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Many states, not Georgia, might start to allow same-sex marriage, say...

Many states, not Georgia, might start to allow same-sex marriage, says UGA panelist

By LEE SHEARER published Wednesday, September 4, 2013

Half the United States might legalize same-sex marriage, or make moves in that direction, by 2020. But Georgia is not going to be among them, according to a speaker at a University of Georgia forum on Wednesday.

Public opinion is rapidly changing toward acceptance of gay marriage rights, and more and more states are moving toward recognizing same-sex marriage, said Anthony Michael Kreis, a lawyer and a doctorate student in UGA's School of Political and International Affairs.

In seven years, more people will be in favor of gay marriage than against it in 44 states, according to New York Times pollster Nate Silver, Kreis noted at a forum sponsored by two UGA School of Law student groups — the American Constitution Society and OUTlaws.

But in six southern states, a majority of the population will still oppose gay marriage, according to Silver, who gained fame last year for his accurate predictions in the 2012 presidential race. Besides Georgia, the holdout states will be Alabama, Arkansas, Louisiana, Mississippi and South Carolina.

The U.S. Supreme Court made landmark rulings on gay marriage this summer in two separate cases, striking down part of the federal "Defense of Marriage Act" and rejecting an appeal by gay marriage opponents from California, where state courts struck down a same-sex marriage ban as unconstitutional.

But those two decisions left some big questions unanswered, said UGA law professor Sonja West, a former U.S. Supreme Court judicial clerk.

In the California case, the state government refused to defend the state's voter-approved ban on same-sex marriage called Proposition 8. The same group that had campaigned for the ban stepped into the court battle to defend the law, but a
Man...
Independent Baking Co. adds artisanal flare to Five Points

Alex Everhart | Posted: Wednesday, September 4, 2013 11:00 am

Thorn Leonard rises for work at 2 a.m. His bread rises shortly thereafter.

Leonard, owner of Independent Baking Company, opened the doors to his new bakery in Five Points June 21. He noticed there was not a bread bakery in the Athens community and decided to open one of his own.

For a town with a thriving food industry, Leonard wondered why a bakery specializing in fresh breads had not already been opened.

“My first bakery job was in 1973 and [I’ve] done other food related things over the years,” he said. Leonard has worked in bakeries in Kansas, Massachusetts and even worked as a journalist for an environmental magazine. Leonard now has a small staff to help make a variety of fresh breads and viennoiserie, or baked goods made with a yeast-leavened dough.

Leonard moved to Athens in 2011 when his wife took a job with the University of Georgia Law School.

A few years later, he started looking for potential real estate for Independent Baking Co. Leonard searched the Athens area until he found the space in Five Points where the bakery now resides, next to the old 5&10 location. The bakery is located in what used to be Strand Hair Salon.

Leonard used to get his hair cut at the salon. He went in one day for a haircut and casually chatted with the hairdresser about building availabilities. Instead of simply suggesting real estate, the owner immediately offered to sell the salon to Leonard.

Renovation for the bakery started this February and was officially completed early June. Leonard gutted the entire area, installing all new plumbing, ceiling and flooring.

“I really wanted a workshop that people came into. It is very simple,” Leonard said.

The building space is only around 900-square feet — and 800-square feet is dedicated to the work area for baking. A large German oven takes up a large portion of the workshop, as well as a small counter for customers to walk up to. The bakery is modest and has no extremities.

Loaves of bread sell from $3-6 per loaf with variations including sourdough, whole wheat, sourdough rye, olive and many others. Independent Baking Co. also makes baguettes of many sorts, all from yeast-leavened dough.
Although the bakery mainly sells fresh, organic breads, Leonard and his staff make numerous pastries daily. Pastry specials include croissants, danishes, scones, biscotti and cookies. Local coffee is also served every day at the front counter.

"The other day we had a fresh fig Danish, and we make a few cookies daily," Leonard said.

Leonard said the figs were picked straight from an employee's yard. The bakery also uses fresh local honey and other ingredients from the Athens area for their pastries.

Leonard tries to use as many local ingredients as possible, but imports his organic flour from Heartland Mill in Kansas. All of the flour is certified-organic, and all breads are naturally leavened. He starts with a wild-yeast starter and uses very simple, all-natural ingredients.

"A lot of the fun is making stuff," Leonard said. "Start with flour, water and this [bread] is what you end up with."

He has worked in a bakery his entire professional career, and is excited to finally have a bakery of his own.

"I am really excited being in the Athens community," Leonard said. "You get to meet people and see friends come in."

*Independent Baking Co. is open to the public, but it also sells breads to local restaurants such as 5&10 and The Royal Peasant. It is open Tuesday through Friday from 7 a.m. to 7 p.m. and Saturday from 7 a.m. to 5 p.m.*
Nominees Vie For 2 Openings In Chattahoochee Circuit

Kathleen Baydala Joyner

Daily Report

2013-09-06 00:00:09.0

Two judicial vacancies in Columbus have drawn six nominees as of late Thursday morning, according to Governor Nathan Deal’s Judicial Nominating Commission.

The group consists of three men and three women, including the circuit’s DA and two lawyers in her office, plus three private practice lawyers.

One of the vacancies in the Chattahoochee Circuit Superior Court arose with the pending retirement of Judge John Allen, who plans to take senior status after Oct. 31. The other vacancy is a new position created by the state Legislature last session at the request of the state Judicial Council to address the circuit’s growing case load.

The nominees thus far are:

• Donna Hix, a solo practitioner who specializes in divorce and family law matters. She earned her law degree from Mercer University and was admitted to the State Bar of Georgia in 1993.

• Wesley Lambertus, assistant district attorney for the Chattahoochee Circuit. He earned his law degree from Mercer University and was admitted to the bar in 2003.

• J. Ronald Mullins Jr., an insurance defense and government lawyer at Page, Scrantom, Sprouse, Tucker & Ford. He earned his law degree from the University of Georgia and was admitted to the bar in 1976.

• Carter Page Schondelmayer, a solo practitioner who earlier worked as a labor and employment lawyer for Hatcher, Stubbs, Land, Hollis & Rothschild. She earned her law degree from the University of Georgia and was admitted to the bar in 1996.

• Julia Slater, Chattahoochee Circuit district attorney. She earned her law degree from Washington & Lee University and was admitted to the bar in 1993.

• Alonza Whitaker, chief assistant district attorney for the Chattahoochee Circuit. He earned his law degree from Creighton University and was admitted to the bar in 1993.

The deadline for nominating candidates to the JNC is Sept. 16. Names can be mailed to the commission at Judicial Nominating Commission, c/o Dana McGuire, 600 Peachtree St. N.E., Suite 5200, Atlanta, GA 30308-2216; by fax to
404-962-6919; or by email to dana.mcguire@troutmansanders.com.

The commission will sent application packets to the nominees, which should be returned by Oct. 7. Commission members then will interview applicants on Oct. 22 at the State Bar of Georgia headquarters in downtown Atlanta.

The commission says it expects to submit a list of up to five candidates to the governor.
Palmer To Fill In On Ga. Supreme Court Case

by SARAH FAY CAMPBELL

On Monday, Emory Palmer, Coweta County’s newest Superior Court judge, will become a judge on the Georgia Supreme Court — but only temporarily.

Palmer was chosen as a designated judge to fill in for Justice David Nahmias in a case that will be heard Monday.

Nahmias, a former U.S. attorney, has recused himself in the case. When one of the Georgia Supreme Court’s seven justices can’t serve on a particular case, a superior court judge is designated to serve instead.

"We maintain a list of superior court judges from around the state," said Jane Hansen, public information officer for the Supreme Court of Georgia. "Then whenever a justice recuses himself, the next person up is asked to sit in."

The case Palmer will hear is The State v. Anthony Hargis. Hargis was convicted of manufacturing methamphetamine and other crimes in Union County. The Georgia Court of Appeals overturned Hargis' conviction, and the state petitioned the Supreme Court to overturn the appeal's court ruling.
The Supreme Court justices "do not like to recuse themselves if at all possible," Hansen said. But sometimes, they have to do so.

Palmer was elected a Coweta Superior Court judge in July 2012, and took office in January. He is one of six judges in the five-county Coweta Judicial Circuit.

Palmer oversees the Troup County Drug Court and is active in the Council of Superior Court Judges, serving on the council's Uniform Rules Committee, Pattern Jury Charge Committee and Legislative Committee.

Before his election, he was a partner in the law firm Carr and Palmer, and had a statewide practice specializing in legal malpractice defense and corporate insurance defense.

A Newnan High School graduate, Palmer served four years in the U.S. Marine Corps during Desert Storm. He attended Georgetown University, where he earned a degree from the School of Foreign Service, and received his law degree from the University of Georgia Law School. Palmer and his wife, Jennifer, have two sons, Bo and Jack.

Palmer could not be reached for comment on Thursday.
Cowetans who headed to the Lynch Park Pool in Newnan on Monday to enjoy the last day the pool was open for the season were met with an empty ... Read More

Published on Friday, September 06, 2013

Developer Interest Strong In Coweta This Summer

Business project activity has remained strong for Coweta over the summer, Coweta County Development Authority President Greg Wright told aut ... Read More

Published on Friday, September 06, 2013

GRANTVILLE CITY COUNCIL

Coty Running For Reelection

Selma Coty is running for re-election to Post 3 on the Grantville City Council in the Nov. 5 election. Coty is a native of Carroll County, G ... Read More

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A GLIMPSE AT TOMORROW'S HEADLINES

The Friday Rundown

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Published on Thursday, September 05, 2013
SCOTUSblog creating couple to impart supreme court wisdom at UGA...

PREVIEW: SCOTUS at UGA

The Richard B. Russell Special Collections Building on Hall Street in Athens, Ga., on Tuesday, Sept. 3, 2013. Here, on Sept. 9, 2013, Tom Goldstein, publisher of SCOTUS blog, will be speaking along with other journalists and scholars about how journalists should cover the U.S. Supreme Court. (Photo/Hannah Pap Rocki, hannahpaprocki@gmail.com)

Related Stories

Hannah Pap Rocki

The Grady College of Journalism and Mass Communication and the UGA School of Law will co-host the editor and publisher of SCOTUSblog, a site that clears some of the dust that obscures the judicial branch Monday.

Editor Amy Howe and Publisher Tom Goldstein, who are married, tackle difficult constitutional topics in an authoritative and accessible way. The site plays with digital tools, like a color-coded calendar with links for each scheduled case, and a tableau of the Justices' pictures to track voting records, sortable by seniority or ideology.

The couple will be joined in the Richard B. Russell Building Special Collections Libraries by two other Supreme Court correspondents, Pete Williams of NBC News and Tony Mauro of the National Law Journal.

SCOTUSblog represents “a nexus of journalism, law and new media,” said Kent Middleton, a journalism professor at Grady.

Middleton began organizing the event after the Peabody Awards recognized SCOTUSblog for “outstanding achievement in electronic media,” thus becoming the first blog to receive the Peabody.

Howe called the accolade “a wonderful validation” in her acceptance speech at the awards ceremony in May. “We’re not just a bunch of people sitting around in our pajamas in our basement with our laptops anymore,” Howe said.
That same month, Goldstein said in a C-SPAN interview the blog would receive another crucial recognition — after 10 years of covering the court, SCOTUSblog was “in line” to receive an official press pass.

Lyle Denniston, a 54-year Supreme Court veteran, lends some of the blog’s reporting credibility. His legend is enshrined by a plaque in the Supreme Court press room.

The difficulty of covering the Supreme Court — pairing legal analysis and sound reporting, and distilling that information into a story coherent to the layman — was apparent in June 2012, when many large news outlets flubbed the ruling on “Obamacare,” incorrectly reporting the legislation had been struck down.

The blog marshaled seven people and nine Internet servers to cover the conclusion of the Affordable Care Act case. SCOTUSblog reported the ruling correctly the first time.

"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 Dean Charles Davis in a press release. "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."

Three hour and 15 minute sessions, will address SCOTUSblog’s authority, the art of covering the Supreme Court in the digital age, and the upcoming term, and begin at 9 a.m., 10:30 a.m. and 1:30 p.m., respectively.

Brownstein Hyatt law firm expands intellectual property team by 13

By Howard Pankratz The Denver Post

Posted: 9/6/13

Brownstein Hyatt Farber Schreck announced Thursday that it has expanded its intellectual property team by 13 members with the addition of S. Craig Hemenway and 12 members of his team.

Hemenway was previously a partner at Dorsey & Whitney where he led the Denver patent group.

Brownstein said that Hemenway, who will be a shareholder, and his team will counsel clients on many aspects of intellectual property from identification, protection and management of intellectual property assets to preparing and prosecuting patent applications.

Hemenway was described by Brownstein as "one of the country's leading patent attorneys."

The additions come after Denver was one of three metro areas selected for new satellite U.S. Patent and Trademark Offices.

Blane Prescott, CEO of Brownstein Hyatt Farber Schreck, said the expansion of the intellectual property team came at the right moment.

"The timing of this group joining Brownstein is perfect given the opening of the USPTO satellite office in Denver and the lateral move strengthens our current IP practice allowing us to provide existing and prospective clients with enhanced knowledge and services," said Prescott in a statement.

"This move supports the firm's strategy to expand with specialty, high-end practices," Prescott added.

The law firm said that Hemenway joins recent new partner Evan Rothstein, also from Dorsey, in expanding the Brownstein intellectual property team.

"We are thrilled to have someone of Craig's caliber join our firm," said Adam Agron, Brownstein's co-managing partner.

"The technology sector has been one of the most significant drivers of growth in the U.S. economy and, in response to this demand, we have been pursuing an expansion of our intellectual property capabilities," Agron said in a statement.

Hemenway said that the Brownstein firm understands the important role that "intellectual property law plays in the U.S. economy today and in the future.

"As a result, the firm is willing to invest in building a stronger intellectual property group that can provide intelligent, creative counsel and strategy to its expanding intellectual property practice. I'm excited to join the team," said Hemenway in a statement.
Prior to Dorsey, Hemenway practiced as a control systems engineer for Bechtel. He has an electrical engineering degree from Rensselaer Polytechnic Institute and a law degree from the University of Georgia School of Law.

Howard Pankratz: 303-954-1939, hpankratz@denverpost.com or twitter.com/howardpankratz
Former U.S. ambassador to Poland joins law school

Laura James | Posted: Saturday, September 7, 2013 9:00 am

The University of Georgia School of Law invited a former U.S. ambassador to the Republic of Poland to join its faculty this fall.

Lee A. Feinstein will join the law school's faculty as the Carl E. Sanders Political Leadership Scholar.

"I'm really looking forward to being at UGA," Feinstein said. "I can't tell you how excited I am."

For only this fall 2013 semester, Feinstein is teaching a class called "Intervention and Sovereignty: Contemporary Issues in International and National Security Law" — a class with roughly 20 students enrolled, he said.

Jenna Jackson, a third-year law student, said she wished she could have taken Feinstein's class, but did not have room in her schedule.

"I think we've got a lot of national security issues, so I wish I could have been able to take the class because it would be very interesting," Jackson said.

The Carl E. Sanders Political Leadership Scholar position was created in 2002 after Carl E. Sanders, former governor of Georgia and alumnus of the UGA School of Law, donated $1 million to the law school, according to an archived news release on the UGA law school's website. The position was created so law students could learn from experts in politics and other fields of public service, according to the website.

"There's a real difference between professors that are just academics and the professors who have real world experience," Jackson said. "They just have more tangible advice and stories to tell. So, I think him coming is a huge deal and I know a lot of people are super excited, especially those who want to be politicians."

Feinstein was the U.S. ambassador to the Republic of Poland from September 2009 to October 2012. He said he has been a foreign policy adviser for several presidential candidates, including Hillary Clinton in the 2008 primary election. He has also served one secretary of defense and two secretaries of state. He co-authored Means to an End: U.S. Interest and the International Criminal Court for the Brookings Institution.

"I know that of course UGA is the flagship of the state system, but not only that, a law school
that has remained strong and gotten stronger even at a time when a lot of other law schools are experiencing difficulties,” Feinstein said. “So it’s great to be at a thriving law school in Athens.”
By Rhonda Cook The Atlanta Journal-Constitution

Sept 07--Former DeKalb County School Superintendent Crawford Lewis, his former chief operating officer and her ex-husband are facing a third version of a racketeering case first brought against them more than three years ago, but now there are fewer charges, fewer schools and fewer taxpayer dollars involved and two names have been added as unindicted co-conspirators.

Although the case against Lewis, former COO Pat Reid and architect Tony Pope has gotten smaller, DeKalb County District Attorney Robert James still says they are racketeers who enriched themselves at the expense of taxpayers and schoolchildren, personally profiting from school constructions contracts.

The DeKalb District Attorney’s Office has not detailed the reason for the leaner, smaller case, but acknowledged that prosecutors streamlined it with a second superseding indictment, returned July 18, in time for the Oct. 28 trial date.

"It is because this case was so overcharged from the beginning," said Michael Brown, one of Lewis' attorneys.

Tony Axam, Reid’s attorney, said the most recent indictment was “radically different” from the previous two. "We assume they couldn’t prove their case beyond a reasonable doubt and that’s why their case has been reduced. They made an executive decision to reduce the case,” Axam said.

Pope’s attorney did not respond to phone messages seeking comment.

All three have said they are not guilty.

Going through a grand jury to make a larger case smaller is not the ordinary path, according to some legal experts.

"What it does suggest is, as things move along and get closer to trial, prosecutors are taking a harder look at what they can prove," said University of Georgia law professor Ron Carlson.

It’s a lesson prosecutors nationwide have learned, he said.

"You don’t overcharge," Carlson said. "Prosecutors have become wary because of some recent bad experiences around the country of the old practice of throw everything in and see what the jury brings out of it ... One does not want to over power the jury with undue detail. It’s often felt that confusion favors a defendant."

There are four components to the complex case of racketeering as it is laid out now: the details of construction at Columbia High School and to a lesser degree the McNair Cluster Elementary School; Lewis and Reid allegedly using their positions to buy cars at prices far below their value; Lewis' use of his county-issued credit card; and Lewis and Pope allegedly interfering with the investigation into their actions.

Much of the indictment portrays Lewis as a passive participant who allowed Reid, known as Pat Pope when she was the district's COO, to manipulate the system to benefit herself, her then-husband and her boss, the superintendent. Lewis knew what was happening, according to the indictment.

"Without hesitation or question, Crawford Lewis approved Pat Pope’s financial decisions regarding DCSD’s compensation to Tony Pope’s firm made with DCSD," the indictment said. "Many of those financial decisions directly and indirectly benefited Tony Pope and Pat Pope (Reid). Crawford Lewis established an environment in which Pat Pope (Reid) managed DCSD’s construction department with few, if any checks and balances. Crawford Lewis permitted Pat Pope (Reid) to manipulate DCSD’s construction department’s processes and procedures and to issue lucrative contracts to contractors working with and paying Tony Pope’s firm."

Later, according to the charges, Lewis also used Reid to impede the district attorney’s investigation.

In the latest version, there are fewer charges against Lewis, Reid and Pope. But the indictment now names contractor David Moody and architect Vernell Barnes as "unindicted co-conspirators," people suspected of crimes but not charged. The indictment says Moody and Barnes helped hide Pope’s involvement in a project at McNair Cluster Elementary.

The second indictment, returned in May 2012, was 132 pages. The revised indictment returned in July is only 31 pages. Lewis, Reid and Pope are charged with one count of racketeering instead of four. Pope now also faces one theft-by-taking charge while Lewis and Reid face three instead of one.

There is no bribery charge at all in the July 18 indictment.

The new indictment:

References the thousands of dollars in tickets Lewis and Reid allegedly got for the Masters' Golf Tournament, Atlanta Hawks and Atlanta Falcons games, the
GRAD NOTES

Arts & Sciences
Stephen Enniss (MA ’87, PhD ’96) of Washington, D.C., was named the new director of the Harry Ransom Center, a humanities research library and museum at the University of Texas at Austin. Robert James Francis Elsner (MS ’95, MEd ’99, PhD ’01) of Due West, S.C., was awarded the 2013 Younts Excellence in Teaching Award. Amanda Burk (MFA ’07) and Katherine McGuire (MFA ’08) opened a printmaking studio in Athens, Double Dutch Press. Wes Fugate (PhD ’12) of Lynchburg, Va., is the winner of the 2013 CASE Alice L. Beeman Award for Outstanding Research in Communications and Marketing for Educational Advancement. Tom Okie (PhD ’12) was awarded the annual Allan Nevins Dissertation Prize at the annual meeting of the Society of American Historians.

Business
Victor Segrest (MBA ’93) of Atlanta was named chief financial officer for Lee & Associates Valuation and Consulting Services, a nationwide provider of real estate appraisal services. Bonnie Buchanan (PhD ’00) of Seattle, Wash., has been tenured and promoted to associate professor at the Albers School of Business at Seattle University. Dave Douglas (MBA ’05) of Atlanta was promoted to national vice president of sales at Healthstat.

Education
Ray Perren (BSEd ’79) of Douglas was named president of Lanier Technical College. Mary-Beth Cooper (MEd ’85) of Pittsford, N.Y., was named president of Springfield College. Catherine H. Monaghan (PhD ’04) of Cleveland, Ohio, received Cleveland State University’s 2013 Distinguished Faculty Teaching Award. Kathy Ann Rogers Pharr (MPA ’05, EdD ’11) of Winder is chief of staff for UGA President Jere Morehead.

