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 achievement that gave people who were excised about the university 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 Professor Lanier, Bross, Hogue 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 pent-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 needed a high level of quality for people in the Atlanta Metropolitan region. “My dream is to see GSU 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 GSU student body grew and became integral to the workforce, the skills they have gained at GSU make them and the school shine.

This reputation is recognized in law firms, in government, and in the corporate world. GSU’s College of Law is also well known in the state judiciary, where praise on Georgia State grads like Dekalb County Superior Court Judge CJ Becker, who handled the Dorsey trial, is often glowing.

After 20 years, it is apparent that Georgia State’s College of Law has arrived. With its many programs, its well-prepared graduates, its devoted alumni, and its dedicated faculty, it has become recognized nationally as a superior school for legal education. So what is the future of this fine institution?

Dean Shuford sees more scholarship programs in the college’s future. “Since I work with student leadership, I see us being able to attract more leadership with better scholarship offerings. We are working on getting more funding for more scholarships, and I think this will only improve the quality of applicants.”

Dean Kaminshine envisions the school increasing its national reputation by adding to its distinctive character. Specifically, he sees the school “taking advantage of its location” by offering programs that will bring the law school and the community together.

Dean Griffith plans to make this vision a reality. “My dream is to see GSU 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.”

Building GSU Law: Deans Remember 20 Years

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 a moment of silence, donning 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 newly stems from present state 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 has been a significant event 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 convey to any 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 them are as follows: that they be new to taste and (2) must be fairly short and to the point. While we know several people may find this will be difficult for us as they 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 gaveling of this section in which two students debate the pros and cons of a legal issue; in this issue Jim Wall and Lisa Moultrie 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 section will be opened with a brief description of the topic and presentation of the issues. We will then open the floor to participants to voice their points and counterpoints.

You do not have to be knowledgeable on the topic to participate; the goal is to challenge students to think of the real life application of law outside of the course and to contribute to their 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 issues 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 essays 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 these programs and future editions.

Jerri Nima, Editor-in-Chief

---

**Strategies Civ Pro Doesn't Teach You**

**By Leslie Spornberger Jones**

No doubt about it, Civil Procedure teaches 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 no as no surprise to anyone here at 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 oneself at 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 hunk 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, A, or 3A.

P and A were nothing more than notes strung together 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, A was very real. Naturally I could remember the office after he or she had been served with "some papers from the sheriff." (Say that in your best Hee-Haw voice.) Needless to say, A was never very happy. One A would yell at me and say the bill was the insurance company's responsibility. Another A would start crying and explain that she couldn't pay the bill because she barely fed her two children (but somehow she'd be able to buy a brand new Lexus earlier this year).

A third A'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," A's husband would yell back at me (but somehow he'd always surmised me, "Trust me, sir, garnishing your wife's wages is not the only way a judgment can be satisfied.")

What happened to me about my responsibility was that it was just as cold and would be more likely to satisfy a judgment—until I saw whether defendants who were treated with kindness (albeit, not the same zeal, of course) as you might generally treat your opponent with the same kindness (albeit, not the same zeal, of course) as you might generally treat your opponent with the same
**Point / Counterpoint**

**Asset forfeiture is a civil proceeding seeking to deprive those charged with controlled substance violations of property that is contraband, instrumentalities, or proceeds of a crime. The profits from asset forfeitures go to law enforcement according to the role that any law enforcement agencies played in the seizure of the assets. O.C.G.A. § 16-13-49(u)(4)(B). This statute is completely consistent with other civil actions where a party responsible for causing injury is held accountable in the form of damages. Without 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 liquidation 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 distributed 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(u)(4)(B). Yet law enforcement agencies are not the only beneficiaries of forfeitures. This statute has something for everyone: 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 state and the money can then be used to fund "The Georgia Indigent Defense Act." § 16-13-49(u)(4)(D)(v). 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 dealers - 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, the 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.

