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A consumer guide to
U.S. LL.M. programs
for foreign attorneys

How many U.S. LL.M. programs are open to foreign attorneys?
There are more than 150 programs open to foreign attorneys, ranging from general LL.M. programs to specialty degrees like insurance law and space law. Around 60 programs are open to foreign attorneys only, offering a degree in American law. There are also 23 distance-learning programs.

What's the benefit for a foreign attorney in taking a LL.M. program?
It introduces you to American law, which can be a huge asset in your career, should you practice here or in your nation of origin. Adding this level of skill makes you more marketable, particularly to international law firms, which seek a diverse workforce to tap into other markets. Globalization is only fueling this trend.

As a foreign attorney, how do I decide which LL.M. program to apply to?
Start with our guide on this page and the one that starts on page 11. Combined, they include every program in the U.S. open to foreign attorneys. Next, start researching the programs to find the best match. Every law school has a website with information about its LL.M. programs. Look at the courses offered, faculty and student population. But don’t limit your search to just that. Talk to alums from your country and consider going to an

U.S. LL.M. PROGRAMS OPEN ONLY TO FOREIGN ATTORNEYS

<table>
<thead>
<tr>
<th>State</th>
<th>Law School</th>
<th>Grad Program Subject</th>
<th>2013 Application Deadline</th>
<th>Application Fee</th>
<th>2013 Tuition Non-Resident Per Credit</th>
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<tr>
<td>DC</td>
<td>Catholic University</td>
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<td>$70</td>
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<td>DC</td>
<td>Georgetown University Law Center</td>
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<td>$80</td>
<td>$46665/yr</td>
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<tr>
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<td>Regent University School of Law</td>
<td>American Legal Studies</td>
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<tr>
<td>MD</td>
<td>University of Baltimore</td>
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<td>April 30</td>
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<td>$37010/yr</td>
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<td>Washington and Lee University</td>
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<tr>
<td>VA</td>
<td>William and Mary Law School</td>
<td>American Law</td>
<td>Feb. 1</td>
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</table>
EducationUSA advising center. The centers are funded by the U.S. State Department, and are free and unbiased. There are also two books available with advice and detailed information — "LL.M. Roadmap: an international student’s guide to U.S. law school programs" by George Edwards, and "The Unofficial Guide to Legal Studies in the U.S. for Foreign Lawyers" published by the American Bar Association.

What kind of a program should I seek? That depends on your own academic, personal and financial needs. Some students are more concerned about a school’s reputation or whether it has well-known alumni, while others care about whether the career office helps LL.M. students find legal jobs. Most agree that a good place to start is to narrow your potential pool down to schools that offer your chosen specialization and are within the geographic area of choice. After that, look at secondary factors, such as whether the school offers externships, journals and other programs for LL.M. students.

Which programs are the highest-rated? That’s hard to nail down. A number of law school rankings, such as the one done by U.S. News & World Report, are based on the schools’ J.D. programs. Logic would suggest that a top-ranked law school should have an outstanding LL.M. program as well, but that’s not necessarily a given. Some organizations try to rank LL.M. specialties. JobsInTax did a ranking of the best LL.M. tax programs, basing it on responses from heads of corporate tax departments. One other way to judge the schools is by their alumni. Who are they and how are they faring? But the ABA does not rank law

<table>
<thead>
<tr>
<th>State</th>
<th>Law School Name</th>
<th>Graduate Program Subject</th>
<th>2013 Application Deadline</th>
<th>Application fee</th>
<th>2013 Tuition Non-Resident Per Credit</th>
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<td>IN</td>
<td>Indiana Maurer — Bloomington</td>
<td>Research/Thesis</td>
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<td>IN</td>
<td>Indiana McKinney — Indianapolis</td>
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<td>$1333</td>
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<td>IL</td>
<td>Loyola University Chicago</td>
<td>U.S. Law for Foreign Lawyers</td>
<td>Fall: July 1; Spring: Dec. 1; Sum: May 1</td>
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<td>$1320</td>
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<td>WI</td>
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<td>March 1</td>
<td></td>
<td>$36690/yr</td>
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<td>MI</td>
<td>Michigan State University</td>
<td>American Legal System</td>
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<td>$100</td>
<td>$1250</td>
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<td>IL</td>
<td>Northwestern University</td>
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</tr>
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<td>The University of Michigan</td>
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<td>$25640/sem</td>
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<td>None</td>
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<td>University of Notre Dame</td>
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<td>$60</td>
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<td>WI</td>
<td>University of Wisconsin</td>
<td>Legal Institutions</td>
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<td>DL</td>
<td>Washington University</td>
<td>U.S. Law</td>
<td>Dec. 3, Rolling after</td>
<td>$70</td>
<td>$50040/yr</td>
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<td>MO</td>
<td>Washington University</td>
<td>U.S. Law</td>
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<td>$70</td>
<td>$46925/yr</td>
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<td>MI</td>
<td>Wayne State University</td>
<td>U.S. Law</td>
<td>May 1</td>
<td>$50</td>
<td>$935.15</td>
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</table>
schools and neither does any other official organization.

What other factors should I consider?
It can't hurt to see how well you might fit in culturally when considering a school. One good thing about U.S. law schools is that you can find one or more in just about every state. For example, if you're Asian, you might want to look at schools in California, which has a large Asian population. A school's reputation is also important, especially in your home country, assuming you plan to return to practice there.

What do I need to qualify for an LL.M.?
While different schools have varying requirements, all require that you have a law degree from your country. And you must be able to provide the transcripts in English to the schools in which you are applying. If the law school in your country can't provide the translation, a certified translation service can be used. Some schools also require you to have your grades evaluated by an independent company to see how they compare to U.S. grading systems. Obviously, grading is hardly uniform across nations. This gives law schools an idea of the student's performance. Other schools also may require you to write an essay.

Is it important to speak English well?
Very important. In fact, many schools require foreign attorneys to take an English proficiency exam for entry. All applicants from non-English-speaking nations or whose native language is not English usually are required to complete the TOEFL, http://www.ets.org/toefl. But once in the U.S. and immersed in the culture, your English skills will undoubtedly improve, which will give you another advantage over your peers.

After completing the LL.M., can I take the bar exam?
That depends on the state. Each state has various rules regarding who is qualified to take the bar. Knowing what state allows LL.M. graduates to take the test could also impact your decision on which law schools to apply to if passing an American bar exam is one of your goals. To see what states offer the opportunity, go to the National Conference of Bar Examiners, http://www.ncbex.org.

### Distance learning

<table>
<thead>
<tr>
<th>State</th>
<th>Law School Name</th>
<th>Graduate Program Subject</th>
<th>2013 Application Deadline</th>
<th>Application Fee</th>
<th>2013 Tuition Non-Resident Per Credit</th>
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<tbody>
<tr>
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<td>Boston College Law School</td>
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<td>$75</td>
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<td>Boston University School of Law</td>
<td>American Law</td>
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<td>Brooklyn Law School</td>
<td>American Law</td>
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<td>$49976/yr</td>
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<tr>
<td>PA</td>
<td>Duquesne University School of Law</td>
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<td>$33064/yr</td>
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<td>Duquesne University School of Law</td>
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<td>Fordham University School of Law</td>
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<tr>
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<td>Hofstra University</td>
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<tr>
<td>MA</td>
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<td>Penn State Law</td>
<td>Master of Laws</td>
<td>Rolling admissions</td>
<td>$75</td>
<td>$1650</td>
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<tr>
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<td>Syracuse University College of Law</td>
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<td>PA</td>
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<td>Rolling admission through March 15</td>
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<td>Fall: June 1; Spring: Nov. 15</td>
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<td>Rolling admissions</td>
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<td>State</td>
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<td>Application fee</td>
<td>2013 Tuition (Non-Resident Per Credit)</td>
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<tr>
<td>South</td>
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<td>GA</td>
<td>Atlanta’s John Marshall Law School</td>
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<td>University of Texas</td>
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<td>OK</td>
<td>University of Tulsa</td>
<td>American Law</td>
<td>Check Website for Fall &amp; Spring deadlines</td>
<td>Free Online Application</td>
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<td>TN</td>
<td>Vanderbilt University</td>
<td>American Law, Corporate Law, International Law</td>
<td>April 30</td>
<td>$50</td>
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<tr>
<td>West</td>
<td></td>
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<td>UT</td>
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<td>CA</td>
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<td>CA</td>
<td>UC — Hastings</td>
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<td>American Law</td>
<td>Feb. 1</td>
<td>$75</td>
<td>$50638/yr</td>
</tr>
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</table>
There's a new top Dawg at the University of Georgia. Jere Morehead was officially installed as the 22nd president of the university on July 1, replacing former president Michael Adams.

But Morehead is hardly an unknown quantity. He served as senior vice president for academic affairs and provost for the past three years and, except for one year as a visiting professor at the University of Michigan, spent the majority of his academic career at the flagship university.

Interestingly, the academic world wasn't Morehead's first career choice. As a teenager he was captivated by the Watergate hearings on television. "I wanted to be a federal prosecutor," he recalls. "I thought it would be a great calling in life." He graduated early from high school, at 16, got his undergraduate degree from Georgia State University and headed to UGA for law school when he was 20.

Morehead got his wish. He worked with the Justice Department for six years. But in 1986 he had the opportunity to join the UGA faculty teaching business and law. "I jumped at the chance," he says. "I never looked back."

Morehead threw himself, wholeheartedly, into teaching and mentoring students. "My first class was first and second periods in Brooks Auditorium. I remember coming into the auditorium at 7:50 a.m. and seeing a bunch of students who needed to be energized by their professor in order to have a successful class period."

Morehead made himself develop a more animated style in the classroom: walking up and down the classroom aisles, calling out students in the back and asking lots of questions. He believes it helped him as a teacher, and his resume bears that out. Through the years, Morehead received numerous teaching awards, including the Josiah Meigs Award for Excellence in Teaching in 2001.

After chairing the Task Force on the Quality of the Undergraduate Experience in 1996, Morehead became interested in administration.

"That was probably the first time I began thinking about the fact that the best way to impact what you care about is to step forward and serve," he says. His first administrative position was serving as associate provost and director of the Honors Program in 1999.

He kept climbing the administrative ladder, never imagining he would reach the top spot at the university he calls home. "There's a lot of excitement, because it's the job of a lifetime," says Morehead. "I also feel a lot of responsibility because the faculty, the staff and the students are expecting me to provide quality leadership and move the flagship institution forward in a discernible way."
UNIVERSITY OF GEORGIA PROFESSOR, CHIEF MAGISTRATE JUDGE TO SPEAK AT BLACK FACULTY AND STAFF ORGANIZATION'S FOUNDERS AWARD SCHOLARSHIP LUNCHEON

ATHENS, Ga., July 30 -- The University of Georgia issued the following news release:

Patricia Barron, chief magistrate judge for Athens-Clarke County and a University of Georgia faculty member, will deliver the keynote address at UGA's Black Faculty and Staff Organization's 11th Annual Founders Award Scholarship Luncheon Sept. 16.

To be held from noon until 1:30 p.m. in Mahler Hall at the Georgia Center for Continuing Education, the luncheon will be followed by an opportunity for attendees to network.

Tickets are available for purchase until Sept. 12. Prices are $30 per ticket or $240 for a table of eight. Proceeds from the luncheon directly benefit BFSO's scholarship program, which awards a $750 scholarship to a current undergraduate, graduate and professional student at UGA.

"A lot of students who come to great universities, such as the University of Georgia, are very smart, but sometimes things aren't there financially as much as they could be, and this scholarship provides some help," said Cedric Miller, president of BFSO. "So everything from this luncheon is going to a great cause."

Barron has served as chief magistrate judge since 2002. She has been a member of the State Bar of Georgia since 1979 and has called Athens home for 24 years. She is the former president of the Western Circuit Bar Association in Athens-Clarke and Oconee counties. She most recently served as chairman of the board of directors of Athens Technical College and currently serves as treasurer of the board of directors of the Athens Tutorial Program Inc.

"Judge Barron is a faculty member of the University of Georgia, and she has done some phenomenal things," Miller said. "This is going to be a fantastic luncheon, one of the best yet." For any query with respect to this article or any other content requirement, please contact Editor at htsyndication@hindustantimes.com

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Be of good service, new UGA president tells new grads

By LEE SHEARER  updated Friday, August 2, 2013 - 10:28pm

New University of Georgia president Jere Morehead exhorted hundreds of new UGA graduates to go out and do good in the world on Friday as Morehead presided over his first UGA commencement as UGA president.

"Be of good service," Morehead said, pointing out to the graduates that they are now ambassadors for the university.

"I know you will be successful professionally. I ask you to strive as well to be successful as people," said the new UGA president, who took up UGA's top administrative post July 1.

"Be the people who make their communities better, who ... see themselves as responsible to each other, to society and to the world," he said, quoting Gandhi and Woodrow Wilson.

Graduation speaker Inez Moore Tenenbaum also invoked a theme of service.

"It is my hope ... you will always find ways to give back," said Tenenbaum, chairman of the U.S. Consumer Product Safety Commission since 2009.

"Now go out and make a better world."

Tenenbaum earned a 1972 UGA undergraduate education degree and a 1974 master's degree at UGA, and later a law degree from the University of South Carolina.

A former South Carolina state representative and state superintendent of education, Tenenbaum's first job out of college was as an elementary school teacher at Colbert Elementary School in nearby Madison County, she said.

Only a few hundred UGA graduates and undergraduates attended the summer commencement exercise, the smallest of UGA's three annual commencements. Ceremonies are also held after spring and fall semesters, when undergraduates have a separate commencement from professional and graduate students.

Though smaller than the others, Friday's commencement in UGA's Stegeman Coliseum was no less joyous for the graduates, their families
Be of good service, new UGA president tells new grads | Online Athens

and friends.

Floridian Courtney Cragg was joined after the ceremony not only by family members, but friends Melissa Bruce, Whitney Hoffler, Chelsea Verazquez and Brianna Starling, along with Starling's mother, Tracie Starlin.

They had not only driven up from Starke, Fla., but several of the group, all die-hard Florida Gator fans, made the ultimate sacrifice for their friend: They dressed in red and black.

"We love her and we're proud of her. She put a lot of work into her degree," Hoffler said as the group gathered around their friend on the coliseum floor after commencement.

Cragg, who studied education and sports management, will return to Starke to teach physical education and coach cross country and track.

Other new graduates are looking for work.

"Just find a job," is Shuyuan Zhu's goal after receiving a master's degree in geography.

He has an internship in Chicago lined up, but hopes to work for three or four years in the United States before returning to his home country, China.

• Follow education reporter Lee Shearer at www.facebook.com/LeeShearerABH or https://twitter.com/LeeShearer.

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Our commenting Web site is AthensTalks.com

woofis11 Fri, Aug 02 @ 6:47:31 pm

Good Luck Grads!!!! Congrats on your special day. It was tough work, but you made it. Be proud of what you have achieved.

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Bill and Linda Childers, of Athens, are pleased to announce the engagement of their daughter, Elizabeth Ann Childers, to Chad Michael Brock, son of Harry and Betty Brock, of Dalton.

The bride-elect is the granddaughter of the late Clyde and Clara Childers, of Atlanta, and Gwen and the late Jim Wines, of Charleston, W.V. She graduated from Athens Academy, holds a Bachelor of Science in Management from Tulane University, and earned her Juris Doctor from the University of Georgia School of Law.

The groom-elect is the grandson of the late Wade and Florine Cline, and Avanell and the late Floyd Brock, all of Dalton. He graduated from Dalton High School, holds a Bachelor of Arts from the University of Georgia, and earned his Juris Doctor from the Georgia State University College of Law.

Elizabeth and Chad are both attorneys and are currently practicing in Atlanta. They became engaged on December 26, 2012. Their wedding will be held on August 17, 2013, at Amelia Island Plantation.
Helping In Haiti: Therese Franzen Is Frequent Volunteer

Financial lawyer Therese Franzen sees ROI in life by giving back to others

By Laura Raines  All Articles
Daily Report  August 2, 2013

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Therese Franzen posesses with Sophia, a 6-year-old girl who has helped her in the pharmacy for a mobile medical clinic in Haiti.
Photos Courtesy of Therese Franzen

A Haitian family photographed by Therese Franzen. She says the education and health care provided by her church group makes a big difference in the lives of the people there.
Photos Courtesy of Therese Franzen

A group of Haitian children. Most people in Haiti get only one meal a day, a local priest said.
Photos Courtesy of Therese Franzen

Therese Franzen relishes going head-to-head with the opposition in regulatory enforcement cases at her Norcross boutique firm, Franzen & Salzano.

"I like what I do. It’s intellectually challenging and I enjoy regulatory litigation. With all the new laws, like Dodd Frank, we’re extremely busy right now," said Franzen.

Twice a year, she carves out time to travel to Haiti on missions, chair a subcommittee for the Episcopal Diocese of Atlanta, and work with the Refugee Resettlement and Immigration Services of Atlanta, the ADA for affordable housing and the Council on Business for the American Bar Association.

Helping others is a way of life for Franzen.

Many people get involved in their churches, go on occasional mission trips or volunteer with charitable organizations, but you seem more committed than most. Why is that?

My faith is a big part of everything I do. I’ve always been a person who believes in giving back to others, but in 1996, I was diagnosed with breast cancer. Then in 2001, I was on a routine check-up at the doctor when they found cancer in my other breast. Cancer was the catalyst for my mission trips.

I had always wanted to do overseas philanthropy, but had worried about the risks when my children were younger. After the second diagnosis, I figured that if I was going to do it, I’d better get started. You never know with cancer.

So in 2002, I went to Mexico to build a house for a family there, and then went to Haiti through my church and diocese’s partnership with St. Joseph of Arimathea in Jasmin, Haiti. I’ve been going there ever since.

I’ve heard that good things can come from a cancer diagnosis. It sounds like that was the case for you.

Yes, at first you are devastated and scared, but then cancer makes you look at life differently and makes you
UGA starts revamped faculty tour in Hall

College starts revamped faculty tour in Gainesville

By Jeff Gill
jgill@gainesvilletimes.com

AUGUST 6, 2013 | GAINESVILLE, GA.

A budget cut casualty during the Great Recession, the University of Georgia's New Faculty Tour was revived Monday night, with Hall County serving as the first stop on the statewide tour.

A bevy of community leaders and elected officials welcomed the group, as it stepped off a bus that had lost its air conditioning traveling from Athens and walked into the cool Gainesville Civic Center at 830 Green St.

"I'd like to challenge you all to be more connected to the people and issues facing this great state," said Philip Wilheit Sr., president and CEO of Gainesville's Wilheit Packaging and vice chairman of the state Board of Regents.

The group also received greetings from Hall County Board of Commissioners Chairman Richard Mecum and Gainesville City Councilman Bob Hamrick.

