September 2002

September 2002 Docket

Georgia State University College of Law

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By Leslie Spornberger Jones

In 1984, Steven Kaminshine left private practice in New York to move to Atlanta. At the time, Georgia State’s College of Law was brand new—only two years old—but Kaminshine was not daunted by its fledgling status. He chose Atlanta because it was “a city on the move with a lot of opportunity.” Georgia State reflected the city’s verve and gave him the chance to “be a part of building something,” he explained in a recent interview.

Dean Kaminshine remembers the school’s early days with fondness. “This place had a lot of energy,” he says, “an energy that is still alive today—mainly because Dean Ben Johnson made a point to ‘assemble a group of people who were excited about being part of something new.’”

Dean Robert Shuford helped assemble this group of energetic people. As Assistant to the Vice President of Academic Affairs in 1982, he assisted Dean Johnson in recruiting efforts that brought Professors Lasier, Brown, Hopkins and others to the school. Recruitment was directed at finding people who were energized by and dedicated to the goal of delivering superior part-time legal education.

Shuford explained that “there was a lot of excitement about the university having its own College of Law.” Although hard to imagine, in 1982 there was no ABA accredited part-time legal program offered in the state. When the school opened there was a “lot of point-up demand for a part-time program,” says Shuford, which gave the school its pick of high quality students.

Dreams of Something Greater

While having dedicated faculty and exceptional students furthered the excitement about the school opening, the College of Law still had hurdles to jump. First, it needed full ABA accreditation. In 1987 when Dean Shuford joined the College of Law’s administration, the school only had provisional accreditation. Shuford explains that the school’s leaders adopted Dean Johnson’s “never fail attitude” in getting the school fully accredited. After major facilities changes were made to the school, full ABA accreditation was achieved in 1990 under the leadership of Dean Marjorie Fine Knowles.

Achieving full ABA accreditation in only 8 years was impressive, but the faculty and administration knew the school could achieve even more. During the early 1990’s the College of Law sought membership in the highly prestigious American Association of Law Schools. In 1995, under Dean Marjorie Girth, the school realized this goal.

By the time Dean Janice Griffith joined the administration in 1996, the College of Law was gaining a reputation as the best public law school in the country—one engaged in solving urban problems and improving the quality of life for people in the Atlanta Metropolitan region.

“My dream is to see College of Law emerge as the best public law school in the country—one engaged in solving urban problems and improving the quality of life for people in the Atlanta Metropolitan region.”

The Future Ahead

“Having such impressive students feeds the college’s reputation,” Kaminshine explains. As Georgia’s newest law school, it was important to “be the best.”

Even then, the school placed an emphasis on litigation skills, but it was exploring other areas as well. Focusing on growth in programs, Dean Griffith has enjoyed seeing the school’s offerings increase since her arrival. Today the school boasts a Tax Clinic; a legislation program; three joint degree programs; an interdisciplinary program with Georgia Tech which couples Tech Urban Planning students with GSU students; the Consortium on Negotiation and Conflict Resolution; and special offerings in the College of Law that bring together medical students and GSU law students. Yet all of this accomplishment is still not enough for the 20 year old College of Law...

Law Students and Faculty Commemorate 9/11

By Jerri Nims

The College of Law remembered the events of September 11th through many forms of expression; speakers shared relevant topics, the library set up a commemorative display, and the school community shared in moments of silence, donating remembrance pins. Two speakers shared programs about the past, present, and future impact of the horrific events brought about by the terrorist attacks just over a year ago.

The Student Health Law Association co-sponsored a September 10th program with the school featuring Heather Horton from the Office of the General Counsel for the Centers for Disease Control and Prevention.

In "Public Health Initiatives in the Wake of September 11th," Ms. Horton discussed the draft of the Model State Emergency Powers Act formulated after 9/11. The purpose of the Act is to help states know how to regulate emergency public health issues and rely on principles from state present laws. Legislation based at least in part on the Act has been introduced in 35 states and passed in 19 of those states as of August 2002.

Ms. Horton explained the Act is needed because traditional public health law is amorphous and does not account for scientific or legal advancements. She discussed the actions of public health agencies pre-event, during the declaration of an event, and post-event, as well as qualifying an event as an act that threatens the public health through bioterrorism, chemical, or nuclear attacks.

Although the Act has been criticized as too vague and allowing the states to encroach on federal issues, Ms. Horton explained that the Act is envisioned for extreme threats to the public health and provides better civil liberties protections than conventional infectious disease laws.

She also stressed the need for disease reporting in order to facilitate public health. Ms. Horton spoke of balancing privacy interests with the need to report illnesses caused by biological agents or symptomatic outbreaks.

The College of Law sponsored a September 11th program featuring Richard Deane, former U.S. Attorney of...
Welcome to The Docket, the student-run newspaper of Georgia State University College of Law! The 2002-2003 school year was filled with significant events for both the school as a whole as well as The Docket's development into an engaging and analytical "voice" of the law school community. The landmark 20th Anniversary of GSU Law is accompanied by the pride of being a respected and flourishing academic community. The Deans' expressions featured on the front page exhibit this commitment to progress. This year also begins the second decade of The Docket's publication as a news source providing legal analysis and information about our school community. Looking back at the editorial from the September 1992 edition released a decade ago, I am encouraged to see both similarities and differences indicative of our continuity and progress as a law school. We have stayed true to our original purpose while improving: "The whole point of having a student newsletter is in order to allow the students to know what is going on around the school and to be able to pass along their views that they may have. The editors would like to see this newsletter expand beyond the bounds of merely reporting events around the law school...the editors would also like to include letters from the students and faculty expressing their views on various topics. The guidelines for their letters are that they (1) be in good taste and (2) must be fairly short and to the point. While we know several of you might think that this will be difficult for us to ask that you make your best attempt.

