March 2002

March 2002 Docket

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The Relationship Between School Loan Debt And Future Practice Area

By Allison Pepper

You knew that law school wasn’t going to be cheap. But do you really know how much it’s going to cost in the end? Have you thought with your actual salary? If you don’t see yourself in the private sector, where starting salaries in some large seriously considering how you’re going to finance your career in the sometimes more rewarding, yet often lowly-paid public sector. It’s no secret that the cost of attending law school has been steadily increasing. The National Association for Public Interest Law (NAPIL) estimates that between 1987 and 1997, the cost of law school has more than doubled. In 1987 the cost of a public school was estimated at $2,810, while a private school was about $9,048. By 1997, tuition at a public school had climbed to $7,035, while tuition at a private school had jumped to $19,256. Currently, at the country’s top law schools, student indebtedness averages between $70,000 and $80,000. According to Georgia’s law schools, the average debt load for graduates in the class of 2000 were as follows: Emory University, $67,427; Georgia State University, $40,333; Mercer University, $68,655; University of Georgia, $38,526. In an attempt to alleviate the burden of law school on those who enter the public sector, some schools have enacted Loan Repayment Assistance Programs (LRAPs). There are 47 law schools and 4 states that offer LRAP’s, but this is down from the 48 LRAP’s reported in 1994. While schools such as University of Georgia, Rutgers, and Vermont have all instituted new LRAP’s since 1994, other schools such as Emory, Boston University, and City University of New York have all eliminated their LRAP’s since 1994. NAPIL has reported that while LRAP payout has more than doubled since 1994, from 3 million in 1994 to 7 million in 1999, more than seventy percent of that money goes to just six schools (Yale, NYU, Harvard, Columbia, Stanford, and Georgetown). The state of Georgia, like many other states, is facing the problem of “brain drain” in that many new law graduates are staying away from state public interest jobs because of low pay. In July of 2000, Governor Barnes created the Georgia Legal Loan Forgiveness Task Force in an effort to create solutions to the growing problem. The Task Force has recommended that the state pay up to $600 per month on education loans for state prosecutors, public defenders and state law department lawyers.

In July of 2000, Governor Barnes created the Georgia Legal Loan Forgiveness Task Force and he has recommended that the state pay up to $600 per month on education loans for state prosecutors, public defenders and state law department lawyers. The proposed program would assist an estimated 450 lawyers and cost $2.7 million a year. At present, the Task Force estimates that the average public defender has a debt of $50,406, with a monthly loan payment of $574. The starting salary for a public defender in Georgia is about $41,000.

In the report issued by the Task Force, one of the major concerns addressed was the state’s inability to hire and retain experienced attorneys. Extremely low entry salaries coupled with crushing educational debt has created a constant turnover in many of the criminal justice offices of Georgia, with the biggest losers being Georgia citizens both accused of crimes and victims of crimes. Top-quality legal representation costs money, and the lack of adequate salaries has left many offices staffed with attorneys with little experience to deal with the staggering caseload and complexity of the problems they are presented with on a daily basis. Law students choosing to enter the public sector realize early on some of the sacrifices they will be making by choosing to practice in the public interest. While the rewards of public interest work are many, the oft-times low salaries can make it very difficult to follow one’s heart and pay off those student loans. Hopefully, the initiation of more LRAP programs will make it easier for students interested in public law to both practice law for the common good and be able to pay their bills.

Henry J. Miller Distinguished Lecture Series
Presents Linda Greenhouse

By Ben Widler

On March 14, 2002 at 6:00 p.m., New York Times reporter, Linda Greenhouse spoke as a part of the Henry J. Miller Distinguished Lecture Series. The lecture was titled “Between Certainty and Doubt: States of Mind On the Supreme Court Today.” The Lecture was centered on a division of the United States Supreme Court other than the traditional dividing points such as federalism, equal protection, and substantive due process. Greenhouse suggested that there is another dividing line on the Court based on the underlying stance the Court takes on the judicial role.

Greenhouse won the 2002 Pulitzer Prize for covering the United States Supreme Court and said that there are two opposite ends of the spectrum, minimalism and maximalism. To explain the two theories, Greenhouse used two examples from the Court. She used Justice Scalia as the example of maximalism and Justice Breyer as the example of minimalism.