UGA held its first faculty tour in 1977 and its last one in 2008, as the economic downturn began to take its toll. Jere W. Morehead sought to restart the program as he became the university's new president July 1, said Jennifer Frum, vice president of public service and outreach.

"As I went around campus and talked to academic faculty, (the tour) is one of the things they talked about that really impacted their career," Frum said. "It helped them connect their own research to issues and challenges in Georgia."

This year's tour will swing through nine cities and 35 counties, including stops at the Kia Plant in West Point, Plant Vogtle in Waynesboro, the Georgia Ports Authority in Savannah, agricultural research on the Tifton Campus, and the Capitol and the Georgia Resource Center in Atlanta.

The group is scheduled to gather today at Jaemor Farms in Lula before heading to Atlanta.

"Basically, the purpose is for (faculty) to get a better understanding of Georgia's people, history, culture, politics and economy," Frum said. "The idea is this will inform their teaching and research. At the end of the (tour), they'll be more passionate about making Georgia a better place to live."

She noted that UGA is a land-grant university, meaning it has been charged by the federal Morrill acts of 1862 and 1890 with focusing on teaching practical agriculture, science, military science and engineering.
"We have this historic mission and obligation to serve Georgia," Frum said.

In remarks to the group, Morehead said, "I want to emphasize that service is part of our identity at (UGA).... Whatever position you hold as a faculty member, it's critical that you keep the land-grant mission... in your mind. It's a mission that crosses all disciplinary areas of our campus."

"We don't serve Georgia as an institution. We serve it as individuals."

State Rep. Carl Rogers, R-Gainesville, said higher education's role in the state is key.

"It's about faculty providing a first-rate education to our young people, so that they can and will compete with (the) country's best and brightest," he said. "It's about preparing for a workforce for Georgia to be able to compete globally."

UGA and its faculty need "to be involved 100 percent in the state, talking with people and being responsive to their needs and helping find solutions to issues," Rogers said.
Dunwoody resident Evan Rosen has joined the Atlanta office of Jackson Lewis, LLP law firm as a partner. He comes to Jackson Lewis from Epstein Becker Green, where he was a partner and practiced in the labor and employment and litigation groups.

"Evan’s expertise in both employment law counseling and litigation, as well as in labor relations, will fit right in with our talented group of attorneys in Atlanta. His work with hospitality and health care companies in particular will immediately add value for our regional and national clients in these industries," said David Gordon, managing partner at Jackson Lewis.

Rosen has more than 10 years of employment law experience, including practicing before federal and state courts. He regularly advises clients regarding incidents of discrimination and harassment, wage and hour issues, internal investigations, affirmative action regulations, independent contractor classifications, employee handbooks, hiring and termination procedures and the preparation of employment and separation agreements. He also practices labor law, including representing healthcare and hospitality companies in a wide range of matters.

Rosen is admitted to practice in Georgia, New York, New Jersey and the District of Columbia, as well as the U.S. District Courts for the District of Colorado and the Southern District of New York. He received his B.A., cum laude, from the University of Delaware, and his J.D. from Benjamin N. Cardozo School of law.

Attorney at law and long-time Dunwoody resident Barry L. Zipperman has been awarded the honor of a 2013 “Legal Elite” by Georgia Trend Magazine, “Super Lawyer” for the fourth year by Atlanta Magazine and designated by Martindale-Hubbell as an AV Preeminent Lawyer in the areas of ethical standards and legal ability.

Zipperman is a founding partner in the law firm of Davis, Zipperman, Kirschenbaum & Lotito, LLP, which opened in 1984 and has been practicing for more than 35 years. His areas of expertise include business and corporate law, healthcare law, commercial real estate and business litigation. His personal experience as a real estate owner and developer also gives him a unique perspective as an entrepreneur and expertise in representing clients in real-estate related and entrepreneurial businesses of all kinds.

He graduated cum laude from both Vanderbilt University and the University of Georgia School of Law and has been a member of the Georgia Bar since 1976.

Zipperman and his family are residents of the Branches neighborhood. He is married to Anita...
Zipperman, and they have a son, Nace, and a daughter, Leah, who are both currently attending college.

His office is located at 918 Ponce de Leon Avenue, NE, Atlanta, 30306. To contact him, email bzipp@dzkl.com or call 404-688-2000.

Barbara Pryor of Dunwoody, recently presented Northside Hospital’s Cancer Institute with approximately 40 pillows to be given to patients in the hospital’s Infusion Center.

As a regional leader in cancer care, Northside treats more than 3,500 patients with cancer each year. Many of these patients require chemotherapy as part of their care. Pillows help to ease some of the side effects that patients often experience during treatment, providing comfort as they sit for long hours. The pillows also act as a cushion or support for surgical oncology patients, helping take pressure off sensitive areas. Pryor was inspired to make pillows after seeing a presentation made recently to the Dunwoody Woman’s Club.

“I was put in touch with Northside’s Susan Casella, coordinator of breast health education and support services who said Northside had plenty of little square pillows for the women, but no neck rolls for the men,” said Pryor, who decided to start a new sewing project to help meet that need.

“Northside is grateful for the support of individuals in the community, like Barbara,” said Casella. “Her thoughtfulness is remarkable and our patients are very appreciative.”

Anyone interested in volunteering to help make more pillows should call Barbara Pryor at 404-372-4563.
Ex-DA's Ties Lead To High-Profile Cases

Kathleen Baydala Joyner

Daily Report

2013-08-07 00:00:11.0

J. Tom Morgan, who opened his Decatur solo practice in 2007 after decades as a prosecutor and a brief stint in Big Law, is attached to some of metro Atlanta's highest profile cases.

He's on the defense team for Andrea Sneiderman, the Dunwoody widow first accused of conspiring in her husband's murder but now on trial on perjury and obstruction charges.

Morgan too has a hand in defending DeKalb County CEO Burrell Ellis, whom the DA's office has accused of abusing his power by pressuring county vendors to donate to his campaign.

He's also representing former Atlanta Public Schools Superintendent Beverly Hall, who was implicated in the school system's standardized test cheating scandal.

In each case, Morgan is on a team with lawyers he worked with as a prosecutor.

Morgan said Sneiderman hired him to represent her in her criminal case with the understanding that Tom Clegg and John Petrey would be involved. Clegg and Petrey are law partners and were assistant DAs along with Morgan under DA Bob Wilson. Clegg and Petrey also worked as ADAs when Morgan assumed the DA role in 1992. Clegg is now lead attorney in the Sneiderman case.

"We've been trying cases together for over 30 years," said Morgan, who shares office space with Clegg and Petrey in Decatur. "We each bring into the case our own strengths and weaknesses. We depend on each other."

Perhaps the biggest, best known case from their time together in the DA's office was that of the county's first African-American sheriff, Sidney Dorsey. He was convicted in 2002 of corruption and murder in the 2000 assassination of Dorsey's political rival, Sheriff-elect Derwin Brown. Dorsey is serving a life sentence.

Morgan said he, Clegg and Petrey basically lived together in a cabin for five weeks while they tried the case in Albany, where the case had been moved as a result of pretrial publicity.

"Having gone through all we've gone through, our egos are such that I don't have to be top dog," Morgan said.

All eventually went into private practice but still found ways to work together.

"There was one time when Petrey's back went out right after jury selection, and I went over to his home and picked up the file. He told me what the case was about and I went down to the courtroom to try it," said Morgan, recalling he had just 12 hours to prepare.

"But I knew John, and I knew how he worked."

Ellis' lead attorney, Craig Gillen, is a former federal prosecutor whom Morgan came to know through his two decades in the DA's office. Morgan also knew Ellis when Ellis was a county commissioner.
"We had all those problems with [then-CEO] Vernon Jones, and I could always trust Burrell to make a right decision. Because he was a lawyer, he understood how important the district attorney's office was to DeKalb County," Morgan said. "When he got into this mess, I was grateful he reached out to us."

In 2003, Morgan initiated a grand jury investigation into Jones' use of on-duty police officers as a security detail.

Jones was never indicted on criminal charges, but the experience made Morgan a natural fit for Ellis' defense team. He knows the players, the judges and the community from which jurors will be pulled. Petrey is also part of Ellis' team.

"I understand the budget process in DeKalb. I understand the vendor process," Morgan said. "You don't have to bring me up to speed in educating me how DeKalb County government works.

"And as a former politician, I know how politicians have to raise money. Most of my campaign contributions came from criminal defense attorneys who had cases in my office," Morgan added. "And the reason is: Most of us in the system want to keep good people in the system."

One of Morgan's last hires before leaving office in 2003 was Robert James, who has been DeKalb DA since 2010 and is leading the prosecutions against Sneiderman and Ellis.

Morgan earned his law degree in 1980 from the University of Georgia. Three years later, he joined the DeKalb DA's office and became the first prosecutor in Georgia to specialize in cases involving crimes against children.

In 1992, Morgan was elected to the top office, where he ran a staff of 120, including 41 lawyers and 19 investigators. He was responsible for prosecuting more than 5,000 defendants charged with felonies each year, he recalled.

In 2003, Morgan decided not to seek another term and resigned from office.

His good friend and former Attorney General Mike Bowers persuaded him to join Birmingham, Ala.-based law firm Balch & Bingham. There, he handled employment discrimination cases and matters before the state Board of Pardons and Parole. But he stayed only a few years.

Morgan chalked up his split to a mismatch of philosophies. Like many traditional large firms, Balch & Bingham billed by the hour.

"I had never been involved in the business of the practice of law, having always been in public service. So, it was an experience I needed. I had never billed a client before. I could not measure what my services were worth," Morgan said. "After three years, I left there wanting to set up my own practice. But also, in most big firms, there's this tug-of-war between the billable hour and the flat fee. When I left Balch's I swore I would never bill by another hour, and I haven't."

Morgan also said he was ready to branch out on his own and find his own clients, adding, "The types of the clients I wanted to represent were not conducive for a law firm that has a high number of civil clients such as the Southern Company."

Besides criminal defense, Morgan said his passion lies in educating young people about their rights and the laws that could snag them. He's written books with his wife, UGA law professor Carol Ellis Morgan, and has held seminars across Georgia and in other states.

"My dream would be to keep the high-profile complex cases but to also keep working with young people," Morgan said.

Morgan estimated he is working on 60 criminal cases at any given time.

"Eighty percent involve people under 25, and I don't need help with those cases," he said. Most are misdemeanors that he works in order to keep the defendant from having a criminal record.

"On the flip side, about 80 percent of my income comes from these big cases," Morgan said.

Yet, Morgan said he's confident he can continue to juggle both kinds.

"The way I'm going to make it work is that I've got a lot of good people I'm working with," Morgan said. "I am not the lone wolf."
The jury pool for a bank fraud trial had assembled and was ready to be ushered into federal court in Atlanta in February when U.S. Chief District Court Judge Julie Carnes learned the defendant had refused to come to court without a fight.

Carnes took what she would later call an "extraordinary step." She brought the trial to defendant Jean-Daniel Perkins' cell.

The judge—accompanied by prosecutors, Perkins' counsel, and her court reporter—reconvened court in the "lockup" section of the federal courthouse where marshals were holding Perkins, according to an order she issued last month. The judge said she decided "if the defendant would not go to court ... the court would go to the defendant. And so it did."

"There is no requirement that a judicial proceeding has to be in a courtroom," Carnes wrote. "With all of the above individuals assembled, the necessary people were in place to begin the trial."

Moving the case to the lockup area didn't solve Carnes' problem. Perkins flew into a rage just after Carnes arrived, shouted her down and violently kicked the door blocking his exit. So Carnes decided to put him on trial in her regular courtroom, letting him observe via a live video feed from his cell.

After the jury convicted Perkins, he moved for a new trial, claiming that his absence from court violated a federal rule requiring that a defendant be physically present at the start of the trial. Carnes denied the motion and sentenced him to 30 years for mail fraud, bank fraud, credit card fraud and identity theft. In doing so, the judge penned a lengthy, blunt order that included a detailed recitation of Perkins' obstructive and often frightening behavior, plus a scathing critique of a political philosophy known as "sovereign citizenship" to which Perkins ascribed.

Litigation tactics derived from the sovereign citizen ideology—which rejects the authority of the federal courts—are becoming popular with some federal criminal defendants in the Northern District of Georgia, Carnes wrote. As a result, the judge said she decided to document Perkins' behavior in detail.

"These issues involve more than just abstract principles. ... A blow-by-blow description serves to demonstrate how much of a district judge's scarce time and energy is gobbled up by these obstructionist tactics and how difficult it is to figure out, as a practical matter, how one can proceed in order to actually have a trial (and preferably one where no one
get injured)," she wrote.

Atlanta attorney Jay Strongwater, who has defended sovereign citizens who have refused to pay federal income taxes, said other judges have threatened to remove unruly defendants and let them view their trials by closed-circuit television. But he believes Perkins' trial may have been the first in Georgia's Northern District in which a judge made good on the threat. "It's highly unusual," he said.

The Southern Poverty Law Center in Alabama, which tracks hate groups across the nation, has identified the sovereign citizen movement as "a strange subculture ... whose adherents hold truly bizarre, complex antigovernment beliefs." The decades-old movement is steeped in racism and anti-Semitism, but, according to the center, a number of African-Americans (including Perkins) have embraced the movement and are likely unaware of its racist origins. Other recruits have enlisted in the movement after finding themselves in dire financial straits because the ideology attempts to legitimize a refusal to pay the federal income tax. It also rejects banks' authority to foreclose on mortgaged properties and sets up other straw villains for their misfortunes, the center reports.

At the heart of the sovereign citizen movement is a steadfast refusal to acknowledge the jurisdiction or authority of the federal courts, which often extends to a wholesale rejection of the authority of the federal government, according to the center. Sovereign citizens believe they alone get to decide which laws they will obey and which laws they will ignore.

Confronted with the consequences of that ideology—where violating the law can lead to arrest and imprisonment—some sovereign citizens have lashed out "in rage, frustration and, in the most extreme cases, acts of deadly violence, usually directed against government officials," according to the Southern Poverty Law Center's website.

In her July order denying Perkins a new trial, Carnes said the tactics employed by sovereign citizens in federal cases "delay the proceedings, create unnecessary work for the court and counsel and distract the court from adjudication of the case on its merits."

Perkins' "hyper-aggressive and threatening behavior," she added, "could be characterized as sovereign citizenship on steroids .... He took the typical sovereign citizen persona to a new, dramatic and provocative level." She also said that Perkins gave her little choice but to leave him in his cell and try him while he observed the proceedings via live video feed.

"The defendant had repeatedly told the marshals that he did not want to enter the courtroom and that there would be hell to pay if they tried to make him do so," she said. "As this threatened mayhem could be prevented by allowing the defendant to forego his presence in the courtroom, prudence and a respect for the physical well-being of all involved gave the court no reasonable alternative but to accept the defendant's constructive waiver of his right to be present at the trial."

Carnes also said that bringing Perkins to court "would have been just the first act of this in-court street theater that he had planned. Once there, it is doubtful that he could have been kept under control without restraints so extensive that they would have been visible to incoming prospective jurors. The defendant would have literally had to be chained to the table to keep him from flailing around. And chains would not have stopped his loud and incessant shouting.

"Short of the marshals muzzling the defendant, thereby giving him a menacing Hannibal Lecter-like look, the jurors would have been greeted with the unceasing and furious raving of a seemingly crazed person," the judge observed.

She concluded: "Clearly the sight of a heavily manacled ranting defendant, hovered over by a circle of anxious guards, would have given the jurors a very negative impression of the defendant. And for sure, had the court gone that route, the defendant would now be complaining that the court had not only disregarded his right to be absent from the proceedings, but worse, by forcing him to be present under the above circumstances, had needlessly created substantial jury prejudice against him. In short, through his own carefully planned actions, the defendant left the court no other reasonable alternative, except to give in to his demand that he not be forcibly taken to the courtroom."

Federal prosecutors in Atlanta declined to comment on Perkins' case. His court-appointed counsel, Gary Spencer, could not be reached for comment.

The fraud scheme that Perkins engaged in before his 2010 arrest was sophisticated and organized, Carnes said, allowing Perkins to steal millions of dollars. He bought stolen credit cards and used them to buy goods from unsuspecting merchants, she said. Perkins and his cohorts in the fraud ring also established dozens of bank accounts that were then used to defraud credit card companies, she said. They also gained access to electronic bank accounts...
from which they diverted large sums of money into accounts that Perkins controlled.

Police uncovered the scheme after Perkins inadvertently left behind at a Florida restaurant a briefcase containing multiple debit cards, bank documents, correspondence and a laptop computer that contained multiple user names, client tax IDs, addresses, dates of birth, telephone numbers and bank account balances ranging from $240,000 to $5.6 million, according to a federal affidavit included in court records. Perkins' belongings were subsequently turned over to Tampa police and then to the FBI. Perkins, an Atlanta resident, was one target of an investigation that the FBI's Atlanta office opened in 2009, and his victims included Atlanta residents and at least one Atlanta bank, the affidavit said.

After his arrest, a federal magistrate judge ordered Perkins, already a convicted felon, held without bail. His disruptive behavior first emerged in pretrial hearings in magistrate court, Carnes wrote. The defendant would repeatedly interrupt the magistrate judge with questions, frequently yelled in court, and demanded a bathroom break every hour. He also accused the judge of trespass and threatened her with a $1.8 million fine if she continued to say his name in open court—claiming his name was his personal, copyrighted property, Carnes wrote.

When the magistrate judge asked Perkins at one pre-trial hearing whether he was waiving his right to counsel, he replied, "How can I waive something that I have never accepted and that does not apply to me?"

Even though he had court-appointed counsel, Perkins also began filing what Carnes described as "nonsensical pleadings that were incoherent and riddled with gibberish" which she later struck from the court record.

Carnes said that in one pretrial hearing, Perkins demanded her name and asked whether she was a U.S. citizen; asked whether the judge knew the definition of the words, "stand trial," and ordered her to dismiss the charges against him. Carnes said that when she asked Perkins, at one point, about his educational background, her inquiry "precipitated an existential crisis for the defendant that launched him ... into a colloquy reminiscent of the Abbott and Costello routine, "Who's on first," except not so funny."

During that hearing, Perkins grew increasingly enraged and began talking over the judge, so much so that Carnes wrote that she eventually had to turn off his microphone so the court reporter could take down the proceedings going on while Perkins ranted.

In February, on the day that Perkins was scheduled to go to trial, federal marshals informed Carnes that Perkins had refused to dress or come to court. Perkins, according to Carnes, also had told marshals that they were going to "have to beat" him, and that he would be "kicking and screaming" if they attempted to force him out of his cell.