Environment & Design
John Robert “Rob” Crawford IV (MHP ’05) of Oxford, N.C., was named executive director of Uptown Lexington.

Journalism & Mass Communication
Marie Hardin (PhD ’98) of State College, Pa., received the Distinguished Alumni Scholar Award from the Grady College of Journalism and Mass Communication.

Law
William C. Rumer (JD ’75) of Columbus served on a case in the Georgia Supreme Court. Mary Ellen Staley Clark (JD ’78) of Marietta is president elect of the Council of Superior Court Judges. She will begin her term May 1. John Thompson (JD ’78) of Atlanta was named in Georgia Super Lawyers 2013. D. Albert Brannen (JD ’82, MBA ’82) of Atlanta was named in Georgia Super Lawyers 2013. Emory Palmer (JD ’99) of Newnan is now a superior court judge in the Coweta Judicial Circuit. Shyam K. Reddy (JD ’00) of Atlanta left the Obama administration to become senior vice president, general counsel and corporate secretary of Euramax International Inc.
Holliman to be inducted into Hall of Fame

The late John Holliman (ABJ '70) will be honored by the Georgia Radio Hall of Fame at a ceremony Oct. 19 in Atlanta. Holliman, along with Royal Marshall (AB '92) and Leonard Postero (BS '43), will be 2013 Legacy inductees. Jim Woodruff Jr. (M '38) will receive the 2013 Elmo Ellis Spirit Award. Born in 1948, Holliman grew up in Thomaston and began his radio career broadcasting Little League games at age 14. After graduating from UGA he worked at WSB Radio in Atlanta and later the Metromedia Radio Network in Washington, D.C. From 1974-80 he served as the agricultural editor for The Associated Press Radio Network, receiving a Peabody Award for a documentary. After moving to CNN he was White House correspondent and later NASA reporter, covering space shuttle missions. In 1991, along with Peter Arnett and Bernard Shaw, Holliman gave the first live report from the middle of an airstrike during the Persian Gulf War. Following Holliman's death in a 1998 car accident, Eleanor Helin of NASA's Jet Propulsion Laboratory named an asteroid after him. Asteroid 6711 Holliman continues to travel through space. For more information about the ceremony, visit www.grhof.com.

Justin O'Dell (JD '02) of Marietta has opened his own practice, O'Dell & O'Neal.

Social Work
Trevis Killen (MSW '06, EdS '07) of Warner Robins is president of the School Social Workers Association of Georgia.

Veterinary Sciences
John E. Hayes (DVM '63) of Ruckersville, Va., received the Distinguished Alumnus Award from the College of Veterinary Medicine. John C. Sundstrom (DVM '67) of Gainesville was elected president of the State Board of Veterinary Medicine. David Loughridge (BSA '73, DVM '78) of Chatsworth was named Veterinarian of the Year by the Georgia Cattlemen's Association. Robert M. Sheegog Jr. (DVM '79) of Jacksonville, N.C., was named Small Business Person of 2013 by the Onslow County Board of Directors. Susan Lawson Fubini (DVM '80) of Ithaca, N.Y., received the Distinguished Alumna Award from the College of Veterinary Medicine. Wendy Whitlock Carter (DVM '00) of Charleston, S.C., was promoted to chief of staff of the Banfield Pet Hospital in Summerville, S.C. Adam C. Eichelberger (DVM '03) of Aiken, S.C., received the Young Achiever Award from the College of Veterinary Medicine.

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Help UGA and your classmates keep up with what's happening in your life—both personally and professionally—by sending Class Notes items to one of the addresses listed below. And please include your hometown to help us keep our alumni database up to date.

If you send a photo, please make sure it is a resolution of 300 dpi.

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For information on advertising in the award-winning Georgia Magazine, contact Pamela Leed at 706/542-8124 or pjleed@uga.edu.
--Accuses Lewis and Reid of theft for buying their county-issued cars -- a 2006 Ford 500 and a 2005 Ford Explorer respectively -- for $10,000 less than the book value for each.

--Claims Lewis used a county credit card to pay the $295 charge for a room at the Grand Lucayan resort at Freeport in the Bahamas and charged $107 for chocolate-covered strawberries and champagne at Ritz Carlton Lodge at Reynolds Plantation on Lake Oconee where he enjoyed a getaway with a school district employee.

--Charges all three with theft for allegedly paying Pope's legal expenses in a civil lawsuit a contractor had brought against the district.

Brown said the case has taken too long -- more than three years -- and the recent re-indictment suggests it's weak.

"There was no evidence to support any claim Dr. Lewis took any bribe or that he corrupted the school construction program," Brown said.
By Michael Hall The Brunswick News, Ga.

Sept. 09--A University of Georgia law professor says an appeal Public Defender Kevin Gough plans to file in the conviction of De'Marquise Elkins for murdering an infant could raise an interesting issue for the new statewide system of identifying people for potential jury duty.

Elkins, 18, was convicted Aug. 30 of murder, cruelty to children, aggravated assault and several other charges for the fatal shooting of 13-month-old Antonio Santiago and the wounding of his mother, Sherry West, March 21 in Brunswick.

Gough, who represents Elkins, asked for a mistrial on the first day of jury selection after there were only four black women and no black men from which to choose in a panel of 48 potential jurors for his client, who is black. The mistrial motion was denied after Brunswick Judicial Circuit Judge Stephen Kelley determined that the selection process was random and was properly administered under Georgia jury selection law.

That law that went into effect in July 2012 shifted the creation of jury pools from county jury commissioners to a state responsibility. The idea was to expand the number of potential jurors by adding people with driver's licenses to the mix, along with registered voters.

All license holders who are not eligible for jury duty are removed before a list of potential jurors for each county is developed by the Council of Superior Court Clerks of Georgia and distributed when needed.

The change made Georgia the last state to remove the forced balancing requirement that made jury pools accurately represent the demographic makeup of each county.

Georgia law professor Ron Carlson says that with a larger pool of potential jurors in each county, the random selection process should provide a demographically representative pool of jurors.

For an appeal such as the one Gough plans to file under the new law, a lawyer has to prove there was some sort of purposeful effort by jury selectors to alter the pool.

"If there is purposeful discrimination to remove minorities, then you have some grounds for appeal that have some traction," Carlson said.

If the selection turns out to be random, then the appeal would face an uphill battle, he added.

A jury appeal under the new law may also gain traction if a lawyer can prove there was a computer program malfunction that led to a lack of representation from one particular demographic group. That's especially true if it led to a pool that prevented a defendant's peers from being included, Carlson said.

Challenging a jury array from which jurors are selected is a fairly common for defense lawyers, he said.

"It is a respectable way to test the process," Carlson said.

The new process in Georgia is still being tweaked, according to Michael Cuccaro, assistant director and trial court liaison for the state's Administrative Office of the Courts. He noted, however, that the new process is already better than what it was previously.

"In the end, I think even defense attorneys will admit this is a great leap forward," Cuccaro said.

Including a much larger group of people from the outset means the chances of getting a jury pool that accurately represents the demographics of an area are higher, without having to force the pool to be balanced.

Still, there will be shortfalls, Cuccaro said.

Their validity will be something defense lawyers may begin appealing and something Carlson will be watching.

-- Reporter Michael Hall writes about public safety, environment and other local topics. Contact him at mhall@thebrunswicknews.com, on Facebook or at 265-8320, ext. 320.

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SAVANNAH, Ga. — Brasseler USA chairman, president and CEO Don L. Waters will be honored at the American College of Prosthodontists and ACP Education Foundation (ACPEF) annual 2013 Annual Session at Caesars Palace in Las Vegas on October 10. He will be recognized together with Robert Ganley, CEO of Ivoclar Vivadent AG, of Schaan, Lichtenstein as Honorary Directors of the ACPEF Education Foundation.

"We’re delighted to recognize Don Waters for his outstanding contribution to our organization and to prosthodontics," said Nancy Deal Chandler, executive director of the American College of Prosthodontists and ACPEF Education Foundation. "His leadership, dedication and service are invaluable."

Waters was named an Honorary Director of the ACPEF Education Foundation earlier this year. He also serves on the Advisory Boards of the New York University College of Dentistry in New York and the UCLA College of Dentistry in Los Angeles. A graduate of Leadership Savannah, Waters has an extensive legacy of community involvement and was appointed by Governor Nathan Deal in March 2013 to represent the First Congressional District of Georgia as a member of the Board of Regents for the University System of Georgia. He also serves as chair of the finance committee and a member of the board of directors for the Georgia Regents University Health System and as a Trustee Emeritus for the University of Georgia Foundation.

Locally, he serves as the chairman of the board of trustees for Union Mission, Inc., the Chatham County Hospital Authority and Sweetener Solutions, LLC. He is also a member of the board of directors for Coastal Bankshares, Inc. Over the years, he has served on boards for the United Way of the Coastal Empire, Savannah Economic Development Authority, Telfair Museums, Savannah Country Day School and Armstrong Atlantic State University Foundation.

Waters earned a J.D., *cum laude*, from the University of Georgia School of Law and a B.B.A. in Accounting, *cum laude*, from Armstrong Atlantic State University.

ABOUT BRASSELER USA:
Brasseler USA is the leading brand for precision steel, tungsten carbide and diamond coated instruments used by dental and medical professionals for restorative and specialty surgeries. The company is headquartered in Savannah, Ga. and has manufacturing facilities in Ventura, Calif., and a Canadian office in Quebec City, Canada. Brasseler USA was originally founded in 1976 and currently has more than 400 employees. For more information, visit www.brasselerusa.com.

ABOUT THE AMERICAN COLLEGE OF PROSTHODONTISTS:
The American College of Prosthodontists is the professional association of dentists with advanced specialty training in oral health issues. Prosthodontists restore and replace teeth to create optimal oral health, both in function and appearance. From placing dental implants, crowns, veneers, dentures to performing cosmetic procedures such as teeth whitening, prosthodontics is a recognized specialty by the American Dental Association. For more information or to find a prosthodontist near you, visit GoToAPro.org.
SCOTUSblog Won Readers, Not Clients

Jonathan Ringel
Daily Report
2013-09-11 00:00:08.0

On the day the U.S. Supreme Court announced it would uphold the Affordable Care Act in June 2012, more than 1 million people clicked on SCOTUSblog, the site devoted to information and analysis of the high court.

The next day, the justices issued routine orders, and about 200 people visited.

"It was humbling," said Amy Howe, who in 2002 founded the site with her law partner (and husband) Tom Goldstein.

**The pair participated in panel discussions Monday at the University of Georgia, which was honoring SCOTUSblog as the first blog to win a Peabody Award, administered by UGA's journalism school. They were joined by two veteran Supreme Court reporters, Pete Williams of NBC and Tony Mauro of the National Law Journal (a Daily Report affiliate), and Georgia Tech digital media professor Janet Murray.**

Mauro noted how Goldstein started his Supreme Court practice by finding lower court decisions that conflicted with other courts' holdings and calling the losing sides to point out that their cases could be ripe for Supreme Court review.

That style didn't impress the tight-knit fraternity of established high court advocates. Mauro recalled how one lawyer said if he needed heart surgery, he wouldn't want to hire the surgeon who cold-called him looking for business. The lawyer? John Roberts, now the chief justice of the United States.

Goldstein said he and Howe, who had both interned with National Public Radio legal correspondent Nina Totenberg, decided one night to start a blog on Supreme Court issues as a way to market their law firm. They figured that looking like experts was an inexpensive way to draw potential clients.

"That was incredibly wrong," said Goldstein, adding they realized a general counsel won't hire a lawyer for a bet-the-company matter just because the GC likes the lawyer's blog. Their Supreme Court practice thrived nonetheless, as Goldstein has argued 28 cases there, with Howe serving as counsel in more than two dozen cases.

They eventually gave up using the blog as a marketing tool and instead decided "to try to do something good," said Goldstein. They brought in Lyle Denniston, who had covered the court for decades for the Baltimore Sun and other publications, to report on cases.

Their expenses increased, too, going from about $250,000 to about $500,000, which are now covered by an exclusive sponsor, Bloomberg Law, said Goldstein.
When the health care case came before the court, SCOTUSBlog's coverage gained credibility when some national broadcast reports initially reported the 5-4 decision upholding the law had gone the other way.

"We have to thank CNN and Fox" for helping SCOTUSBlog's reputation, Goldstein said, although he added they have made many mistakes along the way to their success.

For example, he said, they tried allowing reader comments, but they were "uniformly horrific." Howe noted that the site's traffic increased as commenters stayed on the site to monitor follow-up comments. But Goldstein said they concluded, "You can have a conversation" with comments, "but not a very good conversation."

Passionate debates are understandable, he said, because no matter which side wins a case, the Supreme Court is "effectively amending the Constitution."
Daniel R. Crook and Edgar M. Smith Named Partners at HunterMaclean

September 02, 2013

HunterMaclean, a leading business law firm with offices in Savannah and Brunswick, is pleased to announce that attorneys Daniel R. Crook and Edgar M. Smith have been named partners at the firm.

Daniel R. Crook joined the firm’s Corporate Law Practice Group as an associate in 2010 after practicing in Atlanta. He practices in the area of corporate law as well as commercial real estate. Daniel has extensive experience representing companies in the negotiation and documentation of commercial transactions, mergers and acquisitions, and the acquisition, leasing, and disposition of commercial real estate.

Daniel graduated from Northwestern University School of Law with a J.D. and LL.M. in Taxation and served as the senior editor for the Northwestern Journal of International Law and Business. He also graduated with highest honors from Georgia Institute of Technology with a B.S. in Public Policy. He currently serves as president and chairman of the board for Quantum, Inc.

Edgar M. Smith is a member of HunterMaclean’s Admiralty and Maritime Practice Group and Litigation Practice Group. His law practice includes maritime tort and contract matters, bankruptcy and creditors’ rights, real estate litigation, and business litigation. He is a member of the State Bar of Georgia and is admitted to practice in all courts of Georgia, the U.S. District Courts for the Middle and Southern Districts of Georgia, the U.S. Court of Appeals for the Eleventh Circuit, and the United States Supreme Court.

Originally from Plains, Ga., Smith is a 2006 graduate of the University of Georgia School of Law, where he earned his J.D. with cum laude honors. While at the University of Georgia, he was a member of Phi Alpha Delta and Gridiron. In 2001, Smith received his B.B.A. in Marketing from Georgia Southern University, where he graduated summa cum laude.

Smith is actively involved in the community as a volunteer for several local charitable organizations including CrimeStoppers of Savannah-Chatham County, Caring Connection Chaplaincy, Inc. and United Way of the Coastal Empire.
How War Powers, Congressional Action Have Intersected Over Time

By JESS BRAVIN

WASHINGTON—The modern history of American wars abroad suggests that President Barack Obama can begin military operations against Syria with clear political legitimacy if he first wins authorization from Congress.

But if the mission turns sour, no congressional resolution can protect the president from the political consequences of military failure.

Mixed Record

Congress has approved U.S. military action in some conflicts; but other times presidents have acted on their own.

1941: Japan attacks Pearl Harbor and U.S. enters World War II against Axis powers. Congress declares war on Japan, Germany and Italy.


1983: U.S. invades Grenada. President Ronald Reagan says goal is to protect lives and restore order. No congressional action.

1992-94: U.S. forces enter Somalia in humanitarian mission but get ensnared in civil war and eventually withdraw. Senate and House both vote with different language to authorize mission but resolution never becomes law.

1999: President Bill Clinton sends U.S. forces to Kosovo in NATO mission to protect ethnic Albanians from Yugoslav government repression. He notifies Congress and Congress takes several Kosovo-related votes but never formally authorizes the mission.


By wide, bipartisan margins, Congress assented when Presidents Lyndon Johnson, in 1964, and, 38 years later, George W. Bush requested authority to use military force in Vietnam and Iraq, respectively.

Then, as operations dragged on and casualties mounted, public opinion turned. Each president found his political credibility ebb after revelations that the basis for military action—Mr. Johnson's Gulf of Tonkin Resolution, and Mr. Bush's Iraq war authorization—had been based on faulty intelligence, reports that critics said exaggerated the threat to U.S. interests.

Not only did Messrs. Johnson and Bush leave office with dismal popularity ratings and clouded historical reputations, their military failures helped pave the way for opposing-party candidates to capture the White House: Richard Nixon and Mr. Obama.

At the same time, some presidents who initiated military action without congressional authority have seen their standing burnished—if the operations succeed.

In 1999, authorized by neither Congress nor the United Nations Security Council, President Bill Clinton ordered U.S.-led air operations to stop Yugoslav President...


2011: U.S. forces join NATO bombing campaign in Libya and help topple Moammar Gadhafi. President Barack Obama notifies Congress but it doesn't authorize the mission.

2013: Mr. Obama says he believes the U.S. should attack Syria to punish it for its alleged use of chemical weapons but says he will seek congressional authorization first.

More on Syria

Congress Will Seek to Limit Authorization
At the Last Minute, President Obama Alone Made Call to Seek Congressional Approval
How War Powers, Congressional Action Have Intersected Over Time
Debate Allying Left, Right on Limits
Going Solo Marks Role Reversal for Obama
Delay Likely to Expose Rebels to Attack
Obama Faces Bipartisan Opposition

Global Reaction

Russia Rejects U.S. Evidence on Attack
U.K. Has No Plans for Second Vote
French Opposition Calls for Vote on Strike
China Urges U.S. to Refrain From Action
Saudis Urge Action on Syria
Potential Strike Sends Families Fleeing

Washington Wire

Kerry, Hagel to Testify on Tuesday
Obama Plan Gets Cool GOP Reception
Reid Calls for Senate Hearings Next Week
Obama Sends Draft Legislation to Congress
McCain, Graham Say Syria Plan Falls Short
Transcript: Obama's Remarks on Syria
Syrian Electronic Army Hacks Marines Site

Slobodan Milosevic's forces from attacking in Kosovo. The operation, conducted under the aegis of the North Atlantic Treaty Organization, subdued Milosevic; resulted in no U.S. casualties; and ended 12 days before the 90-day deadline the War Powers Resolution of 1973 sets for a president to withdraw U.S. forces unless he obtains congressional authorization.

For Mr. Clinton, whose early presidency had been marred by a debacle in Somalia—the loss of 18 Army Rangers in a Mogadishu firefight—the Kosovo campaign was a military vindication, demonstrating that air power without the use of ground forces could force an enemy capitulation.

Likewise, if proposed U.S. campaign to punish the Bashar al-Assad regime for its alleged use of chemical weapons is fast and effective, deterring similar acts with few U.S. casualties, Mr. Obama's domestic and international stature would likely be elevated. But there is no assurance the U.S. can pull off such a strike without getting dragged into a longer conflict.

For the most part, presidents have sought congressional authorization when contemplating major military campaigns of potentially long duration. They rarely have requested Congress's permission before ordering shorter engagements. President Clinton acted unilaterally in ordering cruise-missile strikes on Afghanistan and Sudan in retaliation for al Qaeda's 1998 bombing of U.S. embassies in Kenya and Tanzania. Likewise, President Ronald Reagan sought no authorization for his 1983 invasion of Grenada to oust its Cuban-aligned government and rescue American medical students thought to be in peril.

That makes President Obama's position on Syria somewhat of an anomaly. Administration officials have indicated they envision a limited set of airstrikes to punish the Assad regime for using chemical weapons—the type of attack presidents rarely have telegraphed in advance.

But the draft resolution the president sent to Congress is an open-ended authorization to do anything Mr. Obama deems "necessary and appropriate" to prevent or deter the use or proliferation of chemical or biological weapons or other weapons of mass destruction.

Like the resolutions that authorized the Vietnam, Afghanistan and Iraq wars, it includes no expiration date and no limits on the type of force or the scope of operations needed to secure the goals described in the resolution. It would remain in force until repealed, potentially into future administrations.

"The draft uses multiple verbs to characterize the 'objective' of intervention—deter, disrupt,
How War Powers, Congressional Action Have Intersected Over Time...

prevent, degrade. All are vague and thus susceptible to expansive as well as restrictive interpretation," said Diane Marie Amann, professor of international law at the University of Georgia. "The breadth of the authorization, and the consequent potential for an eventual widening of operations in Syria, should spark concern even among those who favor a limited strike."

Write to Jess Bravin at jess.bravin@wsj.com

Corrections & Amplifications
Congress authorized use of force against those responsible for terrorist attacks in resolution passed on Sept. 14, 2001. A sidebar that accompanied an earlier version of the article incorrectly gave the date as Sept. 14, 2011.

A version of this article appeared September 3, 2013, on page A7 in the U.S. edition of The Wall Street Journal, with the headline: Executive Powers, Congress Can Collide.
GRADY COLLEGE OF JOURNALISM, SCHOOL OF LAW

Program to focus on cases, coverage of Supreme Court

By Joe Dennis
jodennis@uga.edu

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. The event, which is open to the public, will be held at the Richard B. Russell Building Special Collections Libraries.

“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, 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 School of Law.

“The story of the 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 Joe Dennis.
September 11, 2013

Georgia Regents Health System appoints new board members

Beth Alston Americus Times-Recorder

AUGUSTA — University System of Georgia Regents George Hooks and Don L. Waters have been appointed to serve on the Board of Directors for Georgia Regents Health System.