Scalia and other maximalists think the Court’s main purpose is to make bright-line tests and rules that lower courts can follow. They see the minimalists view as irresponsible because it leaves uncertainty and gives the lower courts no clue how to charge a jury. To illustrate this line of thinking, Greenhouse quoted Scalia repeating his ideas that the Constitution is not living, but dead, and that anyone interpreting it has to do so from the point of view of the founding fathers. Otherwise, there would be new law made every day and no bright-line rules to ground it.

Breyer and other minimalists thinkers, on the other hand, base their decisions on outcomes and are much more fact specific. They do not have a problem leaving an area without a bright-line test because the facts from one case may be too different from another case to use one specific test. Minimalists do not put the same amount of emphasis as maximalists do on history, precedence and legislative history to make their decisions. They base their decisions on facts and consequences. To these types of thinkers, the literal approach does not work because the price is too high, and the Constitution must be read as a whole, not broken apart.

Greenhouse explained that Scalia is known for spreading his maximalist ideology and that now there is finally a counterweight in Breyer who is doing the same for the minimalists. Although throughout the lecture Greenhouse made it apparent that she agreed more with Breyer and the minimalists than Scalia and the maximalists, she concluded by saying that she believed that there did not need to be nine justices of one ideology or the other. In fact, she said that it is best to have a mixture because there are times when each is more advantageous than the other. To her, the biggest change that is needed is the addition of more candid and transparent decision-making, one case at a time.
Institutes of Mental Health, about 2.6
time, with no regard for their rights,”
states Stephanie McKay of the
Georgia Advocacy Office, Inc. “The
issue becomes a power struggle, and
medication is used in a retaliatory
way.”

The United States Supreme Court, in Cruzan v. Director, Mo.
Department of Health held that under the
Due Process Clause, a competent
patient has a constitutionally pro-
tected right to refuse medical treat-
ment. This “liberty” interest is not
absolute, however. Courts have
found that there are at least four state
interests that must be balanced
against the patient’s right to refuse
treatment. Commonly cited state
interests include: the preservation of
human life; prevention of suicide;
maintaining the ethical standards of
the medical profession; and, the
protection of third parties.

But what about when the
patient is not competent? The
determination of whether or not a
mentally ill person has the capacity
to refuse psychiatric treatment can be
extremely problematic. There is no
universally accepted definition of
“capacity” but courts look at the
ability of the patient to understand
and appreciate the nature and conse-
quences of health care decisions,
including the risks, benefits, and
alternatives to treatment.

One problem with determin-
ing capacity for the mentally ill is that
judgment and insight may fluctuate
rapidly. Furthermore, courts today
recognize that the mentally ill are not
globally impaired. For example,
someone can
harbor a delusional belief that people
are trying to kill her, while at the same
time holding valid opinions about her
experiences with the side effects of
anti-psychotic medication.

Treatment providers fre-
quently encounter the problem that
psychiatrists refuse medica-
tions and other treatments that the
providers deem appropriate. In these
circumstances there is a conflict
between the principles of autonomy
and beneficence.

The principle of autonomy
holds that each individual should have
the right to control her own person,
including her body and mind. One
autonomy-based approach is “substi-
tuted judgment.” In this method, the
decision-maker tries to determine and
implement what the patient would do
if the patient had decisional capacity.

The principle of beneficence
declares that the medical
providers should do what is “best” for the
patient, regard-
less of what the patient wants. The
parents patriae philosophy, which is
grounded in the principle of benefi-
cence, promotes the state to the role
of guardian and permits the state to
determine what is in the best interests
of the Patient and society as a whole.

There really is no excuse for fisticuffs
in school. There will be repercus-
sions, however, if you raise your hand
and ask a question that requires a
picturegram and a ten-minute explana-
tion from the professor three minutes
before the end of class. Avoid this at
all costs. Angry mob justice can be
swift and quite cruel.