As part of our goal to provide law students with a forum to express law-related views, The Docket Editorial Board has developed some innovative ideas that I want to share with you.

"Point, Counterpoint"

First, we are beginning a program entitled "Point, Counterpoint" which will incorporate both written and oral debate skills. This edition introduces our inaugural oral gaveling of this section in which two students debate the pros and cons of a legal issue; in this issue Jim Wall and Lisa Mottlue debate asset forfeiture. We will follow up the paper section with an informal debate sponsored by The Docket. We envision it as a student-run and student-moderated debate with the needed and welcomed involvement of professors who can give informed opinions as well as answer questions. The debate session will be opened with a brief description of the topic and presentation of the issues. We will then open the floor for participants to voice their points and counterpoints.

You do not have to be knowledgable on the topic to participate; the goal is to challenge students to think of the real life application of law outside of the cised event and topic oriented learning through discourse. Please join us for our opening debate session on Tuesday, October 1st from 11:45am - 1:00pm in Room 170.

Writing Competition

Next, we are starting an annual Writing Competition. The Docket Executive Editorial Board will pick a relevant current event or topic for students to analyze from a legal perspective. The topic will be announced in the November newsletter and submissions will be due by the end of February. The competition will be judged by a panel of three professors who will grade the entries anonymously. Students will be considered against peers in their same year of law school. The Docket will publish the winning analyses and award the winners a cash prize. The goal of this competition is to reward and honor students for successfully analyzing a legal topic with relevance to everyday life.

I am excited about these additions and the continued evolution of The Docket into an inspiring "voice" of the students. I look forward to participating with this programs and future editions.

Jerris Nima, Editor-in-Chief

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Editorials

LETTER FROM THE EDITOR

By Leslie Spornberger Jones

No doubt about it, Civil Procedure teaching involves a lot of rules. From serving defendants to motions practice to handling discovery, Civ Pro is all about what rules apply in specific situations. This could seem as no surprise to anyone here in the College of Law, since all of us have had our fair share (and, in some cases, our fill) of the Federal Rules of Civil Procedure.

Naturally all of these rules are helpful, of course, especially for someone like me who came to law school specifically to pursue a career as a trial lawyer, because the rules are best used to strategize in litigation. But as I sat in Civ Pro last year, knowing that the class was important and a framework for future practice, my mind often began to wander.

As funny as it may sound, I frequently imagined ourselves like the television show "The Practice" where well-dressed attorneys did nothing but file 12(b) motions and write interrogatories. Not very exciting, is it? In fact, each time I imagined a Dylan MacDermott-type attorney sitting at a desk trying to determine if a particular court had jurisdiction before the case could be filed, I must admit, I lost interest in my fantasy—despite MacDermott's hum status.

After a while, it became apparent to me that what was missing from my mind's wanderings, and from Civil Procedure in general, were the people. Sure, Civ Pro discusses all types of issues that have to do with people—whether a plaintiff can sue as a "John Doe," how to bring in a third-party defendant, and ways that third parties can intervene in cases—but discussing all these rules about how to do these things put the parties in the abstract. The plaintiff, the defendant, and the various interested (and maybe not so interested) third parties were not people to me. They were P, D, or 3A.

And D were nothing more than notes sectioned off as a Paralegal for a collections attorney this summer. (There's usually no 3A in collections, so he or she remains a note to me.)

From where I sat, D was very real. Naturally. D were people. I worked with our office after he or she had been served with "some papers from the sheriff." (Say that in your best H-E-A voice.) Needless to say, D was never very happy. One D would yell at me and say the bill was the insurance company's responsibility. Another D would start crying and explain that she couldn't pay the bill because she barely fed her two children (but somehow she'd been able to buy a brand new Lexus earlier this year).

A third D's husband would explain that his wife was very ill and wouldn't be able to work anytime soon. "We still have a judgment, sir, and we can get the money when she returns to her job," I would respond. "Not if she quits," the D's husband would yell back at me. "How could she be supposed to always surmised me. "Trust me, sir, garnishing your wife's wages is not the only way a judgment can be satisfied."

What I wanted from me about my experience was that it was just as cold and遥远 likely to make a judgment than the people I treated kindly were more likely to accept my kindness (albeit, not the same zeal, of course)."

"But I treated every fifth account kindly, sir, and I rendered, whether that meant accepting the judgment, or continuing the litigation, whether that meant appealing to the higher courts,

In fact, I remember my Civ Pro teacher telling me that it was just as cold and likely to make a judgment than the people I treated less kindly were more likely to satisfy a judgment if I treated kindly were more likely to accept my kindness (albeit, not the same zeal, of course)."

And I believe that it was just as cold and likely to make a judgment than the people I treated less kindly were more likely to satisfy a judgment if I treated kindly were more likely to accept my kindness (albeit, not the same zeal, of course).

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Point: FORFEITURE is RESTITUTION to Society

By Jim Wall

There is something that soothes the soul about turning cash generated from wrongdoing into funding for law enforce-
ment agencies. Unfettered by the grim realities of the drug trade, academic ar-
guments go back and forth regarding the advisability of the “War on Drugs.” The arguments are familiar and need not be discussed here. No doubt we have all heard that if we only legalize the sale of drugs and thus remove drug profits, the drug trade would soon be extinct.

Yet, aside from legalization, is there another way to remove this profit mo-
tive? Georgia has a way to remove the profits associated with the sale of illicit drugs – it is called “forfeiture.” Georgia’s forfeiture statute causes drug dealers to feel pain – and lots of it. Civil in nature, O.C.G.A. § 16-13-49 authorizes law enforcement agencies to seize contraband and property used in any manner to facilitate a violation of the Georgia Controlled Substances Act. Proceeds realized from drug trafficking can be seized as well as property found in close proximity to controlled sub-
stances. The forfeiture statute removes the profit incentive for drug dealers to continue in their trade because those profits now go to the state. Cha-cha-cha! In the real world of budgetary re-
sponsibility, law enforcement agencies are overwhelmed in their attempt to cur-
tail drug activities. They are struggling to pay for their interdiction efforts and to provide law enforcement services. Further, courts are swamped with drug offenders and the expenses involved in trying drug cases and then incarcerat-
ion those convicted are staggering, es-
specially in these challenging economic times.