“We are honored to have Regents Hooks and Waters join this group of esteemed leaders. Each brings a unique blend of business knowledge and experience, and we look forward to their contributions and counsel in the years ahead,” said Ricardo Azziz, CEO of Georgia Regents Health System.

Hooks, a former state senator was appointed to the Board of Regents by Gov. Nathan Deal in January. A sixth-generation native of Sumter County, he is owner of The Hooks Company, an insurance and real estate firm in Americus.

While in office, he served as Dean of the Senate and on the committees for Economic Development; Ethics; Rules; Natural Resources; Environment; and Appropriations. He also served on the OneGeorgia Authority Oversight Committee. Hooks earned a bachelor’s degree from Auburn University and an honorary doctor of law degree from Mercer University.

Waters, also appointed by Gov. Deal to the Board of Regents, is Chairman, President, and Chief Executive Officer of Brasseler USA Inc., an international manufacturer of dental and medical surgical instrumentation. Previously, he was a Partner with Price Waterhouse & Co. where he worked as a Certified Public Accountant, and a Partner with Hunter Maclean where he worked as an attorney.

A native of Savannah, Waters serves as chairman of Union Mission Inc., and the Chatham County Hospital Authority. He serves on the boards of the New York University School of Dentistry, and the University of California, Los Angeles College of Dentistry. Waters earned a bachelor of business administration in accounting from Armstrong State College and a law degree from the University of Georgia School of Law.

GRU was formed in January through the consolidation of Augusta State University and Georgia Health Sciences University (formerly the Medical College of Georgia). Georgia Regents Health System is the clinical enterprise...
Committee seeks new executive director for Office of Legal Affairs

Stephen Mays | Posted: Friday, September 13, 2013 12:00 pm

University of Georgia President Jere Morehead assembled a committee of eight UGA faculty members to find a new executive director for the Office of Legal Affairs in a nationwide search.

Steve Shoemaker, former executive director, retired at the end of the previous academic year, and Beth Bailey, former associate director, has been serving in an interim capacity since July 1.

“They hope to get a wide and diverse pool of candidates,” said Kathy Pharr, chief of staff for Morehead. “But I think they really want to see people who have institutional experience, serving institutional clients and preferably with higher education experience.”

Chaired by Bo Rutledge, an associate dean for faculty development and the Herman E. Talmadge Chair in the UGA School of Law, the remainder of the committee is comprised of: Kellie Casey, director of advocacy in the School of Law, Janice Dawkins, director of the Equal Opportunity Office, Carla Williams, executive associate athletic director in the UGA Athletic Association, Barrett Malone, director for student conduct in the Office of Student Conduct, Duane Ritter, interim associate vice president of the Office of Human Resources, Matthew Whitley, director of the Internal Auditing Division and Jessica Orbock, senior legal adviser in the Office of the Vice President for Research and general counsel for 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,” according to a UGA Today news release.

Candidates for the position will come to campus in early December to give presentations, meet with administrators and have a meeting with Morehead.

“[Morehead] hopes to make his decision that month so that the person could be in place by Jan. 1,” Pharr said.

“The executive director will lead a team of attorneys in the Office of Legal Affairs providing services which include legal advice, assistance, education and training to administrators, faculty, staff and students in the course of their work and activities on behalf of the University of Georgia,” according to the position description.

Pharr said Morehead thought carefully before selecting the committee since the position being filled handles a large responsibility for UGA.

“The on-campus interviews are going to be pivotal,” Pharr said.
Committee seeks new executive director for Office of Legal Affairs.

She mentioned that committee members are attorneys who interact with the Office of Legal Affairs regularly.

If no new director is established before Jan. 1, Bailey will continue to hold the position.
Event recap: The Roberts Court and OT2013

On Monday, following two panels on media technology and the digital age, the University of Georgia Law School, the Grady College of Journalism and Mass Communication, and the Peabody Awards co-hosted a panel on the Court itself, focusing on the Justices and the upcoming Term.

Before diving straight into the October Term 2013, the panelists – Pete Williams of NBC News, Tony Mauro of the National Law Journal, Tom Goldstein and Amy Howe of SCOTUSblog, and moderator Sonja West of the University of Georgia Law School – gave the audience, which was largely a mix of law and journalism students and professors, a view of the wider arc of the Roberts Court and its individual members. With three associate Justices joining the Court following Roberts's ascension to the position of Chief Justice, and four current members over the age of seventy-five, the Court finds itself in an age of transition but with an emerging incremental approach and conservative direction. Mauro argued that during the past few Terms, the Chief Justice has taken more control over the direction of the Court, with regard to both its docket and the outcomes. Using skills he developed as a Supreme Court advocate, the Chief Justice has demonstrated a mastery over developing coalitions and counting to five.

The Chief Justice is, of course, not the only member of the Court, and the panelists noted that the three female Justices have had an impact as well. In the last Term, Justice Ruth Bader Ginsburg emerged as the new leader of the Court's liberal wing after the retirement of Justice John Paul Stevens. Justice Elena Kagan has proven herself to be very strategically effective, rarely dissenting and largely able to align herself with other Justices, and a skilled writer as well. Justice Sonia Sotomayor, who often dominates arguments with her questions, has demonstrated in her writings a deep and nuanced yet somewhat unappreciated legal analysis that could have an impact on future constitutional jurisprudence.

Thinking of the Court as a block, panelists focused on the extent to which the Court has moved cautiously and incrementally in its rulings, with Fisher v. University of Texas serving as a recent example. Howe recalled a speech by Justice Anthony Kennedy last year in which he expressed concern that the Court was taking on too many hot-button issues that could be better left to other branches of government. Ruling on divisive issues like abortion or religion, which will be a first for the present Court, inevitably highlights the political divisions on the Court, often to the chagrin of the Justices. This attention could itself create an atmosphere in which the Justices are reluctant to rule too strongly in any one direction, as in the Fisher or Perry cases.

Williams offered the Court's approach to the Voting Rights Act as a prime example of the present Court's step-by-step approach. In Northwest Austin Municipal Utilities District No. 1 v. Holder, the Court intended to send Congress a message that the formula used to determine who must comply with the Act's pre-clearance requirements relied on out-of-date data. Four years later – during which Congress failed to act – the Court intervened and ruled the formula unconstitutional in Shelby County v. Holder.

As for the October Term 2013 itself, the panelists to varying degrees largely expressed skepticism about the fate of the same-sex marriage cases currently on a fast track to the Court. Put another way, although the Hollingsworth v. Perry and United States v. Windsor decisions led to a wave of lawsuits seeking a declaration that there is a right to same-sex marriage, the Court may not be ready to issue that ruling. The central message from Perry is instead that the Supreme Court likely wants to avoid doing precisely that, but it may not have the luxury of sitting back and letting the process play out in the states.

This Term the Court may take up the issue of restrictions on abortion – in Cline v. Oklahoma Coalition for Reproductive Justice, a challenge to an Oklahoma law regulating medical (as opposed to surgical) abortions. And whenever the Court returns to the issue of abortion, there is the potential for a very significant ruling. Although Justice Kennedy in Planned Parenthood v. Casey voted to salvage Roe v. Wade, he wrote for the Court in Gonzales v. Carhart (in which the Court upheld the federal ban on partial-birth abortion), suggesting that he has become more receptive to restrictions on abortion. Mauro also observed that the more conservative Justice Samuel Alito has replaced Justice Sandra Day O'Connor, the author and main proponent of Casey's undue burden test. The panel predicted that the Court will materially restrict Roe with an incremental step, but one that will send a strong message to the states that restrictions on abortion will largely be viewed favorably by the Supreme Court.

Williams joked that National Labor Relations Board v. Noel Canning, the challenge to the constitutionality of the president's recess appointments to the NLRB, is one that "nobody should win." With the Senate confirmation process largely gridlocked, a ruling by the Court which limited the availability of recess appointments could strengthen minority leaders in the Senate and could have significant consequences for politics, the filibuster, and the nuclear option.

Finally, turning to the upcoming oral argument in McCutcheon v. FEC, in which the Court will consider the constitutionality of aggregate limits on campaign contributions, the panelists agreed that the Court is likely to strike down the limits. With the Court in Citizens United v. FEC having already emphasized that free speech in politics requires the ability to spend money on campaigns, and with the anti-corruption argument against contribution limits less persuasive in the case of an individual's aggregate spending to multiple candidates, at least five members of the present Court seem poised to allow such spending.
Stephen Harper Named ICLE Executive Director

Ed Bean
Daily Report
2013-09-13 00:00:01.0

Stephen J. Harper is the new executive director of the Institute of Continuing Legal Education in Georgia. He succeeds Larry Jones, who retired after 16 years in the post.

Harper has been ICLE’s director of programs for the past 16 years, facilitating about 180 seminars each year, involving more than 2,000 speakers.

The programs attract between 25,000 and 30,000 attendees each year at live and online events, plus self-study.

For the past few years, Harper also has served as ICLE’s director of production, overseeing its extensive printing operation for seminar books and course material.

Harper is a graduate of the U.S. Military Academy at West Point and the University of Alabama School of Law. A retired Army colonel, he has extensive trial experience as a prosecutor, defense counsel and judge in the military. He was the senior and managing partner of several large military law offices and has taught constitutional law at West Point. Since 1998, he has been an adjunct professor at the University of Georgia School of Law, teaching trial advocacy.
President Obama suggests U.S. law schools cut to two years, UGA School of Law uncertain

Story Comments (1) Image (1)

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Posted: Saturday, September 14, 2013 1:16 pm

Arvind Deol | 1 comment

President Barack Obama said he feels United States law schools should implement changes — changes some University of Georgia School of Law administrators said may not be necessary for UGA’s program.

At a talk in New York on Aug. 23, President Barack Obama said law schools in the United States should cut programs down to two years in order to decrease costs for students and provide an extra year to focus more on practical experience.

First-year UGA law student Erin Peterson said she could understand Obama’s logic.

“I was told by a third-year student at orientation that the first year of law school is meant to scare you, the second year is meant to work you and then the third year is meant to bore you,” she said. “Being a first-year student for only a few weeks I can already see how that is the case. Third-years are only concerned with taking the bar, not class.”

The University of Georgia’s School of Law is a three-year program, but Assistant Professor of Law Timothy Meyer said the program has been helping to lead a national trend aimed at providing law students more experience toward the end of their academic careers.

“You’ve seen this trend across the board in the past five years or so and UGA is definitely a leader in that regard,” Meyer said. “We have our third-year students actually arguing cases before an open court. The 11th circuit, which is the circuit we’re in within Georgia actually passed a student practice rule just so our students here could practice in a court setting.”

Thomas Burch, a professor in the School of Law, said the program has “a number of programs” that “allow students to get into law offices and see what a practice is really like,” including a public defenders clinic, a prosecutors clinic and a court council externship.

But Obama’s proposed plan to cut law schools isn’t meant just to provide experience — it’s also meant to save students money.

In-state law students at UGA’s law school paid $18,740 in tuition and fees for the 2013 to 2014 academic year, according to UGA School of Law’s website.
Out-of-state students paid $36,410, according to the site.

Those numbers don't take into account books and supplies, room and board, transportation and personal expenses — which bring in-state cost of attendance to about $36,274 for the 2013 to 2014 academic year.

Out-of-state cost of attendance comes to about $53,944, according to the site.

Sean Hong, a first-year law student from Las Vegas, said he felt cutting the program down to two years would benefit him — even if it meant adding extra stress to his schooling.

"I know that if they crammed a three-year law degree into two years it would probably be more difficult for those two years," he said. "It would be worth it to save the money, though."

The United States employs a different method of educating its future lawyers than much of the rest of the world.

For example, in the United Kingdom students can earn law degrees as undergraduates within two or three years, instead completing a four-year undergraduate degree and attending three years of law school, according to Top Law Schools' website.

UGA's School of Law isn't the most expensive in the United States — it doesn't even rank in the top 10, according to a list from Business Insider published in 2012.

Columbia Law School topped the list with a total cost of admission of about $81,950 at the time the article was published. That cost had increased to about $82,795 by the 2013 to 2014 academic year, according to Columbia Law School's website.

That's about $28,851 more expensive than an out-of-state student's cost of attending UGA's law school.

Other schools on Business Insider's list included Harvard Law School, Fordham University School of Law, Brooklyn Law School and New York University Law School.

New York Law School, the least expensive to make the list, cost about $15,887 more to attend during the 2013 to 2014 academic year for a student living on his or her own than it would cost to attend UGA's law school as an out-of-state student during the same year.

Hong said decreasing the time he spends in school would help ease some of his financial strain.

"Even though UGA is one of the most affordable law schools, it's still very expensive," he said. "I'm an out-of-state student so I use a number of scholarships and funds to help pay for school but even still, not having to pay for a full year of school would help my wallet a lot."

Burch said he's not sure whether Obama was correct in his assertions about U.S. law schools, but feels that UGA's program fulfills its function.

"While I'm not qualified to say whether two-year or a three-year degree is better, I would say that UGA does a great job of providing its law students with practical experience in their final year," Burch said.

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CINDY WELCH

New job title: Assistant district attorney
Company: Chatham County District Attorney’s Office
Duties: Welch will prosecute narcotic crimes in the Counter Narcotics Team Division.
Related work experience: Welch operated a solo practice in Valdosta and served as an assistant district attorney for the Southern Judicial Circuit in Valdosta for seven years, specializing in narcotics crimes.
Education: Welch holds a B.A. in political science, with minor in English from Valdosta State University and her juris doctorate from the University of Georgia School of Law.

AUSTIN ROBERSON

New job title: Intern
Company: Chatham County District Attorney’s Office
Duties: Roberson will assist with state court crime prosecution.
Related work experience: Roberson worked as a judicial clerk for U.S. District Judge B. Avant Edenfield in the Southern District of Georgia in Savannah and for Judge William T. Boyett in the Conasauga Judicial Circuit in Dalton.
Education: Roberson holds a B.A. in history from Armstrong Atlantic State University and his juris doctorate from the University of Georgia School of Law.

JON R. BAYER

New job title: Sales associate
Company: Coldwell Banker Platinum Partners, Pooler
Duties: Bayer specializes in residential properties in the Pooler, Port Wentworth, Rincon and Savannah areas.
Related work experience: Bayer worked for the city of Garden City as a backflow prevention assembly tester in the water department.
Education: Bayer earned his AA from South University.

HARRY S. COLLINS

New job title: Medical director
Company: Maison Medical Spa
Duties: Collins will oversee and extend services to the patients of Maison Medical Spa.
Related work experience: Collins brought bio identical hormone optimization to the Savannah area in 2009.
Education: Collins is board certified by the American Board of Obstetrics and Gynecology and received his certification in age management medicine with Cenegenics Medical Institute.

DEB L. MCCullen

New job title: Director of rejuvenation
Company: Maison Medical Spa
Duties: McCellen specializes in erasing wrinkles, easing creases and increasing volume that eliminates folds and deep lines in the face.
Related work experience: McCellen has trained plastic surgeons/physicians on the use of injectable pharmaceuticals across the eastern seaboard. She has more than 20 years of injection experience.

Education: McCellen attended Armstrong Atlantic State University where she earned her BSN.

RACHEL UMBREITI
New job title: Real estate agent
Company: Cora Bett Thomas Realty & Associates
Duties: Listing and selling real estate.
Education: Umbreitt received her BFA from Dominican University in Chicago.

RYAN WHELAN
New job title: Project engineer
Company: Rives E. Worrell Company
Duties: Whelan will perform construction-related tasks for project management and field construction activities, including tasks related to materials/equipment, quality and safety.
Related work experience: Whelan has seven years experience in the construction industry.
Education: Whelan earned his bachelor's degree in construction management from Western Carolina University.

DOUGLAS PAASCH
New job title: Project manager
Company: Rives E. Worrell Company
Duties: Paasch is responsible for project procurement, project schedule, cost control and quality compliance.
Related work experience: Paasch has eight years experience in the construction industry.
Education: Paasch earned his construction management degree from Cal Poly.

BEN WASHBURN
New job title: Civil designer/engineer
Company: Hussey, Gay, Bell & Deyoung
Duties: Washburn will be responsible for designing private development residential, commercial and industrial projects.
Related work experience: Washburn has five years of survey experience and two years of civil design experience.
Education: Washburn holds a bachelor of science in civil engineering from the University of North Carolina at Charlotte.

KELLY FARABEE
New job title: Traffic engineer
Company: Hussey, Gay, Bell & Deyoung
Related work experience: Farabee has worked as an architectural intern, a transportation research assistant, an assistant planner and traffic engineer. Her experience includes field data compilation, signal timing and intersection analyses for urban and rural facilities.
Education: Farabee holds bachelor's degrees in civil engineering and architecture from Clemson University as well as a master of engineering degree from the University of California-Berkeley.

SCOTT HILDEBRAND
New job title: Professional civil engineer.
Company: Hussey, Gay, Bell & Deyoung
Duties: Hildebrand will focus on transportation, stormwater management systems, water resource engineering and environmental permitting.
Related work experience: Hildebrand brings has more than 14 years of engineering experience in the A/E/C industry, with particular expertise in hydrology and hydraulic design.
Education: Hildebrand is a Citadel graduate.

NATHAN BROWN
New job title: Director of surveying and director of geographic information systems

Company: Hussey, Gay, Bell & Deyoung

Duties: Brown is responsible for overseeing all surveying and GIS operations, including database maintenance, distribution, map production and survey project management.

Related work experience: Brown has been with the firm for more than 13 years and has been responsible for surveying and GIS projects in Georgia and South Carolina.

Education: Brown is a graduate of Ogeechee Technical College.

NLaws Produce names driver of the month

NLaws Produce has named Mike Winters its August Driver of the Month. Winters has been employed with NLaws since 2007.

Exchange Club of Savannah names officers

The Exchange Club of Savannah has named its new officers

• President: Toby Browne
• Senior Vice President: Johnie Lynes
• Treasurer: Joe Sullivan
• Secretary: Gordon Mitchell

Lawyer honored

Frederick S. Bergen of Bergen & Bergen, P.C. has been selected by his peers to be included in the Best Lawyers in America 2014 in the practice area of medical malpractice law for plaintiffs.

Savannah man to be honored

Brasseler USA chairman, president and CEO Don L. Waters will be honored at the American College of Prosthodontists and ACP Education Foundation annual 2013 Annual Session at Caesars Palace in Las Vegas on Oct. 10.

He will be recognized with Robert Ganley, CEO of Ivoclar Vivadent AG, of Schaan, Lichtenstein as honorary directors of the ACP Education Foundation.

Savannah lawyer honored

John E. Suthers, founder and managing partner of Suthers Law Firm in Savannah, was named a Savannah Lawyer of the Year for 2014 in the field of personal injury litigation by The Best Lawyers in America. Suthers received the same honor in 2011.
ATLANTA JC[REG]: U.S. ATTORNEY SALLY YATES: 'NOBODY IS A SUCCESS ON THEIR OWN'

Sep 14 2013 06:50:07

By Henry Unger The Atlanta Journal-Constitution

Sept. 14—There's more than one way to become the first in something. For Sally Quillian Yates, the first woman to be named U.S. attorney for the Northern District of Georgia, it was a combination of hard work, wise mentors and luck.

Yates, 53, leads about 100 federal lawyers who prosecute a wide range of crimes, from drug trafficking and white-collar fraud, to child exploitation and cyberthreats. Before being appointed to the position three years ago by President Barack Obama, she spent two decades in the office, rising to become lead prosecutor of high-profile political corruption cases. She also prosecuted Atlanta Olympic bomber Eric Rudolph.

Yates, an Atlanta native, was born with the law in her blood. The UGA law school graduate talks about her background, including how she dealt with a personal tragedy. She also discusses important takeaways from her career, as well as the criminal and financial challenges her office is now facing.

Q: How did your grandmother's experience help shape your life?

A: I had a much easier road than my grandmother. She was one of the first women admitted to the Georgia Bar. She was incredibly bright and quick-witted. She would have been a heck of a lawyer. But women weren't hired as lawyers back then. It just wasn't done. So instead, she was a secretary, first to my grandfather, who was a lawyer, and then for my father and his brother and their practice.

Interestingly, I don't remember my grandmother ever complaining about the fact that she was a secretary. Looking back on it, had I been her, I would have resented the heck out of it. I realized that tenacity counts for a lot. She became a lawyer without support systems. I thought to myself that if she did that, how hard could it be for me. I think she would have delighted in the fact that I became the first woman to be the U.S. attorney for the Northern District. I couldn't have done it on my own. I wouldn't have been first without her and a whole lot of other people, including my dad and other members of my family.

Q: Your dad, Kelley Quillian, had a big influence on your life. He rose up through the legal ranks to become a judge on the Georgia Court of Appeals. Shortly after he retired 28 years ago, he committed suicide. How did you get through that time and move forward?

A: As much as I regret my grandmother not being here while I was U.S. attorney, I really regret that my dad hasn't been here. I would have loved sharing my experiences here with him. Even more than that, I would have loved for him to have known his grandchildren.