Carnes decided to reconvene court in a room adjacent to Perkins' holding cell in the hope of persuading him to come to court, even if briefly, while jury selection got underway. When Perkins saw Carnes and the court officers assembled through a plexiglass partition, "He immediately became violent, kicking so hard against the door that the deputy marshals became alarmed," the judge wrote.

Carnes said that as she advised Perkins if he did not come to court that he would be provided with a video and audio feed of the trial and would be given the opportunity to consult with counsel, the defendant shouted, "I don't understand," 70 times, "I do not agree," 27 times and repeated "I am here against my will."

"The transcript cannot adequately convey the threatening demeanor of the defendant nor the rage that he exhibited throughout," she said. "As he paced furiously back and forth, stopping to glare at the undersigned, defendant's conduct was extremely intimidating, even with a plexi-glass partition."

The judge said she concluded at that time that if she had required the marshals to forcibly bring Perkins to the courtroom, "There would be a violent physical confrontation and someone would get hurt."

The judge said Perkins' "hyper-aggressive and threatening behavior ... of a degree and kind that the undersigned has never before witnessed in 21 years on the bench" gave her little option but to leave him in his cell to watch live video of the proceedings.

"Forcing the defendant to actually come into the courtroom, for no other reason than to have the jurors briefly eyeball him, would have served no good purpose, but instead would have endangered the safety of all assembled, prejudiced the defendant before the jury, and undermined the dignity of the court."

Despite Perkins' violent threats, Atlanta defense attorney Strongwater—citing cases where dangerous defendants have been tried while wearing chains and leg irons that were hidden from the jury—said the judge should have forced Perkins to attend his trial and only employed the video feed if he actually disrupted the court proceedings.
Whatever Perkins might have threatened to do before his trial began "could just be bluster," Strongwater added. "He has a right to confront his accusers. ... Once he is in the courtroom, he has to be given the chance either to make good on his promises or participate. Here, he wasn't given the chance to show his true colors."
Four ex-governors, a widow, and Bill Shipp
By Jim Galloway

As social affairs go, nothing draws a crowd like a funeral or a good hanging. Bill Shipp's 80th birthday party was a little of both, and so was exceptionally well-attended on Tuesday.

In the basement of a Smyrna bank, four former governors of Georgia, whose terms stretched from the early '60s to this new century, gathered to pay homage to the political columnist they loved to hate — and the man who chronicled much of their own careers.

The magnitude of the crowd was startling. Max Cleland, the former U.S. senator, was there. Harris Hines, the new chief justice of the Georgia Supreme Court, gave the opening prayer. The place was so filled with notables that Vince Dooley, the former Bulldog football icon who once toyed with the idea of running for U.S. Senate, wandered in and out of the room, barely causing a ripple.

All this to honor a man whose pen, some of them would swear, had been dipped in their own blood. "We used to say that if Bill Shipp needed a thousand words, even his momma ain't safe," said one of the youngsters, 65-year-old former Gov. Roy Barnes. "All of us in public life, we were all kind of glad when the ink went out of your pencil."

It was the celebration of a time as much as a man - a period when newspapers had the combined clout of cable TV, Twitter, blogs and the backyard fence. Shipp worked for the Atlanta Constitution, then the Atlanta Journal-Constitution, from 1956 to 1987. But his journalistic influence began before that, and lasted long after.

In 1953, as an editor for the Red & Black, the University of Georgia's campus newspaper, Shipp criticized Gov. Herman Talmadge's decision to bar a young black man named Horace Ward from enrolling at the UGA law school. By strange coincidence, it was only then that a Talmadge-controlled draft board decided Shipp was just what the military needed. He would spend the next two years making sure that not a single Chinese Communist ever crossed the West German border.

Ward was drafted, too. Life is full of coincidences.

But it was the interplay between Shipp and the former governors that provided the spectacle. Carter wasn't there — the only break in the timeline. Neither was Sonny Perdue, whose first executive order as the first Republican governor in modern Georgia history was to bar his staff from speaking with Shipp.

But Carl Sanders, 88, who was elected in 1962, expressed thanks to Shipp for backing his early efforts to lead the state away from the days of segregation.

"I didn't know Bill from Adam's housecat, but he supported me when I was elected," Sanders said.

Former Gov. Joe Frank Harris, 77, praised Shipp's unique ability "to distort accurate information."

But it is considered high manners in the South to pray for those who disagree with you. Harris, a devout Methodist, would often hand off communication with the Almighty to his wife Elizabeth, who appeared to have a better connection.

Elizabeth Harris wrote the names of her prayer targets on Post-It Notes, then attached them to her bedroom mirror. "Bill Shipp was at the top of that mirror. He remained there for eight years," the former governor said.

And then there was Zell Miller, 81. At first, George Berry, one of Shipp's best friends and the former state commissioner of industry and trade, said the man who founded the HOPE scholarship didn't feel up to speaking.

Berry offered an explanation. Years ago, when Miller was still lieutenant governor, Bob Short, a lobbyist for the pharmaceutical industry, had persuaded Miller to give a speech at a conference held in delightfully warm climes.

In his column, Shipp wrote that he had it on good authority that "the governor was in the Caribbean in the company of a known drug dealer."

After the laughter died, Miller stood and announced that he had changed his mind. He did have something to say. It was a nervous moment. Those who knew them understood that Miller and Shipp had exchanged famously harsh words over the years. Miller had once offered to do something other than dance on Shipp's grave.

But in front of a crowd that once made up the largest part of Georgia's political elite, the ex-Marine made an about-face that he wanted to become part of the historical record. "I love him. I love him very much. There'll never be another one like you. I love you, Bill," Miller said.
It was a sobering moment on an August day that, despite the heat, carried the feel of fall turning to winter. The room was filled with a generation that is not yet ready to leave, but hovers near the exit. Betty Russell Vandiver, widow of former Gov. Ernest Vandiver, felt it.

In 1960, her husband had sealed his political career by not fighting a court order to allow two African-American students — Hamilton E. Holmes and Charlayne Hunter — to enroll at UGA. The man who wouldn't let Georgia go the way of George Wallace's Alabama died in 2005, and his wife had lost touch with many of those present. The governor's widow understood this was a last chance.

"Once you get out of politics, you're out of politics. You don't get many opportunities to see your friends. And they die away and you don't even know it," she said.

Comments

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11 Comment(s)
Comment(s) 1-11 of 11

• Posted by MrSnarky at 3:20 p.m. Aug. 13, 2013
  • Report Abuse

Wow! It's great that they're all still around.

• Posted by RoadScholar at 3:20 p.m. Aug. 13, 2013
  • Report Abuse

Happy Birthday Bill! Loved your work!

• Posted by The_Centrist at 3:34 p.m. Aug. 13, 2013
  • Report Abuse

This is what Columnist Dick Yarbrough recently wrote about Bill Shipp:

"I learned not to adhere to one particular ideology where readers know your predictable bias before they have finished the first paragraph. Shipp was tough on Democrats and Republicans, liberals and conservatives alike. He was never a cheerleader for any politician or any political persuasion. He thought you had sense enough to make up your own minds."

That is a lost art at the AJC.

• Posted by AuntieChrist at 3:42 p.m. Aug. 13, 2013
  • Report Abuse

Now there's a bit of irony, an alleged 'centrist' commenting on an authentic centrist.
Atlanta Legal Nurse Consultant Attends People's Law School 2013

WEBWIRE - Tuesday, August 13, 2013

Atlanta, Georgia -- Atlanta Legal Nurse Consultant Liz Buddenhagen, RN, attended the first session of the 2013 People's Law School in Athens, Georgia on August 7, 2013. This event has been sponsored by the Georgia Civil Justice Foundation, Georgia Trial Lawyers Association, Cork and Key and The Classic Center.

The People's Law School has been offered annually in August in four two hour sessions each Wednesday from 6-8 PM and is free to the public. Interested parties may still register to attend the 3 remaining sessions by calling 706-548-8122 or at the door. Sessions are held in the Willow Room of The Classic Center in Athens, Georgia.

Speakers and Topics:

The featured speakers on August 7, 2013 were Professor Dan T. Coenen of the University of Georgia Law School who spoke on the 7th Amendment and the U.S. Supreme Court and Professor James W. Hurt, Jr. of Georgia State University College of Law on the importance of the right to trial by jury.

Professor Coenen distributed a booklet of The Constitution of the United States and briefly discussed the U.S. Supreme Court in relation to the Constitution and consequential application of the system of checks and balances.

Coenen then talked about how the Supreme Court operates. He explained the roles of the Chief Justice and associate justices. He distinguished that the Supreme Court is primarily an appellate court, with original jurisdiction over a very limited number of cases (suits between states). He also discussed the inner workings of the Supreme Court in deciding which cases to review and how that decision is accomplished.

Professor Hurt outlined and gave examples of why the jury system is vitally important to our country's justice system and how it has been attacked in recent years.

Hurt noted that in Old English Law that judges were under the control of the king and therefore were not fair or impartial. He explained that the U.S. jury system eliminated the king's control and that King George III forbade jury trials in the U.S. originally and this was one of the main reasons that the American Revolution began.

Hurt said that the founding fathers thought that jury trials were so important that the 7th Amendment was created and that the legislature cannot change the constitution. This amendment guarantees jury trials and that the jury is the final arbitrator of guilt, innocence or liability.

In presenting examples of ways that our jury system is under attack, Hurt offered last year's Senate Bill 202 in Georgia regarding the "Nursing Home Arbitration Act" which if passed would have had citizens revoke their right to trial by jury in the event of negligence by a nursing home by mandating a citizen sign a clause agreeing to arbitration (instead of jury trial) when entering a nursing home. This bill was heavily promoted by attorneys for the nursing home industry. This bill was not passed in 2012.

Hurt also offered as example the "Patient Injury Act" which proposed that medical...
malpractice cases no longer be filed to a court but rather go to a bureaucratic panel. This was not passed.

Hurt mentioned the American Association of Justice, www.justice.org, which he said fights daily to preserve the American jury system. He discussed the real facts of the McDonald’s coffee case which many people do not understand and which show the true merit of the lawsuit.

About Atlanta Legal Nurse Consultant:

Liz Buddenhagen, registered nurse, assists Atlanta attorneys with any case that includes healthcare issues. For more information email Liz@BuddenhagenLNC.com, view website www.Legal-Nurse-Consultant-LNC.com or call 770-725-2997.

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Wilkes: Equipping Athens-Clarke police with Tasers would be mistake... http://onlineathens.com/opinion/2013-08-15/wilkes-equipping-athens-...
the tragedies that ensue when police use Tasers. We don’t want what happened to Hernandez-Llach to happen here.

**Donald E. Wilkes, Jr.**

- Donald E. Wilkes Jr. is a professor of law emeritus at the University of Georgia School of Law.
Former Athens mayor Upshaw Bentley dies

by LEE SHEARER  updated Thursday, August 15, 2013 - 10:46pm

Former Athens mayor and longtime attorney Upshaw Bentley has died at the age of 89.

Bentley died peacefully at home Thursday afternoon surrounded by family, friends and close caregivers, said Athens-Clarke Superior Court Judge Lawton Stephens, Bentley's godson.

"I told him he was the greatest man I've ever known," Stephens said. "He meant so much to me, my father and everybody in Athens."

Friends and former colleagues recalled Bentley's honesty, easy sense of humor and his extensive civic involvement in Athens.

"He was one of the most honest, trustworthy people I have ever known. If he told you something, you could take it to the bank," said retired University of Georgia law professor Verner Chaffin, who first met Bentley when both were undergraduate students at UGA just before World War II.

After getting an undergraduate degree, Bentley also attended law school at UGA. He earned money with a job selling baseball bats manufactured by Athens' Hanna bat factory, Stephens said.

Bentley joined the law firm of Thomas Milner and Robert G. Stephens out of law school, which later grew into the firm of Fortson, Bentley and Griffin, where Bentley was a partner for years.

Before Athens and Clarke County governments merged, Bentley was mayor of Athens from 1977 through 1980, and before then had been Clarke County attorney from 1958 to 1970.

But his civic service went far beyond jobs or elected office.

"He was a great citizen and a great public servant," Chaffin said.

"Upshaw Bentley has probably been as good a citizen of the city of Athens..."
As anybody has ever been,” said neighbor and longtime friend Terry Wingfield.

“He did a lot ... that people just didn’t know about,” said another former Athens mayor, Doc Eldridge.

Bentley was an inspiration for Eldridge’s own first mayoral run in 1998, he said.

Upshaw was a member of numerous Athens organizations and president of many of them at one time or another.

Among other groups, he gave his time and influence to the Northeast Georgia Boy Scout Council, the University of Georgia Foundation, the Athens Area Chamber of Commerce, YMCA, University of Georgia Law School Association and Western Circuit Bar Association and the Georgia Baptist Foundation. He was chairman of the board of trustees of Truett-McConnell College, a member of the Athens Tech Foundation, Athens Symphony Board and was at one time chairman of the board of deacons at Athens First Baptist Church.

Bentley is credited with raising money for many organizations as well, including the Athens Community Council on Aging, where a building is named for him and his late wife, Frances.

“The history of Athens cannot be written without the name of Upshaw Bentley,” said UGA President Jere Morehead in a statement. “He earned two University of Georgia degrees, served with distinction as a trustee of the University of Georgia Foundation and was a long-time supporter of the UGA School of Law.

“We honor his memory as a man who served individuals and the community without seeking recognition. As mayor and civic leader, he understood the role of higher education in our state and supported the University of Georgia in the community. He was an outstanding alumnus, and for his many years of leadership and service, the university is most grateful.”

Bentley wielded behind-the-scenes political influence, Stephens said.

“People who ran for governor would come to him for support,” he said. “You didn’t run for local office without going to him for support.”

Bentley also helped former Athens city council member and Athens-Clarke mayor Gwen O’Looney during her terms of office, she said.

“He was a real window on Athens, on what it was, what it was becoming and what it could be,” she said. “He was a lot more futuristic in his thinking than most people think.”

Athens-Clarke Mayor Nancy Denson described Bentley as "one of the most
caring persons I've ever known," and recalled what Bentley did in Denson's first year in office.

The government's budget had already been set before Denson took office, and there was no money left for the government's annual employee Christmas party, said Denson, who first met Bentley about 50 years ago.

After Bentley read an unkind headline about the impasse, he telephoned and said, "Don't worry, I'm going to take care of it," she said.

Bentley wrote a $15,000 check for the party's cost at the Classic Center.

"He remembered how hard the employees worked," Denson said. "That's typical of the kind of person he was."

• Follow education reporter Lee Shearer at www.facebook.com/LeeShearerABH or https://twitter.com/LeeShearer.

LOCAL NEWS

PREV
Rochelle residents sue city over sewage discharge

NEXT
New Georgia Supreme Court chief justice sworn in
Former Athens Mayor Dies at 89

ATHENS - The former mayor of Athens and celebrated community leader Upshaw Bentley died on Thursday afternoon at the age of 89. According to the Banner Herald, Bentley worked as a Clarke County attorney from 1958 to 1970 was mayor of Athens from 1977 through 1980. Colleagues remember him for his integrity and involvement in the Athens community.

Bentley was an undergraduate at UGA shortly before the start of WWII and also attended law school at UGA. Bentley was also extensively involved in Northeast Georgia Boy Scout Council, University of Georgia Foundation, YMCA, Chamber of Commerce, the Law School Association, and the Georgia Baptist Foundation. In a statement, UGA President Jere Morehead said the history of Athens can’t be written without the name of Upshaw Bentley.
In memoriam: Bentley was foundation of Athens

published Saturday, August 17, 2013

Bentley was foundation of Athens

It would be easy to call Upshaw Bentley a pillar of the community, but it would be more correct to call him a foundation of Athens. That's because Bentley, the longtime local attorney and former Athens mayor who died Thursday at the age of 89, spent a lifetime in quiet, steady support of this place, and imparted that spirit of service to others who will carry on his legacy.

Certainly, Bentley’s civic involvement was impressive. As was reported in this newspaper upon news of his passing, Bentley “gave his time and influence to the Northeast Georgia Boy Scout Council, the University of Georgia Foundation, the Athens Area Chamber of Commerce, YMCA, University of Georgia Law School Association, and Western Circuit Bar Association and the Georgia Baptist Foundation. He was chairman of the board of trustees of Truett-McConnell College, a member of the Athens Tech Foundation, Athens Symphony Board and was at one time chairman of the board of deacons at Athens First Baptist Church.”

But those are not the only measures, and they certainly aren’t the most important measures, of Bentley’s life. He was, as his friend Verner Chaffin told this newspaper, “one of the most honest, trustworthy people I have ever known.” University of Georgia President Jere Morehead remembered Bentley as “a man who served individuals and the community without seeking recognition.” Former Athens-Clarke County mayor Doc Eldridge, who said it was Bentley who inspired him to seek public office, noted that Bentley “did a lot ... that people just didn’t know about.” Another former mayor, Gwen O’Looney, said last week that Bentley, who helped guide her during her years in office “was a real window on Athens, what it was becoming and what it could be.”

Bentley’s passing is a loss that will be felt in this community for a long time to come, but that sadness will be eased by the knowledge that his spirit will live on in the numerous lives he touched and in the inspiration that his well-lived life will continue to impart.
Upshaw Bentley Jr, 88, of Athens, GA passed away Thursday, August 15, 2013.

A native of Greenville, S.C., Mr. Bentley was the son of the late Upshaw C. Bentley Sr. and Emma Stansell Bentley and was preceded in death by his wife, Frances Florence Bentley; brother, Thomas Stansell Bentley and grandson, Logan Upshaw Bentley.

Mr. Bentley graduated from Athens High School in 1941 and entered the University of Georgia that fall. After spending two years there, he joined the United States Army Air Corp in 1943 and received his pilot wings in 1944. After the war and upon his return to the University of Georgia, he graduated with a BBA in 1947 and a LLB degree in 1949. While attending UGA, he was a member of the Kappa Alpha Fraternity. Mr. Bentley was a founding member of the law firm, Fortson, Bentley, Griffin and has practiced law in Athens since 1949. He had served as the Clarke County Attorney from 1958-1970 and was Mayor of Athens from 1976-1980. Mr. Bentley was active in civic affairs having been President of Athens Area Chamber of Commerce, Athens YMCA, Athens-Clarke Community Chest, Western Bar Association, Georgia Law School Association and other organizations. He was also President of Clark Federal Savings and Loan Association. He was an Emeritus Trustee of the University of Georgia Foundation and former Trustee of the Georgia Baptist Foundation. Also, he was a former Chairman of the Board of Trustees of Truett-McConnell College. Mr. Bentley was the recipient of the 1995 UGA Abraham Baldwin Award. Recently, he was the honorary co-chairman for the Athens Community Council on Aging and was instrumental in fundraising for the Frances & Upshaw Bentley Center for Elder Care. Mr. Bentley was an active participant of the Athens Symphony Board for a number of years and a former president of the Northeast Georgia Council, Boy Scouts of America. He was an active member of First Baptist Church serving as a Deacon and former Chairman of the Board of Deacons.