While budget shortfalls are state-
wide, there has been no corresponding shortfall in criminal activity. Law en-
forcement agencies fighting the drug trade are frequently out-gunned, under-
equipped, and definitely under-paid in relation to their drug-dealing adversar-
ies. What to do? Make painful choices about law enforcement priorities? De-
cide which offenses we shall deemphasize?

O.C.G.A. § 16-13-49 to the res-
cue! This statute levels the playing field by providing a source of desperately needed funds to local governments so that the fight against drugs may continue. The money and property forfeited un-
der this statute is to be used to pay all costs associated with the investigation leading to the seizure of drugs, including related court costs. O.C.G.A. § 16-13-
49(4)(B).

This statute is completely consistent with other civil actions where a party responsible for causing injury is held ac-
countable in the form of damages. With-
out the provision noted above, law-abiding citizens would not only have to suffer the crimes associated with the drug trade within their communities, but would also have to foot the bill for the very costs required to clean up the mess! Talk about adding insult to injury!

Here is how the forfeiture statute works. Property is seized and upon liqu-
idation the proceeds from the sale of the property are aggregated in a pool. After investigation and court costs are paid, any funds remaining in the pool are returned pro rata to the state and local governments according to the role that their law enforcement agencies played in the seizure of the assets. O.C.G.A. § 16-13-49(4)(B).

Yet law enforcement agencies are not the only beneficiaries of forfeiture. This statute has something for everybody: society is reimbursed for expenses incurred as a result of illegal activity; law enforcement agencies use the proceeds to make up desperately needed funds so that enforcement efforts do not grind to a halt simply because of a lack of money; and there is also an important statewide benefit. Up to 25% of the proceeds may go to the law enforcement agency initiating the seizure. The money can then be used to fund “The Georgia Indigent Defense Act.” 16-13-
49(4)(D)(iv).

So, let’s consider the path the drug money travels after forfeiture. Money and property related to drug trafficking are taken away from the rich, powerful and projected drug dealers. Court and investigation costs are paid. Money goes to the State, which may then be used to defend the very people injured most by the drug trade - the poor. Society is made whole. What could possibly be better?

This statute sends the clearest and strongest possible message to drug deal-
ers – get out of the drug trade. Ah, the beauty of simplicity.

It all brings to mind Crime Dog McGruff’s slogan, “Take a bite out of crime.” With the forfeiture statute, this slogan could be updated to something like this, “Gouge a drug dealer’s eyes out with a spoon!” And then give them to the blind.

Counterpoint: The Case Against Direct Proced

By Lisa Mouterie

Civil forfeiture is often justified by a need to fight the War on Drugs or the War on Crime. Proponents seem to sing from the rooftops, “Hit drug dealers where it hurts – in the wallet!” The ceaseless fight against inexorable crime provides society a menacing bogeyman to justify the conversion of our law en-
forcement agencies to state sanctioned pirates, trampling upon Americans’ fund-
amental property rights.

Forfeiture actions, intended to deprive criminals of their ill-gotten gains, have wrongly become the booby of overzeal-
ous or profit-driven law enforcement. The civil forfeiture statute, as it currently exists, casts a net too wide and encour-
ages abuse of the practice by directly rewarding law enforcement for seizing “guilty” property.

The procedure of asset forfeiture is quick and often suppresses the progress of the criminal prosecutions for the very acts the forfeiture is based upon. Thus assets may be forfeited long before a jury determination of guilt or innocence. The largest portion of proceeds from forfeiture are directed to the law en-
forcement agency initiating the seizure. Asset forfeiture is easy; it takes little effort on the part of District Attorneys or solicitors as the burden is on the property owner to prove that the property is “innocent.” Such forfeitures are rarely contested due to problems with notice and the negative implications defending seized property can have on a defendant’s Fifth and Sixth Amendment Constitutional rights. Can something so quick and easy be fair? Common sense says that easy, quick money is most likely the result of a scam. Yet our Civil asset forfeiture statute is so much faster than the criminal justice system? Safeguarding the constitutional rights of an ac-
cused pro-
tected by a constitutionally necessary back log within the criminal court sys-
tem. However, Georgia’s statute, like many others, sets out deadlines for plead-
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ings on an asset forfeiture, which would have the entire proceeding completed within three to five months.

The legal fiction that the property is “guilty” of involvement in an unproven crime was enough to allow the Supreme Court to rationalize that seizure and for-
feiture is an acceptable loss of one’s in-
vidual citizen’s right to property. This personification of property belittles indi-
vidual property rights. The second legal fiction that forfeiture is a remedial civil process is losing credence since the Supreme Court in Austin v. United States, 509 U.S. 602 (1993), found civil forfeiture to be a punishment which could violate the Eighth Amendment’s prohibitive fines clause – a right implicated by criminal proceedings.

Forfeiture as a punishment could be levied against individu-
als even never convicted of a crime! For ex-
ample, it is not uncommon for an individual to have her car forfeited because it was driven by a family mem-
er committing a crime without the owner’s knowledge or a passenger in the same car carried a con-
trolled substance or a larger than usual quantity of cash with-
out her knowledge.

While the U.S. Supreme Court has become akin to “legalized extortion,” where seizure of assets can be used to bully individuals into settling out of court even when the government has no case, distribution of the state and local proceeds may go to the State, which may then be used to defend the very people injured most by the drug trade - the poor. Society is made whole. What could possibly be better?