By Jim Wall

There is something that soothes the soul about turning cash generated from wrongdoing into funding for law enforcement agencies. Unfettered by the grim realities of the drug trade, academic arguments 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 motive? 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 close proximity to controlled substances. The forfeiture statute removes the profit incentive for drug dealers to continue in their trade because those profits now go to the state. Chu-ching! In the real world of budgetary responsibility, law enforcement agencies are overwhelmed in their attempt to curtail 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 incarcerating those convicted are staggering, especially in these challenging economic times.

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

O.C.G.A. § 16-13-49 to the rescue! 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 under 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(u)(4)(B).

This statute is completely consistent with other civil actions where a party responsible for causing injury is held accountable in the form of damages. Without 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 liquidation 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 distributed 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(u)(4)(B). Yet law enforcement agencies are not the only beneficiaries of forfeitures. This statute has something for everyone: 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 state and the money can then be used to fund “The Georgia Indigent Defense Act.” § 16-13-49(u)(4)(D)(v).

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 dealers - 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, the 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 Proceeds**

By Lisa Moultrie

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 inexcusable crime provides society a menacing boogeyman to justify the conversion of our law enforcement agencies to state sanctioned pirates, trampling upon Americans’ fundamental property rights.

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 surpasses 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 forfeitures goes 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. Just another example of asset forfeiture so much faster than the criminal justice system? Safeguarding the constitutional rights of an accused person is not a necessary back log within the criminal court system.

However, Georgia’s statute, much like many others, sets out deadlines for plead- ing in and disposing of proceedings on an asset forfeiture, which would have the entire proceeding completed within three to five days. O.C.G.A. § 16-13-49. 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 of property is not the property owner’s right to property. This personification of property belittles individual property rights. The second legal fiction that forfeiture is a remedial civil proceeding 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 leveled 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 either borrowed by a family member committing a crime without the knowledge or a passenger in that car carried a controlled substance or a larger than usual quantity of cash with out her knowledge.

Even if all of the money went to the poor or to education or to substance abuse treatment, this would not remove incentives from law enforcement to seize. Wherever the money goes, there will always be a political constituency employing the rent-seeking process to lobby in favor of maintaining and expanding the forfeiture program. Eliminating the direct incentives of forfeiture would be a step in the right direction. Proceeds from forfeiture should not go directly to the law enforcement agency responsible for the seizure. Police officers should not be collection agents in an increasingly popular method of "fundraising." Individual protections should be enhanced to protect against corruption and police misconduct. Fundamental property rights secured by our founding fathers should not be abrogated in favor of any "War on..." bogeyman.

By Lisa Moultrie and Jim Wall

Across the nation, civil forfeiture is in the wallet! 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 of property is not the property owner’s right to property. This personification of property belittles individual property rights. The second legal fiction that forfeiture is a remedial civil proceeding 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 leveled 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 either borrowed by a family member committing a crime without the knowledge or a passenger in that car carried a controlled substance or a larger than usual quantity of cash without her knowledge.

Even if all of the money went to the poor or to education or to substance abuse treatment, this would not remove incentives from law enforcement to seize. Wherever the money goes, there will always be a political constituency employing the rent-seeking process to lobby in favor of maintaining and expanding the forfeiture program. Eliminating the direct incentives of forfeiture would be a step in the right direction. Proceeds from forfeiture should not go directly to the law enforcement agency responsible for the seizure. Police officers should not be collection agents in an increasingly popular method of "fundraising." Individual protections should be enhanced to protect against corruption and police misconduct. Fundamental property rights secured by our founding fathers should not be abrogated in favor of any "War on..." bogeyman.