A lot of people live through traumatic incidents in their lives. Certainly, losing any family member to suicide carries with it a special kind of pain. As traumatic as his death was, over the years I've come to not want to define his life, or my time with him, in the manner in which he died, but rather in all those years that he lived. The manner in which he died was heartbreaking. But there were a whole lot of years prior to that which were not about that. As I think back on my dad, that's what I really think most about -- those years when he lived with a vitality that most people never even come close to.

In terms of possibly helping other suicide survivors, I would not presume to put myself in anybody else's position. I think we all have a desire to ascribe a rational thought process to figure out why something like that happened. I think that's the nature of man.

But over the years, I have come to believe that doesn't really work because, at least for me, it's trying to ascribe a rational reason to something that, by definition, is an irrational act. None of us ever really know what demons someone is carrying around, or what is going through their head when opportunity and despair come together. So, for me, what has been somewhat comforting is to try to let that go.

Q: Before becoming the U.S. attorney, you prosecuted
were incredibly dedicated and worked day in and day out literally for years, it wouldn't matter how good you are. Of all the cases I've done, that's the greatest example of the power of a team.

The leader of a team has to demonstrate their respect for each person's role on the team. For example, I was no expert on explosives. I needed those experts to teach me so I could convey the important information to the jury. You have to listen.

Also, the best trial lawyers aren't necessarily the best managers of a group of 25 or 30 lawyers. It's not the same skill set. Some people are better at communicating and listening than others.

Q: What major challenges are you facing with respect to white-collar crime and federal budget cuts?

A: The new issue we're seeing now is cybercrime --

everything from identity theft to computer intrusions. Organized crime, the Russian mob and other Eastern European actors is one area of concern in cybercrime. You can be anywhere in the world and target someone in Atlanta. That's part of what makes us all vulnerable and it's also what creates some of the investigative challenges here -- being able to track them down and bring them back.

There's also an underworld of disorganized crime of loosely affiliated groups of computer geeks who get together in cyberspace and then launch attacks.

As far as budget cuts, sequestration is killing us. This year, we've been able to limp through, partially because we had carryover money from the prior years. That won't happen in the next fiscal year (starting Oct. 1). If we remain sequestered, we won't be able to replace lawyers who leave and we'll have to have furlough days. Our goal is to avoid layoffs. We're still uncertain if we will be able to or not.

On top of that, there been huge cuts to investigations by our law enforcement agencies. One of the things folks don't realize is that we make money in this office -- several times more than our budget -- from criminal fines and forfeitures, and civil forfeitures and penalties.

So budget cuts will reduce revenue generation. But the appropriators don't really look at the fact that we're a revenue center, not a cost center. When they cut us, it's not very productive.

Q: What's your best career advice?

A: The key to professional happiness and success is pursuing what is meaningful to you and pursuing it with a vengeance. I know way too many people who are in powerful, high-paying jobs who don't get much satisfaction from it. They enjoy the lifestyle, but the work isn't terribly meaningful.

That's where I've been incredibly lucky in my professional life. What I do is meaningful to me and has made a difference in the big scheme of things. I realize that we're not doing Mother Teresa's work here at the U.S. Attorney's Office, but I do think what we're doing makes a difference.

I've told folks when I'm recruiting them here that it's worth every penny you don't make. I know this sounds incredibly corny, but I absolutely believe it -- the thrill that comes with saying that you represent the people of the United States, there's no greater honor that you can have as a lawyer.

Yates' remarks were edited for length and clarity.

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WE GO BEYOND THE HEADLINES

Each week, Business Assignment Editor Henry Unger has a candid conversation with a local leader as part of our commitment to bring you insightful coverage of metro Atlanta's business scene.

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-0- Sep/14/2013 10:50 GMT
SCHOOL OF LAW

Former ambassador joins law school as Sanders Scholar; Rutledge named associate dean for faculty development

By Heidi M. Murphy
hmurphy@uga.edu

Lee A. Feinstein is the Carl E. Sanders Political Leadership Scholar in the School of Law for fall semester. He is teaching the course “Intervention and Sovereignty: Contemporary Issues in International and National Security Law.”

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 also has served one 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.

Peter 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 faculty, especially its untenured professors, to expand and promote scholarly activities.

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

Also the holder the Herman E. Talmadge Chair of Law, Rutledge specializes in international dispute resolution, arbitration, international business transactions and the U.S. Supreme Court.
Albany judge to sit on Supreme Court

By Dave Miller - oman

ATLANTA, GA (WALB) - With information from the Georgia Supreme Court:

Dougherty Superior Court Judge Denise Marshall will serve as a substitute justice on the Georgia Supreme Court in place of Justice Keith Blackwell in an upcoming case.

Marshall will be one of the judges to hear the appeal of Mordica v. The State (S13G0584), on Monday, Sept. 23, 2013 during its 10:00 A.M. session.

In this Lamar County case, a man is appealing the state's seizure of more than $62,000 from his car during a traffic stop in which no drugs were found and from which no criminal charges have been filed. In addition to hearing arguments, Judge Marshall will participate in the Court's decision.

The 56 year old Albany native was elected in November 2008 as Superior Court Judge in Dougherty County and was re-elected in 2012. Prior to serving on the Superior Court bench, Judge Marshall served by appointment as Associate State Court Judge and Dougherty County Magistrate from 1998-2008.

She began her judicial career in January 1994 when she was appointed Chief Judge of the Municipal Court for the City of Albany. Before becoming a judge, she was in private practice for four and a half years, and also worked with the Georgia Legal Services Program for more than a decade, providing legal assistance in civil matters to indigent clients in southwest Georgia.

In 2010, Governor Sonny Perdue appointed Judge Marshall to the board of the Georgia Commission on Family Violence. She was reappointed by Governor Nathan Deal earlier this year and remains on the Commission.

She received her law degree from the University of Georgia School of Law. A member of the Mount Zion Baptist Church, Judge Marshall has an 18-year-old daughter.
Former U.S. ambassador to speak on Syria and international law at UGA

12:57 pm, September 18th, 2013

The University of Georgia Law School has announced that former U.S. Ambassador Lee A. Feinstein will present a lecture on “Humanitarian Intervention and International Law.” The lecture is scheduled for 12:30 p.m. Oct. 3 in the Larry Walker Room of Dean Rusk Hall.

Feinstein will talk about changing notions of international law related to the use of chemical weapons in Syria. He’s teaching a course on contemporary issues in international and national security law as the school’s Carl E. Sanders Political Leadership Scholar for the fall 2013 semester. He served as the U.S. ambassador to the Republic of Poland, from September 2009 to October 2012.

More information is here

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

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RECENT COMMENTS

- Michae A. Caldwell on SCOTUSBlog: Atlanta lawyer's case is a 'Petition to watch'
  3:36pm, September 17th, 2013
  I filed an Amicus Curiae brief in Scott v. Harris which Justice Stephens cited in his dissent. The Rickard case ...
- Leslie Williams on Atlanta's John Marshall will offer spring enrollment
  3:18pm, September 11th, 2013
Frank S. Macgill and Thomas S. Cullen Honored as "Lawyers of the Year" by Best Lawyers in America® 2014

September 19, 2013

HunterMaclean, a leading law firm with offices in Savannah and Brunswick, is pleased to announce that attorneys Frank S. Macgill and Thomas S. Cullen were recently selected by their peers as Lawyers of the Year for Savannah by The Best Lawyers in America® 2014.

Attorneys honored as Lawyers of the Year have received particularly high ratings in Best Lawyers surveys, earning a high level of respect among their peers for their expertise, professionalism and integrity. Each year this honor is earned by only one attorney per practice area in each city.

Frank Macgill, the managing partner of HunterMaclean, was honored as the Lawyer of the Year in Savannah for Tax Law and Trusts and Estates. In addition to his law practice, Macgill serves on the board of the Savannah Area Chamber of Commerce, the Savannah Economic Development Authority (SEDA), United Way of the Coastal Empire and Step-Up Savannah.

He has been named a "Super Lawyer" by Atlanta magazine from 2005 to the present, a "Best Lawyer in America" from 2007 to the present, and a Georgia Trend "Legal Elite" for Trusts, Estates and Tax in 2009, 2011 and 2013.

Macgill received a B.S. with distinction from the McIntire School of Commerce at the University of Virginia, a J.D. from the University of Georgia School of Law and an LL.M. in
Taxation from New York University.

Tom Cullen, a partner in the Savannah office of HunterMaclean, is honored as the Lawyer of the Year in Corporate Law. Tom serves as Practice Group Leader for the firm’s corporate practice. He practices in the areas of general corporate and corporate governance including the formation and organization of business entities, capitalization of such entities through debt or equity offerings, securities issues, commercial transactions, commercial loans, mergers, acquisitions, recapitalizations, restructurings and other reorganizations, shareholder rights issues and contract drafting and negotiation.

In addition to his law practice, Cullen serves as the vice chairman of the Southeast Georgia Chapter of the American Red Cross and is a member of the board of directors of Old Savannah City Mission and the Armstrong Atlantic State University Educational Properties Foundation. He is also a member of the State Bar of Georgia Legal Opinions Committee.

A graduate of Leadership Savannah, Cullen earned a B.S. in Economics from the University of Illinois and a J.D., cum laude, from the University of Georgia School of Law.

Earlier this year, 25 HunterMaclean attorneys were included in Best Lawyers in America 2014.

Since it was first published in 1983, Best Lawyers has become universally regarded as a definitive guide to legal excellence. Best Lawyers is based on an exhaustive peer-review survey in which more than 36,000 leading attorneys vote on the legal abilities of other lawyers in their practice areas. Corporate Counsel magazine has called Best Lawyers “the most respected referral list of attorneys in practice.”
UGA College Republicans host debate for U.S. House candidates

Brad Mannion | Posted: Thursday, September 19, 2013 12:13 pm

For the candidates in Wednesday’s debate, cutting costs and balancing the national budget was a running theme among the Republican primary candidates.

“I think to me the No. 1 issue is fiscal responsibility,” said Georgia State Rep. Donna Sheldon. “We have got to get our fiscal house in order.”

The University of Georgia College Republicans hosted a debate Wednesday night, where six candidates running to fill the seat of U.S. House Rep. Paul Broun for Georgia’s 10th District discussed issues of foreign and domestic relation to audience of roughly 120 attendants.

Mediated by Charles Bullock, the Richard B. Russell Professor of political science, the debate featured each of the representatives to discuss their views on several topics – the national deficit, cutting programs, immigration legislation, the conflict in Syria, student loans, debt and job creation.

A general consensus among candidates was the elimination of the Affordable Health Care Act, commonly known as Obamacare, among a slew of additional federal programs.

“It has become a monster for each of us,” said Jody Hice, a pastor of 30 years and radio talk show host.

Among the programs to be cut included the Internal Revenue Service, and the departments of education and energy, but Brian Slowinski, a grassroots politician who previously has worked with Sens. Rand Paul and Marco Rubio, added the elimination of an additional federal fund.

“I would advocate to eliminate the IRS and the income tax,” Slowinski said. “How can we do that – if we actually take our budget back to the year 2002 level. By taking us back to that budget level, we can get rid of the income tax.”

Slowinski also promoted cutting the Department of Education and other federal programs that are not “strategic” to keep, an initiative that would earn roughly $71 billion in savings, he said.

With cutting costs for the federal government, the question of raising costs for taxpayers followed, where candidates expressed opinions on supporting initiatives for revenue enhancement.

“There are ways to enhance revenue without raising taxes,” said Stephen Simpson.

Simpson, a candidate with a military career spanning over decades, said implementing a fair tax and lowering the capital gains tax rate from 15 percent to 5 percent would help to resolve the issue.
“It takes from business owners who create jobs that revenue that, with the fair tax, can be rolled into jobs, creating greater revenue that comes off of those jobs,” he said. “Every time we reduce the capital gains tax rate, we increase overall revenue and we grow business because we give incentive to the people who create jobs to add jobs.”

On the topic of cutting costs, spending problems, rather than high taxes, became a near-synonymous response from the candidates.

“We’re not over-taxed, we’ve got spending problems,” said Mike Collins, a worker in the private sector and man involved in small business for roughly 20 years.

The latest legislation on immigration passed by the U.S. Senate arose in the debate – an issue that begins with “securing our borders,” Sheldon said.

Candidates, including UGA School of Law alumnus Gary Gerrard, advocated to allow access to citizenship for the millions of immigrants illegally in the country who are willing to “work and pay taxes.”

“We have an underground economy where many illegal aliens are taken advantage of because of the threat of being deported, and they’re being paid under the table so that they don’t pay taxes and they don’t pay social security,” Gerrard said. “We need to have a guest worker program that allows them to work equally.”

The conflict in Syria has left much speculation and mixed opinions for and against all sides, but all six candidates presented the same argument regarding America’s involvement, with Collins calling it a “missed opportunity.”

“It goes to show we have such weak leadership from the top down,” he said.

But America’s involvement would be necessary if the conflict posed a threat to American lives.

“I will not vote to send any troops into combat unless the criteria are national security interests to the United States of America,” Simpson said. “There has to be a clear and present danger. We have got to have a definable objective, an exit strategy and a peace plan at the end.”

The problem of college costs may not be student loan rates, but the rising cost of tuition itself.

“The cost of secondary education has gone up 300 percent – more than healthcare or [Consumer Price Index] – for 30 years.”

But the issue of resolving student loan debt, though having been lowered from 6.8 percent to 3.9 percent in August, remained a topic of discussion for other candidates.

“Currently, there is over $1 trillion in student loan debt in the nation right now, which surpasses credit card debt,” Sheldon said. “The real issue is not the lower interest rate, it’s to make sure you have a job when you graduate. We have got to make changes in our economy.”
Reigniting America’s “vibrant” economy, Collins said, is the key to creating these jobs, and implementing aspects of a free enterprise system catered to ideals of many of the candidates.

“The American free enterprise system is absolutely the greatest, most profound economic engine in the history of the world,” Hice said, “and history has proven that our free enterprise system has lifted more people out of poverty, has done more humanitarian good than any other system in the history of the world.”

Bullock concluded the debate by having each candidate “make [their] pitch” and distinguish themselves from one another.

Many candidates related their experience in politics and business to the reason why they should be nominated as the Republican primary candidate.

“Most of my life adult life, I have been a major fighter for constitutionally limited government,” Hice said. “One thing that I think with me that I bring to the table is that I’m not just a conservative vote, but I am and have been a conservative voice.”

But others, like Gerrard, made contractually obligated promises to citizens if elected to office.

“I have pledged not to take a salary as congressman until Congress passes a balanced budget,” Gerrard said. “I put it in the form of a written contract. If I break that promise, you may remove me from office immediately – no one has ever done that before in standing up for and allowing their campaign promises to be enforced.”

The turnout in college students and citizens of the 10th District, though expected, led to reinforcement of the idea for College Republicans to continue hosting debates.

“We had a ton of media here, which we were excited about,” said Bernadette Greene, a junior public relations major from Fayetteville. “And the turnout was really good – it’s kind of what we expected. We expected a lot more people from the community more so than students, which is what the turnout was.”

The campaign, Bullock said, will conclude when voting begins Nov. 4 in 2014.

Members of College Republicans said the event, being the first of its kind and idea that began with many of the candidates “attracting the College Republicans’ attention,” led to a successful debate with little conflict or disruption.

“I was pleased that it was generally a positive tone at the debate – not a lot of brick throwing or anything like that,” said College Republicans Political Director Colin Carr. “Most people were engaging in constructive talk and not putting each other down. I think it’s a good-styled debate, or forum, to have the first time because it sets a good tone for the rest of the campaign – it keeps things on a positive note.”
UGA School of Law conference to examine indigent defense in Georgia

By UGA NEWS SERVICE published Thursday, September 19, 2013

The University of Georgia School of Law is hosting a daylong conference that will focus on Georgia’s public defender system. The conference, “Honoring Gideon’s Promise, Rallying Gideon’s Army,” will be held Oct. 4 beginning at 9 a.m. in Classroom B of Hirsch Hall on North Campus. The conference is free and open to the public; registration, however, is required.

The event celebrates the 50th anniversary of Gideon v. Wainwright, the case in which the U.S. Supreme Court unanimously held that due process requires state governments to provide defense counsel to indigent defendants in criminal cases.

Through a series of four panel discussions and a screening of the 2013 HBO film “Gideon’s Army,” the conference will address Georgia’s current public defender system, which is now in its ninth year of operation.

A panel of newer public defenders will address the difficulties of their day-to-day work. A panel of circuit public defenders (the chief public defenders) and a panel of indigent defense advocates will address the successes achieved as well as the challenges still faced by local offices and the public defender system as a whole and the different methods employed to advocate for the continued advancement of Georgia’s public defender system.

The circuit public defenders and assistant public defenders are from judicial circuits around the state—rural and urban, coastal, central and mountain, large and small. Other panelists are from a variety of backgrounds and include Stephen Bright of the Southern Center for Human Rights; Dawn Porter, a lawyer and the director/producer of the film “Gideon’s Army;” Sharon Hill of the Georgia Appleseed Center for Law & Justice; and Tim Saviello, a longtime trainer with Gideon’s Promise, an Atlanta-based organization that trains new public defenders in the South.

Porter’s award-winning film premiered at the 2013 Sundance Film Festival in January and follows three young public defenders, two in Georgia—one of which is 2008 Georgia Law alumnus Travis A. Williams—and one in Mississippi, all of whom were graduates of the Gideon’s Promise training program. Gideon’s Promise, a nonprofit organization, provides training and an ongoing network of support for its graduates and also for chief public defenders.
According to conference organizer and the law school’s Criminal Defense Director Russell Gabriel, the Gideon v. Wainwright decision is to criminal justice what Brown v. Board of Education was to segregated schools, “except that the states have taken much longer to fully appreciate the mandate of Gideon.”

Gabriel said that in Gideon, the court unanimously held that the right to counsel is a gateway right; it is necessary to the enforcement of the other criminal procedure rights and therefore is a fundamental element of due process, which is guaranteed by the 14th Amendment to the United States Constitution.

In 2003, on the 40th anniversary of Gideon v. Wainwright, the state of Georgia created a statewide public defender system.

“It created a structure of public defender offices around the state—with a few counties opting out of the system—providing legal representation in the Superior Courts and the Juvenile Courts,” Gabriel said. “Now that we are marking the 50th anniversary of Gideon, it is appropriate to take stock of how Georgia has implemented the 2003 Indigent Defense Act, and that is the purpose of this conference.”

The law school was instrumental in creating the first public defender office in Athens, owning and operating the public defender office through the law school’s clinical program from 1967 until the creation of Georgia’s public defender system in 2005.

Registration for the conference is free and can be completed online at

http://law.uga.edu/honoring-gidesons-promise-rallying-gideson-army-conference. Lunch is $10 and continuing legal education credits are available to lawyers for $45, both of which can be purchased through the online registration.

UGA School of Law

Consistently regarded as one of our nation’s top public law schools, the School of Law was established in 1859. With an accomplished faculty, which includes authors of some of our country’s leading legal scholarship, Georgia Law offers two degrees—the Juris Doctor and Master of Laws in U.S. Law—and is home to the renowned Dean Rusk Center for International Law and Policy. The school counts six U.S. Supreme Court judicial clerks in the last nine years among its distinguished alumni body of more than 9,700. For more information, see www.law.uga.edu.
Public defenders to discuss their challenges at free UGA School of Law event

5:13 pm, September 19th, 2013

The University of Georgia School of Law is hosting a daylong conference focused on the state's public defender system. The conference, "Honoring Gideon's Promise, Rallying Gideon's Army," will be held Oct. 4 beginning at 9 a.m. in Classroom B of Hirsch Hall on North Campus, the law school announced. The conference is free and open to the public; registration is required.

The event celebrates the 50th anniversary of Gideon v. Wainwright, the case in which the U.S. Supreme Court unanimously held that due process requires state governments to provide defense counsel to indigent defendants in criminal cases. The schedule includes four panel discussions and a screening of the 2013 HBO film "Gideon's Army." The film features two Georgia lawyers. Younger public defenders will discuss the difficulties of their day-to-day work. Circuit public defenders and indigent defense advocates will address successes achieved and challenges still faced by the system. Lawyers from around the state are on the program.

For more information, click here.

Contributor: Katheryn Hayes Tucker in Indigent Defense, Law schools

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Former U.S. ambassador to speak on humanitarian intervention, Syria and international law

by UGA NEWS SERVICE published Thursday, September 19, 2013

Former U.S. Ambassador Lee A. Feinstein will present a lecture on “Humanitarian Intervention and International Law” at the University of Georgia School of Law on Oct. 3 at 12:30 p.m. in the Larry Walker Room of Dean Rusk Hall.

During his talk, Feinstein will discuss the changing notions of international law in light of the experiences of recent humanitarian interventions, and he will explore the implications of these changes in light of the use of chemical weapons in Syria.

Feinstein is currently teaching a course on contemporary issues in international and national security law as the school’s Carl E. Sanders Political Leadership Scholar for the fall 2013 semester. He comes to Georgia Law 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 one 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 is also the co-author of the book “Means to an End: U.S. Interest in the International Criminal Court.

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.

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.
UGA School of Law

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Experts predict more divided decisions when Supreme Court takes on controversial cases in new term.
Experts predict more divided decisions when Supreme Court takes on...

