia Court of Appeals in 2010. He sits on the Board of Advisors for the Atlanta chapter of the Federalist Society for Law and Public Policy Studies, a conservative legal organization. He was previously the chapter's president for three years and served on its executive board, according to Deal's office.

Blackwell is an adviser to the Business Courts Committee of the state bar and chair of the Committee on Court Rules at the Court of Appeals.

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Blackwell and his wife, Angela, have three daughters and they live in Smyrna.
Blackwell will make a difference on Supreme Court

Tilman E. "Tripp" Self III

Daily Report

06-27-2012

I write to publicly express my sincerest and heartiest congratulations to my good friend, Judge Keith Blackwell, on his appointment to the Georgia Supreme Court.

After being thoroughly vetted by the Judicial Nominating Commission and interviewed by the governor and his staff, Keith will soon replace Chief Justice George Carley and become the 92nd Georgian to serve on our highest court. He is most deserving of this high honor.

Judge Blackwell has an unblemished academic reputation, finishing as the top graduate in both his undergraduate and law classes at the University of Georgia. His superior legal mind and extraordinary intellect, coupled with his unwavering integrity and devotion to the law, allowed him to quickly earn an outstanding reputation as one of our most respected Judges on the Court of Appeals. Undoubtedly, these same attributes will most certainly enable him to serve our citizens in a similar manner on the Supreme Court.

I confidently predict that soon-to-be Justice Blackwell will rapidly become a driving force on our Supreme Court and that he will be remembered as one of our most accomplished justices. I commend Governor Nathan Deal and his staff for their careful, methodical and studied approach in reaching this critical decision.

I am proud to offer my unqualified support to Judge Blackwell, and I stand ready to assist him in his transition in any way possible.

Tilman E. "Tripp" Self III

Superior Court Judge

Macon Judicial Circuit
New Supreme Court judge has ties to area

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Blackwell and his wife, Angela, have three daughters and they live in Smyrna.

Trey Phillips, age 43, of Lawrenceville, Georgia, passed away on June 22, 2012 from injuries received in a motorcycle accident. He is preceded in death by his mother, Joyce Lane Phillips. He is survived by his father, James M. Phillips, Sr.

and his wife Salli of Baton Rouge, LA; two brothers, James M. Phillips, Jr. and his wife Lisa of Los Altos, CA, Douglas Phillips and his significant other Kathryn of London, England; two nephews, Ryan and Paxton; niece, Charlette; Trey's beloved Jack Russell K9 companion, "Eddie", and many loving extended
family members, a host of loyal friends, and grateful clients. Trey Phillips was born in Baton Rouge, Louisiana on January 26, 1969. He was a Honorably Discharged United States Army Veteran serving in the 82nd Airborne Division, 3rd Ranger Battalion, and 11th Armored Calvary. He served as a Combat Medic (Sergeant), Paratrooper and Special Forces Diving Medical Technician. Trey left the Army due to a jump-related parachute injury. He attended Emory University graduating with a Finance Degree. He received his Juris Doctor Degree from the University of Georgia Law School. Trey owned his own law firm, Law Office of Trey Phillips, LLC. He was also a licensed pilot, certified Master Scuba Diver, and Sky Diver. Everyone that knew this remarkable man knew about his great passion for life. Trey will be deeply missed by his loving family and many devoted friends and clients that he had the honor of service. A Service Celebrating the Life of Trey Phillips will be held on Thursday, June 28, 2012 at 11:00 A.M. at Tom M. Wages Lawrenceville Chapel. Interment will follow at 2:30 P.M. at the Georgia National Cemetery, Canton, GA with Military Honors. The Patriot Honor Guard and The Blue Bloods will escort Trey to his final resting place. The family will receive friends on Wednesday from 4:00 P.M. to 8:00 P.M. at the funeral home. Those desiring may make contributions to the Canine Pet Rescue, P.O. Box 248, Lawrenceville, GA 30046 (1-855-HELP-GSDS) in memory Trey Phillips. Condolences may be sent or viewed at www.wagesfuneralhome.com. Tom M. Wages Funeral Service, LLC, "A Family Company," Lawrenceville Chapel (770-963-2411) has been entrusted with the arrangements.

GRAPHIC: Trey Phillips

LOAD-DATE: August 23, 2012

SMYRNA resident Keith Blackwell will be the newest justice on the Georgia Supreme Court, following his appointment on Monday by Gov. Nathan Deal.

He will succeed Justice George H. Carley, whose resignation announced last year takes effect July 17. Blackwell has served on the Georgia Court of Appeals since 2010, when he was appointed by Gov. Sonny Perdue. Blackwell could run for election for a full term on the court in 2014. He'll be sworn in to succeed Carley on July 19.

The new justice is a native of Cherokee County, having graduated from Cherokee High School. He went on to graduate first in his class from the University of Georgia's College of Arts and Sciences with a political science degree in 1996, then capped that by graduating first in his class from the University of Georgia School of Law in 1999.