**Point: Forfeiture is Restitution to Society**

**THE DOCKET**

By Jim Wall

By Lisa Moultrie

By Lisa Moultrie and Jim Wall

By Jim Wall

By Lisa Moultrie and Jim Wall

September 2002

Page 3

Asset forfeiture is a civil proceeding seeking to deprive those charged with controlled substance violations of property that is contraband, instrumentalities, or proceeds of a crime. The profits from asset forfeitures go to law enforcement according to their role in the seizure of the property as well as to the courts, local government, and the state. Asset forfeiture is predicated upon a showing of probable cause that the property used in connection with the drug trade or is proceeds from the sale of drugs. The burden is upon the owner or interest holder to prove by a preponderance of the evidence that the property is “innocent” or at least, in Georgia, that the property owner is an “innocent owner” with no knowledge of the illegal activity allegedly connected to the property. The provisions and procedure for civil forfeiture in Georgia are found in O.C.G.A. §16-13-49.
Student Bar Association
WELCOME FROM SBA President

By: Erin Baird

As we celebrate our 20th anniver-
sary here at Georgia State College
of Law, your Student Bar Associa-
tion 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 Ameri-
can Bar Association Meeting this sum-
er in Washington, D.C., I am deter-
mined to achieve a level of national rep-
derence 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 be-
stows national honors upon institutions
that raise the bar for SBA organizations,
websites, publications, and representa-
tives. This summer, we watched as
well-known law schools were called to
the stage to be recognized as examples
of SBA excellence. Next summer, Geor-
gia 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 envi-
ronment of cohesion, where all students
are united toward the same goals. We
plan to coordinate more events that
appear to the unique circumstances of
the part-time students and students with
families. In order to foster more com-
fortable first-year transitions, we have
restored and improved the mentor pro-
gram. We also intend to encourage an
appreciation for diversity through an en-
tire 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 assist-
ing in the success of others. But giving
back does not always have to mean giv-
ing up. All of the community service
initiatives we have planned are designed
to create positive exposure to our school
and provide invaluable networking op-
opportunities for our students. Specifi-
cally, we hope to raise over $10,000 for
the American Cancer Society and partici-
ate 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 devas-
tating 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 or-
ganize "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 con-
inue a tradition of excellence includes
meeting the needs of those individuals
who placed us in our positions: the stu-
dents. It is our goal to continue provid-
ing such valuable services as facilitating
the Bookswap, printing the student di-
directory and student business cards,
and arranging social events. In late Spring,
we established an interactive SBA
website where students can keep abreast
of all law school activities and easily contact their student officers. We
also hope to organize an intramural
sports program where law students can
reduce stress, keep fit, and form friend-
ships through athletics. In addition, we
hope to begin a published feedback cam-
paign where students can evaluate the
performance of faculty, staff and the
SBA.

(4) The Bottom Line
Your Student Bar Association is
only as successful as the students we
serve. All of our plans would be fruit-
less without the support and participa-
tion 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.

THE DOCKET September 2002

YOUR ABA LAW STUDENT

By Mark Issa and Matt Hines

Cost of Annual Student Membership in the ABA: $20

After attending the National Ameri-
can Bar Association Meeting in Wash-
ington D.C. this summer, we recognized
the unmitigated importance of mem-
bership 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 Continued
Legal Education workshops for attor-
neys. 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 in-
sight into different fields of law. Fur-
thermore, many of the speakers hired
by the ABA to present these workshops
are some of the most astute research-
er and gifted practitioners in the field.

Many of GSU's professors host these
CLE's and are renowned for their con-
tributions to the ABA.

Student Benefits of Joining
the ABA: PRICELESS

In addition, the ABA offers a vari-
ety of educational, professional, finan-
cial 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 controver-
sial legal issues to advice about making
the transition from law school to law-
yer. There is also a wealth of informa-
tion 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 Compe-
titions in negotiation, client counseling,
and appellate advocacy, there are enor-
mous opportunities for leadership devel-
opment 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 abil-
ity and to make connections with other
law students from across the nation. At
the National Conference, attorneys from
call over the United States were inspect-
ing name badges to recognize anyone
from their hometown. Several attor-
neys approached us and asked what we
did in Atlanta; soon, we were exchang-
ing business cards and making lunch
plans with our firm partner. Even on a
local level, student members can net-
work with area layers and judges through
ABA-sponsored community service activities such as Volunteer In-
come 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, mem-
bership 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.