As the Supreme Court prepares to begin a new docket in October, constitutional law experts recently discussed some of the upcoming cases and analyzed what could result from potential new legal interpretations on political tactics, freedom of speech and privacy in the digital age. If the past term is any indication, there may be more division and less harmony in the court's future, according to experts on the American Bar Association panel, "A Conversation on the Supreme Court."

"We had a blockbuster term last June that ended with a series of hotly contested 5-4 decisions involving voting rights and marriage equality," said Jeffrey Rosen, president and CEO of the National Constitution Center.

Erwin Chemerlnsky, dean and distinguished professor at the University of California-Irvine School of Law, said that out of the 73 cases the Supreme Court decided in the 2012-13 term, 23 were resolved with a 5-4 split.

Rosen said the big question for the new term will be whether the high court will continue to divide 5-4 along apparent ideological lines or whether Chief Justice John Roberts will be able to persuade the justices to come together for narrow, unanimous opinions, similar to the past term's affirmative action case, Fisher v. University of Texas.

Affirmative action will make an appearance in the upcoming term as well, with the Supreme Court agreeing to hear Schuette v. Coalition to Defend Affirmative Action, a case with the potential to address questions that remained after the Fisher decision. The court will examine whether a state law that prohibits discrimination or preferential treatment based on race or sex is a violation of the Equal Protection Clause.

"It's very different than any of the other affirmative action cases that have ever come before the court," Chemerlnsky said. "The prior affirmative action cases, whether it's Fisher or Grutter or even back to Bakke, were all about when is it permissible for the government to voluntarily choose to have an affirmative action program?" He said it will be interesting to see how the Supreme Court deals with a state prohibiting affirmative action programs.

Another high-profile case, the National Labor Relations Board v. Noel Canning, involves the validity of the NLRB to act when the board members were appointed by President Barack Obama while Congress was in recess. In order to operate, the NLRB has to have at least three out of five members available to make a decision. In order to get past the Senate filibusters that were stopping the NLRB from taking action, Obama made three recess appointments to the NLRB.

The Recess Appointments Clause in Article 2 of the Constitution states that "the president shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session." When the newly appointed NLRB members ruled against Canning in a case, he sued the board, claiming it did not have the proper authority to make the decision.

Chemerlnsky described the Canning case that came before the NLRB as "a garden-variety kind of labor management matter that comes before the NLRB all the time. There's nothing particularly unique about these facts or even notable."

"What makes this case so important is the way in which the membership of the NLRB had been determined as of the time it was ruling on the union's complaint against Noel Canning," he said.

"The stakes in this are enormous because the NLRB, with these three recess appointments, issued hundreds and hundreds of orders. What if the Supreme Court affirms the D.C. Circuit on any of these grounds? Does that then mean that everything that this NLRB did is overturned?" Chemerlnsky continued. "Earl Warren was a recess appointment to the Supreme Court by Dwight Eisenhower. He presided over the oral arguments in Brown v. Board of Education. His recess appointment wouldn't have been valid under the theory of the D.C. Circuit. This goes back to practices that started in the early 19th century."

A review of the executive branch's use of the Recess Appointments Clause reveals that the issue has remained controversial in the absence of a Supreme Court decision delineating what the framers meant. This case in the upcoming term may finally resolve the ongoing debate.

Another political issue at hand in McCutcheon v. Federal Election Commission is the idea of limiting how much money an individual can contribute to a political campaign. Is setting a limit on how much a person can give to federal election candidates a violation of free speech?

Chemerlnsky said the court previously found in Buckley v. Valeo that contribution limits are allowed, but expenditure limits are unconstitutional. For example, a supporter can only donate a certain amount of money directly to a campaign but can spend unlimited quantities on advertisements to support a particular candidate or issue. After the Citizens United decision, which led to almost $1 billion in new political spending in the 2012 elections, an outcome against contribution limits could once again change the political fundraising landscape.

"It will be fascinating to see if the court really does take the step of abandoning the expenditures/contribution distinction," said Paul Smith, partner at Jenner & Block LLP. Smith said that if the court does abandon the distinction, "basically the entire edifice of campaign finance regulation will come down."
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How far could you run in 24 hours? Twenty miles? Thirty? Maybe 50?

Better question: Could you—or would you—ever run for 24 hours straight? Not likely, you say?

Attorney Joe Fejes does it a lot. Earlier this year he ran 134 miles in 24 hours on the beach in Destin, Fla.

That would be like running on I-20 from Atlanta to Augusta. And the interstate would be covered in sand.

(By comparison, the standard running marathon is a fraction over 26 miles and the record race time is just over two hours.)

Fejes is corporate counsel for a financial services company based in St. Cloud, Minn. No, he doesn't run to work. He works online from an office near his home in Hoschton, near Braselton.

He is a world-renowned ultrarunner, competing in races that can last as long as six days. He just ran in the 2013 24-Hour World Championships in the Netherlands.

During a training break (they don't last long) Fejes, who is 47, talked to the Daily Report about his grueling pursuit.

What has been your most recent ultrarunning accomplishment?

I just returned from Steenbergen, Netherlands, where the 2013 24-Hour World Championship was held on May 10. I represented Team USA along with four teammates against almost 150 other participants representing 34 countries.

I finished 10th overall with 154 miles and our men’s Team USA won the gold medal, beating Japan and Germany. The top three runners for each country are totaled and the team with the most miles wins.

Our women’s team won the gold, too.

Last year in Poland I finished 27th in the world with 147 miles and Team USA took the bronze medal behind Germany and France.

Looking at your results, your ultraraces go back to December 2008. Was that your first ultradistance competition?
Yes, although I ran my first marathon, the Huntsville Rocket City Marathon, in 3:05 as a 15-year-old in 1981. I also ran track and cross-country at Emory University.

After graduating from law school at UGA in 1991 I did very little running for the next 17 years.

In 2008 I decided to run an ultraevent, the Pinhoti 100-mile trail race, that started in Heflin, Ala., and ended in Sylacauga, Ala. Although I dropped at mile 80, my first and only DNF [did not finish], I was hooked on ultrarunning. I have run more than 45 ultras since that race.

Here's the obvious question: Why do this?

Running for 24 hours, or more, strips you down both physically and mentally to appreciate the basic necessities of life—water, sleep, food and rest. It is refreshing to occasionally leave the mental challenges of practicing law at the office.

I also love being part of the Georgia Ultrarunning and Trail Society [GUTS], which is filled with great peeps.

Can you describe a typical week of training for you?

I run between 60 and 100 miles per week, often broken into two runs a day—morning and evening. I incorporate dedicated hill repeats, speed work at the track, and long, slow distance runs in my weekly routine.

What's the longest distance you've ever run at one time?

[Starting] on Jan. 1, 2013, I ran 329 miles in 72 hours at the Across the Years three-day race in Phoenix.

What records do you hold?

The Guinness Book of World Records for miles run in the sand in 24 hours by running 134 miles on the beach in Destin, Fla.; the American record for the three-day run with 329 miles; the American Age Group Record for 100 miles in 14:41.

That race in Destin, on the sand, was one mile out and one mile back. You did that for 134 miles, over and over. What do you think about during a race like that?

I wish I could say I am in deep thought about solving complex world issues but in reality most of the time I am just listening to a catchy country rock tune.

What do you eat during a race that long?

For a 24-hour race I primarily rely on liquid calories: Boost, Succeed, which is similar to Gatorade, Coca-Cola, chicken soup. Occasionally I will eat boiled potatoes, fruit and ham and cheese sandwiches. During my three-day I ate everything in sight on days two and three—sushi with soy sauce, pork and bean burritos, cheese quesadillas, pizza, etc. [Editor's note: There are aid stations along the race routes, but the best runners do not stop, even for bathroom breaks, and they eat and drink on the run.]

What type of shoes do you wear? Do you always have blisters?

I wear Hoka Bondis, which have two-inch-high soles and look like clown shoes. I cut the toe box out of them and it helps prevent toe issues while running extreme distances.

When is your next big race?

I am stepping up to run a six-day race in December at Across the Years, again in Phoenix. I will attempt to break the American record of 577 miles.
UGA to host a conference on public defender system

Posted: Sep 20, 2013 4:03 AM EST
Updated: Sep 20, 2013 4:03 AM EST

ATHENS, Ga. (AP) - The University of Georgia’s law school plans to host a conference on the state’s public defender system.

The daylong conference, "Honoring Gideon’s Promise, Rallying Gideon’s Army," is set for Oct. 4.

It celebrates the 50th anniversary of Gideon v. Wainwright, a U.S. Supreme Court case that says due process requires state governments to provide defense counsel to indigent defendants in criminal cases.

The conference will include four panel discussions and a screening of the 2013 HBO film "Gideon’s Army."

The event is free and open to the public, but registration is required.

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Georgia News Roundup

09.20.13 - 09:30 am
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Georgia community colleges get $5.6 million in grants

ATLANTA (AP) — Two Georgia community colleges have been awarded $5.68 million from the Obama administration to expand partnerships with local employers.

U.S. Department of Labor officials said Thursday that the grants are part of a national pot of $474.5 million.

The grants are aimed at developing programs to help community colleges and universities across the country expand programs to train students to develop skillsets to meet the needs of local employers.

Officials say Central Georgia Technical College will be given more than $2.6 million and Moultrie Technical College will be given more than $3 million.

Labor officials say 57 grants being distributed across the country will help support 190 projects in at least 183 schools in every state, the District of Columbia and Puerto Rico.

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No, Arbitrarily Locking Up People Instead of Restricting Guns Isn’t a Good Option Either

Brian Doherty | Sep. 20, 2013 5:06 pm

Charles Krauthammer looks at the Navy Yard shooting and sees, it isn’t the guns we need to restrict—it’s the crazy people!

He writes of an incident in which the Navy Yard killer Aaron Alexis called cops in Rhode Island last month and said he was hearing voices. Three people were following him, he told the cops. They were sending microwaves through walls, making his skin vibrate and preventing him from sleeping. He had already twice changed hotels to escape the men, the radiation, the voices......

Had this happened 35 years ago in Boston, Alexis would have been brought to me as the psychiatrist on duty at the emergency room of the Massachusetts General Hospital. Were he as agitated and distressed as in the police report, I probably would have administered an immediate dose of Haldol, the most powerful fast-acting antipsychotic of the time. If I had thought he could be sufficiently cared for by family or friends to receive regular oral medication, therapy and follow-up, I would have discharged him. Otherwise, I’d have admitted him. And if he refused, I’d have ordered a 14-day involuntary commitment.

We cannot, of course, be cavalier about commitment. We should have layers of review, albeit rapid. But it’s both cruel and reckless to turn loose people as lost and profoundly suffering as Alexis, even apart from any potential dangerousness.

There are all sorts of things we could do in to violate the rights of citizens because they are in a class that sometimes but really hardly ever goes on to commit a crime. Of course, it’s best, as Krauthammer does, to say it’s not just for our (possibly presumed) good that we do it: it’s for theirs.

Since even in Krauthammer’s best case scenario, he could only have had the chance to drug/lock up Alexis for his disordered sayings for a while, it's
not even clear why he sees this as a solution to what things he might or could have done upon being freed—unless he thinks people who say or seem to think things like that should never be free. This “solution” is like most gun control solutions offered—just one more thing to say that pretends on the surface to be a solution to a problem that would not necessarily have prevented the particular problem we are contemplating.

As Jacob Sullum wrote here the last time a call went up to restrict people who were called mentally ill from owning guns:

mental health professionals are notoriously bad at predicting which of the world’s many misfits, cranks, and oddballs will become violent. “Over thirty years of commentary, judicial opinion, and scientific review argue that predictions of danger lack scientific rigor,” notes University of Georgia law professor Alexander Scherr in a 2003 Hastings Law Journal article. “The sharpest critique finds that mental health professionals perform no better than chance at predicting violence, and perhaps perform even worse.”

So even if the mental-health criteria for rejecting gun buyers (or for commitment) were expanded, there is little reason to think they could distinguish between future Lanzas and people who pose no threat. Survey data from the National Institute of Mental Health indicate that nearly half of all Americans qualify for a psychiatric diagnosis at some point in their lives. That’s a pretty wide dragnet.

Here’s how decent Western justice works: we punish or restrict people for committing crimes, crimes that have already been codified through a hopefully just and transparent process; not for showing signs of thinking or behaving in a manner that in a small minority of cases indicates you are the type of person who might commit a crime—and it doesn’t matter how awful that crime we are guessing you might commit is.

Sometimes the inclination on pundit’s part to offer some, any, public policy solution to tragedy should just be resisted—especially when it leads to ringing calls for preventive detention on a class of people who will, in almost every case, not actually go on to commit mass murder.

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Brian Doherty is a senior editor at Reason magazine and author of Ron Paul’s Revolution: The Man and the Movement He Inspired (Broadside Books).

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It's not over: Plaintiffs' attorney says judge could order promotions and back pay in Darr gender discrimination lawsuit

Published: September 21, 2013
After two years of legal sparring, an eight-day trial and more than 20 hours of jury deliberation that rendered a split verdict, the gender discrimination case brought by two female Muscogee County Sheriff’s Office deputies against Sheriff John Darr is not over.

In fact, it may be a long way from over.

Donna Tompkins and Joan Wynn -- both lieutenants and longtime employees in the sheriff's office -- sued Darr and the city of Columbus when they were denied an April 2010 promotion that went to Charles Shafer, a 30-plus year male jailer whom the women claimed was less qualified.

The U.S. District Court jury decided Wednesday after hearing testimony from all the principals involved that Darr discriminated against Wynn and Tompkins. But in what one juror called a compromise verdict, the jury awarded no back pay, no compensatory damages for emotional distress and no punitive damages.

Both sides walked out of the Columbus federal courthouse last week claiming victory.

Kelly Timmons, a Georgia State University law professor who teaches employment and civil rights law, called it a "split-the-baby verdict." Timmons said she understood why both sides were claiming victory, but it is far more complicated than that.

"It depends on the perspective," Timmons said. "But I would say that it is not a win for either of them. To the extent the county or sheriff claim victory, the jury found there was impermissible discrimination. That is not a victory for the county or the sheriff.

"On the other hand, if the plaintiffs are happy that the jury recognized that the county or the sheriff did wrong, then that is good. But they don't get much more than that."

Edward Buckley, an Atlanta attorney who represented Tompkins and Wynn and has spent more than 30 years arguing discrimination cases across Georgia, disagrees.

"I understand what she is saying, but I think she's wrong," Buckley said of the Georgia State law professor. "And here's why I think she is wrong: By the jury finding liability, it triggers certain rights, commonly referred to as equitable relief. The sheriff could be ordered to do certain things such as promote or give back pay."

Back to Land

The verdict will put the case back in front of Judge Clay Land. The judge made a crucial ruling two months before the case went to trial when he dismissed First Amendment claims by Tompkins and former sheriff's office Maj. Teri Ezell. By the time the case reached court on Sept. 9, Ezell was out as a plaintiff.

Tompkins and Ezell both supported former Sheriff Ralph Johnson when he was defeated by Darr in 2008. They claimed Darr retaliated against them, but Land disagreed. Buckley has said he will appeal Land's decision on the free speech claim to the U.S. Court of Appeals, 11th Circuit.

But before it gets to the 11th Circuit, Buckley still has a case to make to Land in the wake of the verdict.

After a couple of days to digest the verdict, Buckley repeated what he said moments after the trial. He will file motions asking Land to promote both women to captain and compensate them for the $21,000 to $23,000 in wages lost since the 2010 promotion of Shafer. He will also ask for financial compensation for lost wages from the time of the verdict.

City attorney Clifton Fay said the city and Darr will fight those motions and others filed by the plaintiffs.

Land set an Oct. 4 deadline for any motions to be filed by the plaintiffs. Anticipating those motions, the judge has set a response deadline for the defense and a Nov. 18 court date to hear them. In his order setting the court date, Land opened the door for additional testimony that was not heard in the trial.

Buckley said he is also considering other possible motions, including asking Land to order how sheriff's
It's not over: Plaintiffs' attorney says judge could order promotions an...

office promotions occur at certain ranks.

**Tom Eaton**, a University of Georgia law professor with 35 years experience teaching civil rights litigation, said there was "a fundamental inconsistency" in the verdict that has opened the door for future arguments before Land.

"The jury is saying there is a wrong committed, but then no damages are awarded," Eaton said.

Columbus attorney Maxine Hardy, who has been practicing employment and discrimination law for more than two decades and has been involved in cases against the city, said it has been her experience that Land has a lot of leeway at this juncture.

"In my mind, the plaintiffs still have a claim for equitable relief," Hardy said. "The judge has a lot of options available at this point. He can order promotions, back pay, front pay or attorneys' fees."

**Attorneys' fee**

If the jury had awarded damages in any amount -- even $1 -- the city would have been responsible for paying Buckley and his firm for their work. Buckley said he will file a motion with Land asking for attorneys' fees.

Cases of this length and complexity can generate legal fees and expenses of $250,000 or more, said both Hardy and Gwyn Newsom, a longtime Columbus employment law and discrimination attorney. The amount of attorneys' fees are at the judge's discretion.

Timmons said she believes the attorneys for Wynn and Tompkins have a stronger argument for recouping attorneys' fees than they do for getting the judge to order their clients be promoted or given compensation.

"One thing to keep in mind, when both sides are claiming victory it can be an uncomfortable position for the plaintiffs' attorneys," Timmons said.

In two cases against the city that went to trial in the last five years, Newsom and Hardy were awarded legal fees. In a 2008 gender and racial discrimination case filed by former undercover Columbus Police officer Alicia Davenepo, the jury found there was gender discrimination, but not racial discrimination.

Davenport was awarded $5,000 in damages. The attorneys were awarded more than $125,000 in fees and costs, paid by the city.

Former Columbus Police officer Byron Hickey was awarded more than $300,000 in a 2010 retaliation suit against the city. In the Hickey case against the city and police department, about $185,000 in attorney fees and costs were awarded by the court.

"While the attorney fees petitions might appear to be large, they are compensation for hundreds of hours of work over years of time," Hardy said.

**Eaton**, the UGA law professor, said he believes the plaintiffs' attorneys will have a difficult time recovering legal fees from the city. He pointed to a recent ruling by the 11th Circuit, the federal appeals court for Georgia. In Gray vs. Bostic, the appeals court upheld an ruling in the Northern District of Alabama that denied attorneys' fees to lawyers representing elementary school students who were detained and handcuffed by a sheriff's deputy. The jury found for the plaintiffs and awarded $1 in damages. Because it was a civil rights violation case, it is comparable, Eaton said.

"The attorney fees were denied because the damages were not substantial," Eaton said.

Newsom, who has tried a number of discrimination cases, called the verdict "a sucker punch" for the plaintiffs and said additional arguments are going to be difficult because there is a jury verdict that says there was discrimination, but it has no value.
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"I can see where both sides are saying they won this," Newsom said, "but it is a definite monetary win for the city at this point."

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Students look to administration for ‘Double Dawg’ change ahead of Athletic Association meeting

EmbarkUGA

SGA President Austin Laufersweiler is still looking for a solution to the unpopular policy that denied graduate students priority for football tickets. Courtesy EmbarkUGA.

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administration to take up the issue by unanimous consent Tuesday night.

"We, the Student Government Association of the University of Georgia, encourage administrators with authority in the ticket allocation process to provide a short-term solution involving post-season ticket allocations," the resolution reads.

A total of 10 graduate students gathered at the Senate "open forum," a venue for students to voice concerns, to protest the ticketing policy.

Carey Miller, a third-year law student, said he did not receive away game tickets this season, and would probably never receive football tickets from UGA again.

"I encourage you to stand up to the administration," Miller said. "This is the same administration that was willing to throw this body under the bus."

In the wake of a negative and vocal student reaction to the athletic association policy to discount undergraduate hours in the allocation of football tickets to "double Dawgs," many students at the semester's first SGA Senate meeting and on Facebook mistakenly blamed SGA for the change. The Red & Black reported the ticketing office told students it was an SGA policy.

Laufersweiler said administrators are reluctant to change ticketing policy mid-semester for the first time in UGA history.

The resolution estimates 1,680 enrolled "double Dawgs" - graduate students who also attended UGA for their undergraduate degrees. Mosher said that estimate originated in the UGA ticketing office. None of the "Double Dawgs" received football tickets, save one or two exceptions, Mosher said. That figure is a steep decline from the 1,068 tickets awarded to "double Dawgs in 2012. All told, "double Dawgs" received 13.4 percent of all away game tickets awarded last year.

According to the resolution, SGA seeks to mend students' "significant and appropriate frustration."

"We are working to find some way to get reconciliation on this issue and to improve the quality of the football experience for all of those that feel slighted by this policy," Laufersweiler said in a previous Red & Black article. "Our concern is in this case is that the student voice might have been left out of the conversation."

Mosher said the administration has proved "receptive" to student concerns. "This administration, especially President Morehead, is extremely student centered," Mosher said. "I know that President Morehead places student opinion as one of his top priorities."

The origins of the proposal to deny "double Dawgs" football tickets remain unclear. He said the administration has sifted through the minutes of the last six years' worth of athletic association board meetings, with no trace of the policy.

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By Chris Joyner and James Salzer The Atlanta Journal-Constitution

Sept. 22—Two years ago, Stacey Kalberman gave her replacement as director of the state ethics commission some advice: watch out.