He spent two years in Cobb as an assistant county prosecutor early in his career. His most noteworthy case was probably that of Cortez Lornell Carter, who was accused of robbing and beating to death a pizza deliveryman, Paul Wojcik, during a fierce struggle in the Windmill Lake Apartment complex on Favor Road in
Marietta in 2002. The robbery netted Carter $10 and a pizza. The victim was the father of three children. Carter was found guilty after a brief trial in 2004 and sentenced to life plus 20 years in prison.

Blackwell later worked as a partner with Parker, Hudson, Ranier & Dobbs in Atlanta until 2010, when he was appointed to the Appeals Court along with Macon attorney Stephen Dillard to fill a pair of vacancies on that 12-member court created by the retirement of Judge Alan Blackburn and the untimely cancer-related passing of Judge Debra Bernes, both of east Cobb.

"I have given my word to Governor Deal, and I give my word to the citizens of this state, that every day and in every case, I will adhere to the high standards of impartiality, independence and integrity that Georgians rightfully expect of their judges; that I will faithfully apply the law as it is, not as I might wish it to be; and that I will respect the separation of powers, bearing in mind that the judicial power, though indispensable to our system of government, is a limited one," said Blackwell in a statement.

Blackwell and his wife, Angela, have three daughters.

FORMER KENNESAW STATE UNIVERSITY Provost Dr. Lendley Black has only been chancellor of the University of Minnesota-Duluth for a little more than year, but he already has a controversy on his hands due to his strong support for an ad campaign designed to promote "racial justice" by raising awareness of "white privilege."

As reported last week on the CampusReform.org watchdog site, Black has directed the UMD to partner with local organizations and lead the well-funded UnFair Campaign, which has as its motto, "It's hard to see racism when you're white."

The centerpieces of the campaign are online videos featuring close-ups of Caucasians confessing their guilt for the "privilege" they say comes with their color.

"We're privileged because the system was set up for us and our silence keeps it in place," says one man.

Those in the videos have "Unfair" slogans scrawled on their faces by ink pen or Magic Marker. Black sent a lengthy message to the campus in April endorsing the campaign as part of an effort to create an "inclusive campus."

Black's school also made news briefly last September after one of his diversity administrators called a student a "white supremacist" for handing out free pocket-sized copies of the U.S. Constitution.

Black served as provost of KSU for six years before taking the UMD job in early 2011. In fact, KSU President Dr. Dan Papp was in Duluth for Black's investiture as chancellor when he was apprised via a phone call from an MDJ reporter that Phys-Ed professor Dr. Timothy Chandler of Kent State University, his choice to succeed Black as provost (the second-ranking job at the school) appeared to be a closet Marxist. That assessment was obvious after plowing through an opaque academic paper penned by Chandler, a critique of university governance that embodied Marxist philosophy and described the U.S. as "the most violent nation in history."

Many KSU faculty members argued "academic freedom" entitled Chandler to whatever views he desired; but Papp was quick to understand Chandler would have been a disaster for KSU. His support for Chandler quickly turned tepid, and Chandler decided to stay put at Kent. KSU promoted Dr. Ken Harmon to the provost slot instead.

IS THEATRE IN THE SQUARE soon to rise from the ashes, phoenix-like, under
another name but at its familiar Whitlock Avenue location? Possibly.

East Cobb's Ed Howard, author and producer of the "Greater Tuna" series of plays, and Gene Bradley, longtime house manager and hostess at the theater, have announced plans for "The Marietta Theatre." It has the blessings of Theatre in the Square co-founder Palmer Wells, in contrast with the "Trackside Theatre Company" proposal floated this spring by former Theatre in the Square board chair Mike Russell and education director Susan Reid.

Theatre in the Square closed in March for financial reasons and many saw the "Trackside" proposal as the latest act in a thinly veiled coup attempt by Russell and Reid to depose Wells. The two requested $50,000 in start-up money from the city, but later withdrew the request when it appeared likely to be rejected.

Those behind The Marietta Theatre group are not asking for donations, but are requesting "pledges to donate." Once they have secured the appropriate level of pledges for Year-One operations, Howard could sign a lease on the theater space at 11 Whitlock Ave., and ask for donations, which would be tax-deductible.

Howard and Bradley have emailed nearly 3,000 people asking for pledges. Howard said rent for the building is about $7,000 monthly, and that he has collected about $10,000 in pledges thus far. The Springer Opera House in Columbus would provide administrative and tech support for the start-up and transition to an independent, non-profit, community-based professional theater, Howard said.

"I believe in the healing power of theater and I think everybody needs to have a chance to be a part of it," said 63-year-old Howard.

Howard also promises "an eclectic mix of shows geared to the tastes and values of the community with an emphasis on the works of Southern writers."

In addition, the theater's budget emphasis would be on artistic talent, with other expenses kept to a minimum, he said.