Your ABA Representatives, Matt Hines and Mark Issa, with SBA President Erin Baird.
Erin Baird: President
Erin was born in Cape Canaveral, FL, but raised in the Philippines and Japan as the dependant of a Navy officer. She completed a double degree at Georgia 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 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, NJ, 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.

Jarvis Johnson: 3L Full-time Senator
Jarvis was born in Las Vegas, Nevada, but moved around a lot as an Air Force brat. He finally settled in Georgia in 1990 and has been here ever since. He graduated from University of Georgia in 1998 and worked for about a year until I decided to apply to law school. Jarvis hopes to use his position as senator to help improve the SBA Constitution and keep the Board on track to national recognition.

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.

Mark Insa: 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 upcoming 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.

Phil 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.

Lamar Smith: SGA Representative
Lamar is a native of Atlanta, Ga. He is a graduate of Georgia State University with a Bachelor’s in business administration. He came to law school to pursue a career in Sports Law. Lamar would like to increase communication between the undergraduate program and the law school and use the network to give back to the community.

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

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 these crops, pigs and chickens along with fields of corn or wheat. This is simply not the case unless you are eating foods produced by organic farming practices. Reduced use 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 salinity 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 and fast food, farms have become increasingly industrialized. Now, cows eat genetically modified feed, antibiotics and hormones. Chickens spend nearly their entire lives confined to tiny cages and, 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 may be profitable. A few factors are to create externalities such as salinization, desertification, and rapid reduction of an area’s water table to unpredictable depths. These externalities are exactly what makes it so hard for an alternative farmer (which is what a small farmer really is these days) to stay in business. These practices even link to the clearing of the rainforests which are cleared by natives hoping to raise beef cattle. All since 1950.

What can you do? Be a vegetarian, well, you may not want to eat the genetically modified oranges (GMOs), which were first commercially planted in 1995, since sometimes unexpected side effects of the recombiant technolgy include toxic or allergenic effects. EUPA approves Starlink® corn only for use as an animal feed because of concerns over potential allergenic effects and asked Aventis to keep it from humans. Starlink® corn would be allowable. The Starlink® corn was found in Taco Bell taco shells. The EPA took a zero tolerance stance and the recall cost an estimated billion dollars. A wrongful death action resulting from anaphalactic shock is currently pending in California although the EPA is still assessing the health risks. Other risks include monocultivation, pest resistance, and cutting off our export markets to the European Union since we can not guarantee that our exports are not genetically modified. Fear of export losses caused soybean growers to threaten an injunction against Aventis if it marketed the Liberty Link™ soybean. GMOs are also almost certain to be planted as a monoculture because of the immediate benefits to farmers from reduced crop loss. Then, as occurred in China 3 years after introduction of Bt cotton, a GMO resistant pest can wipe out the entire crop. Small farms may not recover from this kind of loss, so therefore, the use of GMOs also encourages industrialization.

A machine can be worn out and replaced, but land can not be replaced so easily; it takes 1,000 years for one inch of topsoil to form. Since 1950 we have lost one-fifth of the world’s topsoil and one-fifth of the world’s agricultural land to salinization, desertification and urban sprawl. As Peter Raven, President of the American Association for the Advancement of Science, the world’s largest organization of professional scientists, and a Time magazine “Hero of the Planet” said, “We can not afford another century like this one—we will meet global limits on population and food production.”

As consumers, we can support changes to sustainable agricultural practices that do not add to the world’s already small biodiversity. In 1990 we have lost one-fifth of the world’s topsoil and one-fifth of the world’s agricultural land to salinization, desertification and urban sprawl. As Peter Raven, President of the American Association for the Advancement of Science, the world’s largest organization of professional scientists, and a Time magazine “Hero of the Planet” said, “We can not afford another century like this one—we will meet global limits on population and food production.”
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 (environment 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.) The student body of the College of Law, the SBA Board or the editorial staff of The Docket. The Docket is published by the Student Bar Association of Georgia State University College of Law. All submissions are subject to editing and space limitations. We make every effort to publish stories submitted by the Student Bar Association of Georgia State University College of Law. The views and opinions contained herein do not necessarily reflect those of the faculty and student body of the College of Law, the SBA Board or the editorial staff of The Docket. Direct questions and comments to: thedocket_gsu@yahoo.com.