The job is political and you can get yourself fired, she told Holly LaBerge, the commission's current director. LaBerge, who recounted the conversation in a deposition taken this summer, said she thought the warning was "a bit odd."

Kalberman and her deputy say they were forced out at the commission amid their investigation into Gov. Nathan Deal's campaign. Both former staffers have sued the state, and the details emerging from LaBerge's depositions in those cases have revived a longstanding complaint: the ethics commission is a poor watchdog with a modest list of accomplishments that is politically beholden to the very officials it is supposed to regulate.

In the deposition, LaBerge said she was recruited by the governor's office for the job and former staffers said she bragged that Deal "owed" her for how she handled the investigation into his campaign. Last week Deal angrily denied meddling in commission affairs, sharply criticizing The Atlanta Journal-Constitution and saying he doesn't know Holly LaBerge. But the court documents renewed questions about the commission's political independence.

The agency has only met twice this year. The AJC reported last year that civil penalties the commission levied for ethics violations had dropped 94 percent in five years. In the court papers that came to light last week, even a recent chairman calls the agency "a train wreck."

"On the one hand, the commission is a prosecutorial body where we're looking into complaints about people violating code sections and things," said former Chairman Patrick Millsaps during his deposition in the Kalberman case. "On the other hand, we're asked to sit as the judge in determining these things fairly as between the people doing the complaining and the prosecutors who happen to work for us."

Kalberman's attorney asked Millsaps whether there was a problem with a governor who is under investigation appointing commissioners.

"It's not just the governor," Millsaps said. "You've got the governor, you've got the Senate and you've got the House and the legislative body that funds the thing. It's a mess."

He left the commission in 2011, a few months after LaBerge was hired.

Steve Anthony, Georgia State University political scientist and former longtime top aide to House Speaker Tom Murphy, said the commission was not designed to be independent.

"It never has been and it never will be. It's inherent in the system," he said.

The commission dates to the post-Watergate 1970s, but Anthony was there when the Legislature tried to strengthen the panel in the 1990s.

He said some top lawmakers knew even then that it would never be truly independent. One House leader, Anthony said, wondered why they were bothering to fund a commission if it couldn't function as an effective watchdog.

Robert Smith, political science professor at Savannah State University and an expert on state ethics commissions, said political interference is a problem at such agencies nationwide.

A major reason is that most commissioners are handed their jobs by their state's most powerful politicians. Splitting those appointments up among several officials, as Georgia does, provides "some sort of balance," but not much, Smith said.

"There needs to be another process to completely insulate the ethics commission from any possible specter of being under political influence," he said. "The only way to do that is to remove the appointment process from politics."

The current commission, whose official name is the Georgia Government Transparency and Campaign Finance Commission, comprises four Republican lawyers, including one who was a lobbyist and a legislative aide to Lt. Gov. Casey Cagle and other powerful senators and another who is a partner for a political strategy firm.

Smith said appointments like that are "too close" to the political process and undermine the commission's independence.

A bill in Georgia -- Senate Bill 49 -- would make the chief justices of the state Supreme Court and the state Court of Appeals responsible for appointing the board. That bill, sponsored by Democrats, has not been taken up by the Republican-led Senate.
Former Gov. Roy Barnes, a Democrat, said he thinks the fact that lawmakers hold the purse strings has meant the commission has never been truly independent.

"The Legislature is always going to want to cut the budget. I had to fund it out of the governor's emergency fund one year," he said. "The way it should be done is you charge a filing fee for everything that comes in, and they keep the money."

McKoon's bill, Senate Resolution 7, would set aside .00025 percent of the state budget -- somewhere between $4 million and $5 million, he estimates -- to operate the ethics commission.

The bill, which did not move out of committee during this year's legislative session, would require voters to approve a constitutional amendment. A similar bill sponsored by Senate Democrats also has not moved.

Rick Thompson, a former director of the commission who now runs a political consulting firm, said how much politics affects the commission depends on who is running it.

"You're going to have (political) influence in the system if the individual you hire allows it," he said. "There were certain politicians who tried to measure ... if I was willing to do something for them."

In a swipe at LaBerge, Thompson said, a director who goes "around boasting that you did something and somebody owes you something" may be perceived to be less than independent. Former staffers at the commission have claimed LaBerge made such statements about her handling of the Deal case, which resulted in most of the major complaints being discharged.

Thompson said today, the agency is not a true ethics watchdog. "I think it takes so long to be able to know what you're doing, and there has been so much turnover, and because of the (leadership) choices they've made," he said.

Democrats have seized upon the new details in the LaBerge deposition to state the obvious: The allegations and continued controversy around ethics commission undermine trust.

"Over the last several years, I -- and I think the Georgia public -- have become increasingly concerned that the ethics commission is not able to be an independent watchdog over elected officials who fund them and appoint them to serve," Senate Minority Leader Steve Henson, D-Tucker, said. "I don't believe it has the public's confidence."

Senate Minority Whip Vincent Fort, D-Atlanta, said the commission has been "denuded" of money and authority in recent years by Republicans in power. He called the end of Kalberman's term as director, coming as it did amid an investigation into Deal's campaign, "as brazen a power play as I've seen down here at the Capitol. I think that was a turning point. What followed was the politicization of the commission."

In sworn testimony, LaBerge has claimed she was contacted by Deal's office to gauge her interest in Kalberman's job a month before Kalberman's showdown with the commission over a cut in her salary. After taking the job, LaBerge said she began the task of narrowing the Deal probe. Other commission staffers claim LaBerge ordered documents removed from the governor's file.

"If what we are hearing is in fact true, this commission is politicized to the point of not only being ineffective, but part of the cover up," Fort said.

When the Democrats were in power and appointing the commissioners, the Republicans were the ones who cried foul, but some Democrats did not think it was independent, either.

Lewis Massey, a former secretary of state and a longtime lobbyist, was hit with an ethics charge during his run for governor in 1998. Massey was accused of taking a contribution during an earlier campaign from an entity he regulated. Massey argued at the time that the commission was biased in favor of Barnes, his Democratic primary opponent, because the chairman and vice chairman had contributed to Barnes.

"In our experience in the late 1990s, it is no secret that we felt some of the commission members were not objective in their deliberations," he said.

For her part, LaBerge wondered whether Kalberman's own political agenda shaped the investigation into Deal and another complaint against a consulting firm that paid to take House Speaker David Ralston, R-Blue Ridge, to Europe in 2010.

"I'm not sure how you can be unbiased when you're handling cases if you are looking through the lens of a political motivation," she said in her deposition. "So it was very obvious to me that she was looking at these two high-profile Republican cases as being political in some form or fashion."

She said she "really didn't trust" Kalberman. That distrust appears to be a common reaction to the state's primary ethics agency.

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The state ethics commission

Kevin Abernethy, chair

A partner at law firm Hall Booth Smith, Abernethy was appointed by Lt. Gov. Casey Cagle in 2010. Before his appointment, Abernethy was Cagle's deputy legislative counsel and served as a legislative aide to Senate leaders. He also is a registered lobbyist. In the past he represented the Buckhead Coalition, Gwinnett Hospital System and New Jersey-based Summit Energy Partners.

He has contributed small sums to Republican candidates, including Cagle and Rep. Mike Jacobs, R-Brookhaven. He is a graduate of the University of Georgia and Georgia State University law school.

Hillary Stringfellow, vice chair

A lawyer for Brunswick firm Gilbert, Hall, Sumerford & Martin. Before serving on the ethics commission, Stringfellow served on the Judicial Nominating Commission. She was appointed by House Speaker David Ralston in 2010. She received both her undergraduate and law degree from the University of Georgia.

Heath Garrett

A lawyer for Turner, Bachman & Garrett and a partner with Stevens and Schreiber, a political campaign strategy firm. Garrett is U.S. Rep. Johnny Isakson's former...
chief of staff. He has been a political strategist for Attorney General Sam Olens, Secretary of State Brian Kemp and the Georgia Republican Party. He graduated from the University of Georgia for both his undergraduate degree and his law degree.

Gov. Nathan Deal appointed him to the ethics commission in 2011.

Dennis Cathey

A founding partner at Cornelia law firm Cathey & Strain, Cathey was appointed to the ethics commission in 2011 by Deal. He is a former president of the Georgia Trial Lawyers Association and served on the Judicial Nominating Commission and on the State Bar Association's committee on state legislation.

He also received both his undergrad and law degrees at UGA.
Miller Canfield

The law firm of Miller Canfield announces that patent agent Kelly M. McGlashen has joined the Intellectual Property Group in the Detroit office. She will enhance the firm’s nationally respected Intellectual Property group.

McGlashen is a credentialed engineer with a focus on mechanical and biomedical arts. After earning bachelor’s and master’s degrees in mechanical engineering from the University of Michigan, she served as a patent examiner with the U.S. Patent and Trademark Office (USPTO) in Washington, D.C., where she focused on medical technology. After two years with the USPTO, she spent the last 15 years as a patent agent for several private law firms in Michigan, Illinois and in Boston, Massachusetts. She has helped clients from several industries, including automotive, medical, and consumer electronics, as well as a top East Coast research university manage its intellectual property portfolios.

She is registered to practice before the United States Patent and Trademark Office. She is a member of the American Intellectual Property Law Association.

Additionally, Miller Canfield announces that Dawn M. Schluter, a principal in the Troy, office and leader of the Personal Services Group, has been appointed chair of Women of Miller Canfield, the firm’s internal standing committee of women lawyers.

Schluter said, “I have been at Miller Canfield for 25 years. I have had the opportunity to practice with lawyers who were greatly committed to and invested in my professional success. It is the goal of Women of Miller Canfield to share the wealth of that type of commitment and investment with all the women lawyers at Miller Canfield. The success of women lawyers is important. It is important to each of us individually. It is important to our clients and it is important to us as a firm.” Schluter has experience in estate planning, wealth transfer planning, taxes, and family law matters. She received her law degree from Wayne State University Law School and her B.A. from Kalamazoo College.

Miller Canfield also announces that Joni Thrower-Grundy has been appointed the firm’s Diversity director. She will oversee implementation of the firm’s commitment to develop and maintain a multicultural workforce, a culture of inclusion and serve as primary spokesperson on diversity issues. She will also continue in her capacity as a senior attorney in the Financial Institutions and Transactions Group.

“As a premier Michigan law firm, Miller Canfield will boldly embrace the full spectrum of diversity,” Thrower-Grundy said. “In my role as Diversity director, I will ensure this position is visible to the community, clients and employees through rigorous recruitment efforts, innovative retention policies and sponsorship of forward-thinking community initiatives.”
In addition to recruiting and retaining talent, Miller Canfield’s diversity plan includes providing continuous in-house training for all members of its legal team and expanding internal affinity groups and relationships with external organizations. For more information, visit www.millercanfield.com/Diversity.

Collins, Einhorn, Farrell


Trent Collier represents Collins Einhorn on the list of “Rising Stars.”

Slank has been selected among the Michigan Super Lawyers in each of the publication’s eight years rating attorneys in the state and returns to the Top 100 Michigan Super Lawyers for the fourth consecutive year. The Wayne State University Law School alumna also was honored among the Top 50 Women for the sixth year in a row. She has practiced in the state and federal appellate courts since 1980 with an emphasis on the defense of medical and legal malpractice actions, insurance coverage disputes, and the defense of catastrophic personal injury cases. Like Slank, Sullivan and Hebert earned their eighth Michigan Super Lawyer selections. Sullivan has 30 years of litigation experience. In the professional liability arena, the University of Detroit School of Law alum has defended attorneys, physicians, accountants, architects, engineers, real estate appraisers, real estate brokers, and title agents in defense of significant claims involving personal injury, property damage, and business loss.

Hebert is a five-time honoree among the Top 50 Women Michigan Super Lawyers. Her specialties are appellate litigation and insurance coverage. Hebert has served for nearly 30 years as lead counsel in hundreds of appeals at both the state and federal levels. A considerable portion of her practice today is devoted to preparing coverage opinions and drafting dispositive motions and appeal briefs in declaratory judgment actions.

Asoklis, a six-time Michigan Super Lawyers selection, has focused her practice on professional liability claims, and attorney and judicial disciplinary proceedings for more than 20 years. The Wayne State University Law School alumna also maintains an active general liability defense practice, including claims arising out of auto and trucking accidents, and complex premises liability matters.

Einhorn has been named among the Michigan Super Lawyers for each of the past seven years. For more than four decades, he has been at the forefront of legal issues affecting lawyers, judges, courts, businesses and insurers. The Wayne State University Law School alum has litigated numerous court cases and disciplinary proceedings that have shaped Michigan law with issues ranging from lawyers’ potential liability to clients for defamation, to judicial candidates’ free speech rights.

Hildenbrand is a seven-time Michigan Super Lawyers selection. For more than 25 years, the University of Georgia School of Law alumna has represented employers and other defendants in employment, professional liability and general liability actions. Her employment defense practice encompasses both private and public sector employee claims (including claims arising from municipal and school employment) in
state and federal court.
Farrell, who was named Michigan Super Lawyers for the fifth consecutive year, concentrates his practice on multi-party, complex litigation, including litigation in the areas of environmental torts, product liability, toxic torts and emerging claims. The University of Detroit Mercy School of Law alumn’s trial experience spans more than three decades and includes approximately 100 cases to verdict.
Casey also is a five-time Michigan Super Lawyers honoree. The St. Louis University School of Law alum has nearly three decades of experience in insurance coverage and indemnity contract matters, including preparing opinions, declaratory judgment actions and other litigation, appeals and alternative dispute resolution. His practice includes a broad range of general liability, construction, environmental, asbestos, toxic torts, automobile, homeowners, professional liability, umbrella/excess, and other specialty coverage matters.
Anderson, who earned his fourth Michigan Super Lawyers selection, focuses his practice on the defense of professional liability claims. For more than 15 years, he has successfully defended lawyers, accountants and a variety of insurance and real estate professionals. The University of Detroit Mercy School of Law alum also maintains an active general liability defense practice, including claims arising out of product liability matters, automobile liability, as well as complex premises liability matters.
Brown and Graves make their first appearance on the Michigan Super Lawyers list. Brown’s work is focused primarily on the defense of medical and legal malpractice cases at the appellate level. The University of Michigan Law School alum also handles a variety of professional, commercial, and general liability appeals.
Graves concentrates her practice on the defense of professional liability claims and has represented both attorneys and health care professionals. The Wayne State University Law School alumna also is involved in the defense of general liability matters.

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**Brinks Hofer Gilson & Lione**
Kelly Burris, managing partner of the Detroit office of Brinks, Hofer, Gilson, & Lione served as a conference speaker at The Battery Show 2013 held Sept. 17, 18 and 19.
At Brinks, Burris is chair of the Green Technology Practice Group and focuses her practice on patent applications in the mechanical, materials science and electrical arts. She also performs intellectual property due diligence for mergers and acquisitions and manages corporate IP portfolios and policies.

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**Demorest Law Firm, PLLC**
Demorest Law Firm PLLC is pleased to announce that two attorneys have been selected by “Super Lawyers” for 2013. Managing member Mark Demorest was selected as a Super Lawyer in the practice area of business law, while associate Melissa Demorest was named a Rising Star in business law.
Mark Demorest graduated from the University of Michigan Law School in 1983.
Mark’s professional experience includes the Massachusetts Attorney General’s Office and nearly 30 years of practice. He founded the Demorest Law Firm PLLC in September of 1998. Mark is on the Commercial Advisory Committee for the American Arbitration Association, and serves on the Board of Directors for U.S. Lacrosse
Mark is also an interviewer for Harvard College Admissions Office.
Additionally, Mark will serve as an arbitrator, mediator, or facilitator at Demorest Dispute Resolution LLC.
Melissa Demorest focuses her practice on business formation, mergers and acquisitions, and other business transactions. She serves as outside general counsel for many small businesses, providing guidance in employment, real estate, contract, and other business matters. Melissa also has experience with woman-owned businesses. Melissa also leads the firm's appellate practice. Melissa serves on the Board of Directors for the Dearborn Area Chamber of Commerce.

McKeen & Associates PC
McKeen & Associates announced attorney Horia Neagos has joined the firm as an associate.
Neagos will focus his practice in the areas of medical malpractice, wrongful death, general negligence and birth trauma. Prior to joining McKeen & Associates, he served as a litigation attorney for a western Michigan-based firm, where he worked in a variety of practice areas, including family law and personal injury.
He also has experience in criminal law, in which he has represented both the prosecution and defense at different times. His work on the prosecution side includes two years as assistant prosecuting attorney in the Wayne County Prosecutor's Office.
He graduated from Michigan State University College of Law. He also earned a B.A. in Social Studies and Liberal Arts from Spring Arbor University.

Neagos is admitted to practice in the State of Michigan and U.S. District Court Western District of Michigan. He is a member of the State Bar of Michigan, Prosecutor's Association of Michigan, Detroit Metropolitan Bar Association, and Muskegon Bar Association.

Clark Hill PLC
Daniel H. Minkus has been named the recipient of the 8th Annual Stephen H. Schulman Outstanding Business Lawyer Award by the State Bar of Michigan Business Law Section.
Minkus is a member with Clark Hill PLC in Birmingham. Although he never had the opportunity to take a class taught by Schulman at Wayne State University School of Law, Minkus knows what a great honor it is to be associated with the name of the former Wayne State professor.
“He is a legend and I am extremely honored to be associated with him and this award,” said Minkus, a 1985 graduate of Wayne State Law School. “I am humbled to be named with all the great leaders who have received this award.”

Minkus practices in the Corporate Practice Group at Clark Hill and concentrates in the areas of business and real estate, advising and counseling clients with respect to a wide range of matters. He will be presented the Schulman Award during the State Bar of Michigan Business Law Section's annual meeting on September 26.
A long-time member of the section, Minkus is a past chairman and served on the Council from 1994-2001. He has been the chairman of the Section's Unincorporated Enterprises Committee since 1991 and has been active in the Institute for Continuing Legal Education. He has served as the director of training for the section's Business Boot Camp.

Minkus also has been regularly recognized as one of a handful of top Tier One M&A lawyers by Chambers USA, as a top lawyer by The Best Lawyers in Michigan and has
been interviewed by the media as an expert in Michigan business law throughout his career.

Minkus has authored several articles, and lectures frequently, on a variety of business topics and is a contributing author to the book Michigan Contract Law and Michigan Business Formbook.

Minkus also has been very active in the local community serving in his 22nd year on the Board of Directors of the Michigan Humane Society (chairman 1989-1998); he is the former state sports director for soccer for Michigan Special Olympics; he is a past member of the Board of Directors of Leadership Oakland (President 1998-1999), an organization which fosters community leadership and involvement; and he has served as a member of volunteer committees for United Way Community Services in Detroit.

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**Strobl & Sharp P.C.**

Leave A Legacy, Southeast Michigan, has named attorney Marc Melamed of Strobl & Sharp PC as one of its co-chairs for 2013-2014. Three co-chairs will oversee a regional public awareness campaign in southeast Michigan focusing on the need for individuals to support their favorite charities through a charitable bequest in their wills or estate plans.

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**Jaffe Raitt Heuer & Weiss, P.C.**

Peter Sugar, a partner at Jaffe, Raitt, Heuer, & Weiss PC has been selected by Best Lawyers as a “2014 Lawyer of the Year” in his practice area. Sugar received his Lawyer of the Year award in corporate law, mergers and acquisition law, securities/capital markets law and securities regulation. Sugar represents both private and public companies in securities regulation, financing transactions, acquisitions and divestitures, e-commerce and corporate law. Sugar also counsels emerging companies in formation, financing and governance of business, including equity, debt and hybrid capitalization transactions.

Sugar received both his bachelor’s degree and law degree from Wayne State University. Sugar has been honored in The Best Lawyers in America for at least 10 years and has received multiple Super Lawyer awards, in addition to a DBusiness Top Rated Lawyer, Donald H. Gordon Award for Teaching Excellence and the Richard J. Barber Wayne Law Review Alumni Achievement Award.

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**Williams, Williams, Rattner, & Plunkett PC**

Richard D. Rattner from Williams, Williams, Rattner, & Plunkett PC in Birmingham has been selected as the Lawyer of the Year 2014 in Litigation – Land Use and Zoning Law in the Detroit metropolitan area by The Best Lawyers in America.

Rattner, also has been selected for inclusion in Thomson Reuters' list of the “The Top 100” Michigan attorneys listed in SuperLawyers 2013.

Rattner is a partner whose law practice focuses on real estate, land use, zoning, and corporate law.

Additionally, five attorneys from the firm have been selected for inclusion in The Best Lawyers in America 2014. James P. Cunningham is a partner whose law practice focuses on family law; John F. Mills is a partner whose law practice focuses on family law, with an emphasis on family law alternative dispute resolution and adoption law; Thomas G. Plunkett is a partner whose law practice focuses on commercial litigation, estate and trust administration and family law; Richard D. Rattner is a partner whose...
law practice focuses on real estate, land use, zoning and corporate law; and R. Jamison Williams Jr. is a partner whose practice focuses on corporate law, mergers & acquisitions law, and business and estate planning.