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Lisa Mouterie and Jim Wall

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Forfeiture actions, intended to deprive criminals of their ill-gotten gains, have wrongly become the booby of overzealous or profit-driven law enforcement. The civil forfeiture statute, as it currently exists, casts a net too wide and encourages abuse of the practice by directly rewarding law enforcement for seizing “guilty” property.

The procedure of asset forfeiture is quick and often suppresses the progress of the criminal prosecutions for the very acts the forfeiture is based upon. Thus assets may be forfeited long before a jury determination of guilt or innocence. The largest portion of proceeds from forfeiture are directed to the law enforcement agency initiating the seizure. Asset forfeiture is easy; it takes little effort on the part of District Attorneys or solicitors as the burden is on the property owner to prove that the property is “innocent.” Such forfeitures are rarely contested due to problems with notice and the negative implications defending seized property can have on a defendant’s Fifth and Sixth Amendment Constitutional rights. Can something so quick and easy be fair? Common sense says that easy, quick money is most likely the result of a scam. Yet our Civil asset forfeiture statute is so much faster than the criminal justice system? Safeguarding the constitutional rights of an accused protected by a constitutionally necessary backlog within the criminal court system. However, Georgia’s statute, like many others, sets out deadlines for pleading in asset forfeiture proceedings on an asset forfeiture, which would have the entire proceeding completed within three to five months.

The legal fiction that the property is “guilty” of involvement in an unproven crime was enough to allow the Supreme Court to rationalize that seizure and forfeiture is an acceptable loss of one’s individual citizen’s right to property. This personification of property belittles individual property rights. The second legal fiction that forfeiture is a remedial civil process is losing credence since the Supreme Court in Austin v. United States, 509 U.S. 602 (1993), found civil forfeiture to be a punishment which could violate the Eighth Amendment’s prohibitive fines clause — a right implicated by criminal proceedings.

Forfeiture as a punishment could be levied against individuals even never convicted of a crime! For example, it is not uncommon for an individual to have her car forfeited because it was driven by a family member committing a crime without the owner’s knowledge or a passenger in the same car carried a controlled substance or a larger than usual quantity of cash without her knowledge.

While the U.S. Supreme Court has become akin to “legalized extortion,” where seizure of assets can be used to bully individuals into settling out of court even when the government has no case, distribution of the state and local proceeds may go to the State, which may then be used to defend the very people injured most by the drug trade - the poor. Society is made whole. What could possibly be better?

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Lisa Mouterie and Jim Wall
By: Erin Baird

As we celebrate our 20th anniversary here at Georgia State College of Law, your Student Bar Association endeavors to contribute to the tradition of excellence. We aspire to be your most trusted and valuable resource for a successful experience at GSU and beyond. As part of our commitment to excellence, we have established four essential missions:

(1) Local and National Recognition
After attending the Annual American Bar Association Meeting this summer in Washington, D.C., I am determined to achieve a level of national representation for GSU that will place our school name where it belongs: among the most highly esteemed law programs in the country. Each year, the ABA bestows national honors upon institutions that raise the bar for SBA organizations, websites, publications, and representatives. This summer, we watched as well-known law schools were called to the stage to be recognized as examples of SBA excellence. Next summer, Georgia State will have its turn at the top!

(2) Bringing People Together
As part of our commitment to be number one, we recognize the value of teamwork. People are our purpose. Within GSU, we hope to create an environment of cohesion, where all students are unified toward the same goals. We plan to coordinate more events that appeal to the unique circumstances of the part-time students and students with families. In order to foster more comfortable first-year transitions, we have restored and improved the mentor program. We also intend to encourage an appreciation for diversity through an entire day of scheduled speakers and events. Additionally, beyond the walls of the Urban Life Building, we intend to reach out to other Georgia law schools and the Georgia Bar to coordinate a state-wide network.

(3) Community Service
Service is an essential element of any top-notch organization, as we can never truly be successful without assisting in the success of others. But giving back does not always have to mean giving up. All of the community service initiatives we have planned are designed to create positive exposure to our school and provide invaluable networking opportunities for our students. Students, we hope to raise over $10,000 for the American Cancer Society and participate in the Annual Breast Cancer Walk in October. This effort is particularly important as we show our support for Professors Scott and Emanuel who have battled and triumphed over this devastating disease.

Additionally, we are collaborating with Atlanta firms to participate in a downtown clean-up. In our effort to join forces with the undergraduate program, we intend to assist in the formation of a juvenile delinquent rehabilitation program starting in January. Lastly, we will organize “Parties with a Purpose,” where we unite with our alumni to collect canned goods and “toys for tots” around the holiday seasons. Most importantly, our mission to continue a tradition of excellence includes:

- (1) Local and National Recognition
- (2) Bringing People Together
- (3) Community Service
- (4) The Bottom Line

Your Student Bar Association is only as successful as the students we serve. All of our plans would be fruitless without the support and participation of our student body. We all know that Georgia State University College of Law is a model for excellence in legal education. However, excellence is not merely a state of mind, it is a state of being.

Join us, as we BECOME a tradition of excellence.

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**Your ABA Law Student**

**Cost of Annual Student Membership in the ABA: $20**

After attending the National American Bar Association Meeting in Washington D.C. this summer, we recognized the unmistakable importance of membership in the ABA. Not only as a law student but also as an attorney, the ABA offers opportunities that are unparalleled by any other legal association in the world. In addition to being the largest voluntary professional organization on the planet, the ABA provides invaluable resources to law students for only $20 per year.

**Cost of ABA CLE’s to Students: FREE**

One of the services offered by the ABA is the presentation of Continuing Legal Education workshops for attorneys. While these CLE workshops are required for attorneys to remain licensed (very important) and can cost anywhere from $150 to $400, they are free for law students and offer amazing real-life insight into different fields of law. Furthermore, many of the speakers hired by the ABA to present these workshops are some of the most astute researchers and gifted presenters in the country. (Many of GSU’s professors host these CLE’s and are renowned for their contributions to the ABA).