POLITICS: Many, if not most, of those whose names will appear on the July 31 primary ballot will converge this evening at Parc at Piedmont for a non-partisan forum organized by Oliver Halle and Don Jenacova. The candidates make no remarks and then mingle with the crowd. For more call Halle at (770) 321-2778. ...

Another non-partisan event will be Wednesday, when state Rep. David Wilkerson (D-Austell) will conduct a meet-and-greet for all candidates for the District 4 seat representing southwest Cobb on the county commission and Post 3 on the Cobb school board.

The event will be from 6:30 to 8 p.m. at the Ron Anderson Recreation Center in Powder Springs.

MORE POLITICS: It will be a case of dueling fundraisers on Thursday in the race for county commission chairman. Butch Thompson and Paul Chastain will conduct a breakfast for Commission Chair candidate Bill Byrne from 7 to 9 a.m. at Butch Thompson Enterprises on Moon Station Drive in Kennesaw. And a fundraiser for Commission Chairman Tim Lee will be from 6:30 to 8 p.m. that evening at the Atlanta Marriott Northwest. ...

Also Thursday, U.S. Sen. Johnny Isakson, Georgia Attorney General Sam Olens and Cobb Sheriff Neil Warren will be honorary hosts at a reception welcoming Kimberly Carroll as deputy clerk designee for Cobb Clerk of Superior Court candidate Rebecca Keaton from 5:30 to 7:30 p.m. at the offices of Moore Ingram Johnson & Steele at 326 Roswell St. ...

THE STRAND THEATRE in Marietta will be transformed into "Hitsville, USA"
starting July Fourth for five performances of classic Motown tunes from the 1960s by a live band and vocalists. Shows are July 4 to 8, with the Sunday show a matinee. Last year's Motown show was a sell-out, reminds director Earl Reece. Tickets are $20.

Go to www.earlsmithstrand.org or call (770) 293-0080.
Trey Phillips, 43: 'This guy was living life'

By Michelle E. Shaw
The Atlanta Journal-Constitution

4:31 p.m. Wednesday, June 27, 2012

When he was 13, Trey Phillips made up his mind: He wanted a career that involved the law. And anybody who knew Mr. Phillips understood once he said something, it was pretty much a done deal.

"He didn't know if he wanted to be a police officer or a lawyer, but he knew he wanted to do something like that," said Chris McClurg, a Gwinnett attorney and friend. "And he ended up being a lawyer."

Mr. Phillips was known to be fierce in the courtroom, but he could easily turn into a funnyman when court wasn't in session. Craig Garner, a friend, and 30-year police veteran in the metro area, said Mr. Phillips' spirited nature couldn't be suppressed. Mr. Garner, who serves as the national president of the Blue Bloods Law Enforcement Motorcycle Club, said his biker brother once broke formation and rode at the front of the pack, which is designated for club officers.

"I hear these pipes coming up next to me, and I ask him what he's doing," Mr. Garner says, with a light chuckle. "And he looks at me and says, 'I'm a leader, not a follower. I don't ride in the back.' And he was right, he was a leader."

While riding his motorcycle Friday, Trey Edward Phillips was hit by a car and died of injuries sustained in the collision. He was 43. A funeral service is planned for 11 a.m. Thursday at Tom M. Wages, Lawrenceville, which is also in charge of arrangements. Burial, with military honors, will follow at the Georgia National Cemetery in Canton.

Born in Baton Rouge, La., Mr. Phillips served eight years in the Army, where he was a field medic. He earned a bachelor's degree in business from Emory University and worked as an analyst for several years before going to law school. Armed with a law degree from the University of Georgia, Mr. Phillips started his own law practice in Gwinnett County.

"I'd mess with him and say I enforce the law and he'd come back and say 'Yeah, but I enforce the constitution,'" Mr. Garner said with a laugh. "And we'd agree to disagree. But I guess there is a fine line between a lawyer and a comedian," he added, laughing even harder.

And while he chose law as his career, he didn't let it consume his life, friends said. He enjoyed, and participated in all kinds of activities, especially those that put him in motion.

"He was a licensed pilot," Mr. McClurg said. "He was a master scuba diver; he did it all. I mean this guy was living life."
Friend Bruce Troville, said Mr. Phillips' military experience likely contributed to his willingness to do what he loved, no matter what it was.

"He spent time in combat and he spent time with people who were wounded in combat," said Mr. Troville, who is the director of national operations for the motorcycle club. "And when he came out of the military, he just enjoyed life."

Mr. Phillips is survived by his father, James M. Phillips Sr., and stepmother, Salli Phillips, both of Baton Rouge, La.; and brothers, James M. Phillips Jr. of Los Altos, Calif., and Douglas Phillips of London, England.
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by Staff and wire reports
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WSB Legal Expert: Health law could come down to one vote

By Pete Combs

For backers and opponents alike, it comes down to today, the day the US Supreme Court decides on the legality of the president’s health care reform program.