Law school has a funny way
of shaking your confidence. For
instance, if you think you know
something, you really don’t. And, if
you’re sure you know something, you
will be publicly humiliated by a
barrage of questions and
hypotheticals until you find yourself
cannibalizing your own “airtight”
argument and wishing that loss of
bowel control was socially acceptable
and “cool” as opposed to “sad.” By
the end of your first semester, you
undoubtedly found yourself question-
ing your success in this legal game.
Well, my friends, like any other game,
you need a game plan.

You just happen to be in luck
because this 1L has developed a
check list, forged in the despair of last
semester, of five things that will help
you become an overall better student
and better citizen of your law school
community. Study these tips very
well, for this is information that the
“fat cats” in GSU administration don’t
want you to know.

5. Be considerate of your
fellow students. It is very important
to get along with the people in your
class because, after all, the legal
community is a small world. If you’re
going to hide books in the library,
take the time to go to Emory
and UGA on a weekend and wreak
havoc there, too. You don’t want to
inadvertently give the enemy
the upper hand in your quest for ill-gotten
wealth.

4. Open up to your friends
when you get stressed-out. It is
unhealthy to repress your feelings.
Don’t be ashamed to admit that you
cry yourself to sleep in a fetal position
in the bathtub to hide from the pain.
There’s no shame in that. Really.
3. Avoid confrontation.

In Georgia, Title 37 of the
OCGA governs involuntary treatment
of the mentally ill. The standard in
Georgia for involuntary hospitalization
is that the person be mentally ill and a
“danger to self or others”. By law,
hospitals are required to follow a
prescribed set of guidelines before
invading the patient’s fundamental
right to refuse treatment. However,
according to Ms. McKay, “seven out of
ten times they don’t follow the
procedure.”

• Get plenty of rest. Don’t
stay up too late studying. Speak-
ing from personal experience, if it’s 4:00
a.m. and you find yourself chasing
a small troll-like creature around
your apartment because you have reason
to believe that it has been stealing
your case briefs and your socks for
the express purpose of building a nest
behind the drywall, you have been up
way too long — GO TO BED!!

New Employment and Labor Law Association Explores All Aspects of Field

Law students have some big decisions to make in a short time. After only a year of law school, students are pressured to decide not only what field of law they want to practice in, but also whether to go public or private, plaintiff or defendant, or even in-house. All these decisions come at a time when some students still are not sure they even want to be lawyers.

The Employment and Labor Law Association (ELLA), founded in Fall 2001, is sponsoring a series of lectures to help students make these decisions. "When I started law school, I knew very little about the different fields of law and that made it difficult for me to choose a career path. With ELLA, we are hoping to educate students about an extremely popular and rewarding area of practice and perhaps make it easier for them to plan their careers," Misty Speake, ELLA president, said.

ELLA formed in response to student interest in employment and labor law. Speake said she noticed how many of her classmates were interested in working in this field and she found it surprising that GSU College of Law lacked an organization to represent those interests. She approached Professors Kelly Timmons and Mary Radford with the idea of starting an association and discovered that other students were also tossing about the same idea.

"The timing and interest level was simply perfect for creating ELLA," Speake said. After rounding out an officer's board with vice-president Anne Deneen, treasurer Jennifer Kerby, secretary Stephanie Everett, and faculty advisor Kelly Timmons, ELLA applied for and received a GSU organizational charter and was up and running.

ELLA officers stress that their meetings are not just for students who know they want to practice employment law. Everett said, "Many areas of law are not isolated but overlap. For instance, an attorney practicing employment law could face tax issues, tort law, and immigration law. Even if students are sure about what area they want to practice, it is important to consider other fields and to network with people practicing in your area.

Last semester, the group arranged to have attorneys from the Employment Team of Hunton & Williams talk with students about working in employment defense. Partner Kelly Ludwick, along with GSU Alum and former Moot Court president Kalin Light, presented a PowerPoint presentation describing the basics of employment law. Ludwick also shared with students why he enjoys practicing employment law as a defense attorney. One of the most rewarding parts of working with management, he said, involves helping employers comply with the law.

Employment defense attorneys are able to work with their clients to implement employee manuals and coordinate other developments to prevent constitutional and statutory violations before they occur, protecting both the employee and the employer.