**Student Benefits of Joining the ABA: PRICELESS**

In addition, the ABA offers a variety of educational, professional, financial, and personal benefits to law students. As part of ABA membership, students receive free subscriptions to both the *ABA Journal* and the *Student Lawyer* magazine. These publications provide coverage of everything from controversial legal issues to advice about making the transition from law school to lawyer. There is also a wealth of information to be gained from the ABA website and online discussion groups.

Secondly, ABA membership is an excellent way to build your legal resume. In addition to National Student Compendium in negotiation, client counseling, and appellate advocacy, there are enormous opportunities for leadership development and networking. On top of the ABA positions offered at the law school level, students may serve as regional and national liaisons. These positions allow students to explore their leadership ability and to make connections with other law students from across the nation. At the National Conference, attorneys from all over the United States were inspecting name badges to recognize anyone from their hometown. Several attorneys approached us and asked what we did in Atlanta; soon, we were exchanging business cards and making lunch plans with their firm partner. Even on a local level, student members can network with area lawyers and judges through ABA-sponsored community service activities such as Volunteer Income Tax Assistance (VITA).

Another benefit of joining the ABA is the special discounts extended only to members. Both BarBri and PMBR provide reduced rates to ABA members on their Bar preparation courses and materials. There is also an extensive health insurance policy available to ABA members at an affordable price, and students can even receive deals on rental cars and banking.

Lastly, and most importantly, membership in the ABA is fun. If you take the time to be involved, your experiences with the ABA will lead to some of your most treasured law school memories and friendships.
Meet Your SBA Representatives

Erin Baird: President
Erin was born in Cape Canaveral, FL, but raised in the Philippines and Japan as the dependent of a Navy officer. She completed a double degree at Florida State University in communication and psychology with a minor in theatre. After working for several years in the advertising, music, and education industries, Erin came to GSU law school to pursue a career as a criminal defense attorney and hopefully a position in national government. As SBA President, it is her mission to create a nationally recognized Student Bar through genuine enthusiasm, zealous community service, and a strong alliance between students, faculty, and alumni.

Alicia Castillo: Vice President
Alicia was born in California and remained there until age 16, when her family relocated to Dallas, Texas. She completed a degree in psychology here at Georgia State with a minor in criminal justice. When her degree left her few opportunities for employment, she enrolled in law school. Her goals as SBA Vice President are to throw the best social ever to celebrate our 20th Year Anniversary, and hopefully to achieve a greater sense of unity within the student body.

Sekou Richen: Secretary
Sekou is originally from Brooklyn NY. He attended GSU as an undergraduate and earned a degree in Political Science. He began his studies in law because of his strong belief in the power of the law as a tool for justice. Sekou plans to work very hard for the SBA this year to try and give back to the school and his fellow classmates in return for so much of the love, support, and varied lessons that he has received during his time here at GSU.

JoAnna Deering: Treasurer
JoAnna was born in Paterson, N.J. and completed her Bachelor of Arts at Emory University, majoring in accounting. After working as a successful CPA for many years, she entered law school with the desire to join her husband in legal practice. JoAnna is committed to supporting all efforts of the SBA in the quest for national recognition.

Michelle Hart: 3L Senator-at-Large
Michelle was born in Frankfurt, Germany and raised in Atlanta. She received her Bachelor’s in psychology and finance from Georgia State University. Michelle applied to law school when she realized that an undergraduate degree today is actually the equivalent of the high school diploma of the past. As a student senator, she hopes to encourage student participation and interaction in order to make our school a respectable and viable candidate among First Tier law schools.

Lamar Smith: SGA Representative
Lamar is a native of Atlanta, GA and a graduate of Georgia State University. He attended University of Florida, Cambridge University and Oglethorpe, majoring in international studies with a minor in French. While she is still unsure about her purpose for attending law school, she is very clear about her commitment to making this SBA the best in the nation. Specifically, Samantha plans to arrange influential speakers such as David J. Dempsey, esq. and local judges to provide seminars on litigation.

Danny Coleman: 3L Part-time Senator
Danny is from Eastman, GA and earned his Bachelor’s in finance and Master’s in business from Georgia Southern University. He entered law school in order to continue to challenge himself intellectually. He plans to secure additional snack and drink machines, to help plan the best Barristers Ball ever, and to get that pesky flickering bulb replaced in Room 170.

Terry Davie: 2L Full-time Senator
Terry is from South Carolina and completed a major in psychology and a minor in business at the College of Charleston in Charleston, SC. She decided to go to law school because her boyfriend suggested an alternative outlet for the cultivation of her argumentative nature. As a senator, she aspires to increase student attendance at meetings, recruit impressive speakers to the College of Law, make the social process run more smoothly for the 1Ls, and do her part to make this year’s SBA the best yet!!

Samantha Imber: 2L Senator At-Large
Samantha is originally from England, but moved to Boca Raton, Florida and then Gainesville, FL before settling in Atlanta. She attended University of Florida, Cambridge University and Oglethorpe, majoring in international studies with a minor in French. While she is still unsure about her purpose for attending law school, she is very clear about her commitment to making this SBA the best in the nation. Specifically, Samantha plans to arrange influential speakers such as David J. Dempsey, esq. and local judges to provide seminars on litigation.

Matt Hines: ABA Representative
Matt is from Hartsville, South Carolina and earned his Bachelor's degree in marketing from Clemson University. He became interested in law school because of the legal influence in business and the versatility of the Juris Doctorate. As an ABA representative, he plans to increase student interest in the ABA, obtain new ABA members and represent GSU in public activities with law firms and other groups in the Atlanta area.