WSB legal analyst Ron Carlson says you just can’t overstate how important this ruling will be.

“Few Supreme Court decisions in the last 50 years have had so much impact as this one,” he noted.

According to Carlson, the battle over President Obama’s Affordable Health Care act will likely come down to a single aspect: The requirement that every citizen buy some kind of health insurance.

It’s called the “individual mandate” and Carlson is not optimistic about its chances of surviving this ruling.

“That’s the most likely provision to be tossed out,” predicted Carlson, professor emeritus of law at the University of Georgia.

The decision will likely be a split one. In fact, Carlson believes it could very well hang on the vote of just one justice: Anthony Kennedy.

The ruling is expected after 10 a.m. Thursday.

Comments

If you would like to post a comment please Sign in or Register
When Republicans redrew state legislative districts last year, Cobb-area and Democrat-friendly District 6 was among those facing changes.

The redistricting is expected to help give Republicans a two-thirds supermajority in the Georgia Senate, meaning GOP-initiated policies could go forward without any opposition.

That makes the seat held by Democratic Sen. Doug Stoner one of the most hotly contested and closely watched races this election season.

Stoner, of Smyrna, was elected in 2004. He is unopposed in July's primary, but will face one of three hard-charging Republican challengers in the fall: former State Ethics Commission member and attorney Josh Belinfante, small business owner Drew Ellenburg and former Army captain and private security director Hunter Hill.

Already around $200,000 has been raised by each of the Republican primary challengers, according to early state financial disclosure reports. By November, this is likely to be a $1 million state Senate race, a rarity in Georgia.

Cobb's Democratic Party chairwoman, Melissa Pike, has called the District 6 race the top priority for the county party this year.

"We're pulling out all the stops," Pike said.

So are Republicans. To give their party the best shot at winning Stoner's seat, legislative Republicans shifted Stoner's district east into most of Buckhead and Sandy Springs, making the district majority Republican.

And one of the issues driving the campaign so far is one believed to have wide Republican support: state lawmakers using their authority to weaken the power of Fulton County government, which Republicans say is too big and inefficient. At stake are the tax rates and government services for nearly 1 million people, including nearly half a million in Atlanta and about 350,000 in the six north Fulton cities.

For years, Statehouse Republicans have taken aim at Fulton, from attempts to force a countywide tax reduction to bills that would limit the county's functions to mostly operating the jail, the courts, the Sheriff's Office and elections. Some Republicans have advocated breaking off north Fulton into a new Milton County, a somewhat altered version of the old Milton County that merged with Fulton in the 1930s.
Add another like-minded Republican, and the reform that many north Fulton Republicans have pushed has a better chance of making it through the General Assembly as local legislation.

"I imagine Stoner will stand with other Democrats on refusing to engage in any real discussion on Fulton County reform," said the House majority whip, Rep. Edward Lindsey, R-Atlanta, who is supporting Belinfante in the primary. "... Having a Republican in the caucus from the [Buckhead] area will be good for us to finally move forward with that reform."

Stoner says returning him to the State House gives the General Assembly the party balance it needs to deliver good government.

"Forgetting parties, my view and philosophy is that neither side needs to have a supermajority," he said. "When that occurs on either side, they overreach in doing things, because there is no need to listen to other voices."

Stoner is at odds with the methods of limiting Fulton County government supported by each of his prospective opponents. For him, reform should be viewed collectively by all members of the county delegation.

"As a business owner, if I ran my business with an $82 million deficit I would be out of business," said Ellenburg of Fulton County's recent budget deficit. "If we can wrangle in this spending, we might have less people trying to split off from the county."

The Republican candidates also say Stoner is on the wrong side of conservatives in his district on issues such as school choice, pointing to his "no" vote this year on a proposed charter school amendment. Stoner says he supports charter schools, but not giving over local control to the state.

"He talks about education reform, but what has he done? He's opposed the recent reforms we've suggested," said Hill, a decorated military veteran who ran for the District 6 seat in 2008.

Belinfante also painted Stoner as a senator whose beliefs are at odds with his now more conservative district.

"Stoner's politics are not the same," Belinfante said. "I don't think he would be as strong an advocate on charters."

But Sen. Steve Henson, D-Tucker, head of the Senate Democratic Caucus, said losing Stoner would hurt not just his party but the state.

"He's a conservative moderate who knows how to work with all sides to get things done," Henson said. "He's an expert on transportation, a leader on trying to improve ethics, and losing him may provide Republicans with a constitutional majority, and I think there are concerns about that."