Survivors include daughter, Ellen Bentley ten Haaf of Watkinsville, GA; sons, Mason Bentley and wife, Angie of Athens, GA, John S. Bentley and wife, Mary of Athens, GA; granddaughters, Christopher ten Haaf and wife, Theresa, Kathryn Bentley Fountain and husband, James; great-grandchildren, William Logan Fountain and Tara Leigh ten Haaf, sister, Nancy Bentley Scruggs of Athens, GA; grandchildren, Christopher ten Haaf and wife, Theresa, Kenneth Bentley Fountain and husband, James; great-grandchildren, William Logan Fountain and Tara Leigh ten Haaf; sister-in-law, Norma Bentley of Atlanta, GA; a number of nieces and nephews, and long-time friend and caregiver, Forrest Grady Hawkins.

Funeral services will be held 11AM Monday, August 19th at First Baptist Church of Athens with Dr. Jon Appleton and Dr. Paul Baxley officiating. The family will receive friends from 3-5PM Sunday, August 18th at Bernstein Funeral Home.

Honorary pallbearers will be employees of Fortson, Bentley, and Griffin Law Firm; members of the Friday Lunch Bunch and the Jo Callaway Sunday school class.

In lieu of flowers, the family requests that donations be made to First Baptist Church of Athens, 365 Pulaski St, Athens, GA 30601; the YMCA, 915 Hawthorne Ave, Athens, GA 30604; or to the Council on Aging, 135 Hoyt St, Athens, GA 30601.

Online condolences may be offered at www.bernsteinfuneralhome.com.

Bernstein Funeral Home and Cremation Service is in charge of arrangements.

Published in Athens Banner-Herald on August 17, 2013
Business Digest: Niedlov's hires Turner
By Staff Reports
Sunday, August 18, 2013

Niedlov's hires Turner

Niedlov's Breadworks has hired Whitney Turner, a long-time member of Chattanooga's specialty coffee community, to oversee retail operations.

She was most recently general manager of Pasha Coffee and previously spent several years as an assistant manager at Rembrandt's Coffee House. Turner is actively involved in the Barista Guild of America and is one of the only practicing level one-certified baristas in Chattanooga.

"She will have control of our coffee program from top to bottom, and I'm confident that under her leadership the Niedlov's Coffee experience will become one of the city's best," said Niedlov's owner and General Manager John Sweet.

Stites & Harbison brings on Gant

Stites & Harbison PLLC has added attorney Christopher Gant to the firm's Atlanta office.

Gant joins the creditors rights and bankruptcy service group. Gant's practice focuses on bankruptcy and creditors' rights matters, loan workouts and restructuring, lender liability matters, commercial and residential foreclosures and commercial litigation.

Prior to joining Stites & Harbison, Gant worked for a boutique litigation firm that represented various national, regional and community banks throughout Georgia.

Gant earned his law degree from the University of Georgia School of Law in 2007. He is admitted to practice in Georgia. He grew up in Chattanooga and graduated from McCallie School in 1997.

CRI adds VP tech operations

CRI, a Chattanooga-based provider of business communication solutions, has hired Rob McCree of Chattanooga as vice president of technical operations.

McCree comes to CRI from Norfolk Southern Railroad where he spent an 11-year stint as a technician and manager for the company's signal system.

"Rob's technical expertise and background as a manager and trainer make him the perfect person to lead our technical team," said Alan Burdine, president and chief operating officer of CRI.

Elrod named group sales manager

The Chattanoogan hotel has hired Adriane Elrod as its new group sales manager. She is responsible for securing new and existing group rooms business at the upscale hotel.

Elrod has worked in sales for the past decade, most recently in the hospitality industry as the director of sales for Candlewood Suites in Tuscaloosa, Ala.

In that role, she led her sales team to producing the highest sales records to date at the hotel. Elrod spent almost four years as a marketing associate with Sysco Gulf Coast, where she was honored for her exemplary sales achievements.

Hutton appoints Hall

Trey Hall has joined the Hutton Construction team as director of operations, said Bob Elliott, the company's vice president.

For the last 11 years, Hall has been employed as a senior project manager, responsible for multiple projects, including educational facilities, churches, stand-alone retail boxes and in-line retail developments.

He most recently played a key role in construction and re-development of the Catoosa County Public School system. He graduated from Southern Polytechnic State University.

McDade named firm partner

Kenny McDade has been promoted to partner of Killian Clark Partnership, Architects.

A Chattanooga native, McDade graduated from the University of Tennessee at Knoxville in 1992 with a bachelor's of architecture and planning. He has worked for Killian Clark for the past 18 years and was instrumental in the design of the Catoosa County Colonnade, the Crossville Medical Center addition, the Dade County Government Building, and dozens of other projects in Georgia and Tennessee.

Killian Clark Partnership, Architects, has been providing architectural design services for more than 20 years.
Olens honors midstate Legal Food Frenzy winners

Published: August 19, 2013 Updated 12 hours ago

Georgia Attorney General Sam Olens

WOODY MARSHALL — Woody Marshall

By PHILLIP RAMATI — pramati@macon.com

Last year, when Georgia Attorney General Sam Olens spearheaded a Legal Food Frenzy, law schools asked for the opportunity to participate in their own category.

For the second straight year, the Mercer University Walter F. George School of Law trumped the competition to win the Attorney General’s Cup in the law school division. The event encourages lawyers to collect food and money to benefit needy families across the state.

In fact, Middle Georgia had a strong showing in this year’s competition, with Warner Robins attorney Bo Sammons capturing the Attorney General’s Cup as the biggest fundraiser per capita in the state.

The law school students and Sammons were honored Monday when Olens spoke to the Macon Rotary
Olens honors midstate Legal Food Frenzy winners

Olens started the Legal Food Frenzy last year, modelling it on a similar competition in Virginia. The money and food brought in through the competition were given to the seven regional food banks across the state. Funds and items raised in each region went to the food bank in that region to help low-income families.

“About 60 percent of school children (in Georgia) qualify for a free or reduced lunch,” Olens said. “That’s a scary number to me. We’ve geared this to help kids over the summer, those nine or 10 weeks they aren’t in school.”

Overall, the state took in 842,317 pounds of food, a 38 percent increase over last year.

Mercer came within 200 pounds of food of doubling its number from the first year, when it blew away the other law schools. While the University of Georgia School of Law doubled its total, it still fell a distant runner-up to Mercer.

“Georgia stepped it up, so we did things like competing in different grade levels,” said third-year law student Cameron Roberts, who led Mercer’s effort both years. “Mercer is a super-generous community, so it wasn’t hard to get people to give. There’s just a lot of organization.”

Fellow third-year student Sarah Dubale and second-year student Tiffany Watkins also were at the event Monday. Dubale said a lot of the organization was done when students came up with ideas of how to get the rest of the law school, including the faculty, involved.

Watkins came up with an idea of “no-call ribbons.” If they donated $5 for the ribbon, they wouldn’t get an early morning phone calls soliciting money for the cause.

Gary Simson, the law school’s dean, said Mercer’s effort is symbolic of what the university tries to do in the community.

“I’m very proud, but that’s very characteristic of the Mercer law school,” he said. “It’s a very philanthropic group.”

Sammons, who practices on his own, ended up gathering 4,600 pounds of food through cash and can donations.

Sammons, a member of the music group the Alex Tjoland Band, convinced bandmates Alex Tjoland, Rachel Elkins, Erik Tjoland and Delisa Kyzer, to hold two concerts in Warner Robins to help raise money. Because law firms are judged on per capita pounds collected, Sammons was able to beat other firms across the state.

“I raised a lot of money, and people brought in a good bit of food,” he said. “But the main thing this means is that I’ve got to do better next year.”

Ronald Raleigh, director of the Middle Georgia Food Bank, said it was nice to have both winners in his coverage area.

“There’s value having two winners,” he said. “They beat out the rest of the state. That’s pretty cool.”

Because it works with government agencies, the food bank can purchase four pounds of food per $1 spent. The food bank serves 24 midstate counties, which includes 250 agencies.

During Monday’s luncheon, Olens discussed the Legal Food Frenzy and took questions about a variety of legal issues, including Georgia’s “water wars” with Florida and Alabama, sex trafficking, health care reform and payday lending.

To contact writer Phillip Ramati, call 744-4334.
The University of Georgia School of Law has named one of its professors to be associate dean and a former ambassador to teach as a Carl Sanders scholar.

Peter B. "Bo" Rutledge has assumed the position of associate dean for faculty development. He holds the Herman E. Talmadge Chair of Law. Rutledge specializes in international dispute resolution, arbitration, international business transactions and the U.S. Supreme Court, where he once clerked.

"I am confident that Bo Rutledge’s enthusiasm and work ethic will be important assets as he works with our younger faculty members," Dean Rebecca Hanner White said in the news release. "This position has traditionally benefited our professors with their pursuit of serious research agendas, and I know Bo will be successful in this role."

The announcement also said Lee A. Feinstein has joined the faculty as the Carl E. Sanders Political Leadership Scholar for the fall 2013 semester. He will teach the following courses: Intervention and Sovereignty: Contemporary Issues in International and National Security Law.

"It is exciting to provide our students with the opportunity to learn from someone like former ambassador Lee Feinstein," the dean said in the announcement. "Exposure to leaders who have current, real world experience is invaluable as they study the law and prepare to enter the profession and make meaningful contributions to our society."

Feinstein comes to UGA after serving as the U.S. ambassador to the Republic of Poland, a position he held from September 2009 to October 2012. The Sanders Political Leadership Scholar position is named for Georgia’s 74th Governor and 1948 law alumnus, Carl E. Sanders. It was created so law students could learn from individuals who have distinguished themselves as leaders in politics or other forms of public service, the announcement said.

Contributor: Katheryn Hayes Tucker in Uncategorized | subscribe to rss | share
Ruffin: Bentley's life an inspiration

Updated Wednesday, August 21, 2013 - 8:37pm

Bentley's life an inspiration

On behalf of the State Bar of Georgia, I wish to express condolences to the family, colleagues and many friends of longtime Athens attorney and former mayor Upshaw C. Bentley, Jr. on his recent passing.

A product of Athens High School and the University of Georgia, Bentley was an Army Air Corps pilot during World War II. His exemplary career as the founding member of the Fortson, Bentley & Griffin law firm spanned some six decades, including his service as Clarke County attorney from 1958 through 1970 and as mayor of Athens from 1976 through 1980. He also served the legal profession as president of the Western Circuit Bar Association, the Georgia Law School Association and the community as president of the Athens Area Chamber of Commerce, Athens YMCA and many other church and civic organizations.

All Georgia lawyers can draw inspiration from the remarkable life of Upshaw Bentley and his many contributions to his community, his country and our legal system as we attempt to meet the responsibilities of Bar members to serve others and help fulfill the constitutional promise of justice for all.

Charles L. Ruffin

- Charles L. Ruffin is president of the State Bar of Georgia.

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Our magic computers detect that you are either not logged in or registered with us. User registration is required before posting comments. Use the form below...
ON THE MOVE

Greenberg recruits 2 from King & Spalding, McGuireWoods

MEREDITH HOBBS | mhobbs@alm.com

GREENBERG TRAURIG has recruited Andrew Hough as a shareholder from McGuireWoods and David Norden as an associate from King & Spalding. Hough joined Greenberg’s corporate and securities practice and handles the gamut of transactional law. Norden, a former television sportscaster, joined the pharmaceutical, medical device and health care litigation practice, which is headed by local shareholder Lori Cohen. His litigation experience includes prescription medication cases.

George Green has joined Carlock, Copeland & Stair as an associate from the Nashville firm Lewis, King, Krieg & Waldrop. Green received his J.D. in 2010 from the University of Tennessee and has an undergraduate degree from the University of Georgia. He handles premises, product liability and employment defense cases.

UGA law school alumnus Jere Morehead will be sworn in as the university’s 22nd president on Nov. 19 at 10 a.m. in the Hugh Hodgson Concert Hall on the UGA campus. Morehead officially became UGA’s president on July 1 and previously served as provost and senior vice president for academic affairs. He has been a professor at UGA since 1986, after six years as a federal prosecutor.

The former ambassador to Poland, Lee Feinstein, is a visiting professor at UGA law school this fall, teaching a course on national security law. A member of the Clinton administration and then Washington think tanks, Feinstein is the Carl E. Sanders Political Leadership Scholar. His class is called “Intervention and Sovereignty: Contemporary Issues in International and National Security Law.”

Feinstein was an adviser in Clinton’s Defense and State departments and then worked at the Carnegie Endowment, the Council on Foreign Relations and the Brookings Institution. He advised the Hillary Clinton and Barack Obama presidential campaigns, then worked for Clinton at the State Department. He was ambassador to Poland from 2009 to 2012.

Lee DeHihns of Alston & Bird is the new chair of the American Bar Association’s Task Force on Sustainable Development. Members include representatives from the United Nations, the U.S. State
Former ambassador joins law school as Sanders Scholar; Rutledge named associate dean

Lee A. Feinstein has joined the faculty of the University of Georgia School of Law as the Carl E. Sanders Political Leadership Scholar for the fall 2013 semester. He will teach the course Intervention and Sovereignty: Contemporary Issues in International and National Security Law.

"It is exciting to provide our students with the opportunity to learn from someone like former ambassador Lee Feinstein," Georgia Law Dean Rebecca Hanner White said. "Exposure to leaders who have current, real world experience is invaluable as they study the law and prepare to enter the profession and make meaningful contributions to our society."

Feinstein comes to UGA after serving as the U.S. ambassador to the Republic of Poland, a position he held from September 2009 to October 2012. Feinstein has also served as secretary of defense and two secretaries of state, including as principal deputy director of the policy planning staff and senior adviser in the Office of the Under Secretary of State for Arms Control and International Security.

A foreign policy adviser for multiple presidential candidates and a frequent lecturer and commentator domestically and internationally, Feinstein has taught at George Washington University and at the City University of New York. He earned his bachelor's degree from Vassar College, his master's in political science from the Graduate Center of the City University of New York and his law degree from Georgetown University, where he graduated cum laude. He studied Russian language at the Pushkin Institute in Moscow and speaks Russian and Polish. The Sanders Political Leadership Scholar position is named for Georgia's 74th Governor and 1948 Georgia Law alumnus, Carl E. Sanders. It was created so law students could learn from individuals who have distinguished themselves as leaders in politics or other forms of public service.

Peter B. "Bo" Rutledge has assumed the position of associate dean for faculty development, a post that will allow him to work closely with the law school's
A former U.S. Supreme Court clerk for Justice Clarence Thomas and for Chief Judge J. Harvie Wilkinson III of the U.S. Court of Appeals for the 4th Circuit, Rutledge regularly files briefs and advises lawyers in matters before the Supreme Court and lower courts.

Given his interest in international dispute resolution, Rutledge has taught and spoken at numerous foreign universities. In 2010-11, he was a Fulbright Professor at the Institut für Zivilverfahrensrecht at the University of Vienna Law School.

He holds a bachelor of arts magna cum laude from Harvard University, a master's in applied ethics from the University of Aberdeen (Scotland) and a Juris Doctor with high honors from the University of Chicago, where he served as executive editor of "The University of Chicago Law Review" and was inducted into the Order of the Coif.
Rare female umpire enjoying Little League World Series experience

Wed, Aug 21

The Japan team celebrates with Seiya Nishino (12) after his solo home run in a win over Mexico on Wednesday in South Williamsport, Pa. (Gene J. Puskar / Associated Press)

South Williamsport, Pa. — Little League World Series umpire Cynthia Smith considers herself fortunate that her job — and her hobby — each center around volunteerism.

As an employee of the YMCA of Broward County in Fort Lauderdale, Fla., Smith calls for volunteers. As a youth baseball umpire, she's a volunteer who calls balls and strikes.

Just the fifth female in 67 years of the World Series to be part of a 12-person umpiring crew in Williamsport, the 60-year-old Smith has reached the sport's pinnacle. Rarely, if ever, are series umpires asked to return; there's a different crew each year.

“I keep saying the beauty of Little League is that it really is a microcosm of the world in general. The whole apple pie, baseball thing,” Smith said Wednesday prior to a U.S./International doubleheader at Lamade Stadium.

Her umpiring days began when she became a volunteer coach for her son's Little League team. Coaches were asked to umpire games of other teams in the league.

“A couple of very experienced umpires took me under their wing,” Smith said. “I started reading the rule book every night; it was right by my nightstand. That was 17 years ago and there weren't very many women. I was really conscious of knowing my stuff and being ready for any kind of arguments.”

A law school background — she's a graduate of the University of Georgia law school — aided Smith in that facet of the game and a second career was born.

“A third of the people thought there was a woman out there and she didn't know what she was doing, a third thought it was kind of cool and cute, and a third was just happy someone showed up to umpire their kids' games,” Smith said.

Now showing up on national television, Smith had home-plate duties during a record-setting, seven-inning no-hitter by Chula Vista, Calif., pitcher Grant Holman against Grosse Pointe Woods-Shores in the first round and worked the first international victory by a team from Brno, Czech Republic.
“The caliber of play is nothing like you’ve seen before,” Smith said about the youthful talent she deals with. “They make plays you never thought you would see them make, and if you haven’t hustled into position during the play you’re going to be caught with your pants down. Adjusting to that is a little bit of a challenge.”

To their credit,

Smith said the players don’t seem to be as nervous as the adults. “They’re having so much fun,” she said.

Most of the time. The pitcher from the Czech Republic was in need of one strike to end the game against Grosse Pointe Woods-Shores. Overcome with emotion, Smith said he took so long to get ready to make the pitch that she called time and cleaned the plate “really, really well” to allow him time to compose himself.

“He threw the pitch and it was a ball, and he threw the next pitch and the game was over. Every umpire on that crew was teared up as we were walking off the field,” Smith said. “Just because of that moment when those kids came halfway around the world to win that game in this moment and this spotlight.”

An umpire rarely makes friends in that role. Smith has had plays challenged, and online social media—or “unsocial media”, as she calls it—bloggers have cracked wise about her “throwing like a girl.”

Laughing about that, she has a reply: “I throw like a woman,” she said. “Every time I go to throw a ball I think I’m going to hit a kid in the head.”

Smith has had three replay challenges in the tourney thus far and just one was overturned.

“It’s really intimidating because you always want to be right,” she said. “You want to do the best you can and look good. But the last thing you want to do is go home knowing your bad call sent a team home. It’s not about us; it’s getting the play right.”

Smith has captured her Williamsport journey

on a personal blog. “It’s like a diary for me because there will be a day when I can’t walk out on the field anymore and I’m sure I’ll love going back and reading all this,” she said.