Mark Issa: ABA Representative
Mark was raised in Decatur, Ga. While studying political science at Georgia State University, he pledged the illustrious Omega Psi Phi Fraternity Inc., served as an outstanding King and received the Martin Luther King Torch of Peace Award. He embarked upon his legal education to complete an unfinished dream his father had once begun. He hopes that his position as ABA representative will allow him to emphasize the importance of community service in student life.

Philip Robertson: SGA Representative
Philip was raised in Star City, Arkansas and he attended the University of Central Arkansas where he majored in sociology with a minor in interdisciplinary studies. He completed his Masters in Public Health, Health Policy and Management, at Emory University. It was Philip’s background in public health that led him to law school to practice Healthcare law. As a Student Government Representative, he desires to get people involved and serve as liaison between the law school and the University.

Check out the NEW SBA website for more information about SBA’s goals for this year.
http://law.gsu.edu/gsulawsba/
NAELS Conference

by Amy McMorrow

On March 15th, Amy Phillips and I took to the heartland to represent GSU and participate in the National Association of Environmental Law Societies (NAELS) annual conference. The topic: Sustainable Agriculture. Particularly fitting for this Midwest, but equally as salient throughout our country, is the modern trends in both traditional and innovative agriculture practices that are now being studied with an eye toward the future. One of the most obvious is to use sustainable agriculture. What is sustainable agriculture? It is farming that uses sufficient food for the world’s growing population and for environmental conservation, there is a growing understanding in our communities of our need for sustainable food production. The NAELS two-day conference, hosted by Washington University in St. Louis, provided an excellent forum for law students from around the country to come together to meet and discuss the current issues in agriculture and strategies for the future development of environmental laws and policies in this arena. The conference drew students from 26 law schools around the country. As participants, we were presented with outstanding panel discussions and paper presentations on topics from genetically modified food to concentrated animal feeding operations litigation: non-point source water pollution to aquaculture. For the first time, the 2002 NAELS conference tangibly contributed to the annual scholarship on the topic of sustainable agriculture. Law review articles, written by the conference presenters and based on their speeches, will be published in a symposium volume of the Washington University Journal of Law and Policy, a general readership law review with national wide circulation.

The mission of NAELS is to help Environmental Law Societies better prepare the next generation of leaders in environmental law to practice solution-oriented environmental law, engage in the political process, lead organizations, and work together with the public’s interest in mind. Though the organization started out as a modest student network, it has developed into a student-run national organization that actively works to impact environmental law societies around the country and impact the development of law and policy in the environmental arena.

As members of the Governing Board and regional representatives for NAELS, the Environmental Law Society of GSU will continue to work to promote the work of the national organization as well as to foster and expand our own local impact.

Sustainable Agriculture: Food for the Future

By Amy Phillips

Sustainable agriculture affects all of us. Have you ever thought about where your food comes from? Try it.

It is interesting to see how many of us imagine an idyllic farm scene with some cows, pigs and chickens along with fields of corn or wheat. This is simply not the case unless you are eating foods from farms that comply with organic food production standards. Organic products can be hard to find because current farm policies favor industrial farms. Typically, you should imagine several thousand acres of pesticides and fertilizers, tens of thousands of gallons of animal waste, more than a 100 acres of drained wetlands, several hundred acres of higher saline and erodible soil as well as 50 acres of genetically modified crops.

Ever since the 1950’s when corporate “fast food” restaurants began stressing production techniques, farms have become increasingly industrialized. Now, cows eat genetically modified feeds, antibiotics and hormones. Chickens spend nearly their entire lives confined to tiny cages and are, until they are slaughtered, fed antibiotics to help them resist the inevitable diseases of extremely crowded conditions. Some die sooner of course. Increasing farm size allows the possibility of waste from 100,000 hogs, which is more than a small city produces, to be released into surface waters from lagoon breaches. Other non-sustainable farming practices rob resources from future generations even though it is in current policy’s interest in mind. The organization started out as a modest student network, it has developed into a student-run national organization that actively works to impact environmental law societies around the country and impact the development of law and policy in the environmental arena.

As members of the Governing Board and regional representatives for NAELS, the Environmental Law Society of GSU will continue to work to promote the work of the national organization as well as to foster and expand our own local impact.

LGSLA Organizing Team
FOR AIDS WALK ATLANTA

Event Date: Sunday, October 20, 2002
Sign-in: 12:30pm
Opening Ceremony: 1:15pm

The Lesbian and Gay Law Students Association is raising money for Positive Impact, an organization that provides FREE counseling and psychiatric services to individuals infected with HIV and their family members.

For more information, contact Philip Robertson at philip_30312@hotmail.com

Making Strides Against Breast Cancer

Chances are, breast cancer will touch you or someone you know—and it perhaps already has. In fact, just within the last two, of our most loved and respected professors here at GSU College of Law have battled this disease. It is because of amazing women like Professor Scott and Professor Emanuel that we must come together to help find a cure. As part of our commitment to giving back to the community, your SBA is building a team with the American Cancer Society. Together as students, faculty and staff, join us in Making Strides Against Breast Cancer.

With your support, we’re leading the way to ensure that one-day, no more mothers, sisters, daughters, friends or great teachers and mentors will be lost to this disease. When you become a part of Making Strides, you’ll join thousands of others dedicated to a cure. It only costs $10 to register. You can join our GSU College of Law team online at http://gastrides.a~sevents.org/custom/acs/ga.html. From the website, you can make your own personal donation and encourage donations from friends and family. This year, our team goal is $10,000!

Then, on Saturday, October 12th, join us at Stone Mountain Park in your GSU T-shirts as we walk for a cure. We hope to have over 100 walkers to show our GSU pride.