MEET THE CANDIDATES

Doug Stoner (D)

Age: 46

Education: Kennesaw State University

Profession: Director of business development, Croy Engineering

Political experience: Chairman, Democratic Caucus, 2010-present; Georgia State Senate, 2004-present; Georgia House of Representatives, 2002-2004

Civic experience: Board member, Cobb County Chamber of Commerce; member,
Smyrna Business Association

Family status: Married, two children

Campaign website: dougstoner.com

Josh Belinfante (R)

Age: 35

Education: University of Pennsylvania; University of Georgia School of Law

Profession: Attorney, Robbins Ross Alloy Belinfante Littlefield, LLC

Political experience: Special assistant attorney general for Georgia's challenge to Obamacare; former vice chairman, State Ethics Commission; former counsel, Georgia House Judiciary Committee

Civic experience: board member, Law and Judiciary Committee of the Georgia Chamber of Commerce; member, Leadership Atlanta Class of 2012; founding member, Republican Leadership for Georgia

Family status: Married, two children

Campaign website: joshforsenate.com

Drew Ellenburg (R)

Age: 37

Education: Liberty University

Profession: Small business owner, furniture industry

Political experience: No previous elected office held

Civic experience: Deacon, Eastside Baptist Church

Family status: Married, two children

Campaign website: drewellenburg.com

Hunter Hill (R)

Age: 35

Education: U.S. Military Academy at West Point, 2000

Profession: Director of Security, SecurAmerica

Political experience: No elected offices held; won Republican state Senate primary, 2008

Civic experience: Chairman, Cobb County GOP Veterans Association; board member, Georgia Department of Driver Services

Military experience: Captain in the United States Army, served 2000-2005, 2007-2008; awarded two Bronze Star Medals among other honors

Family status: Married, two children

Campaign website: votehunterhill.com
Recent Athens incidents show people more ready to defend selves, property

By JOE JOHNSON  |  updated Saturday, June 30, 2012 - 10:05pm

An Athens man saved a woman from a brutal attack near downtown, while another man prevented an armed robbery on West Broad Street and a third thwarted the getaway of a pair of thieves who burglarized his home.

In all three incidents last month, citizens prevented crimes by brandishing guns and even shooting them, and perhaps were indications that people are now more likely to take action instead of waiting for police to arrive.

"Athenians seem to be making more use of the Second Amendment these days," said Ron Carlson, professor emeritus at the University of Georgia School of Law.

"These and other recent cases involve very different facts, but one theme resonates as a common denominator: citizens seem more ready these days to protect themselves or others who may be in mortal danger by using a gun," Carlson said.

Citizens are bombarded every day by media reports of crime in their own towns and elsewhere.

"People have grown tired of crime and are willing to confront it," Carlson said.

The most prominent act last month of a citizen exercising his Second Amendment right came on June 21 on College Avenue, where a man was beating up a woman who caught him breaking into her car.

Semi-retired Athens businessman Dennis Terry happened to be driving by when he saw the assault, and he didn’t think twice about what to do about it.

"I went running toward them and started hollering, ‘You get down and turn her loose or I’ll shoot,’" Terry said.

"I got within about 15 feet of them and told him to ‘get down or I’ll shoot’ two or three times, and..."
Recent Athens incidents show people more ready to defend selves, p...

Two weeks earlier, on June 9, Raymond Penn opened the door of Classic Cash on West Broad Street to let an employee in as he prepared to open his business for the day.

The 75-year-old businessman heard a noise, and after closing the door he looked through the peephole and saw a man wearing a hooded sweatshirt running to the back of his building.

Penn got his pistol and went outside to investigate, and found the man had hidden in a storage room attached to the business.

"I identified myself and told him I was armed, and he should come out with his hands up," Penn said. "He raised his hand and I saw that he was armed and pointing it at me. We exchanged some more words, and he fired and I returned his fire.

"I had no option but to return fire and defend myself," Penn said. "It's regrettable, but he put himself in the position and had the opportunity to step out of it." Another man opened fire on a pair of criminals June 18.

Willie Reed was asleep in his home on Boley Drive when he was wakened by noise made by two burglars who climbed through a window after removing an air-conditioning unit.

When Reed investigated he was confronted in the living room by a man who snatched a TV and ran with his partner to a van in the driveway.

Reed grabbed a revolver and yelled for the thieves to halt, but they didn't comply and climbed into the van, according to Reed.

He shot at the van as it backed out of the driveway, hitting the vehicle five times and causing the panicked driver to lose control and crash into a retaining wall, where the van got hung up.

The 59-year-old burglary victim called 911, and when officers arrived they saw Reed holding the suspects at bay with the gun. When the officers told Reed to lower the gun, the thieves made a break for it, but the officers quickly captured them.

Reed never stopped to think what to do when confronted by the intruders, he said. "I was just reacting, I was too nervous to think." Athens-Clarke police would prefer that people call 911 if they or someone else is in danger.

"I believe in the Second Amendment, but I wish people wouldn't take the law into their own hands unless it's a direct threat where they know their life is in danger or someone else's is," said Capt. Clarence Holeman, commander of the Athens-Clarke police Centralized Criminal Investigations Division.