By Jerri Nims

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 of us 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 the purely social to predominantly 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! It makes a difference! For more information or to volunteer, please contact one of our Officers: President: Jerri Nims (3L), Vice President: Erica Evans (2L), Treasurer: Anne-Marie Hill (2L), Secretary: Jenny Lipana (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!

By Katheryn 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 (environment 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.).

Every year, PILA sponsors an auction to raise funds for GSU students to work in public interest law agencies and organizations. In 2002, the auction raised enough funding for four students to work in public interest positions over the summer. Plans for another fabulous auction are already in the works.

Throughout the year, PILA invites speakers to educate students about public interest issues and career opportunities. The Equal Justice Works (formerly NAPIL) safely. Officers are making plans to attend the Equal Justice Works Conference and career fair in Washington D.C. this October.

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

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: Top 40 event - alumni speaking

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_gsalaw@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 Lipana (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!

"We work hard, have fun, and raise a bunch of money to support public interest work here at GSU. This year, like every year, we need all the student involvement we can get. The students make our success possible."

By Katheryn Davis

GSU Law Commemorates 9/11

...Continued from Front Page...
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-bye-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 from Professor Yarn’s office, and pay a visit to Sarita James, who administers the program for the College of Law. You’ll likely find Sarita and her assistant busy – they have the enormous task of organizing the application and interview process, keeping the seventy plus externs organized during the course of their externships, and collecting all of the paperwork that monitors and documents the success of the program. Even so, Sarita is always overtly happy, inter-ested, and willing to offer a few words of encouragement and a piece of choco-late from the jar on her desk. Her office even finds the time to make courtesy cards that are given to important figures like literature majors and students who want more than their traditional first lap around this track has proven very useful. Love and light to chase you down on campus. Send her 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.

For those whose curiosity might be peaked, I encourage you to head up to the fourth floor, go to the entrance across from Professor Yarn’s office, and pay a visit to Sarita James, who administers the program for the College of Law. You’ll likely find Sarita and her assistant busy – they have the enormous task of organizing the application and interview process, keeping the seventy plus externs organized during the course of their externships, and collecting all of the paperwork that monitors and documents the success of the program. Even so, Sarita is always overtly happy, inter-ested, and willing to offer a few words of encouragement and a piece of choco-late from the jar on her desk. Her office even finds the time to make courtesy cards that are given to important figures like literature majors and students who want more than their traditional first lap around this track has proven very useful. Love and light to chase you down on campus. Send her 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.

Sarita James, who administers the Externship Program, is always available if you have questions about the program or its offerings. You can visit her on the 4th Floor.

Hey Teach, Wanna Race?

By Jason Sheffield

"Reluctantly crouched at the starting line – Engines pumping and thump- ing in time. The green light flashes, the flags go up, and I’m off! Chunting 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 pain-full 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 Gannery 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 staying active is a good chunk of the audience of LS and staff alike. Herein lies the problem.

While we were sitting there grinning and giggling in our oblivious state of satu-rated 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 assign the most reading never discuss any of it. We’ve all taken copious notes, highlighted textbooks, and groaned, "Boy, the next person to get this text-book 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 you really wanted was the diamond cluster ring and matching bell buckle.

If we have learned anything in this first week, it is that this is life as an at-torney. It seems that the first lap around this track has proven very useful. Les-son 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 mas-ter plan of distraction tactics: assign all of these pages, brief all these cases, make them tell us why we should buy Honda over Ford and then force them to tell us why Ford is soooo much better than Honda – hee hee hee.

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-signments if you want, but do not be sur- prised if this class blows right past your cauza.