To find out where your local organic produce sellers are, check out Georgia Organics: www.georgiaorganics.org.
Public Interest Law Association

By Kathryn Davis

The Public Interest Law Association here at Georgia State University School of Law works to educate students and the public about public interest law issues, and seeks to promote the goals of public interest law. The goals of public interest law are to protect the rights of the public at large (environ- ment, law, consumer protection, etc.) and particularly those members of society whose rights go unprotected due to economic disparity, lack of education, or some form of prejudice (indigent defense, elder law, AIDS law, etc.). Students interested in joining the association must be interested in the public interest law field. The association provides access to various events, such as monthly speaker forums and social gatherings. Members are encouraged to attend the Equal Justice Works Conference and career fair in Washington D.C. in October.

2002-2003 PILA Officers
President, Kathryn Davis
Vice President, Anne Koch
Treasurer, Claire Gabriel
Secretary, Alicia Castillo
Auction Chair, Cris Kirk
Webmaster, Nathan Jackson
Faculty Advisor, Prof. Roy Sobelson

GSU Law Commemorates 9/11

The Student Health Law Association (SHLA) is an organization of GSU College of Law students with a legal interest in the healthcare field. While some of our members have a background in healthcare, others are interested in health law due to its pervasive effect on us as individuals and as members of our society. Because health law involves numerous areas of law, it provides practitioners a wide variety of possible career paths. SHLA sponsors activities to foster formal and informal exchanges among its members and with faculty, alumni, potential employers, and professional organizations in the healthcare field.

For a $10 membership fee, students receive a variety of benefits including lectures, social gatherings, professional affiliations, and volunteer opportunities. SHLA sponsors numerous events ranging from purely social to predominately professional in nature. We are sponsoring monthly speaker forums throughout the year on health law topics as well as social gatherings. Our events are both educational and a lot of fun! We offer volunteer opportunities with “My House,” an emergency shelter for infants and children 4 years and under who are medically fragile and have no home (www.myhouseweb.org). We will be adding other volunteer opportunities for our members during the school year.

Upon graduation, SHLA members receive automatic membership in the Graduate Health Law Network, a network of GSU College of Law graduates involved in the health law industry. We are also affiliated with the American Health Lawyers Association, a national organization devoted to legal issues in the healthcare field. Through our relationship with AHLA, we receive enhanced benefits for our fellow law school students.

SHLA’s activities are determined largely by our members. We offer numerous opportunities for involvement and input is always welcome!

Student Health Law Association

By Jerri Nims

Our tentative schedule of events for Fall 2002 includes:

- September 18th: Speaker panel on “Careers in Health Law: the Private Sector”
- October 9th: Speaker panel on “Careers in Health Law: the Public Sector”
- October 19th: Party at the home of Faculty Advisor Prof. Charity Scott
- Late October: Speaker panel on “Healthcare Reform”

November: Speaker program on “Patient Safety and Medical Errors” and Informational meeting with the Atlanta Biotech Network

Please feel free to contact us at shla_gsuaw@yahoo.com with any questions or suggestions. Or you may contact one of our Officers: President: Jerri Nims (3L), Vice President: Erica Evans (2L), Treasurer: Anne-Marie Hill (2L), Secretary: Jenny Lippas (1L). Our faculty advisor, Prof. Charity Scott, is involved with all SHLA activities. You can visit us online at http://law.gsu.edu/shla/. We look forward to seeing you at one of our lectures or gatherings!

GSU Law Commemorates 9/11

...Continued from Front Page

The Northern District of Georgia on 9/11 and currently with the law firm of Jones, Day, Reavis & Pogues, Gregory Shellnut, Chief of the Criminal Division in the U.S. Attorneys Office of the Northern District, also shared thoughts and impressions with students.

In “Reflections on 9/11,” Mr. Deane discussed his involvement with anti-terrorism related issues since 9/11 when he was appointed as General Counsel to the Northern District of GA to re-direct their focus towards dealing with the aftermath of 9/11. Mr. Shellnut headed this Task Force whose goal was to help enable local, state, and federal authorities to share information so that authorities had a coordinated response to result issues.

Mr. Deane spoke of the complexity of figuring out legitimate threats to the Metro Atlanta area in the wake of 9/11. Officials in Washington instructed state officials to follow any logical leads, yet the enormity of the recent events reduced the time law enforcement officers had to filter possibly illegitimate threats. He recounted being one of the only people left in his office “in an act of defiance.” He explained that he did not want the attackers to have shut down his office.

Mr. Deane related that since the attacks, the FBI has undergone a fundamental change in purpose. Formerly the FBI concentrated on investigating criminal or terrorist activities. Now their purpose is predictive and preventative; they use intelligence to predict and prevent future events. He shared that it is “no longer unacceptable for the FBI to conduct an investigation and give those results directly to policy makers.” The structure of the FBI has also changed. 500 agents, 400 of which were previously under the Narcotics division, have been reassigned to anti-terrorism pursuits. Mr. Deane also spoke of numerous tensions between previously accepted boundaries. While the FBI used to concentrate on only domestic issues and the CIA on international issues, they are now balancing that division with the fact that domestic issues are intertwined with international affairs.

He highlighted the difference between racial profiling and reasonable suspicion. He said there is “no place for generalized suspicion known as profiling.” However, he differentiated profiling from knowledge of a specific group of people based on a reasonable suspicion. Mr. Deane stressed the importance of distinguishing between individual disloyalty and group disloyalty.
By Gregory Todd Jones

Last year during a gathering associated with the Henry J. Miller Lecture Series, Professor Curcio approached me and asked, "Hey, why aren't you doing externships?" Honestly, I had never given it much thought and wasn't able to provide an immediate answer. Upon reflection, I realized that I didn't really know much about the externship program that Professor Curcio co-directs with Professor Segall. If this largely-by-chance exchange had not occurred, I may not have been motivated to investigate the program and it would have been unlikely that I would have ever participated. I'm now here to tell you that would have been the largest mistake of my law school career.

For those whose curiosity might be peaked, I encourage you to head up to the fourth floor, go to the entrance across which would have been the largest mistake of my law school career.