"If time permits, the appropriate thing to do would always be to call the
Recent Athens incidents show people more ready to defend selves, p...

authorities," he said. "We're always out there patrolling, and if someone can contact the police we can be there in a timely manner and settle matters so that citizens are not in harm's way."

T.J. Edmond, retail sales manager for Clyde Armory in Bogart, hears customers talking about rising crime when they stop in to browse through the gun shop's inventory.

"As the economy has gotten worse and there are reports of robberies, burglaries and home invasions in the media every day, there's a growing perception of increased crime and people are growing less secure," Edmond said.

"In the midst of all this, people are realizing they are responsible for themselves and their families, and owning a gun gives them that ability to protect themselves," he said.

Some customers this year were first-time gun buyers, Edmond said, but he didn't know if there were more than in previous years.

"More people are coming in and taking responsibility for their own protection and the protection of their families," he said.

There might be more cases of citizens brandishing guns against criminals as a result of intense publicity surrounding the Feb. 26 shooting death of Trayvon Martin in Florida, according to Carlson, the UGA law professor.

Martin was shot by a neighborhood watch coordinator, George Zimmerman, who got into an altercation with the 17-year-old, who Zimmerman had followed because he thought Martin was suspicious.

Zimmerman claimed Martin attacked him and told police he shot the teen in self-defense under Florida's stand-your-ground law.

Georgia patterned its own law after the Florida statute, which became law in that state in 2005.

"Awareness of (the law) spiked after the Trayvon Martin case," Carlson said.

"The existence of this sort of statute places an atmosphere or climate over various forms of human combat," he said. "It helps to create a mindset that is conducive to resistance when one is placed in a conflict situation."

"A private citizen may not have a lawyer's detailed knowledge of the no-retreat law, but nonetheless has a general notion that one need not back down when confronted by a criminal."

Reed was unaware of what "stand your ground" even meant when interviewed about the shots he took at the men who burglarized his home.

"I do know that it was wrong what they were doing and I was probably just thinking I wanted my stuff back," he said.

• Follow Criminal Justice reporter Joe Johnson at www.facebook.com/JoeJohnsonABH or
The Circuit Court judge candidates in their own words

Kyle Atkins

Age: 44

Hometown: Jackson


Political experience (offices held): None

Education: Huntingdon High School, 1986

Lambuth College B.B.A., 1990

Cumberland School of Law at Samford University J.D., 1996

Why are you the most qualified candidate?

My experience in and out of the courtroom is key; I have 16 years trying civil and criminal cases primarily in Circuit Courts all over West Tennessee and have worked as a mediator resolving disputes before they reach the courts.

I am a big believer that we should resolve claims outside of the courtroom when possible to ensure the most important and serious cases are dealt with swiftly and our courts are not clogged with cases that don’t need to go to court. This saves everyone time and saves taxpayers money.

I've worked hard my entire life. In my practice, I have always worked to keep my clients' cases moving quickly and efficiently to a conclusion. I would take that same work ethic to the bench. I look forward to that challenge because it will lead to justice in a timely manner.

I have also been active in my community coaching youth baseball, basketball and soccer and volunteering in my church.

Dale Conder

Age: 49

Hometown: Jackson

Employment history/experience: I started working for Rainey, Kizer, Reviere & Bell
PLC, following graduation from law school in 1992. Since Jan. 1, 2000, I have been a partner.

I have practiced in state courts throughout West Tennessee and in federal courts in the western, middle and eastern districts of Tennessee. This includes the Supreme Court of Tennessee and the Tennessee Court of Appeals.

I have also argued cases in the Sixth United States Circuit Court of Appeals in Cincinnati.

In the early years of my practice I primarily handled car wreck and workers' compensation cases.

As my career progressed, I began to focus my practice on civil-rights and employment-law cases. Section 1983 cases became my main area of practice. I was very fortunate in this respect because this allowed me to work in an area of the law I enjoy, constitutional law. By the very nature of this practice, I worked with local law enforcement and this exposed me to criminal law at a very practical level. Most of these cases involve Fourth Amendment issues such as probable cause, the necessity of search warrants, and the use of force.

I have also handled cases in other areas including governmental tort liability, products liability, medical malpractice, contracts, insurance policy disputes, and in recent years child custody cases.

Political experience (offices held): This is the first political office I have sought.

Education: Jackson State Community College 1982-1984, A.S.; University of Tennessee at Martin 1984-1986, B.S. Political Science; University of Tennessee College of Law 1989-1992, J.D

Why are you the most qualified candidate?

I, along with Lloyd Tatum and Nathan Pride, applied to the Judicial Nominating Commission. During the Commission's public hearing, the 16 members asked wide-ranging questions about my qualifications. I am the only candidate that received the unanimous vote of the Commission.

As for the other candidates, I believe my broad range of experience sets me apart from them. I also have the strong work ethic that admittedly was born out of necessity, but has served me well in my life. I paid my way through college and law school and have worked hard to provide for my family. I will bring this same work
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ethic to the position of circuit court judge.