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**Sommers Schwartz**

Sommers Schwartz is pleased to announce that two attorneys have recently joined the firm. Amy L. Marino is an associate in the Complex Litigation group, focusing her practice on class actions. Marino earned a Bachelor of Science in Psychology with a concentration in Behavioral Neuroscience from Yale University, and her law degree from Thomas M. Cooley Law School. At Cooley, Michelle D. Trent joins the Medical Malpractice and Personal Injury groups after a successful internship with the firm. After receiving her undergraduate degree in Marketing from the Eli Broad College of Business at Michigan State University, Trent earned her law degree at Thomas M. Cooley Law School.

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**The Health Law Partners, PC**

Southfield-based The Health Law Partners has been honored as one of Inc. Magazine's 5,000 Fastest Growing Companies. The HLP Founding Shareholder Carey Kalmowitz made the announcement.

"Appearing on this prestigious list is an absolute honor," said Kalmowitz. "The exponential growth and transformation of the health care industry has fostered an opportunistic environment for the firm to showcase its collective experience and knowledge in an acute area of law. Our listing is a testament to the firm's commitment to delivering superior service and progressive results for our clients."

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**Ossian Law PC**

Ossian Law PC is pleased to announce that founder and CEO Kathy Ossian has become a member of LexAdvantage. This Michigan-based network is made up of independent, highly experienced legal practitioners poised to address all aspects of commercial transactions and litigation. LexAdvantage members offer a client-centric, results-oriented approach with competitive, flexible and predictable fee structures. More information on LexAdvantage can be found at www.lexadvantage.com. Ossian Law PC, based in Ferndale, focuses exclusively on Information Technology Law. More information is available at ossianlaw.com.

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**Continuing Legal Education International**

Continuing Legal Education International, a provider of ongoing professional education programs throughout the United States and Canada, will host a two-day event titled, “Eminent Domain: Impact of Political & Economic Forces.” Darius Dynkowski, program chair for the event, made the announcement. The conference will take place in Cleveland from Sept. 30 through Oct. 1, and will include more than a dozen presentations on eminent domain issues for attorneys, government and municipal employees, developers, planners, appraisers, engineers and real estate professionals. Topics of discussion will include case law and legislative updates, challenging the right to take, appraising utility easement, tenant rights,
opening statements and closing arguments, and more.

“This event will provide critical insight and exploration into eminent domain issues affecting a wide breadth of professionals involved in the eminent domain process,” said Dynkowski. “With more than a dozen presentations from prominent eminent domain authorities, attendees will have the opportunity to learn more about the eminent domain process, garner best practices for dealing with land takings and analyze new developments in eminent domain proceedings.”

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**National Judicial College**

State Court Administrator Chad C. Schmucker has been chosen to serve as the 8th president of the National Judicial College in Reno, Nevada. The NJC’s Board of Trustees recently announced the appointment.

Schmucker will join the NJC in mid-November. He will start as the NJC’s president as of Jan. 1, 2014.

Michigan Supreme Court Chief Justice Robert P. Young Jr. said Schmucker helped drive important reforms for Michigan’s justice system. “Without a doubt, Judge Schmucker’s vision, ability, and courage began a transformation of Michigan’s judiciary,” Young said. “With his leadership, we eliminated unnecessary judgeships and consolidated trial court leadership for greater efficiency and accountability. He led the effort to have our courts use performance metrics to analyze and improve public service. Michigan courts expanded their use of technology, with a wide range of benefits to the public. Thanks in large part to Judge Schmucker, our state courts are working smarter for a better Michigan.”

Young added, “Judge Schmucker will be much missed here. The National Judicial College has certainly chosen one of Michigan’s best and brightest to lead it.”

Schmucker said he was honored by the NJC’s decision. “I look forward to continuing the NJC’s great work of educating judges throughout the country,” he said. But, Schmucker added, “I have mixed emotions about leaving Michigan, which has been my home all my life, and about leaving the State Court Administrative Office. It’s been my privilege to work with many talented people at SCAO who are dedicated to helping the courts do their best possible work.”

Schmucker is the second Michigan State Court Administrator to be tapped for the NJC’s top post. Judge V. Robert Payant served as a district, circuit, and probate judge in the Upper Peninsula before serving as State Court Administrator from 1985-1988.

Payant also served as NJC president from 1990-1998.

Schmucker became the Michigan State Court Administrator in 2011, after 20 years as a Jackson County Circuit Court judge. As a judge, he helped start four problem-solving courts in Jackson including felony drugs/alcohol, domestic violence, family dependency, and mental health. As State Court Administrator, he oversaw management of the state’s 246 trial courts, implemented a Michigan version of trial court performance measures, and developed a plan for court governance to promote cooperation and efficiency among courts.

**Comments**

No comments

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Marietta attorney disbarred by court

By Lindsay Field
Ifield@mdjonline.com

MARIETTA — The Supreme Court of Georgia on Monday disbarred a local attorney after multiple complaints were filed against her, including one allegation that she withheld part of a $125,000 settlement from a client.

Carin Astrid Burgess of Marietta, who according to the State Bar of Georgia has practiced law since 1992 after earning her law degree from the University of Georgia, was disbarred by the Supreme Court in response to six separate complaints filed by clients.

Complaints included her not paying a portion of a settlement, failing to tell a client that her divorce was finalized, not paying State Bar dues and not returning legal fees or files after not telling her client about a divorce hearing.

Disbarment was recommended despite Burgess not having a prior disciplinary history, the decision states.

But aggravating factors included "dishonest or selfish" motives, patterns of misconduct, multiple offenses, refusal to acknowledge the wrongful nature of her conduct and "indifference to making restitution," the decision states.

It also says that a report by the State Bar of Georgia notes that Burgess has violated their rules 16 times.

In Burgess' reply to the accusations, she requested a two-year suspension but it was denied.

"We find disbarment to be the appropriate sanction and hereby order that the name of Carin Astrid Burgess be removed from the rolls of persons authorized to practice law in the State of Georgia," the high court decision concluded.

Burgess declined to comment on the decision when contacted by phone Monday afternoon.

According to Nancy Nydam with the Department of Public Health, Burgess was an attorney for the state department until Sept. 15 of this year, but she said they had no knowledge of any issues between Burgess and the State Bar.

Burgess' LinkedIn profile states that she had worked at the state department since 2010. Prior to that, she ran her own firm in Marietta and was also an attorney with the Fulton County District Attorney's Office before that.

Being disbarred

Paula Frederick, an attorney with the State Bar of Georgia, said it is rare for a lawyer to be disbarred.

Between May 1, 2012, and April 30, 2013, there were 28 lawyers disbarred in Georgia, and the State Bar recorded having 42,500 members during that same time period. There were 29 lawyers disbarred in 2011-2012, and 33 in 2010-2011.

There are opportunities for disbarred attorneys to practice again in Georgia if they apply for readmission five years after the date of the disbarment order, although it is rare for a formerly disbarred lawyer to be readmitted that soon.

"The applicant must go through the same process that a law school graduate goes through," Frederick said.

This includes an attorney demonstrating that they are "fit to hold a position of trust" by submitting an application and $3,500 fee, and the disbarred attorney must pass the bar exam, which is only given twice a year.
Law blog panel discusses future of Supreme Court, journalism

By Aaron Hale
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News junkies interested in law, politics, journalism and digital technology saw a different side of the U.S. Supreme Court during a Sept. 9 forum at the Richard B. Russell Building centered on SCOTUSblog.

Panelist Tom Goldstein, the co-founder and publisher of SCOTUSblog, described the website as a “comprehensive information source about one topic”—the Supreme Court.

“We’re completely fan-boy obsessed with it,” Goldstein said.

SCOTUS is an acronym for Supreme Court of the United States. SCOTUSblog is a website featuring contributions from legal experts and journalists on the Supreme Court and issues coming before the court.

SCOTUSblog was recognized this year with a George Foster Peabody Award, making it the first blog to win such an honor.

The Peabody Awards, housed within the Grady College of Journalism and Mass Communication, recognize distinguished achievement and meritous service by broadcasters, cable and webcasters, producing organizations and individuals.

In recognition of the award, the Grady College and the School of Law hosted the forum as a way to delve deeper into a number of topics relevant to SCOTUSblog and the topics it covers.

The forum featured Goldstein, who—in addition to serving as SCOTUSblog publisher and contributor—has argued 28 cases before the Supreme Court; Amy Howe, an attorney, constitutional law professor, and co-founder and editor of SCOTUSblog; Pete Williams, an NBC News correspondent covering the Justice Department and the Supreme Court; Tony Mauro, a 31-year veteran journalist of the Supreme Court, who currently writes for several print and online publications; and Janet H. Murray, a Georgia Tech professor and member of the board of directors for the Peabody Awards.

Jeff Jones, director of the Peabody Awards, moderated a discussion about the blog and its rise to prominence.

It was only a few years ago that blogs hardly were taken seriously as sources for news and commentary.

SCOTUSblog has helped change that dynamic, Jones said.

Over time, the blog has evolved into what it is today: a site read by lawyers, justices of the court and individuals.

See BLOG on page 8

Law conference to examine indigent defense in Georgia

By Russell Gabriel
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The School of Law is hosting a daylong conference that will focus on Georgia’s public defender system. “Honoring Gideon’s Promise, Rallying Gideon’s Army” will begin Oct. 4 at 9 a.m. in Classroom B of Hirsch Hall. The conference is free and open to the public; registration, however, is required.

The event celebrates the 50th anniversary of Gideon v. Wainwright, the case in which the U.S. Supreme Court unanimously held that due process requires state governments to provide defense counsel to indigent defendants in criminal cases.

Through a series of four panel discussions and a screening of the 2013 HBO film Gideon’s Army, the conference will address Georgia’s current public defender system, which is now in its ninth year of operation.

Registration for the conference is free and can be completed at http://law.uga.edu/honoring-gideons-promise-rallying-gideons-army-conference. Lunch is $10 and CLE credits are available to lawyers for $45, both of which can be purchased through the online registration.
Democrat Dious enters race to replace Broun

By NICK COLTRAIN updated Monday, September 23, 2013 - 11:21pm

The Democrats have a contender for the 10th Congressional District.

Ken Dious, an Athens lawyer, formally threw his hat in for the party Monday, after weeks of consulting with party members throughout the state. He's the only Democrat to announce for the seat and the first to run from that party since 2010.

That year, Rep. Paul Broun, now a U.S. Senate candidate, thumped Democrat Russell Edwards, pulling in more than 67 percent of the vote. In 2012, no Democrat filed for the district, leading to a write-in campaign for Charles Darwin, the father of the theory of evolution.

Dious was straightforward on why he didn't pursue the seat in the last election: Broun was an incumbent in a predominantly Republican district. But now, he's fighting to stop the continuation of what he describes as dangerous ideas, even if Broun isn't running again.

"From what I can tell, they're all another Paul Broun, saying, 'Let's shut down the government,'" Dious said of six Republicans hoping to replace Broun.

Doing so, Dious cautioned, would bring about another "tidal wave of recession," as crashing markets claim retirement funds and those depending on Social Security checks find their mailboxes empty. He instead will be embarking on a mission of asking voters to vote in their best interest, not party affiliation.

"I think a lot of people in my district, if they vote with the 'R' lever, they're going to be voting against their own interests," he said, listing off things like health care to help the uninsured gain coverage and what he characterized as the failed theory of trickle down economics, popularized during the Reagan administration.

Dious said he's well aware of the problems faced by 10th District voters,
Democrat Dios enters race to replace Broun

with his 40-year-old law firm drawing its roots in Athens-Clarke and surrounding counties. The problems are much the same as the rest of the country: lack of jobs and industry coupled with a crumbling education system.

Dious pitched the idea of tax reforms, both the carrot of incentive and stick of penalties, to encourage multinational businesses to bring plants back to the United States. And education needs to be removed from federal governance and back to the local level, where a district can set “its own destiny.”

He also toed the line of what could be talking points for his eventual GOP contender, should the Democratic field remain barren: “You can’t borrow your way out of a deficit” and the need to end entitlements. But instead of immediate slashing, evidenced by the $39 billion cut to the federal Supplemental Nutrition Assistance Program the GOP-dominated House of Representatives approved last week, he advocated for a 10- to 15-year plan to ease the country and its dependents off such programs and avoid shocking individuals or the economy.

Dious also called for looking at loopholes to close, particularly for the wealthiest of Americans, as opposed to changes to the tax structure. Several, if not all, of the GOP field have advocated for switching the federal revenue stream to a sales-tax oriented system.

Dious isn’t a political stranger. He’s on the executive committee of the Clarke County Democrats as vice chair of special projects; drew an alternative map during the 2011 local redistricting process; represented former Commissioner Alvin Sheats after a razor-loss in a 2002 primary that was briefly challenged; and even ran for the state House of Representatives years ago. In his office, leaning against a corner, are the banners from when he was a delegate to the Democratic National Convention in 2008.

Professionally, he’s maintained his law practice since 1974. All of his degrees — a bachelor’s in business finance, a master’s of education in math and a law degree — came from the University of Georgia. He also earned a roster spot on the football team, becoming one of the first African Americans to break through that barrier in the Southeastern Conference.

Follow business and government reporter Nick Coltrain at Facebook.com/NickColtrainABH or on Twitter @NColtrain.
BIRMINGHAM, Ala. - LSU's Stephen David Beck, William A. Clark and Roland W. Mitchell were selected as 2013-14 SEC Academic Leadership Development Program Fellows announced Tuesday by the league office. In total, 49 faculty and administrators from SEC universities earned the honor.

Beck is an Associate Dean in the College of Music & Dramatic Arts, Clark is a Department Chair of Political Science and Mitchell is an Associate Director in the School of Education.

The SEC Academic Leadership Development Program (ALDP) is a professional development program that seeks to identify, prepare and advance academic leaders for roles within SEC institutions and beyond. It has two components: a university-level development program designed by each institution for its own participants and two, three-day, SEC-wide workshops held on specified campuses for all program participants.

This year's workshops will be held Oct. 14-16 at the University of Georgia in Athens, and February 5-7, 2014 at the University of South Carolina in Columbia.

"The individuals selected by their SEC universities to participate in the SEC Academic Leadership Development Program represent the future of higher education administration," said Torie Johnson,
SECU Executive Director. "The leadership skills they already possess are sure to be enhanced by the SEC ALDP experience."

Using its SECU academic initiative, the SEC sponsors, supports and promotes collaborative higher education programs and activities involving administrators, faculty and students at its member universities.

The SEC ALDP, established in 2008, fosters academic leadership among SEC faculty by allowing them the unique opportunity to address the challenges of academic administration at major research universities.

A complete list of the 2013-14 SEC Academic Leadership Development Program Fellows is below.

Philo A. Hutcheson, University of Alabama, Department Chair, Educational Leadership, Policy & Technology Studies
Yvette Murphy-Erby, University of Arkansas, Director, School of Social Work
Michael T. Kidd, University of Arkansas, Department Head, Poultry Science
Kate Mamiseishvili, University of Arkansas, Interim Department Head, Rehabilitation, Human Resources & Communication Disorders
Rajiv Sabherwal, University of Arkansas, Department Chair, Information Systems
Jennifer Wood Adams, Auburn University, Director, School of Communication & Journalism
Sushil H. Bhavnani, Auburn University, Program Chair, Mechanical Engineering
Richard Burt, Auburn University, Head, McWhorter School of Building Science
Christopher M. Janelle, University of Florida, Interim Associate Dean, College of Health & Human Performance
Spiro K. Kiousis, University of Florida, Executive Associate Dean, College of Journalism & Communications
Rowan Milner, University of Florida, Department Chair, Small Animal Clinical Sciences
Julian A. Cook, III, University of Georgia, Professor, School of Law
Tracie Costantino, University of Georgia, Co-Chair, Art Education Program
Sarah F. Covert, University of Georgia, Associate Dean for Academic Affairs, Warnell School of Forestry & Natural Sciences
Tom Reichert, University of Georgia, Department Head, Advertising & Public Relations
Nancy C. Jones, University of Kentucky, Department Chair, Theatre
Douglass S. Kalika, University of Kentucky, Department Chair, Chemical & Materials Engineering
Sue Roberts, University of Kentucky, Professor, Department of Geography
Deirdre A. Scaggs, University of Kentucky, Associate Dean, Special Collections
Stephan David Beck, Louisiana State University, Associate Dean, College of Music & Dramatic Arts
William A. Clark, Louisiana State University, Department Chair, Political Science
Roland W. Mitchell, Louisiana State University, Associate Director, School of Education
William W. Berry, III, University of Mississippi, Assistant Professor, School of Law
John C. Garner, III, University of Mississippi, Interim Department Chair, Health, Exercise Science & Recreation Management
Ethel Young-Minor, University of Mississippi, Associate Professor, College of Liberal Arts
Charlotte Fant Pegues, University of Mississippi, Assistant Provost, Department of Leadership & Counselor Education
Jeralynn S. Cossman, Mississippi State University, Department Head, Sociology
Jason E. Lueg, Mississippi State University, Department Head, Marketing, Quantitative Analysis & Business Law
J. Mike Phillips, Mississippi State University, Department Head, Plant & Soil Sciences
Julia Porter, Mississippi State University, Division Head, Education
Stephen P. Ferris, University of Missouri, Senior Associate Dean, College of Business
Jana M. Hawley, University of Missouri, Department Chair, Textile & Apparel Management
Sandy Rikoon, University of Missouri, Associate Dean for Research & Graduate Studies, College of Human Environmental Sciences
Gregory E. Triplett, Jr., University of Missouri, Director of Undergraduate Studies, Electrical & Computer Engineering
William D. Anderson, III, University of South Carolina, Associate Dean, School of Medicine
Cynthia J. Davis, University of South Carolina, Graduate Director, English Language & Literature
Valinda W. Littlefield, University of South Carolina, Department Director, African-American Studies
Joseph Rackers, University of South Carolina, Program Director, School of Music
Susan M. Benner, University of Tennessee, Associate Dean, College of Education, Health & Human Sciences
Joanne M. Hall, University of Tennessee, Professor, College of Nursing
Veerle Keppens, University of Tennessee, Associate Dean for Faculty Affairs, College of Engineering
Annette L. Ranft, University of Tennessee, Associate Dean, College of Business Administration
George Cunningham, Texas A&M University, Associate Dean, College of Education & Human Development
Sumana Datta, Texas A&M University, Executive Director, Honors & Undergraduate Research
Rosana G. Moreira, Texas A&M University, Assistant Department Head, Biological & Agricultural Engineering
John N. Stallone, Texas A&M University, Acting Department Head, Veterinary Physiology & Pharmacology
UGA welcomes new faculty

Center for Health and Risk Communication
and professor, advertising and public relations;
and Bartosz Wojdynski,
assistant professor, journalism.

School of Law
Jason Alexis Cade, assistant professor; Nathan Seth Chapman, assistant professor; and Christina M. Mulligan, assistant professor.

Former US ambassador to speak on humanitarian intervention, Syria

Former U.S. Ambassador Lee A. Feinstein will present the lecture "Humanitarian Intervention and International Law" at the School of Law Oct. 3 at 12:30 p.m. in the Larry Walker Room of Dean Rusk Hall.

During his talk, Feinstein will discuss the changing notions of international law in light of the experiences of recent humanitarian interventions, and he will explore the implications of these changes in light of the use of chemical weapons in Syria.

Feinstein currently is teaching a course on contemporary issues in international and national security law as the law school’s Carl E. Sanders Political Leadership Scholar for the fall 2013 semester. He comes to Georgia Law after serving as the U.S. ambassador to the Republic of Poland, a position he held from September 2009 to October 2012. Feinstein also has served one 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.
Q: Those weeks leading up to July 1 when you officially took over were a whirlwind of activity. How did you prepare for this new role?

A: I've spent a lot of time over the past few months trying to finish up my work as provost. I hired several new deans who arrived on campus this summer. So my first priority was to make sure that I left the next provost with an outstanding group of deans. I have spent the last few months meeting with alumni, meeting with students, meeting with faculty, meeting with many other stakeholders on this campus as well as throughout the state, finding out what they want from the University of Georgia, what they hope UGA will be in the future and how they can help in making this great institution even more preeminent.

Q: As you talk with those stakeholders, constituents, supporters, donors, friends, what do they tell you about the university?

A: The great story that you hear over and over again is how much everyone loves the University of Georgia. As president, I get to tap into that reservoir of good feelings, of strong support for this institution. There is an abiding love for this institution that gives me an advantage as the new president. I want to make sure that our supporters understand how they can help UGA either with their time or their resources and how they can contribute to making this great institution one that continues up the national charts of prominence—an institution that continues to get better, an institution that stakes out new opportunities and takes advantage of opportunities that are available to us.

Q: You've had a variety of posts here on campus. How would you describe yourself as an administrator?

A: I like to be a change agent. I want whatever I take on to be better when I finish it, and so one of the things that I have always tried to do is to look for opportunities to make the division or the unit or the office that I'm responsible for better. I think you do that by working in collaboration with others. You can't do anything by yourself, and so one of the things that I've always tried to do is make sure that I'm a good listener. I want the people around me to have an opportunity to have input, to be a part of the process of making something better. I think you can anticipate from my past that my service as president will be one that is very collaborative. I'll listen a lot, but once I've listened, I'm not afraid then to make a decision. I want those decisions to be ones that will make the University of Georgia an even greater institution than it is today.

Q: How do you perceive the university as we begin this term?