Professor Curcio, along with Professor Segall, heads the Externship Program, which offers students a chance to work in the "real world." Significant mentoring component and tremendous opportunities for learning. So don't wait for Professor Curcio to chase you down on campus. Send her or Professor Segall an e-mail. Or drop by to visit Sarita. Seek out other students who have experienced externships and get their advice. I'm quite sure that you will be glad you did. Without a doubt, an externship can offer one of the most important experiences that you will have while you're here.

Hey Teach, Wanna Race?

By Jason Sheffield

"Reluctantly crouched at the starting line – Engines pumping and thumping in the time. The green light flashes, the flags go up, Chumming and burning they yearn for the cup." While those lines do belong to the band Cake, they more accurately describe the racing anticipation, heart-pounding fear, and the painful truth that the first week of law school has been ... well, let's just say it sure as hell hasn't been cake.

Then again, nobody said it would be.

As we meander around and tote our rolling backpacks like lost tourists in a Paris subway station, it's becoming quite obvious that there are no bicycles allowed on this racetrack. Road burn hurts.

Thus far, the burn down in the Pit Stop is echoing the heart-warming piece of orientation advice from our beloved Professor Sobelson – the Gunnery Sargent of the rat-tat-tat one-liners. Allow me to paraphrase Professor Sobelson, "Don't let law school consume you. If you exercise, keep exercising. If you're married, stay married." The emphasis on stay got a good chuckle from the audience of 1Ls and staff alike. Herein lies the problem.

While we were sitting there grinning and giggleing in our oblivious state of saturated euphoria, we were also secretly stealing glances at each other like, "is this really supposed to be funny?"

Come on, man – like any of us are actually going to be able to survive a marriage AND be in law school at the same time.

If you think we can, please help us understand why the professors who as sign the most reading never discuss any of it. We've all taken copious notes, highlighted textbooks – proof to our "Boy, the next person to get this textbook is really gonna thank me for highlighting all the important stuff!!" We've even been briefing our cases so diligently that they're twice as long briefed as they are in the book. But you ... you take our bouquet of flowers and set them aside like what you really wanted was the diamond cluster ring and matching belt buckle.

If we have learned anything in this first week, it is that this is life as an attorney. It seems that the first lap around this track has proven very useful. Lesson learned. You get the checkered flag on this one.

But we know what you're up to. At this point, the common belief is that all of you teacher-folk got together before school and came up with this huge master plan of distraction tactics: assign all these pages, brief all these cases, make sure you get your advice. We want to drink that sucker dry and pee our name in the sand.

I think I've even got one professor who just teaches dicta.

This class is a brain-fest of dedicated first year law students who want more than to just stay afloat on this bitter sea of reality; we want to drink that sucker dry and pee our name in the sand.

The lanes are full, professors - two hundred and thirty-four drivers (You didn't think we would all show up, did you?) - and we're ready for the next go-round on this racetrack. So, obscure our windshields with buckets full of as signs if you want, but do not be surprised if this class blows right past your cursor.

### THE DOCKET

### Class of 2001 Employment Statistics

<table>
<thead>
<tr>
<th>Total Number of 2001 Grads</th>
<th>Employment Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>156</td>
<td>Full-time Legal: 110</td>
</tr>
<tr>
<td>156</td>
<td>Full-time Non-Legal: 24</td>
</tr>
<tr>
<td>156</td>
<td>Part-time Legal: 7</td>
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<tr>
<td>156</td>
<td>Part-time Non-Legal: 4</td>
</tr>
<tr>
<td>156</td>
<td>Self-employed (business): 2</td>
</tr>
<tr>
<td>156</td>
<td>Self-Employed (not-for-Profit): 4</td>
</tr>
<tr>
<td>156</td>
<td>Military: 3</td>
</tr>
</tbody>
</table>

**High Salary Reported:** $139,636

**Low Salary Reported:** $38,000

**Median:** $69,000

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**EXTERNSHIPS: PLAYING LAWYER WITH LIVE AMMUNITION AND NET**

By Gregory Todd Jones

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### Hey Teach, Wanna Race?

By Jason Sheffield

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### Class of 2001 Employment Statistics

**Total Number of 2001 Grads:** 164

**Number Reporting Employment Status:** 156

95.12% of the class

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**Employed at Graduation:** 145

69.95% employed

80.9% of those employed had full-time jobs.

85.7% of those employed had part-time jobs.

**Unemployed:** 19

6% of the class

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**Self-employed:** 4

3% of the class

**Government:** 27

17% of the class

**Non-government:** 63

40% of the class

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**Type of Employment**

- **Full-time Legal:** 83
- **Part-time Legal:** 5
- **None:** 2

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**Employers (by number of employees):**

- **10-25:** 27
- **26-50:** 5
- **51-100:** 7
- **101+:** 30

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**By Field of Employment**

- **Private:** 124
- **Public:** 36

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**By Type of Organization**

- **Corporate:** 16
- **Federal:** 2
- **Local:** 1
- **Not-for-Profit:** 4
- **Public:** 2
- **Self-Employed:** 4

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**By Industry**

- **Banking:** 7
- **Energy:** 7
- **Health:** 7
- **Law:** 7
- **Construction:** 2
- **Retail:** 2
- **Other:** 10

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**By Region**

- **New England:** 27
- **Northeast:** 63
- **Southeast:** 27
- **West:** 19
- **International:** 1

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**Statistical Analysis**

<table>
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**Salary Information**

- **High Salary:** $139,636
- **Low Salary:** $38,000
- **Median:** $69,000

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**Employment Reporting Dates:**

- **April:** 30
- **May:** 29
- **June:** 30
- **July:** 30
- **August:** 31

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**Employment Reporting Location:**

- **Main Campus:** 156
- **Commercial Center:** 7
- **At Home:** 3
- **Other:** 12

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**Number of Respondents:** 156

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Many thanks to Jacqueline Phelan for her time and expertise in creating the new Docket logo!