Finally, it is imperative that a judge possess integrity in his professional life and personal life. The partners in my law firm chose me to serve as the firm's ethics partner resolving conflicts that arise regarding ethical issues. I will be a judge people can trust to do the right thing and never allow favoritism or politics to play a role in the courtroom.

When all the factors are considered, this is why I believe I am the most qualified candidate for Circuit Court Judge.

Edward Martindale

Age: 54

Hometown: Jackson

Employment history/experience: I have worked as a trial litigator for 28 years. During this time I have practiced law throughout West Tennessee, and have spent extensive time in the courtrooms of Madison, Henderson and Chester counties. In 2006, I was certified by the Tennessee Supreme Court as a Rule 31 mediator. I was also appointed by Speaker Ron Ramsey and served on the State's Judicial Selection Commission. In 2010, I was selected as a Fellow of the Tennessee Bar Foundation.

Political experience (offices held): This is my first experience running for any political office.

Education: I graduated from Jackson-Central Merry High School in 1976. I graduated from Lambuth College in 1980 with a Bachelor's degree in Business Administration (BBA). I graduated from Cecil C. Humphreys School of Law in Memphis, Tennessee, in 1983. I graduated from the National College of Trial Advocacy in Washington, D.C., in 1985. In 2006, I was certified by the Tennessee Supreme Court as a Rule 31 Mediator in the field of General Civil Mediation.

Why are you the most qualified candidate?

I have practiced law throughout West Tennessee from the last 28 years, a large part of which was in the 26th Judicial District of Madison, Henderson and Chester counties. During that time I have had the privilege of representing hundreds of men and women from all walks of life with all types of legal problems. I have tried lawsuits, both jury trials and non-jury trials, in every circuit and chancery court in West Tennessee, which I believe will serve...
me well as the next Circuit Court Judge.

In addition to my law practice, I have been certified by the Tennessee Supreme Court as a Rule 31 Mediator for the last 7 years. As such, I have served as a mediator for hundreds of attorneys and their clients from all over the State of Tennessee. As a mediator, I act as an independent and impartial third party whose job is to review all legal and factual issues, and work with both sides to help them settle and resolve their dispute. I believe my experience as a mediator will help and assist me as a judge to evaluate both sides of a lawsuit, and arrive at a decision that is fair and just to all concerned.

Finally, I believe that my education, experience, work ethic, courtroom demeanor and above all, my Christian values, have prepared me to be a good judge. I ask for your vote and support on August 2.

Mark Patey

Age: 50

Hometown: Jackson

Employment history/experience: 25 years as a litigation and courtroom attorney, with experience in all areas of practice of the Circuit Courts for the 26th Judicial District. During my career I have enjoyed having the reputation as a hard worker for each of my individual clients while always handling a very heavy and successful case load. Also, I have served as a Seminar Speaker to other attorneys, and it has also been my honor to serve on an Investigation Committee of the Board of Professional Responsibility appointed by the Supreme Court of Tennessee to interview and investigate new potential attorneys regarding their personal character and ethics. I have served on this Supreme Court appointed Committee for approximately 21 years for our region of West Tennessee. I have also served as a Board Member of the Madison County Bar Association and West Tennessee Legal Services. It has been an honor to serve as a licensed attorney in our Judicial District and it would be an even greater honor for me to serve the citizens of Madison County, Henderson County, and Chester County as the next Circuit Court Judge, Division III, of our three fine counties.

Political experience (offices held): I have never formally held political office, as I have spent the better part of my adult life serving my clients and the community as an attorney.
Education: I attended public schools from the time of elementary school at Alexander School through graduation with honors from Jackson Central-Merry High School in 1980. I also served during my senior year in High School as a Congressional Page in Washington D.C., in 1980. Following High School, I was fortunate to receive a full athletic scholarship to Union University from which I graduated with honors with a Bachelor of Science degree in History and Political Science in 1984. I served as the president of numerous clubs and organizations and was the Captain of my team, as well as being awarded the Fred Delay Award in 1984 by Union as the Senior Athlete with the highest academic credentials of the graduating class. I then attended the University of Memphis School of Law, where I was actively involved in the Trial Advocacy Programs including membership on the Moot Court Board. I graduated and received my Juris Doctorate (JD) degree in 1987. Thereafter, I entered the active full time practice of law in Madison and the surrounding counties.