She posts it on Facebook to inform friends and family, and to urge fellow umpires—especially women—to get involved.

“Volunteerism is what drives the success of Little League,” Smith said. “Volunteerism makes you a whole person.”


Tuesday’s tennis roundup: Serena Williams named top women’s seed for U.S. Open
Female umpire at LLWS feels fortunate

By JIM CARLSON
Associated Press

Little League World Series umpire Cynthia Smith considers herself fortunate that her job — and her hobby — each center around volunteerism.

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FAMILIARITY: The Little League World Series breeds familiarity.

The big bats of Tijuana, Mexico, dominated its first two opponents, beating Perth, Australia, 12-0 in 4 innings last week and Aguadulce, Panama 13-0, also in 4 innings.

Two games, two mercy rules.

On Wednesday, Mexico met its match, losing 5-2 to Tokyo, Japan as the Tijuana offense sputtered against the crafty Japanese pitchers, who used changeups and curveballs to keep Mexico's big bats off-balance.

That set up a rematch Thursday between Mexico and Panama with a berth in the international final at stake.
"Our bats did not wake up," Mexico manager Francisco Fimbres said. "We were behind in the count all the time. It was just mistakes. It happens. It was just a bad day."

Now, Tijuana faces a team bent on taking advantage of that second chance.

"They know that they can do better," Fimbres said of Panama. "They're mad at themselves. It might help us."

Wednesday night's second game featured Chula Vista, Calif., against New England champion Westport, Conn. A loss by Westport would set up a rematch against Northwest champion Sammamish, Wash., which Westport beat 9-7 on Sunday.
Athens-based director returns to roots for 'The Spectacular Now'

Chelsey Abercrombie @comma_freak | Posted: Thursday, August 22, 2013 12:00 pm

When Athens-born director James Ponsoldt was looking for a location to shoot his latest feature, "The Spectacular Now," he saw the journey of his life come full circle.

Ponsoldt was born at St. Mary's Hospital, attended Athens-area schools for kindergarten through 12th grade and grew up spending time on the University of Georgia campus, as his father was a professor at the UGA School of Law for more than 30 years.

“I was always downtown, like on North Campus or in Junkman’s Daughter,” Ponsoldt said. “I started writing for Flagpole at 15 and could get into shows and review concerts and stuff.”

The close proximity to the University also helped spur the future director's love of filmmaking.

“Tate Center back in the day used to show amazing, crazy movies, many more movies than they do now. It used to be really wild,” Ponsoldt said. “They would have like a big [Federico] Fellini retrospective, a bunch of documentaries about the South, all kinds of things, almost like the film equivalent of 90.5. You turn on 90.5 and they’re doing weird acid jazz, stuff that's not the Top 40.”

Ponsoldt also worked at Beechwood Cinemas as a teen, but it wasn't until he undertook a project at Cedar Shoals High School that his ambitions for the future solidified.

“We had to do a commercial, which is really silly, but basically I was the one that was tasked, because my dad had a video camera, to direct it, which meant I had to do all the work. And my friends got to just be goofy in front of the camera,” Ponsoldt said. "But it really unified everything I love - theater, writing, bossing my friends around - it was all there, and it was a key in the lock kind of moment. I felt totally fulfilled."

When he left Athens to attend Yale University, the future filmmaker experienced the same confusion every new college student must confront.

“I went in and I was like, I’m going to be a film studies and psychology double major, and the psychology will inform the film studies, but then I worked on this senior’s thesis film,” Ponsoldt said. "I remember him telling me you might want to consider studying something else, because you can always go to film school later. You can always just move to L.A. later, but learn about life, learn stories, learn about people, so you don’t just know about movies.”

After receiving his bachelor's degree in English from Yale, Ponsoldt received his MFA in directing from Columbia University. His first feature film, “Off the Black,” premiered at the Sundance Film Festival in 2006. His follow-up feature “Smashed,” starring Aaron Paul of “Breaking Bad” fame,
premiered at the 2012 festival, garnering the U.S. Dramatic Special Jury Prize for Excellence in Independent Film Producing.

It was at Sundance that Ponsoldt was approached by producers with the script for “The Spectacular Now,” the film adaptation of Tim Tharp’s 2007 novel of the same name, a National Book Award finalist.

“I read the script and it was one of the fastest reads I’d ever had. Scott Neustadter and Michael Weber are amazing writers. It really kind of destroyed me emotionally,” Ponsoldt said. “It felt like the most honest depiction of adolescence I’d ever read.”

The script, authored by the co-scribes of 2009’s “500 Days of Summer,” follows the story of Sutter Keely (Miles Teller), a happy-go-lucky teen whose Zen-inspired life philosophy to always live "in the now" is challenged when he meets Aimee Finnecky (Shailene Woodley), an intellectual teen with her eyes on the future.

Ponsoldt, who had always wanted to write something about late adolescence, couldn't help but see the similarities between Sutter and himself.

“I was a really self-destructive kid, and there was a girl I’d kind of grown up with but never really thought about in that way, and she was the daughter of academics and wasn’t interested in going to stupid keggers or all the dumb pop culture stuff I was,” Ponsoldt said. “She didn’t care if it was quote-un-quote uncool to be smart. We started off as friends and then fell for each other, and she really challenged me to be a more honest person with myself and with other people, to regard myself better and think about the future more.”

"The Spectacular Now" struck Ponsoldt as such a personal tale that he decided to shoot it in his hometown of Athens, where filming locations last fall included Clarke Central High School, Wuxtry’s Comic Shop and the Miller Learning Center.

“Our production office was R.E.M.’s former office. You don’t get more Athens than that,” Ponsoldt said. “It was so easy, and everyone on the production, people who had come in from Atlanta or from Los Angeles, they all fell in love with Athens. We were all staying in downtown, and they got to shop all over the city, meet so many great people, see how laidback it is, and then on the weekends we ate great food and partied like rock stars at our favorite bars in downtown Athens, which is the best.”

Ponsoldt had such a positive experience filming in his hometown that when local art house theater Ciné needed help with their Digital Revolution fundraiser, Ponsoldt brought “The Spectacular Now” back for a night of sold-out special screenings.

"The Spectacular Now" has received praise from critics for its unflinchingly honest approach to its subject matter, and the gravity with which Ponsoldt treats his adolescent characters.
“The idea of a teen movie is one of the most marginalized of genres. We expect something cheap with bad acting that’s all about easy, dumb sex or dick jokes, things that it’s like, ‘Wow, you would think that from the big movies we make in America that teenagers are the worst thing on earth, and suddenly what, at 18, 19 they become worldly and sophisticated and complicated?’ No. Everybody has a complicated emotional inner-life,” Ponsoldt said. “There’s a lot of pain in the movie because that’s part of growing up.”

Following the success of "The Spectacular Now," which returns to Athens screens Friday, Ponsoldt already has several projects lined up for the future. He is currently adapting the musical “Pippin” for the Weinstein Company, a science fiction novel called “Pure” for Fox and plans to adapt and direct an upcoming novel by “Silver Linings Playbook” author Matthew Quick.

Ponsoldt also plans to direct “Rodham,” a screenplay about the early career of Hillary Clinton, when the future Secretary of State was on a bipartisan Senate Judiciary Committee tasked with setting a legal precedent to impeach Nixon before the disgraced former president stepped down.

“She was one of only three female lawyers there out of 50 people, and she also had this very serious relationship with her long-term boyfriend Bill who was in Arkansas thinking about a political run. This story is about her choosing between love and her career, and the sacrifices people make in every relationship, but that women most often make,” Ponsoldt said. “It’s actually a story about gender inequality that existed certainly in the 70s, and I would say still exists.”

While it's highly unlikely that "Rodham" will find any reason to film in the Classic City, Ponsoldt's formative years in Athens will remain with him wherever the duration of his career leads.

“I knew I lived in a really, really great place, and it wasn’t until I moved away at 18 and lived elsewhere that I realized exactly how great and unique Athens is,” Ponsoldt said. “There’s no other city like it. I love this place.”

"The Spectacular Now" is playing at Ciné through Aug. 29.
Event discussing Supreme Court coverage to be held Sept. 9 at UGA

by UGA NEWS SERVICE published Thursday, August 22, 2013

Some of the nation's preeminent Supreme Court journalists and scholars, including the publisher and editor of the only blog to win a Peabody Award, will discuss Supreme Court coverage and cases Sept. 9 at 8:45 a.m. at the University of Georgia Richard B. Russell Building Special Collections Libraries.

The event, titled “SCOTUSblog: Supreme Court Coverage and Cases,” will feature Tom Goldstein, publisher of SCOTUSblog and veteran Supreme Court litigator; Amy Howe, attorney and SCOTUSblog editor; Pete Williams, NBC News Justice correspondent; Tony Mauro, Supreme Court correspondent for the National Law Journal; and Janet Murray, media professor at Georgia Tech and a member of the Board of the Peabody Awards. The program, which will be streamed live on UGA’s Center for Teaching and Learning website, http://www.ctl.uga.edu, and on www.scotusblog.com, is sponsored by the Grady College of Journalism and Mass Communication, the Peabody Awards and the University of Georgia School of Law.

“The story of Peabody Award-winning SCOTUSblog is one of entrepreneurship, innovation and ultimately of the triumph of solid journalism in a marketplace rife with opinion and spin,” said Grady College Dean Charles Davis. “We have a veritable Who’s Who to discuss coverage of the United States Supreme Court and the many ways in which digital media alter the landscape.”

The first panel, held from 9 to 10:15 a.m., will focus on the rise of SCOTUSblog to preeminence as a source of information about the Supreme Court. Moderated by Peabody Awards Director Jeffrey Jones, the panel will discuss how the SCOTUSblog developed into one of the most comprehensive and trusted sources of information about the Supreme Court.

“In awarding SCOTUSblog a Peabody, the board recognized the important role SCOTUSblog plays in communicating timely, accurate and detailed information to citizens about the high court,” Jones said.

The second session, held from 10:30 to 11:45 a.m., will analyze Supreme Court coverage in the digital age. This session, moderated by Grady College telecommunications professor Bill Lee, will focus on how digital media have influenced coverage of the court.
Panelists in the final session from 1:30 to 2:45 p.m. will share insights into the Roberts Court and discuss the court's upcoming term. Moderated by Sonja R. West, associate professor of law and former U.S. Supreme Court judicial clerk, this panel will look more directly at recent cases and current issues before the court.

"The law school is pleased to play a role in bringing this program on the U.S. Supreme Court to the university and broader communities," Georgia Law Dean Rebecca Hanner White said. "The press plays a key role in sharing information and educating the public about our nation's highest court. SCOTUSblog has become a reliable and reputable source in this important task, and programs such as this help to further erode some of the mystery surrounding the Supreme Court.

All sessions will be held in UGA's Russell Special Collections Building, 300 S. Hull St. in Athens. All sessions are open to the public.
Doc Eldridge earns recognition for work to break cycle of substance abuse

By NICK COLTRAIN published Sunday, August 25, 2013

Doc Eldridge will receive the Milner S. Ball award this year, though it's more than just another accolade for a man who has invested his life in his hometown.

It's a recognition from the Athens Justice Project (AJP) for a man who has also dedicated his time toward helping those suffering from substance abuse and working to break the cycle of imprisonment and poverty that can stem from the disease, including advocating for effective rehabilitation efforts.

“He's aware of the problems stemming from that, how hard it can be to positively reintegrate into society,” AJP Executive Director Jenni Olson said. “In his role in the business community as well as the recovery community, he has been an outspoken advocate for them.”

Eldridge, a former local business owner and Athens-Clarke County mayor, and current president and CEO of the Athens Area Chamber of Commerce, will receive the award Sept. 24 at the AJP's annual luncheon. Olson said the nonprofit's event draws from across the Athens community, including those in the legal and recovery communities, the University of Georgia and business owners.

The award is named for the late Milner Ball, an AJP co-founder and UGA law professor. A pamphlet from the AJP describes him as a "tireless advocate for those struggling in poverty" with a "devotion to the values of equality and justice."

It's his core values of social justice, of looking at individuals and systemic problems that the AJP continues to advocate for, the same for individuals who receive the award bearing Ball’s name.

Olson spoke of the difficulties facing those trapped in a cycle of addiction,
Doc Eldridge earns recognition for work to break cycle of substance a...

especially if the substance is illegal. She said many people they work with suffer from mental illness and their substance abuse stems from self medication. Many come from generations of family suffering from the same issues, or relapse when they see the walls to independence built after a single conviction.

“It’s very hard when you can’t support yourself: No one will hire you, you’re cut off from social services like food stamps because you have a drug conviction,” she said.

Eldridge has made strides with business owners and those fighting addiction through personal connections, including making business owners aware of the waivers for hiring those with arrest records and helping those with addiction issues learn skills that can lead to jobs and breaking the cycle.

“There’s a lot of success stories walking around town that would just blow you away when you talk with these people and find the issues they were going through growing up (and) as young adults,” Eldridge said.

The work and acknowledgements of AJP have a special significance for Eldridge: He’s spoken publicly about his own battles with alcoholism.

“It’s a huge honor for me, frankly, to be recognized like that for this kind of effort,” Eldridge said.

• Follow government and business reporter Nick Coltrain at twitter.com/necoltrain or on Facebook at facebook.com/NickColtrainABH.
Fifteen UGA employees retired July 1. Retirees, their job classification, department and length of employment are:

Timothy P. Burgess, senior vice president, finance and administration, 7 years, 7 months; Robert N. Carrow, professor, crop and soil sciences, 28 years, 6 months; Diana D. Embler, business manager I, Institute for Behavioral Research, 26 years, 9 months; Margaret A. Graham, associate professor, College of Education-Dean’s Office, 19 years, 9 months; Tracie M. Jenkins, associate professor, entomology research, 17 years; Paul M. Kurtz, associate dean, School of Law, 37 years, 10 months;

Catherine G. Lind, library assistant II, libraries-general operations, 15 years, 1 month; Horace Newcomb, director, Peabody Program, College of Journalism and Mass Communication, 12 years; Thelma

Kitty Oliver, county secretary, UGA Extension-Northeast District, 10 years; Katie Olivia Rice, county secretary, UGA Extension-Northeast District, 10 years;

William P. Russell, senior public service associate, J.W. Fanning Institute for Leadership Development, 22 years, 9 months; Stephen M. Shewmaker, executive director, Office of Legal Affairs, 13 years, 5 months; William J. Stauff, assistant to the dean, College of Education-Dean’s Office, 10 years; Nancy P. Thompson, senior public service associate, Georgia Center, 18 years, 9 months; and Joan A. Yantko, program coordinator II, biochemistry and molecular biology, 15 years, 9 months.

August

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

Debbie Bridges, printing estimator, printing, 24 years, 5 months;

Kenneth C. Chester, sheetmetal and roofing foreman, Sheetmetal Shop, 28 years, 10 months; Ian Michael Cowie, public service associate, UGA Extension-Northeast District, 28 years, 3 months; David M. Hayes, senior lecturer, health promotion and behavior, 5 years, 11 months;

Thomas P. Lauth, dean, School of Public and International Affairs, 32 years; Charles Norman McGlohon, district director, UGA Extension-Northeast District, 25 years, 10 months; James H.S. McGregor, department head, comparative literature, 32 years, 11 months;

Heather C. Reed, administrative specialist I, Warnell School of Forestry and Natural Resources, 9 years, 9 months; and Ronald L. Simons, research professor, Center for Family Research, 11 years, 11 months.
KEITH BLACKWELL  |  38
Justice, Supreme Court of Georgia
University of Georgia, political science
University of Georgia School of Law, 1999

Justice Keith Blackwell epitomizes the new wave of appellate judges in the state. They're young, they're smart and they're conservative. Many are coming to the appellate bench straight out of practicing law, bypassing the trial court rung. And their ranks are growing quickly.

Appointed to the state Court of Appeals by Governor Sonny Perdue at the age of 35, Blackwell didn't have much experience practicing before the court on which he was to sit. But the Cherokee County native, who has said he was the first lawyer in his family, did have strong academic credentials, having finished first in his class in college and law school at the University of Georgia and having clerked for a federal judge. And he had a sterling political résumé, too: He had been president of the Atlanta lawyers' chapter of the Federalist Society and volunteered for the state Republican Party and Nathan Deal's gubernatorial campaign.

Deal has an acknowledged penchant for appointing trial judges to appellate seats, but when he had a chance to make his first pick for the state Supreme Court, he passed over a host of trial judges long touted as potential justices and promoted Blackwell.

Robert Highsmith, a Republican lawyer who has vetted judicial candidates for Perdue and Deal, says he has known Blackwell since Blackwell was a law student, noting their Federalist Society connections. “His rise to prominence in the state's judiciary looks meteoric,” says Highsmith, “but if you've been following Keith as long as I have, it's just unsurprising.”

In less than a decade, the state high court has undergone dramatic change, with the majority of the court having joined it in the last five years. Now only three of the 12 were appointed by a Democratic governor, while five were appointed by Republicans and the rest were elected to open seats.

To be sure, the courts are shifting rightward. But the change may be as much generational as it is ideological. Some of the new judges are engaging with the bar via social media. Whether speaking at lawyer luncheons or penning court decisions, they appear more willing to question publicly their courts' precedents and practices.

Long-standing institutions are “reinvigorated” from time to time with the introduction of new personnel, says Blackwell. “People become kind of set in their ways of doing things,” he says.

Blackwell wasn't shy in his opinions as a Court of Appeals judge, employing a distinctive writing style in which a new judge was willing to question decades of precedent on his court. Now at the Supreme Court he's found some kinship in that regard with Perdue appointee, Justice David Nahmias.

"Both David and Keith are fully prepared to re-examine the law," says Highsmith, "And I think that's extremely healthy. I think it reinjects rigor and vigor to the intellectual life of the court."

Blackwell likely has many years to make his mark. And he's just getting started.

—Alyson M. Palme
ABOUT 30 YEARS AGO, Hans-Michael Kraus started an international practice at Smith, Gambrell & Russell, focusing on German companies that needed help doing business in the United States.

It was the perfect spot for Florian Stamm, as it turns out, although the timing was a bit off—he was 4 years old.

Fast forward to 2005. A year out of law school, Stamm is hired by Smith Gambrell and already has figured out his legal niche: "What I wanted to do was represent German clients."

The German-born Stamm, who moved to the U.S. as a teenager, has built a practice assisting German companies looking to invest here, especially in the Southeast. "Florian has carved out a niche for himself as a lawyer who understands the needs of the client from both the German and American perspectives," says Kraus, who still leads the firm's international group. "He is positioning himself now to be a major player in the global economy in 10 years."

Over the past six years, in the teeth of the Great Recession, Stamm says he's closed five to 10 projects a year—mostly greenfield investments, companies building manufacturing plants from scratch. These companies typically hire 150 to 200 people, Stamm says, and invest between $30 million and $40 million in initial building and machinery.