A: I think the university is a great institution. We reach out across this state, as we should as a land-grant institution, to serve the people of Georgia. We have substantially improved the quality of education on this campus. The quality of students has never been higher. The quality of our faculty has never been better, but we can't settle for the status quo. If you settle for the status quo, you will begin to decline. So we have to look for ways, look for opportunities to improve this institution, and that's what this administration will be focused on doing. It will also be critical to grow the level of private support for our students, faculty and staff.

Q: You've been here for almost three decades. What advantage does that give you as a new president?

A: I think one of the advantages that I have as a person who's spent many years on this campus is that I know the many things that we've done well, and I also know the opportunities that we have to improve. I don't think it will take you long to find me making decisions that will focus on those opportunities, looking for ways to make a great institution even better. You will find in me and in everything I do a focus on excellence, a focus on how the University of Georgia can be an institution that does more than it has ever done before, does it better than it's ever done before, and does it in a way that will bring pride and respect from the citizens of Georgia and beyond.
Another Gates grant for UGA

The UGA Research Foundation received a $3.4 million grant from the Bill and Melinda Gates Foundation to expand its operational research on how best to eliminate schistosomiasis, a debilitating and neglected tropical disease affecting millions of people in countries throughout much of Africa, Asia, the Middle East and the Americas.

This recent award adds to an $18.7 million grant awarded to UGA by the Gates Foundation in 2008, bringing the funding total to more than $22 million. Researchers will use this additional money to find out how to move from repeatedly treating infected people to eliminating the disease.

Schistosomiasis is a parasitic disease caused by several species of worms. Larval parasites burrow into the skin of humans who swim or wash in the water. Once inside people they develop into adult worms. While it has a relatively low mortality rate, schistosomiasis can damage internal organs and impair physical and cognitive development in children.

UGA researchers are looking at how a drug that kills the parasites, combined with improved hygiene and sanitation practices could eliminate the disease.

Get more at http://score.uga.edu.

SUMMER AT THE CIRCUS

Students in advertising and public relations spent part of their summer honing their skills through a partnership between the Grady College of Journalism and Mass Communication and The Creative Circus in Atlanta, a two-year, accredited portfolio school that offers courses on how to think creatively in the advertising, illustration, interactive development, graphic design and photography industries.

Through this first-time collaboration, called “Summer at the Circus,” Grady students had the opportunity to earn up to six upper-level elective credits while taking courses from UGA through the Atlanta portfolio school. Classes taught strategic problem solving, campaign visioning and development, typography, art direction, copywriting, packaging, graphic design, presentation and other skills vital to the communications industry.

Students received mentoring and industry feedback on their work and learned how to build a professional portfolio.

Get more at www.summeratthecircus.com.
The Redcoats are coming (back)

Hundreds of former members of the Redcoat Marching Band are expected to take the field in Sanford Stadium on Nov. 9 to celebrate the 40th anniversary of the Redcoat Band Alumni Association. The group’s goal is to have 900 band members on the field before and at halftime of the UGA game against Appalachian State University. The Redcoat alumni formed the association in 1973 primarily to help raise money for the band and to keep alumni band members connected. The group’s web site now tracks about 4,000 Redcoat alumni. Get more at www.redcoatalumniband.com.

MURDER, SHE WROTE

Millionaire Dr. Black has been murdered, and the person who can solve the mystery of his death is someone on the UGA campus—with an iPhone. That’s the basis for an interactive game of “Clue” created by graduate student Caity Johnson, who is studying dramatic media. The game, played on an iPhone, began last fall as a class project to deliver multimedia and content directly to individuals on mobile devices. Johnson used the online software ARIS to put a new spin on one of her favorite childhood games. “I have always loved Clue because when I was a kid at our family game nights we would always play Clue and have a blast,” she said. “So when I first got this [assignment] I was like ‘That’s perfect!’” “Clue” is a murder-mystery game in which players collect clues to determine who murdered the game’s victim. The characters are spread out on campus, and players have to go “talk to them” by traveling to the location on the map ARIS displays. Players visit places like the Fine Arts Building, the Hull Street parking deck and the Miller Learning Center during the game. In all, Johnson estimates the game takes one to two hours to complete, with some of the scenarios taking less time. To play, visit the Apple App Store and download the ARIS application. After being launched, the application will ask users to create an account and then search for nearby games. If on campus, Johnson’s “Clue” game will come up as one of the options and users can select it to begin solving the mystery behind Dr. Black’s murder.

Trustees name new officers, members

John Spalding (AB ’82, JD ’85) was unanimously elected by the University of Georgia Board of Trustees to serve as chair for the next two-year term, ending June 30, 2015. He succeeds Bill Young Jr., who served the foundation in two separate terms from 2007 to 2009 and 2011 to present.

The board also elected, by unanimous vote, Kenneth G. Jackson (BBA ’79, MAcc ’80) as vice chairman, Andrew M. “Jack” Head (BBA ’75) as secretary and William W. Douglas III (BBA ’83) as treasurer.

Spalding inherits chairmanship of a foundation whose endowment grew during Young’s term by more than $125 million to $800 million despite a very challenging economic climate.

Six new managing trustees joined the board on July 1, 2013: Garry W. Bridgeman, Victor E. Corrigan II (BS ’79), Stephen Joiner (BBA ’86), Steve C. Jones (BBA ’78, JD ’87), Cliff McCurry (BBA ’71) and Barry L. Storey (BSA ’82).

In addition the board added five new advisory trustees: Mark Chandler (BBA ’81), Richard W. Courts IV (BBA ’95), John Mangan (BBA ’84), John E. “Ted” McMullan (MBA ’93) and Susan Donziger Sherman (ABJ ’82).

Joining as ex-officio trustees are College of Family and Consumer Sciences Associate Dean Silvia Q. Giraudo (MS ’84, PhD ’91), Student Government Association President Austin Laufersweiler, Interim Provost and Vice President for Academic Affairs Libby V. Morris (AB ’71), Interim Vice President for Finance and Administration Ryan A. Nesbit (MBA ’91) and UGA Alumni Association President Timothy A. Keadle (BBA ’78).
STUDENT GETS GOOGLE SCHOLARSHIP

UGA graduate student Jennifer Rouan (BS '12) received the 2013 Google Anita Borg Memorial Scholarship, an award that honors its namesake by encouraging women to excel in computing and technology.

Borg was a computer scientist who devoted her life to revolutionizing perceptions of technology and dismantling barriers that keep women and minorities from entering computing and technology fields. The Google scholarship—worth $10,000 for the 2013-14 academic year—also encourages women to become active role models and leaders in these fields.

Rouan served in the U.S. Air Force from 2004-2008 and worked in network intelligence. She attended UGA on the GI Bill, and after completing her bachelor's degree in computer science in 2012, she joined the master's program in the fall of 2012.

Through her expertise with CUDA, a parallel computing platform and programming model invented by the NVIDIA Corporation, Rouan is conducting research on developing parallel algorithms for solving problems that model water waves and optical fiber communications systems. She manages the UGA CUDA Teaching Center, funded by NVIDIA, and has presented three workshops on teaching CUDA for the university community since April 2012.

Rouan also was selected for the 2013 Google Student Veterans of America Scholarship, but chose the Borg award because she could only accept one.

Glucose monitors for pets

Glucose monitoring devices are now available from the Veterinary Teaching Hospital to help owners of cats and dogs with diabetes monitor their pet's response to insulin.

The iPro continuous glucose monitoring devices, commonly used for human patients with diabetes, will improve the level of care that the veterinarians at the hospital provide their patients.

According to the State of Pet Health Report 2012 released by Banfield Pet Hospital, the prevalence of pet obesity has risen 37 percent for dogs and 90 percent for cats since 2007. Diabetes, a common result of obesity in pets as well as humans, is diagnosed in 42 percent of overweight dogs and 40 percent of overweight cats. Signs of diabetes in dogs or cats include animals that drink, urinate, eat and sleep more. They also will show signs of tiredness and have a decreased exercise tolerance.

The monitor features a small disposable sensor, which is inserted under the animal's skin to read blood glucose levels. Once the sensor is in place it is attached to a small recorder to collect data. The device records blood glucose readings every five minutes. After the sensor has been in place for a few days it is removed and mailed back to the hospital for doctors to analyze the data and recommend changes in medication levels if needed.

BEATING BACK THE MUMPS

Mumps may seem like a disease of a bygone era to many people, but a UGA professor is fighting a new strain of the virus that threatens to spread. Biao He, a professor of infectious diseases and a Georgia Research Alliance distinguished investigator in the College of Veterinary Medicine, has a $1.8 million grant from the National Institutes of Health to develop a new vaccine for the new infection. Although not typically a life-threatening disease, mumps can lead to serious health problems such as viral meningitis, hearing loss and pancreatitis; and it can cause miscarriage during early pregnancy. Vaccinations, in use since 1967, diminished the number of cases dramatically, but two large outbreaks of the virus in 2006 and 2010 forced researchers to question the effectiveness of the drug today.

Get more at http://ugaresearch.uga.edu/research-news/beating-back-the-mumps#sthash.sDfSGZFC.dpuf.
Butchart began researching the education of freed slaves 30 years ago as a graduate student. He's since created a database that includes the names of more than 11,000 early educators, an effort that won him a UGA Creative Research Award last year.
The right person, the right time

Students, faculty, alumni and state leaders say Jere Morehead has the experience and skills to take UGA to the next level.

by Kelly Simmons

Morehead stands next to Moore College, home base for UGA's Honors Programs. Behind him seated on a bench is a depiction of Bernard Ramsey, whose transformational gift to Honors significantly increased scholarship awards offered to top students.

Photo by Dot Paul
July 1, Jere Morehead’s first day as president of the University of Georgia.

It begins early, with a breakfast among a handful of students in the Tate Center. From there, he moves next door to the Miller Learning Center to address his newest constituents: First-year students on campus for Freshman College, a program that brings students to campus early to explore educational, cultural and social opportunities.

He walks the aisles of the auditorium-style classroom as he welcomes them to the university. As he talks he flashes photos on the screen at the front of the room, photos of some of UGA’s most academically successful students in recent years. Among them, Deep Shah (AB, BS ’08), a Rhodes and Truman scholar who earned his medical degree from Harvard and now is back in Georgia doing his residency at Emory; Lucas Puente (BBA, AB ’10), who worked for then-Sen. Barack Obama as a student in the Washington Semester Program in 2008 and now is earning his doctorate in political science at Stanford University; and Tracy Yang (AB ’11), another Rhodes and Truman scholar now studying medicine at Johns Hopkins University. All of them, he points out, were active in organizations and activities on campus while succeeding academically.

“Get out of your comfort zone,” he tells the new freshmen. “This is the next stage of your life. Get involved. Find something at the University of Georgia that you really enjoy.”

“Find your place on campus.”

Starting his first day as president with students is by design. They are, he says repeatedly, a priority.

“I want to make sure our institution stays focused on its primary mission, to educate students, conduct research and serve the public,” he says. “And I think it will be important to do everything possible to generate resources and shift other resources to support these three key functions.”

He already is taking steps to forward that mission:

• In May he announced a reorganization of the senior administration that would eliminate one level of bureaucracy
On his first day as president, Morehead consults with his chief of staff, Kathy Pharr, who manages his office and his two assistants.

“...I want to make sure our institution stays focused on its primary mission, to educate students, conduct research and serve the public. And I think it will be important to do everything possible to generate resources and shift other resources to support these three key functions.”

— President Jere Morehead

and provide him with more oversight of the vice presidents.

• With the unanimous support of the University of Georgia Foundation he directed $3.3 million in unrestricted investment returns from fiscal year 2013 to student scholarships and endowed professorships.

• He opened a UGA economic development office in Atlanta, overseen by the vice presidents for public service and outreach, and research. In July, a director was hired for that office, who will provide a direct link between the Georgia Department of Economic Development and the business sector.

And he has made it abundantly clear, from meetings with his staff, faculty representatives and alumni that any expenditure request is going to be heavily scrutinized. If it doesn’t forward the mission of the university and add to the academic experience of students, it will not be approved.

“The core of my message is going to be academic excellence at the University of Georgia,” he told members of the executive committee of the University Council. “It’s not an original notion, but it’s going to be the way I operate.”

A campaign to raise $1 billion, perhaps more, is on the horizon. The money raised will be earmarked for additional professorships, scholarships and programs.

UGA needs more transformational gifts, like the $34 million given by the late Bernard Ramsey, which created the Ramsey Honors Scholarship, dramatically increasing the number of students on campus who receive money through the Georgia Foundation Fellows Scholarship. Students who interview for the Foundation Fellow but do not receive the award are offered the Ramsey scholarship.

Morehead does not shy away from telling alumni, hundreds of whom gathered to hear him speak in Washington, D.C., in late July, that he will be coming to them for support.

“Support is critical to our institution here and in Athens,” he says to the group, which includes both U.S. senators from Georgia and several congressmen. “We want to be a premier institution. It means we’re going to focus on our students, our faculty and on the future. We owe our students the best education they can have.”
He made the same pitch to faculty representatives from the University Council.

"I don't think I can do it alone; I'm going to need the support of those of you in this room," he told them.

One of Morehead's best and earliest supporters, Earl Leonard (AB '58, LLB '61), says Morehead will have no problem garnering support from students, faculty, alumni and government officials.

"The harmony between those four major constituents is going to be (his) biggest asset," says Leonard, a former Coca-Cola Co. executive who created the Institute for Leadership Advancement in the Terry College of Business and provides scholarships to students in his name.

"You don't always want an insider to be a president," Leonard says. "But today at this time with this man, the regents and selection committee got it just right.

"If Jere Morehead wants me to climb Stone Mountain at 6 o'clock in the morning and sing the 'Star Spangled Banner,' I'll be there. He's the ideal (person) for this moment in history."

Morehead was born in Lakeland, Fla., where his parents met and both worked at Western Union Telegraph. When he was 10, his father was transferred to West Palm Beach. Two years later he was transferred to Daytona Beach. Four years later he was transferred to Atlanta.

His high school years disrupted by the moves, Morehead focused on academics and finished high school at Southwest DeKalb at age 16.

He earned his bachelor's degree in political science from Georgia State University, followed by a law degree...
from UGA. At age 23, he went to work as an assistant U.S. attorney for the Department of Justice. It was a job he had anticipated since watching the Watergate hearings on television in 1973.

After six years of prosecuting criminal and civil cases, he felt drawn to academics. He had taught a business law course at Georgia State during the summer of 1985.

“That piqued my interest in being a college teacher,” he says.

A job was available at UGA that would allow him to teach the legal environment of business and international business perspectives in the College of Business and advocacy in the School of Law. He carried a five-course teaching load each year and oversaw the law school’s moot court program.

Peter Shedd (BBA ’74, JD ’77), director of the Terry College MBA programs and UGA professor emeritus of legal studies, recalls the hiring process that brought Morehead to UGA. It was a unique position that required a special candidate, he says, and Morehead was ideal.

“Jere’s academic record was stellar. Then being in the U.S. attorney’s office provided a wealth of experience and knowledge to bring back into the classroom,” Shedd says. “When you present in front of a jury you are teaching all the time.

“He was great from the beginning and he just got better. Over the years he just honed (his teaching experience) to where those kids were winning everything from the state to the regional to the national to a couple of international titles.”

But after nine years of traveling across the country with the moot court program, Morehead decided to focus his teaching in business. He had been active in committee work on campus and in 1996 was asked by then-President Chuck Knapp to chair the task force on the quality of undergraduate education at UGA. Through that process, he realized he had a keen interest in being part of the university administration.

“If I was really going to make a difference I was going to have to become an administrator,” he says.

He calls his time on the task force, which he co-chaired again in 2005, “among the best experiences of my life. I got to spend hours and hours talking to people and thinking about how to make this place better.”

When Michael F. Adams became president in 1997 he asked Morehead to serve as interim director of legal affairs for the university. About 18 months later, Provost Karen Holbrook tapped him to be associate provost and director of the Honors Program. He quickly moved up the chain, from vice provost for academic affairs, to vice president for instruction and in 2010, provost.

He has made a practice of looking at other schools for ideas that would make UGA stronger. When he became provost, one of those was the University of Michigan, where he was a visiting associate professor of business law in 1995.

“I came away with a renewed notion that, if you want to keep recruiting the very best students, you have to recruit the very best faculty,” he says.

He has made significant hires during his tenure as provost, bringing top notch recruits from Virginia Tech, Vanderbilt, the University of Missouri

“I came away with a renewed notion that, if you want to keep recruiting the very best students, you have to recruit the very best faculty.”
Erin Thomas, an incoming freshman, and her mother, Melonie Thomas (BBA '86) of Dunwoody, Ga., congratulate Morehead during a reception in his honor on north campus July 9. Thomas' husband Bill Thomas (AB '88) is a member of the UGA Alumni Association board of directors.

and the University of Texas to serve as deans in engineering, education, journalism/mass communications, and public and international affairs, respectively. He tapped former UGA President Chuck Knapp to serve as interim dean of the Terry College of Business, until a search can be held for that position. The search for a provost to succeed Morehead is underway.

He also has worked to strengthen the academic programs for undergraduates, including adding a seminar program for all freshmen that provides them an opportunity to take smaller classes with tenured or tenure-track faculty during their first year at UGA. Through the First-Year Odyssey seminars, which count as one credit hour, students are exposed to more writing assignments, which Morehead’s team determined was essential in their evaluation of the quality of undergraduate education.

Another program that emerged during the task force work was the Office of Service-Learning, jointly run by the Office of the Vice President for Public Service and Outreach and the Office of the Vice President for Instruction. The service-learning program combines community service with academics to help students better understand how what they do in the classroom relates to the outside world.

“For a number of our students, getting a chance to give back to the community is very fulfilling,” Morehead says. “As a land-grant institution it seems to me we have to have a service-learning component.”

Perhaps the most telling indicator of his presidential style is his ability to build and maintain relationships with students—some from as far back as his early years with the law school advocacy program.

Allison Thornton (JD ’92), who lives in Atlanta, has a standing lunch date with Morehead every year on the day after Christmas when he is in town visiting family.

“You can tell he really cares about you as a person,” Thornton says.

His teaching skills also led her and fellow law student, now husband, Steve Thornton (JD ’92) to win a moot court competition against the University of Florida. He ran a tough program for the future lawyers, she says, challenging students’ positions and making them defend them in every possible way.

“It sounds cliché, but he did not accept mediocrity,” Thornton says. “Everyone at some point felt frustrated that they weren’t going to perform to his expectations. But he drew out the best in his students, and they did perform to his expectations eventually.”

Morehead wrote one of David Battle’s letters of recommendation for the MBA program at Harvard University, which Battle (BBA ’00) completed after working in finance in Charlotte and New York.

Now a vice president for Metal Mark Capital in Manhattan, Battle still turns to Morehead for advice and credits him for much of his success.

“I want to do well on behalf of UGA,” he says. “That is because of Jere. He lives by an honor code and sets a good example. You want to do right by him.”

The extent of the relationships Morehead has maintained with former students was evident in the days and weeks following his appointment to the presidency. Students in graduate programs at other universities, doing fellowships or working in foreign countries began posting photos of themselves on the Foundation Fellows
and Honors Program Facebook pages, holding handmade signs congratulating the president-elect.

"Congratulations President Morehead," reads the sign held by Rebecca Corey (AB/AB '09), who posted her photo from Tanzania where she is a Rotary Ambassadorial Scholar. Matt Sellers (AB/MA '12) and Tracy Yang (AB '11), both at Oxford University in England, had their photo taken on the university grounds holding poster boards with the message, "Congrats Pres. Morehead."

One of those to hear of Morehead's selection from afar was Trey Sinyard (AB, BBA '11) who was in his first year of medical school at Duke University.

Sinyard, Morehead's teaching assistant for his 2011 First-Year Odyssey seminar, "Current Events and Law," saw the presidential potential then. Morehead established a nonjudgmental environment in his classroom, which put students at ease so that they could share their thoughts, Sinyard says.

"He lets the conversation be student driven. He wanted it to be less about his opinion than teaching students to process theirs," he says.

"He's given his life to the service of the university, which is so evident in everything he's done. That's the student-centric style that will make his presidency so successful."

Peter Shedd, Morehead's long-time colleague and confidant agrees, and adds that his loyalty to the university will breed success as well.

"What Jere will bring and what we will truly appreciate is his true sense of stewardship of the public trust that is the University of Georgia. We have sometimes failed to recognize we have to be stewards of the trust that the state has placed in us."

Morehead oversaw his first graduation ceremony as UGA president on Aug. 2, awarding diplomas to 708 undergraduates, 573 masters and specialist students and 218 doctoral candidates. The summer ceremony in Stegeman Coliseum featured speaker Inez Moore Tenenbaum (BSEd '72, Med '74), chair of the U.S. Consumer Product Safety Commission. At left is Interim Provost for Academic Affairs Libby Morris.

Morehead poses with Freshmen Fellows in Oxford, England in this May 2008 photo. The students were in England for a Maymester program and to dedicate the new house for UGA's Oxford programs. From left: Morehead, Rachel Pocock (BS '11), Phillip Mote (AB/BS '11), Mir Inaamullah (AB/BS '11), Anne Karam (BBA '11) and Geales Goodwin (AB '11).
A horse of another color

by Chase Martin
photos by Shanda Crowe