Why are you the most qualified candidate? I humbly consider myself to be the most qualified candidate to be the next Circuit Court Judge for Division III of Tennessee’s 26th Judicial District, as I have had the most well rounded legal practice of all of the six candidates; encompassing, in my opinion, more areas of law and practice than all of the other candidates. I have literally and personally handled thousands of cases. I believe that it is very important to point out that I am grateful to have also served on many occasions as a Special Appointed Judge by one of our former longstanding and esteemed Judges, The Late Honorable Walter Baker Harris. Therefore, I have actual professional experience in making rulings from the Bench in real Court cases by weighing out the facts and evidence with both fairness and deliberative thought. Further, I have always been a hard worker, and I have been confident in my ability to make decisive and right decisions as a practicing attorney as was always expected by the clients that I served. I promise to bring that same level of energy and decision making to this Judgeship, as likewise should be rightfully expected by the voters of our three counties. The position of a Judge and the black robe are not owned by the Judge. It would be more accurate to say that the Circuit Court Judge is a steward of the laws for the people, and I will have no fear or apathy in properly applying the laws of our State on behalf of our citizens. It is this philosophy of Judicial "service" to the public that I respectfully believe distinguishes me as the most qualified Candidate.
Nathan Pride

Age: 55

Hometown: Jackson

Employment history/experience: Partner - Donnell & Cox Law Offices; Assistant District Attorney; General Counsel – Lane College; Tax Attorney – City of Jackson; Tennessee Board of Law Examiners; Partner – Highland Law Offices; Law Professor of Faulkner University; Operates a Free Legal Clinic; Magistrate Judge Selection Committee (Federal Court).

Community involvement lends itself to experience as well: Jackson-Madison County Bar Association; National Bar Association; American Bar Association; Guiding Hands Services for the Blind; Mission Convalescent Home Board; Methodist LeBonheur Healthcare Board; Freed-Hardeman University Trustee; Jackson Regional Hospital - Former Board Chair

Political experience (offices held): None

Education: Jackson-Central Merry High School

Tennessee State University

University of Georgia Law School

Why are you the most qualified candidate?

I have the right balance of experience in both civil and criminal law. I have the right judicial temperament, I have the right qualifications in that my legal career has been spent representing a wide variety of clients in complex legal matters that make me uniquely qualified. The ability to understand the rights of defendants, plaintiffs and victims is essential and my 28 years of practice has prepared me for this job from day one.

Lloyd Tatum

Age: 55

Hometown: Henderson

Employment history/experience: Before graduation from law school, I was judicial law clerk in the summer of 1983 for Judge Charles O’Brien, then Judge on the Tennessee Court of Criminal Appeals. After graduation, I was employed in 1984 as Madison County prosecutor in Jackson, Tennessee under District Attorney General Jerry Woodall, 26th Judicial District. From March 1986 until the present I have...
practiced law in Henderson, Tennessee first in partnership with my father, Judge F. Lloyd Tatum, and later with Michael L. Weinman. I now practice in partnership with my wife of 26 years, Lynn.

**Political experience (offices held)** From 1997 to 2003 I served as a hearing committee member for the Board of Professional Responsibility of the Supreme Court of Tennessee. This is my first experience running for office.

**Education:** I graduated from Chester County High School in the spring of 1974. From the fall of 1974 to the spring of 1978 I attended Southwestern at Memphis, (now Rhodes College), and earned a Bachelor of Arts degree majoring in United States History. From the fall of 1981 to the spring of 1984 I attended Cumberland School of Law, Samford University, Birmingham, Ala., and earned a Doctor of Jurisprudence. While in law school I was selected for the Dean's List on two occasions and vice-president of the Tennessee Bar Association, Student Division. I was a finalist in the fall, 1983 Gordon T. Saad Appellate Advocacy Moot Court Competition. In 1984 I was selected to represent the Cumberland School of Law in the Jessup International Law Moot Court Competition in New Orleans, Louisiana.

**Why are you the most qualified candidate?** My career as a lawyer has provided me with experience and qualifications for this position that make a difference. The circuit court bench demands a person who has had a long, broad and varied career as a lawyer. The circuit court is the court where the most serious cases are resolved and most of the cases are criminal cases. I began my career as a prosecutor for the State of Tennessee in Jackson. I prosecuted cases in Madison, Henderson and Chester counties. Over the past 27 years I have represented all kinds of people in all kinds of cases, civil and criminal. In civil cases, i.e. car accidents, eminent domain, insurance, sexual harassment, civil rights, contracts, business litigation and malpractice, I have sometimes represented plaintiffs (the one bringing the lawsuit) and sometimes defendants (the one defending the lawsuit). As a State prosecutor, I have prosecuted all kinds of cases, from murder to DUI and in private practice I have defended all kinds of cases, from murder to DUI. I have prepared and tried the most serious kind of criminal case, death penalty cases. I have experience trying civil and criminal cases in federal court as well. If elected, I will observe the same business-like work schedule my private law practice has demanded of me. I will fairly and
impartially administer justice without respect to persons and maintain a high moral standard in both my professional and personal life. I will maintain a deliberate, temperate and respectful demeanor while remaining courteous to court staff, my colleagues on the bench, the parties before the Court and the attorneys practicing before me. At a personal level, I would be excited to assume a position that would demand of me my very best every day.