"Germans have invested through the crisis," Stamm says. Some recent successes include Wilhelm Schulz GmbH, which makes pipes for the oil, gas and nuclear industries, spending nearly $300 million to build a plant in Tunicca, Miss., that is expected to employ 500 people; Beckmann Volmer, which makes parts for wind turbines, investing up to $20 million on a plant in Osceola, Ark., that's expected to employ 300 people; and Hailo, which also makes components for wind turbines, building a $15 million manufacturing facility that will employ 200 people in Elberton.

It can be heady work. "It is surprising," Stamm says, "to get a phone call and someone says, 'The governor of Mississippi would like to talk to you.'"

Competition is fierce, Kraus says. "There was never a time when so many incentives were available."

Aside from knowing about job-training programs and tax credits, Stamm sees his role as "a general adviser" to German executives. "Most of the companies we work with in Germany are family-owned, and some are 300 to 400 years old," Stamm says. "It takes a certain mind-set to work with a business like that. They appreciate that we are natives."

And it takes a lot of time on the road. Stamm says he travels in the U.S. 100 days a year and is in Germany one week a month. He has a U.S. cellphone and a German cellphone. Both ring anywhere in the world.

—Paul Shea
BRIAN RICKMAN

District attorney, Mountain Circuit (Clarkesville)

Piedmont College, sociology

University of Georgia School of Law, 2001

BRIAN RICKMAN REMEMBERS the first time he witnessed a court bailiff announce that a jury in a felony case had reached a verdict.

Family members of both the crime victim and the defendant were present, in the hushed moments just before the verdict was delivered.

"It's human drama on a scale that most people don't ever get to see," says Rickman. That verdict, he recalls, "was going to affect everybody's life."

Rickman is the Mountain Circuit district attorney—a post he has held since January 2008 when Governor Sonny Perdue appointed him to replace the retiring district attorney. He has twice sought re-election without opposition. He also has lent his prosecutorial talent to the state Judicial Qualifications Commission in ethics investigations that led to the criminal prosecution of a Camden County judge and the suspension, after an ethics tribunal, of a judge in Grady County.

Former Attorney General Michael Bowers, who joined with Rickman in prosecuting Grady County State Court Judge J. William Bass Sr. on ethics violations in March, says Rickman is "very smart, a very quick read. He is a complete straight-shooter, dependable, loyal."

Rickman, he adds, also "has got a heart as big as Kansas. ... He has a very, very bright future."

Rickman—who put himself through the Northeast Georgia Police Academy and became an investigator for the Banks County district attorney while still in college—said he didn't plan to become a lawyer. He intended to follow a cousin to the Georgia Bureau of Investigation and then graduate to a federal post. Instead, he became hooked on trials.

Encouraged by attorneys he watched ply their trade in court, he decided to enroll in the University of Georgia School of Law.

After graduation, he first took a job as an assistant district attorney in Stephens County, followed by three years in private practice before his 2008 appointment.

In 2010, Rickman assisted the JQC in its ethics investigations of two Superior Court judges who later resigned to end the inquiries. Impressed, the JQC recruited Rickman's help in prosecuting Bass, who was suspended for two months and pledged not to seek re-election, and Camden County Associate Probate Judge Shirley Wise.

JQC Director Jeffrey Davis calls Rickman "the consummate public servant."

"Not many public servants are so willing to juggle their primary responsibilities while volunteering to prosecute a judge as special counsel to the commission," he says. "We are grateful for Brian's commitment to ensure that judges are held accountable when they violate the public's trust."

JQC Commissioner Richard Hyde, who met Rickman during the Mountain Circuit judicial probes, says the DA "strikes the fear of God into the hearts of thugs. He has tremendous courtroom presence and ... is the gold standard for how to argue a case in court."

Rickman, he adds, has "seen judicial misconduct firsthand. He understands, better than most, what can happen when you have a bad judge on the bench."

—R. Robin McDonald
GROWING UP IN NASHVILLE, GA., Ranse Partin had two competing dreams for a legal career: to work on important cases at a big Atlanta law firm and to be like Atticus Finch.

He achieved the first, joining King & Spalding in 2000 after a clerkship for U.S. District Court Judge Thomas Thrash Jr.

He has quickly made inroads toward the second since starting his own plaintiffs shop in December 2010. Last year he joined two established plaintiffs' lawyers, Cale Conley and Richard Griggs, to form Conley Griggs Partin. Veteran plaintiffs' lawyer Andrew Scherffius also joined the firm as of counsel.

Partin and Conley won a $10 million jury verdict in March for the survivors of a Mexican man, Florentino Hernandez, who was pressed to death by lumber mill rollers. They sued the defective machinery's manufacturer, Hi-Tech Engineering Inc., which offered $20,000 to Hernandez's survivors before trial.

Partin says the courthouse in Louisville, Ga., looked just like the courthouse in To Kill a Mockingbird. The moment the jury came in, the Courthouse Steps echoed with the theme song of the classic film. It was a moment that made Partin feel like he had found his calling in law.

Lacking even a high school education, Hooker spent three years pursuing a pro se suit against the Lanier County sheriff for denying him medical treatment. The case was going nowhere when King & Spalding's pro bono partner, Bill Hoffman, heard about it from a Macon judge.

Partin says he jumped at the chance to take the case. After he filed a motion to reopen discovery, Lanier County's lawyer quickly called, wanting to talk settlement. Partin says the small sum he obtained for Hooker gave him money with which to re-start his life when he was released from jail.

From that, Partin learned that “90 percent of being a good lawyer is being there.”

Conley Griggs Partin is working on a putative class action against Mercedes-Benz USA, alleging fuel tank leaks. The firm is co-counsel on a bellwether personal injury case against Toyota over sudden acceleration, set for November. The case had been delayed for nearly a year due to the coronavirus pandemic.
Partner, Conley Griggs Partin
Emory University, political science
University of Georgia School of Law, 1998

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Partin says the courthouse in Louisville, Ga., looked just like the courthouse in To Kill a Mockingbird. The moment the jury announced it had reached a verdict, after only 38 minutes, is one Partin will remember for his entire career. “An unbelievable silence filled the courtroom,” he says.

Then the jury announced the $10 million plaintiff’s verdict, finding the equipment designer 100 percent liable for the accident.

Griggs says he and Conley made Partin their partner because “we learned very quickly that this guy would be an asset to someone—and someone other than us, if we didn’t make him our asset.”

Partin says a pro bono case at King & Spalding whetted his desire to represent real people. A jailed man was denied treatment for an abscessed tooth in Lanier County, one county over from where Partin grew up. The pain was so bad that the man, John Hooker, finally pulled the tooth himself.

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Partin is working on several cases with Bobby Lee Cook. He was co-counsel with Cook on a suit against the Chattahoochee County sheriff for allegedly forging a warrant to search the home of a couple who owned a local pawnshop. The case settled in January, on the eve of trial, for $300,000.

Partin isn’t representing only the little guy. He won a $500,000 settlement for C.W. Matthews from Butch Thompson Enterprises in a dispute over nonpayment on asphalt deliveries.

—Meredith Hobbs

L.M. “TRIPP” LAYFIELD III knows impressive. Layfield, the senior vice president and general counsel for the Columbus Regional Healthcare System, has known Michael Paulhus for five years.

“I’ve worked in the White House. I’ve been around incredibly influential, powerful, impressive people. Even at his young age, he had the ability to deal with highly charged, highly stressful big cases and he impressed me. He’s very impressive,” Layfield says.

Paulhus, a partner at King & Spalding, specializes in defending clients facing government investigations and whistleblower allegations on health-care fraud.

“It’s always a billing issue under the False Claims Act where the government or a whistleblower made false claims about billing impropriety,” Paulhus says. About 5 percent to 10 percent of his practice is proactively working with clients on compliance issues.

His cases are challenging because they require him simultaneously to understand the health care regulations while also mastering the intricacies of government investigations. “It’s a white-collar practice combined with litigation,” he says. “A case can spin out in so many ways, whether you have a whistleblower driving the case or the government. And it’s very high stakes.”

Paulhus is “absolutely very laser-like focused on clients and their needs and concerns,” says Rick Shackelford, health care practice leader at King & Spalding. “He is so committed to his practice that he has devoted of health defense and general counsel for the Columbus Regional Healthcare System, has known Michael Paulhus for five years.

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AT 16, JEFFERY MONROE had permission to drive his dad's '81 Mustang—providing he could fill the gas tank. That led to a job as a runner, delivering documents for Sparta attorney Roosevelt Warren. “He was a mentor and first got me interested in the law,” says Monroe.

“A lawyer is someone who can take arcane statutes and make them understandable to everyday folks,” says Monroe, whose practice focuses mainly on insurance defense and education law. “Laws are there for a particular reason and lawyers are there to explain their function and to help their clients.”

Monroe won a summary judgment for client Colt Security, a small guard and alarm services company based in Charleston, in a case in which UPS—which had contracted with Colt—claimed the right to be indemnified. UPS appealed the case to the Georgia Court of Appeals, which found for Colt. “It was a case of a small company vs. a big company and it felt good to be able to show what the law could do,” he says.

Monroe practices law from a big-picture perspective and with tremendous character, says former state representative and Marietta solo practitioner Rob Teilhet. “You know there’s not going to be any sharp-elbowed practice, no endless antagonism over picayune details. It’s going to be a problem-solving, dispute-resolution endeavor, whether he’s in court or serving in his community,” says Teilhet.

Monroe is a past president of the Macon Bar Association, a member of the board of governors for the State Bar of Georgia, a deacon in his church, and a board member of several nonprofits. “I don’t know anyone from our graduating class who is more respected in his community. He’s a bridge builder,” says Teilhet.

“He’s one of the most genuine people I know and has an ability to connect with everyone,” says Curtis Kleem, a partner at McCamy, Phillips, Tuggle & Fordham in Dalton.

Monroe’s skills and civic interests have benefited the group tasked with consolidating Macon and Bibb County governments. “People have attempted this for 100 years, and we finally got it passed through a referendum,” says Monroe. As chairman of the Macon-Bibb Consolidated Task Force’s laws and technology committees, he’s helped to combine codes, best practices, laws and technology into a streamlined government system that will start Jan. 1, 2014.

“This has been rewarding work, because everyone benefits from a government that is lean and knows what it is doing,” he says.

“Always cordial and always a gentleman,” is how Aaron Lipson, assistant regional director of the U.S. Securities and Exchange Commission, describes Monroe. “He shows respect for everyone’s opinion, which is a far more productive way to get things done, and makes the profession a better place to practice,” he says.

Monroe credits his faith and his father for teaching him to appreciate people wherever they are and for making him who he is. “I get a lot of enjoyment out of practicing the law and using my skills to help others. It’s important for lawyers to give back,” he says. — Laura Raines
RYAN TEAGUE GREW UP in rural Mountville, S.C., where his grandfather grew cotton and peaches.

During his senior year in high school, Teague found his calling—a mix of politics and law that has taken him through Capitol halls in both Washington and Atlanta.

In 1996, he served as a page for U.S. Senator Strom Thurmond, R-S.C.

“I worked with his legislative people, who were all lawyers,” Teague says. “They told me if I wanted to do what they did I should go to law school, and I just stuck with that.”

During law school, he worked on Saxby Chambliss' 2002 campaign for the Senate and interned for Governor Sonny Perdue during his first session of the General Assembly. After law school, Teague clerked for U.S. 11th Circuit Court of Appeals Judge J.L. Edmondson and then became an associate at McKenna Long & Aldridge. There, he found a mentor in partner Randy Evans, who has represented high-profile Republican lawmakers including former U.S. House Speaker Newt Gingrich.

Teague left Georgia briefly in the fall of 2007 to be general counsel of Freedom's Watch, a conservative lobbying organization that raised money to support President George W. Bush's policies, chiefly his administration's war on terror.

While there, he handled everything from leasing office space in Washington to defending legal challenges of the group's multimillion-dollar advertising campaign and steering the organization through an Internal Revenue Service audit.

“I never had an FEC [Federal Election Commission] complaint that came to fruition, and the IRS audit came back clean,” Teague says.

Teague returned to Atlanta in 2009, shortly after Freedom's Watch dissolved, and began working for Governor Perdue as deputy executive counsel, taking over the spot from Josh Belinfante, a past On the Riser.

When Governor Nathan Deal came into office in 2011, he kept Teague on staff and promoted him to his office's top lawyer later that year. Teague has played a role in facilitating criminal justice reform efforts,

pushing hospital provider fee legislation, vetting judicial candidates and working on the expansion of the Savannah harbor and construction of a new stadium for the Atlanta Falcons.

—Kathleen Baydala Joyner
SITTING IN Hubert McAlexander's undergraduate English class on Southern literature proved to be great preparation for Christy Hull Eikhoff's career as a commercial trial lawyer.

"We had to describe what every book was about in one word," says Eikhoff. "It was the best training I could have gotten."

Faced with multibillion-dollar liability questions and complicated legal issues, she consumes and comprehends vast amounts of information, then strips it down to a few words or phrases to be able to persuade clients, colleagues and the court, "this is what this case is about."

In law school, she knew she would be a litigator. With no attorneys in her family, her role models were TV trial lawyers. As a young associate, she cut her teeth working on the Enron examination team, and since then has continued to work on "high profile, bet-the-company cases," says Bill Jordan, co-chair of Alston & Bird's litigation and trial practice group. "She thinks strategically and is undaunted by complex factual or legal situations," he says.

He remembers her role in the case of Consolidated Container Company vs. Warren Unilube Inc. in federal district court in Tennessee. Alston's client, Consolidated, had built a factory near Unilube to supply product packaging. When Unilube decided to make its own containers, Consolidated sued for breach of contract. Eikhoff figured out a loophole through which the team sought—and obtained—a rare preliminary injunction ordering Unilube to continue buying the client's products.

"Early on in her career, Christy knew how to do all that it takes to be successful in litigation: creative claim analysis and research, diligent fact-gathering, preparation for and poise in court, and good client relations," says Jordan.

Client George Renaldi III, CEO of King America Finishing Inc. and Westex Inc., finds her hard-working, tenacious and dignified. As the lead defense counsel in dozens of tort actions against the textile manufacturer, Eikhoff has won his trust. "She's tremendously honest," he says. "She doesn't sugarcoat the facts, or make things seem worse than they are. You can't have trust without honesty."

Julie Wade, principal of The Wade Law Firm in Savannah, says, "One of the things I admire most is her broad perspective on knowing what's important. She's smart, focused and determined at work, but fully engaged with her family after hours."

If she knew the answer to balancing trials with ballgames and play dates, Eikhoff laughs and says she'd write a book for other working parents. Instead, she started the "Wine, Working & Womanhood" discussion group as a place for working mothers to share experiences. "These are remarkable women. I love the sense of camaraderie, and that we're all in this together."

"My vocation is adversarial," Eikhoff says. "I fight for a living, but it's so rewarding when problems get resolved."
MICHAEL A. CAPLAN | 32
Associate, Bondurant Mixson & Elmore
University of Georgia, political science
University of Georgia School of Law, 2006

“ROMANTIC” IS RARELY USED to describe a lawyer—much less a litigator—but that is how U.S. District Court Judge Richard Story describes Mike Caplan.

“He almost takes a romantic view of the Constitution,” says Story. “He looks deeply into constitutional law and its central issues. He really deep in his heart believes in justice for all. We all say that, but it’s fundamental with Mike.”

Caplan, an associate with Bondurant Mixson & Elmore, admits his social conscience moves him to “help people who are less powerful than their opponents.”

His passion for the underdog once led him to stay in a prison lockdown. Appointed to represent Robert Adkinson Jr., a paraplegic who had been incarcerated in the Chattooga County Jail for almost a year, Caplan went to prepare Adkinson for a deposition. Informed the prison was about to go into lockdown, Caplan opted to stay.

“I wasn’t terribly scared. I always wanted to experience being institutionalized without being compelled,” Caplan says. “But if I had to be in a lockdown in order to adequately prepare my client, then fine.”

Emmet J. Bondurant agrees Caplan is passionate about helping others, but he appreciates that “he does really amazing legal work and takes a major role for clients who pay the bills.”

One of those cases is FTC v. Phoebe Putney, an antitrust enforcement action challenging the $195 million acquisition of Palmyra Park Hospital in Albany, Ga. Caplan, the only associate on the case, and the team obtained a dismissal, which was affirmed by the 11th Circuit. The case has since been reopened and Caplan is involved in the parallel federal court and administrative proceedings on remand. If the case doesn’t settle, it will go to court in the fall.

“There’s a hell of a lot to do,” says Bondurant. “Mike’s been taking more depositions than God.”

Another case, Columbus Drywall v. Masco, which alleged nationwide price-fixing, resulted in one of the highest antitrust settlements on record: $112.25 million. Again the only associate on the case, Caplan was deeply involved in trial preparation and had a significant role in, among other things, strategic planning and motions practice.

He uses his MBA to “incorporate a business approach and my law degree to bring legal efficiency to the benefits of my clients. I like the intellectual rigor of practicing law,” he says. “I try to come up with creative and unique solutions without protracted, costly litigation, although I can provide that service, too.”

Caplan, whose practice focuses on complex business litigation, appellate litigation and civil rights, gets excited by the “resolution—telling a client we won or have a favorable settlement.”

As for his future, Caplan will continue to focus on pro bono work, “in addition to the paying work. I’m fortunate I can do both.”

— Mary Welch
THERE WAS NO EASING into her career as a prosecutor, recalls Shannon Wallace. She'd known ever since grade school that she wanted to work as a district attorney, but when she approached Ocmulgee Circuit District Attorney Fred Bright about an internship, he made certain she knew what she was getting into.

"He was getting ready to try a death penalty case, and he gave me the case file and said, 'If you can go through this and you still want to be a prosecutor, I'll work with you,'" says Wallace.

The crime was horrific—the brutal slaying of two young children and their father—but the third-year law student plowed through the photographs and assured Bright she could do the job.

"I started working with the Juvenile Court with him, and I developed a passion for working with children," says Wallace.

"The office was too small to specialize—everybody handled all kinds of cases—but I always took the molestation cases, the child crimes; nobody else wanted them."

Wallace prosecuted in central Georgia until 2008 when she moved north so that husband Kyle could sign on as a partner with Alston & Bird. After a few months at a Sandy Springs firm she took a position with longtime Cherokee County DA Garry Moss.

In 2012, when Moss announced he was not running for re-election, Wallace threw her hat into the ring; for a time, it appeared that she would be going head-to-head with Solicitor General David Cannon Jr., until he shifted focus to make a successful run for the Superior Court.

Supported by Moss and Cannon, Wallace ran unopposed and became Cherokee County's first female district attorney, heading a 41-employee department.

Seven months into her first term, Wallace says she continues to pay particular attention to crimes against women and children, even as she has reallocated some departmental resources to implement a pretrial diversion program for young offenders, and to work with the county's drug court.

Bright says he's gratified to witness his protege's success.

"I actually look up to Shannon," says Bright. "She was with me almost a decade, and she's done every job there is in a prosecutor's office. She single-handedly started the juvenile prosecution program here, and she developed all the forms and procedures we still use today."

"She's got tons of potential, and the sky's the limit for her," Bright says. "My loss was Cherokee County's gain."

Wallace says that, while she might eventually consider a judicial post, she's perfectly satisfied with her current job "as long as the people of Cherokee County want me."

Wallace, a mother of two, says she sometimes experiences a more visceral reaction to crimes against the young and vulnerable than when she was younger.

"I can say it was a lot easier, before I had children, to work cases and not take it home emotionally. But it makes me fight harder for the kids: What kind of prosecutor would I want if my children were the victims?"

"Unfortunately," she says, "in my line of work, most of my cases are sad: There's really not a winner. Even if you get a conviction, somebody's life is destroyed."

—Greg Land
ON THE MOVE: Ballard Spahr Adds A Partner; Mayor Names A GLBT Adviser

Meredith Hobbs
Daily Report
2013-08-28 00:00:07.0

Environmental lawyer Leah Knowlton has joined Ballard Spahr as a partner from Miller & Martin. Knowlton represents manufacturers in litigation and enforcement actions under the Superfund and Clean Water Act and property owners in litigation from the environmental impact of construction projects. She also develops environmental compliance programs and negotiates remediation plans and contracts in corporate and real estate transactions.

Knowlton, who led the environmental practice for Miller & Martin, based in Chattanooga, is the first environmental lawyer for Ballard's five-year-old Atlanta office. It has 44 lawyers, according to the Philadelphia-based firm's website.

"We're excited to have an attorney of Leah's caliber in the firm to help the group take advantage of the opportunities presented by such a fertile business climate in the Southeastern United States," said the head of Ballard's environmental practice, Glenn Unterberger, in a statement. "Environmental enforcement is a particularly promising area for us in this region, and we believe her regulatory and litigation experience is an excellent fit."

David Hughes has joined Jackson Lewis as a partner from Ogletree, Deakins, Nash, Smoak & Stewart. Both are labor and employment firms. Hughes' practice focuses on representing management in counseling and litigation over employment law.

Branden Baltich has joined Nelson Mullins Riley & Scarborough as of counsel in its corporate and securities practice from the Federal Home Loan Bank of Atlanta, where he was assistant general counsel. Baltich was an associate at Nelson Mullins from 2000 to 2006, after receiving a law degree from the University of Florida in 2000.

Amy Tidwell Andrews has joined Baker, Donelson, Bearman, Caldwell & Berkowitz as an associate from Davis, Pickren, Seydel & Sneed. Andrews practices corporate and real estate law, with a focus on land management and natural resources issues, such as habitat protection for endangered species and sustainable forestry. She is one of the founders and a board member of Keeping It Wild, a local nonprofit that organizes outdoor outings and conservation seminars.

Atlanta Mayor Kasim Reed has named Robin Shahar, an attorney for the city of Atlanta, as his adviser on lesbian, gay, bisexual and transgender issues. Shahar, who is gay, will counsel the mayor and work with community groups to achieve equal protection for Atlanta's LGBT workers, residents and visitors, according to a statement from Reed.

"In addition to her keen legal mind, she is well-respected in the community and will be an effective ambassador. My administration and I are dedicated to eliminating barriers to equality, fighting discrimination based on sexual orientation and gender identity, and
engaging the LGBT community across the city," Reed said in the statement.

Shahar, who joined the city's law department in 1993, successfully represented the city against then-insurance commissioner John Oxendine in 1999 when he refused to approve the city's plan to provide insurance benefits to domestic partners. The victory cleared the way for employers across Georgia to grant domestic partner benefits.

Shahar also fought then-Georgia Attorney General Mike Bowers in 1991, filing a discrimination suit after he rescinded a job offer upon her graduation from Emory University School of Law because she planned a same-sex commitment ceremony. Bowers asserted that the state legal department had an obligation to uphold the state's law against sodomy, which was later struck down. The Eleventh Circuit Court of Appeals ruled for Bowers in 1997 and the Supreme Court declined to hear the case, making that decision final.

Alston & Bird senior associate Shirlethia Franklin has been named a White House Fellow for 2013-2014. Franklin, a product liability litigator in the firm's Atlanta office, will spend her fellowship year at the U.S. Department of Justice. White House Fellows spend a year as paid, full-time assistants to senior administration staff to learn how public policy is made.

Emory alumna Deborah Marlowe has been elected to Emory University’s 43-member board of trustees. Marlowe, who practices business immigration law as a partner at Fragomen, Del Rey, Bernsen & Loewy, graduated from the Emory College of Arts and Sciences in 1980.

Brianne Erwin, a staff attorney at the Atlanta Legal Aid Society, has been elected chairwoman of the Fulton County Family Violence Task Force. She also has been named chairwoman of the Fulton Fatality Review Committee.

The editor and publisher of the Peabody-award winning SCOTUSblog will be in Athens on Sept. 9 to discuss Supreme Court coverage and cases. The event, hosted by the University of Georgia School of Law, the Peabody Awards and the Grady College of Journalism and Mass Communication, will present three panels on the Roberts Court and the upcoming Supreme Court term, coverage of the court in the digital era and SCOTUSblog's high court coverage.

SCOTUSblog publisher Tom Goldstein and editor Amy Howe will join NBC News correspondent Pete Williams, The National Law Journal's Supreme Court correspondent Tony Mauro, and Janet Murray, a Peabody Awards board member and media professor at Georgia Tech.

The 8:45 a.m.-2:45 p.m. event is at UGA’s Russell Special Collections Building, 300 S. Hull St., Athens. It is open to the public and will be streamed live on www.scotusblog.com and wwwctl.uga.edu.

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Know facts about 'stand your ground' laws before facing decision, legal experts say

By Meg Mirshak
Staff Writer
Wednesday, Aug 28, 2013

Know the facts about "stand your ground" legislation before you find yourself in a situation where you must make a quick life-or-death decision, legal experts say.

The self-defense law continues to make news, most recently in South Carolina, where the state Supreme Court ruled last week that a person who kills or wounds another and claims "stand your ground" immunity cannot delay his trial by an appeal.

Until the ruling, a person who was denied immunity by a judge could appeal before undergoing trial. Now, any appeals will have to come after a defendant undergoes trial and is found guilty.

In Georgia and South Carolina, "stand your ground" legislation mirrors that of Florida, where neighborhood watch volunteer George Zimmerman was acquitted of wrongdoing in the death of Trayvon Martin. The Zimmerman trial captured the nation's attention and called into question "stand your ground" laws, although Zimmerman's attorneys did not use the Florida statute to defend him.

Under "stand your ground" laws, a person who is threatened with serious force, even in a public place, can retaliate with force of his own, said University of Georgia School of Law professor Ronald Carlson.

In states where "stand your ground" does not exist, a person threatened by force has an obligation to retreat and can strike back only if the threat continues.

The "castle doctrine" grants a person immunity for defending himself inside his home.

Carlson said "stand your ground applies" to a person who "must be reasonably in fear of death or grave bodily harm" when using force in retaliation. Making that assessment can come under scrutiny, and circumstances are often difficult to prove in court.

"It cannot be casually employed," Carlson said.

Kenneth Gaines, an associate professor at the University of South Carolina School of Law, said uses of force under threat occur suddenly without time for one to reflect before retaliating.

"The safest thing to do is to make sure they reasonably believe deadly force is necessary in the first place," Gaines said. "But, at what point does that happen?"

Immunity hearings, when the person invoking "stand your ground" goes before a judge before a trial, pose significant procedural problems, Gaines said.

"The defendant is forced to lay out the case beforehand. If it goes against them, then they have to go to trial and appeal after that," he said.

A judge in Georgia also can rule before a trial in an immunity hearing.

Critics of "stand your ground" laws, which exist in 22 states, are creating pressure to revisit legislation. Those who argue against the effectiveness of the laws say they create more conflict, violence and use of deadly force, Carlson said.

Still, supporters of "stand your ground" laws say they deter crime and permit a person to avoid being robbed, mugged or assaulted, he said.

Carlson said that there will be strong efforts in Georgia to reconsider the legislation, which was enacted in 2006.
but that the majority opinion of the state Legislature will likely be not to change the law.
Help wanted: UGA legal affairs executive director

3:58 pm, August 29th, 2013

University of Georgia President Jere W. Morehead has announced a national search for an executive director of the university's Office of Legal Affairs. The position will report to the president and serve on the UGA Cabinet.

Peter B. "Bo" Rutledge, associate dean for faculty development and Herman E. Talmadge Chair in the UGA School of Law, will chair the search committee, which includes university administrators and directors.

More information can be found here.

Contributor: Katheryn Hayes Tucker in In House Law, Law schools | subscribe to rss | share

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  This is a travesty. This man believes that the money he spent on his personal residence is not taxpayer...
Gary Franklin Eubanks, 68, of Marietta died Tuesday, August 27, 2013, of complications of brain cancer diagnosed in March 2012. A memorial service will be held Friday, August 30, at 2:00 p.m. at First Baptist Church of Marietta with Dr. Bill Ross officiating. The family will receive friends after the service in the Fellowship Hall. A private burial service for the immediate family will be held earlier at Kennesaw Memorial Park. Mr. Eubanks was born in Marietta to the late Hazel and J. Robert Eubanks. The family moved to Atlanta when he was five.

Mr. Eubanks graduated from the Westminster Schools in 1963 and earned a bachelor's degree in economics from the Wharton School of the University of Pennsylvania in 1967 and a law degree from the University of Georgia School of Law in 1971. While at Georgia, Mr. Eubanks served on the staff of the Georgia Law Review and was a co-founder and the first editor of The Georgia Journal of International and Comparative Law, which was begun with the support of former U.S. Secretary of State and UGA Law Professor Dean Rusk. During law school, Mr. Eubanks met his wife, Virginia, who was on the staff of the law library. They were married on July 31, 1971, in Athens, then moved to Falls Church, Virginia. Mr. Eubanks worked as an attorney for Southern Railway in Washington, DC, from 1971 to 1974. The Eubankses returned to Marietta where he practiced law for 31 years with Donald Smith and Hap Smith, and others in the firm now know as Smith, Tumlin, McCurley & Patrick, P.C. Mr. Eubanks was counsel for the Cobb County-Marietta Water Authority from 1985 to 2005. He served on the Cobb County Law Library Board for 13 years. While practicing law, Mr. Eubanks also managed family real estate, beginning with the East Marietta Shopping Center, which had been built by his father. Mr. Eubanks acquired additional properties and in 1994, he formed Wharton Management, Inc., which manages commercial retail and office space primarily in downtown Marietta. Mr. Eubanks was proud to see the business continue into the next generation when his son, James, joined Wharton in 2007. Mr. Eubanks was an active member of Marietta First Baptist Church for 39 years, and served in many leadership roles, including Chairman of the Trustees, Chairman of the Board of Deacons, Chairman of the Property Committee, and vice-chair of two Pulpit committees. He was a former board member and Chair of the Board of Baptists Today. Mr. Eubanks was a member of the Rotary Club of Marietta for 39 years, and served as its President from 1989-1990. Mr. Eubanks had a life-long love of trains and streetcars and found many ways to pursue this interest. During his law career, he and his partners converted the former trolley barn location that once housed the trolleys of the Atlanta Northern Railway Company that ran from Marietta to Atlanta into a law office at 94 Church Street, currently occupied by his former partners. In 2009 he was able to connect two of his properties in downtown Marietta with a pedestrian bridge over the CSX railroad, the only private pedestrian bridge on the
entire length of the railroad from Atlanta to Chattanooga. Mr. Eubanks also found and partially restored a 1922 Cincinnati curved-side streetcar similar to those that ran on the Atlanta Northern Railway Company from Marietta to Atlanta from 1905 to 1947. He collected stock certificates and bank notes of pre-1894 Georgia railroads and published his collection along with those of other collectors in a book called Georgia Railroad Paper: Stock Certificates, Bonds, and Currency Issued by Railroads Operating in Georgia 1833-1932. He served on the board of the Southern Museum of Civil War & Locomotive History in Kennesaw and was elected to membership in the Lexington Group, a non-profit educational organization concentrating on all aspects of transportation, particularly railroads. Mr. Eubanks and his wife were avid travelers, and particularly enjoyed the opportunity to ride trains in different countries across the world, including much of Canada, Western Europe, Russia, and Australia. After Mr. Eubanks’s cancer recurred last November, he had surgery at MD Anderson and participated in a clinical trial there, hoping to advance research into this deadly form of cancer. In addition to his wife, Virginia Jones Eubanks, Mr. Eubanks is survived by his daughter, Catherine Eubanks-Carter of New York City and her husband, Steven Carter, and their children Reese and Savannah; and his son, James Eubanks of Marietta and his wife, Julie Eubanks, and their children Charlotte, Thomas, and Vivian. Mr. Eubanks is also survived by his sisters and brothers: Mildred Massengale of Fayetteville, Laura Brown of Marietta, Robert Eubanks of Marietta, and T. Marshall Eubanks of Clifton, Virginia. In lieu of flowers, the family suggests that those who wish may make donations in Mr. Eubanks’s memory to Baptists Today, P.O. Box 6318, Macon, GA, 31208, or to the Southern Museum of Civil War & Locomotive History, 2829 Cherokee Street, Kennesaw, GA 30144.

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Gary EUBANKS
Obituary

Family-Placed Death Notice

EUBANKS, Gary Gary Franklin Eubanks
68, of Marietta died Tuesday, August 27,
2013, of complications of brain cancer
diagnosed in March 2012. A memorial
service will be held Friday, August 30, at 2:00 p.m, at First
Baptist Church of Marietta with Dr. Bill Ross officiating. The
family will receive friends after the service in the Fellowship
Hall. A private burial service for the immediate family will be held earlier at Kennesaw Memorial
Park. Mr. Eubanks was born in Marietta to the late Hazel and J. Robert Eubanks. The family
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Published in The Atlanta Journal-Constitution on August 29, 2013

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Learn more about the EUBANKS family on Ancestry.com

According to the 1920 census there were 1,835 families with the EUBANKS surname in the United States.

During the Civil War the EUBANKS name was found in 432 Confederate Records and 87 Union Records.

Find out more about the EUBANKS surname.

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Making book on the legendary Georgia-Clemson series

As noted here before, the Georgia-Clemson football rivalry, which resumes Saturday night at Memorial Stadium, once rivaled Georgia-Florida, Georgia-Auburn and Georgia-Georgia Tech for fan intensity.

And as UGA fan Kyle King notes in his new book from Clemson University Digital Press about the series, "Fighting Like Cats and Dogs," in the 1970s and '80s there was no more closely contested or nationally significant rivalry in college football than the clashes between the neighboring schools.

Certainly, Saturday's game between the No. 5-ranked Bulldogs and the No. 8-ranked Tigers is a return to that lofty status, but to provide more context for those who are new to Georgia-Clemson, I chatted (via email) with Kyle (no relation of mine that I'm aware of) about his book, and the series. He graduated from the University of Georgia with a political science degree in 1990 and got a law degree from UGA's Joseph Henry Lumpkin School of Law in 1997. The former site manager and chief blogger for DawgSports.com lives in Hampton with his wife, Susan, and their two children, Thomas and Elizabeth. Kyle practices law with the firm of Hodges, McEachern & King in Jonesboro.

Now, let's talk some Georgia-Clemson football!

Why did you decide to write a book about the Georgia-Clemson series rather than, say, the Deep South's Oldest Rivalry or any other? Do you have a personal connection to the rivalry with Clemson? Childhood memories or something like that?

I was born after Bobby Dodd retired at Georgia Tech and I graduated from college before Steve Spurrier coached his first game at Florida, so, during my formative years as a fan, the Bulldogs' toughest conference rival was Auburn and Georgia's most difficult nonconference opponent was Clemson. I really regretted the loss of Clemson as an annual rival, and I wanted to remind fans of both schools of this important part of their shared heritage, in the hope that remembering their past would encourage them to revive and repeat it.
Kyle King, author of a new book on the Georgia-Clemson series.

The book focuses on the period starting in 1977 when, admittedly, the rivalry became much more competitive, but I notice you have chapters on the earlier years online at the Clemson press website. Why limit the printed book to the later years rather than covering the entire rivalry? There is mention made about the possibility of a prequel. Any news in that regard?

This may shock you to learn, but I can be a little long-winded. In today's market, it wasn't practical to publish the complete history, from 1897 to 2003, in a single volume, so we elected to go with the most recent, and most storied, period in the print edition. As you noted, the earlier years, through 1976, will be available for download online, and, if the present print edition sells well, there is hope for getting the earlier chapters published in traditional book form, also. The best thing folks can do to ensure there's a prequel is to purchase the first one!

Tell me about the process of getting this published. Why do it with Clemson rather than a Georgia publisher?

I wanted this book to be written, so I did the research and completed a manuscript before contacting potential publishers. I submitted it several places, both within the Peach State and without, and the project drew the most interest from the Clemson University Digital Press, which has a solid track record of publishing books of regional and local interest in upstate South Carolina. I think it speaks to the evenhandedness of the book that a Georgia fan wrote it but Clemson's collegiate press published it.

Was it at all frustrating for you writing the book from an even-handed perspective in terms of the two programs, rather than from the point of view of a UGA fan?

Out of respect to both programs, and to the rivalry itself, I wanted to be fair rather than partisan. Both Bill Cromartie (who wrote "Clean Old-Fashioned Hate," about the Georgia-Georgia Tech rivalry) and Cale Conley (author of "War Between the States," about Georgia-Florida) are Georgia alumni and Bulldog fans, so I had good role models in that regard, but it was tough reliving those last-second David Treadwell field goals in 1986 and '87, that's for sure.

Tell me about the decision to base the book primarily on contemporary published accounts, rather than talking to former players, coaches, etc.

Journalism, as they say, is the first draft of history, so that seemed to be the best place to start. I spoke with Cale Conley, and he gave me some good advice about interviews. His experience with talking to former

coaches and players was that, because they were so focused on doing their jobs during the game, and because so much time had passed since the games, the present-day memories of the participants likely wouldn’t provide as much reliable insight as you might expect.

You’re known for your use of colorful team nicknames, and in addition to the Tigers you like to call Clemson the Country Gentlemen and the Jungaleers. I’m familiar with that first one, but not the Jungaleers, and I’ve asked several Georgia and South Carolina natives and none of them recall it, either. Where did you get Jungaleers from?

The term "Jungaleers" dates back at least as far as the 1927 game between the Bulldogs and the Tigers. That year, both the Atlanta Constitution and The Red & Black used the term to describe Clemson in their respective postgame accounts. Tigers, of course, live in the jungle, and the name Jungaleers also was used by a dance band made up of Clemson cadets from at least 1926 through the early 1960s. The group later came to be known as the Clemson University Jazz Ensemble, which probably explains why the historic term largely has been lost to history.

"Fighting Like Cats and Dogs."

What’s your all-time favorite Georgia-Clemson game, and why?

The 1984 game holds a special place in my heart. The Tigers came into Sanford Stadium ranked No. 2 in the nation and took a two-touchdown lead into the locker room at halftime, but Kevin Butler kicked a record-setting 60-yard field goal to win it in the closing seconds. The game produced arguably Larry Munson’s greatest play call from a game taking place between the hedges (I admit that Jacksonville in 1980 and Knoxville in 2001 outrank it in the overall hierarchy) and almost certainly Lewis Grizzard’s most memorable newspaper column.

Obviously, the Georgia-Clemson rivalry was at its hottest in the 1980-84 games. What do you think was its peak?

Hopefully, next Saturday! Historically, though, the high water mark was definitely the 1982 game, which was nationally televised and played on Labor Day. It was the first night game to take place in Sanford Stadium in three decades, and it featured not only two Top 10 teams, but also the two most recent national champions. The game was another classic low-scoring slugfest that went down to the wire, with the Bulldogs preserving a 13-7 win by bringing in an interception on fourth down to seal the deal.

I assume that, like me, you’d prefer to see UGA and Clemson find a way to continue the series, even if it’s only twice a decade as in recent years. But that’s going to be especially difficult if the SEC goes to
nine conference games. What's the best argument for the two schools playing regularly, no matter what?

When the Division I-A playoff begins next season, strength of schedule is going to be a factor in determining the participants. With several planned series (Louisville, Ohio State, Oregon) being scuttled, and with Georgia Tech most often serving as a drag on the Bulldogs' schedule strength, Georgia's nonconference slate could use the boost that Clemson could provide. This series generates good television, which helps to increase revenue at a time when broadcast arrangements are in transition. Finally, not for nothing, but this is a tradition stretching back more than 115 years in a sport Georgia has played for just over a dozen decades. That's worth preserving.

Finally, what are your thoughts on this year's game? And do you care to make a prediction?

In one sense, this is a "throwback" game pitting two highly-ranked teams in a high-profile contest. However, during the days of Vince Dooley and Danny Ford, the clashes between the two schools were defensive struggles hallmarked by field-position football and won on long field goals. This year's game is likely to produce a lot more points than the series usually has seen. It may come down to which team touches the ball last, but I'm confident the unheralded Georgia defense is going to produce some pleasant surprises this season; I just hope one of those pleasant surprises is awaiting us in Death Valley this Saturday night.

Thanks, Kyle.

And Go Dawgs!

Got something you want to discuss concerning the upcoming football season or UGA athletics? Or a question you want the Junkyard Blawg to tackle? Email me at junkyardblawg@gmail.com.

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— Bill King, Junkyard Blawg

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Law Professor Thomas A. Eaton on Tort Reform

Aug 29th, 2013 | By Jane Akre | Category: Feature

Thomas A. Eaton, U GA School of Law

Earlier this month, the jury in the federal Donna Cisson transvaginal mesh case awarded Mrs. Cisson $1.75 million in punitive damages in addition to the $250,000 in compensatory damages.

The Cisson case established the Bard Avaulta mesh she received as a treatment for pelvic organ prolapse was defective. Yet readers learned something startling about any punitive monies awarded to a resident of Georgia, Mrs. Cisson’s home. According to state statutes, three-quarters of that punitive damage will be given to the state’s general fund, something called split-recovery.

You can thank the tort reform movement – the same force that established caps on damages in medical malpractice cases and a U.S. Supreme Court decision (Riegel v Medtronic) that precludes a jury trial if the medical product has undergone the FDA’s premarket approval (PMA).

MDND talked to Professor Thomas Eaton, from the University of Georgia’s School of Law about tort reform around the country and in Georgia.

Q: Was the Cisson outcome as far as punitive damages going to the general fund the result of tort reform?

Yes that statute was enacted at one of the earlier stages of tort reform. Tort reform is something that has come in different waves. There were tort reform movements in each of the decades beginning in the 1970s and this bill was I think in the 1980s when it was enacted.

Q: How many states have this sort of a split-recovery system?

Not very many at all, just a handful of states. Some states don’t allow any punitive damages at all.

Q: So at this point there are these women going online to figure what the statutes are.

I’m not sure how many people are going to be affected by this statute. Any plaintiff who is not a Georgia resident won’t be affected at all. It’s a Georgia law that will affect Georgia claimants, but it won’t affect women who are residents of other states and since this is a multidistrict
litigation (MDL) there are people from all over the country. Secondly, for the plaintiffs who are Georgia residents, it will only affect those who used that particular product. It's my understanding there are a number of different mesh products that could be at issue.

**Q:** Well Bard has for the most part the Avaulta line so you are saying the Avaulta....

Well that particular Avaulta, the Avaulta Plus Posterior. I'm not sufficiently familiar with the details to know how many different product lines they have but if there are other products, the punitive damage award involving one of them would not preclude a punitive damage award involving a different product, or at least a court is going to have to decide whether this is one product or multiple products. The third point I would make I think the purposes of the cases going to trial is to establish value range of injuries. In a lot of multidistrict litigation what you're doing is establishing a range that will ultimately lead to mass settlements. The vast majority of these cases are not going to trial anyway.

**Q:** However the Donna Cisson case, as it was decided, that would not be affected by a settlement?

That depends on what the parties negotiate.

**Q:** So if some other woman has the Bard Avaulta Plus Anterior are you saying this decision would not apply?

I'm saying there is an argument this decision would not preclude an award of punitive damages. The question is going to be whether the anterior is a different product than the posterior. The way that the statute is phrased it applies to a product.

**Q:** It's up to whom?

The judge.

**Q:** And the judge has leeway to award legal fees out of the punitive damages I understand?

The way the statute is written is the amount of money that goes to the state would have to take into account the fact that the private plaintiffs' lawyers are the ones who incurred all of the expenses. So the actual amount that goes to the state would be less than 75 percent.

**Q:** So it's feasible a woman could walk away with less money than her law firm?

I do not know the details of this arrangement, but it's my understanding that in those situation the parentage of contingency (fee to attorneys) applies to both punitive and compensatory. So the individual client will always receive more than the attorney will receive in fees. Now the other variable to remember is that there are expenses in litigation and that is not money that's paid to compensate them but to reimburse them for expenses that were incurred in bringing the lawsuit.

**Q:** Understandable and that can run into hundreds of thousands of dollars if not more.

Expert witnesses are not free.

**Q:** Right, that's something people need to understand and the firms also take the chance of losing the case and never recovering their expenses.

And when you take into account a case like this takes a considerable amount of time over many years, that could be a considerable risk.

**Q:** People seem to be surprised that something like this can happen. How has tort reform sold to us, sort of like while you were sleeping this was happening?

Well I don't know if people were sleeping as much as they were indifferent. Most people don't view themselves as potential plaintiffs. On the other hand they view themselves as someone who is paying for insurance.
when they hear the rhetoric, “litigation explosion,” “runaway juries,” and they hear it often enough, they tend to believe it.

Now, I’ve conducted a fair amount of empirical research that in Georgia, neither one of those propositions is true. There has not been a litigation explosion. There are not runaway juries. In fact, the federal judge who initially struck down the constitutionality of the punitive damage statute, cited one of my early studies on that, but the Georgia Supreme Court has not twice ruled that the statute is constitutional. I think that the case for radical tort reform has been overstated and is not supported by the empirical data as some would have you believe. Ultimately, it’s a political decision. The forces that support tort reform are well-funded and are a constant presence.

**Q: I think the genesis was Big Tobacco and Big Asbestos was it not?**

Well that was certainly part of it but there's more. Most of the medical community has been part of the coalition as has the Chamber of Commerce representing a lot of small and large businesses. I would say it's a well orchestrated, well organized group that is exercising its own constitutional rights to try and influence policy.

**Q: Is there anything citizens can do when this hits them over the head and they suddenly realize tort reform was not in my best interest?**

Well they can try to change the rules. Any statute that's been passed can be changed but it's more difficult to organize potential victims than it is to organize potential defendants. Defendants are repeat players. They face the prospect of being sued on a regular basis.

People who are consumers of products or medical services or ride in automobiles just don't tend to view themselves as, "I'm going to be in the courtroom one day as somebody who has been injured, I'm worried about what rights I might have."

**Q: And we're dealing with a product that went through the FDA's 510(k) process. If instead we were talking about a medical device that went through the FDA's premarket approval (PMA) then citizens are really out of luck aren't they?**

Well there is a preemption issue that is absolutely the consequence of a holding that free market approval preempts any tort claim based on warning or design. Yes, you've got to hope the regulatory process has weighed the risks and benefits appropriately.

What I would like to calm the fears of a lot of the class members out there, this is part of a mass litigation process that in all likelihood will result in group settlement provisions. So the impact of this Georgia statute on the rest of the plaintiffs here is probably not as great as they may fear. It may certainly have an impact on other Georgia claimants, especially Georgia claimants who go to trial. If you were a plaintiff who lives in Oklahoma, the Georgia law isn't going to affect them.

**A: I guess before a plaintiff decides if they file in state court or the federal MDL (multidistrict litigation) they should check their state statutes?**

The MDL technically only deals with the pretrial process. The judge who handles the MDL could send the case back to the original forum for trial, but it's quite common that the judge who has handled all of the discovery will also handle the trial. There is a certain efficiency to have a judge who is familiar with all the issues in the trial, but it's not required, so there is a choice that's being made. The MDL process is the most realistic way to try and process the volume of claims that can be generated by a mass produced product that injures lots and lots of people.

**Q: So you are saying if we have 4 bellwethers and split decisions, 2-2, for the plaintiff and defendants, Bard decides it wants to continue and not offer a settlement, the plaintiff has the option to go back to their originating forum for trial?**

Yes, let's go have a trial.
**Q:** Do you have any predictions what will happen if we have four losses for Bard?

Well the more losses and the higher the damage award, the higher the settlement value is going to be. But what we've seen in asbestos cases and other types of mass torts, both sides win some and lose some. Some will have some fact specific issues. In asbestos cases you had the role of smoking cigarettes by the injured which was always an issue. I'm not sure we have anything comparable here.

But the age of a claimant is going to be a factor in terms of the amount of damages, the kind of physical injuries that have occurred is going to be a factor. But clearly for either side, you want to win the bellwether cases. The more wins for the plaintiff, the more the settlement values are likely to be.

**Q:** The last case found the mesh was defective in its design, will that set a precedent for other cases?

It may not necessarily be binding for anybody else, but it certainly will be a big plus for the cases going forward. They will know what kind of arguments jurors have been receptive to, what kind of testimony that works and it is going to have a big impact.

**Q:** I don't know if you follow these cases, one lawyer said it may rival Vioxx in the number of claimants and the amount that might be offered?

Certainly the injuries are painful and significant and it seems the jury in West Virginia took that into account.

When I graduated from law school I worked for a judge and we had one of the early mass torts with the Dalkon Shield. I kind of cut my teeth working for the judge on processing those cases. One of the, processing the numbers was logistically difficult. Quantifying damages was a very difficult task and with all of the mass torts we've been dealing with it is extremely difficult to individually quantify the monetary value of an injury.

**Q:** They came up with different tiers of injury in the Kugel Mesh case.

And that basically is what is going to happen with all of the mass torts. Ken Feinberg, who was special master in 9/11, did the best he could to come up with a variable that was most relevant. And you have the bellwether cases that put a value on the injuries that fall within those boxes and you negotiate and ultimately you get a resolution.

The MDL process is the most realistic way to try this volume of claims generated by a mass-produced product.

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**Learn More:**

**U.S. Chamber of Commerce – Tort Liability Costs for Small Business**
http://www.uschamber.com/reports/tort-liability-costs-small-business

**SourceWatch – on the genesis of tort reform, Big Tobacco, Big Asbestos**
http://www.sourcewatch.org/index.php/Tort_reform

**Public Citizen, The Great Medical Malpractice Hoax**, January 2007, says runaway juries and judgments are a hoax. Million dollar judgments are less than 1 percent of the total number of payments. In 2006, President Bush claimed "lawsuits are driving many good doctors out of practice." The number of malpractice payments actually declined between 1991 and 2005. And while our attention is diverted to "ambulance chasers" "runaway juries" and "Jackpot Justice", the real issue for most Americans - patient safety - is not seeing improvements in outcomes.

**Hot Coffee** – This documentary debunks the myth of Stella Liebeck, the woman scalded nearly to death by hot coffee served by McDonalds. The jury awarded her after the appearance of McDonald's executives on the stand who showed reckless disregard for the safety of their customers. She only wanted medical bills covered and McDonalds declined. The award represented just two days coffee sales from McDonalds. It was portrayed as a jackpot for Stella Liebeck. The award was later reduced by a judge and Liebeck never fully recovered from her scalding injuries and has since died. See the trailer here.
http://www.hotcoffeethemovie.com/
Iran's parliament approved a bill this week that requires the government to sue the United States over its role in the 1953 coup that overthrew the country's democratically elected prime minister, Mohammad Mossadegh.

The bill follows the recent release of declassified CIA documents that show the U.S. intelligence agency orchestrated the coup, paving the way for Shah Mohammad Reza Pahlavi's autocratic rule until he was ousted courtesy of the Islamic Revolution in 1979.

Parts of an internal CIA report that was released were made available decades ago in heavily redacted form, but were published this month by a U.S. research institute in full, with many previously censored sections made public for the first time.

According to the bill, a commission should be set up to study the issue and provide a report on the financial damages incurred by the coup within six months, before Tehran takes legal action against Washington.

The move, however, appears to be more a symbolic gesture by the Iranian parliament than the initiation of an earnest legal challenge. In order to file a lawsuit against the United States, Iran would need a place to file a lawsuit and be able to provide evidence that international law was violated.

International law experts say Iran could be lacking both. Diane Marie Amann, an international law expert at the University Of Georgia School Of Law, says the International Court of Justice (ICJ) is the court that hears lawsuits brought by countries against one another.

But she says it's very unlikely that Iran would succeed in introducing a case against the United States at the ICJ. "In order to maintain a lawsuit in that court, both of the countries at issue have to belong to a preexisting international agreement by which they say, 'If we have a dispute with each other, we will go to this court,'" Amann says. "And the likelihood of Iran finding an agreement like that, that was in effect in 1953 and remains in effect today, is rather slim."

**Hard To Prove**

Even if Iran were to find a venue to sue the United States, and the United States agreed to go to court, it would be a challenge for the Islamic republic to prove that U.S. actions and its involvement in the 1953 coup were illegal.

Iranian lawmakers have said that documents prove that the United States has a history of bad intention toward Iran and that revelations contained in the recently declassified CIA document provide sufficient evidence that compensation is warranted.

But Ruth Wedgwood, head of the international law program at Johns Hopkins School of Advanced
International Studies in Washington, says the Iranians’ main argument would be difficult to prove.

"I think the UN Charter contemplates that countries, in general, will mind their own business in the sense that there’s a right to national self-governance, self-determination, you can’t invade another country willy-nilly," Wedgwood says. "But whether any kind of participation in political change in another country is forbidden, that’s a very tall order. Countries try to influence evolution of events in other states all the time, whether it’s by giving money or sharing opinions or engaging in public expression of support for one regime and castigation of another regime."

‘Hurting National Interests’

According to Paul Dubinsky, professor of international law and director of graduate studies at Wayne State University Law School in Michigan and vice president of the American Branch of the International Law Association, Iran wants to have it both ways. "It wants to assume its immunity under treaties, statues, and customary international laws but what it is seeking to do is pierce United States immunity and that’s going to be very difficult to do," he says.

Dubinsky adds that there is a long and complicated legal history between Iran and the United States. "That legal history includes litigations surrounding the hostages in the 1970s and surrounding certain actions by Hizballah and other Iranian-backed groups in the 1980s and '90s," he explains. "Iran has always asserted its sovereign immunity against those suits to defend it."

The move by the conservative-dominated parliament comes amid some degree of hope that tensions between Tehran and Washington could be eased under newly elected Iranian President Hassan Rohani.

READ MORE: U.S.-Iran Rapprochement Over Before It Started?

Mehdi Mohtashami, the former head of the America desk of Iran’s Foreign Ministry, has described the bill as a "political maneuver" that could damage the country. "Bills in the parliament should be enforceable. Otherwise they could become measures that cannot be enforced by any government and ultimately will hurt Iran’s national interests," Mohtashami told the website Fararu.com.

The declassified CIA documents, made public by the nonprofit National Security Archive on August 19 -- the 60th anniversary of the coup -- are believed to be the first acknowledgement that the coup was conducted under CIA direction as an act of U.S. foreign policy. "The reality is that the publishing of these documents does not add any information to what we know, nor does it reduce the USA’s crimes," a spokesman for Iran’s Foreign Ministry said a day after they were published.


http://www.rferl.org/content/iran-coup-sue-us/25091033.html
Committee seeks executive director of legal affairs for UGA

By UGA NEWS SERVICE published Friday, August 30, 2013

University of Georgia President Jere W. Morehead has appointed a committee to conduct a national search to fill the position of executive director of the university’s Office of Legal Affairs.

The executive director will report directly to the president and serve on the UGA Cabinet.

Peter B. “Bo” Rutledge, the associate dean for faculty development and Herman E. Talmadge Chair in the UGA School of Law, will chair the search committee, which includes administrators and directors from various units of the university.

Committee members are:

• Kellie Casey, director of advocacy in the School of Law
Committee seeks executive director of legal affairs for UGA

- Janyce Dawkins, director of the Equal Opportunity Office
- Carla Williams, executive associate athletic director in the UGA Athletic Association
- Barrett Malone, director for student conduct, Office of Student Conduct
- Duane Ritter, interim associate vice president of the Office of Human Resources
- Matthew Whitley, director of the Internal Auditing Division
- Jessica Orbock, senior legal adviser, Office of the Vice President for Research, and general counsel, University of Georgia Research Foundation

The committee will be assisted by the UGA Search Group, headed by senior director Frank DiGiacomo in the Office of Human Resources.

Finalists are expected to be interviewed on the UGA campus in early December. The search committee’s goal is to have the new executive director in place by Jan. 1.

The position announcement is available at http://www.hrdocs.uga.edu
Committee seeks executive director of legal affairs for UGA | Online Athens


/exec_dir_legal_affairs.pdf. For more information on the Office of Legal Affairs, see http://legal.uga.edu/.

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