In January, ELLA presented a second speaker luncheon on employment practice that focused on plaintiff-side representation. Local practitioners Charlie Bliss of Buckley & Klein, LLP, and John Beasley of Hill, Lord & Beasley, LLP, talked with students about life as plaintiff's attorneys in the employment field. The speakers said they found plaintiff-side work a rewarding way of life and enjoyed being able to work with people who are in bad situations and really in need of an attorney's help. They also urged students who know what type of law they want to practice to persevere in the search for their ideal employment and resist the urge to try other specialties.

ELLA also plans to present another speaker luncheon exploring public interest aspects of employment law. Speakers may include representatives from the National Labor Relations Board.

**Federalist Society**

Two GSU Students Attend National Student Symposium at Yale University

United States Solicitor General Ted Olson headlined a host of legal stars that attended the Federalist Society's National Student Symposium at Yale. Held March 1-2, 2002 the symposium focused on the "Law and Truth." Solicitor General Olson discussed a lawyer's responsibility to the truth with other legal scholars in a session moderated by Anthony Kronman, Dean of the Yale Law School.

GSU was represented at the symposium by 1Ls Mike Jacobs and Leslie Spornberger. "It was invigorating to attend the meeting," said Ms. Spornberger, "because the panel sessions were open debates which presented all sides of each issue." "The most fascinating debate was between the Honorable Guido Calabresi of the U.S. Court of Appeals for the Second Circuit and Distinguished Professor Yale Kamisar from the University of Michigan. They debated the value of 'Exclusionary Rules: A necessary evil to control government conduct'" said Mike Jacobs.

The symposium began with a philosophical discussion on different views of the truth. The heavy nature of this discussion made one judge comment that "he only understood 15%." The next morning's sessions began with a panel discussion on historical truth and originalism. Associate White House Counsel Brett Kavanaugh moderated the session, while Professor Randy Barnett of Boston University and Professor John Harrison of the University of Virginia debated, along with others, the various ways to interpret the Constitution while maintaining its original purpose. This discussion was a favorite with Emory University 1L Sandy Pefrey who noted, "this is the first time I've heard anyone articulate just exactly what I was thinking about this issue."

Probably the most hotly debated session of the day was an afternoon panel on "Juries and the Adversary System." Professor John Langbein of Yale University began this discussion by explaining his view of the jury selection process: "we accept anyone who has nothing better to do but jurors. And after we exclude anyone who might have something better to do, we exclude all the people who might be able to contribute in valuable ways because of their special knowledge." Professor Langbein's words were hotly contested by Akhil Amar, also a professor at Yale, who stated that "jury service is a democratic ideal." While acknowledging problems with the system, Amar suggested the system could be improved if "we got rid of preempory challenges, got rid of excuse without cause, and selected jurors from different sections of metropolitan areas rather than just from the city or just from the suburban areas."

After the day's sessions ended, society members shared a banquet dinner at the Christian Legal Society on Monday, April 1 at 12:00 p.m.

Ella will be hosting a panel discussion during Law Week on "Religious Discrimination in the Workplace" with the Chicago Federalist Society, go to http://www.fed-soc.org.

**Organizations**

Attending the National Federalist Society's Student Symposium gave two GSU students the opportunity to meet Solicitor General Ted Olson, three judges from the Second Circuit Court of Appeals, and Associate White House Counsel, Brett Kavanaugh.

March 2002
Hope on the Horizon

Interview with Vickie Brown, Director of the Career Services Office

By Alice Linnousem

There seems to be a general-ized anxiety among law students about job questions these days. Over the last several years, with the economy in a recession, job prospects for law graduates have become less certain. Students are left wondering about the future of the legal job market and whether they will be able to find employment after graduation. The question of what to do with your law degree is becoming increasingly pressing.

Vickie Brown, Director of the Career Services Office (CSO), talked to the Fulton County Daily Report about the current job market for law graduates and what law students can do to increase their job prospects.

Director of the Career Services Office

Hope on the Horizon

ized anxiety among you doing this summer?" is met with that surprising if the conversation not really sure. This would not be all around job questions these days. Over the lunch table or during class interchanges have taken place be-

plain bad and we have to do the best I went with the assumption that she would be telling me the market is just completely different outlook. Yes, getting attorneys (those with 50 or fewer associates) on the other hand, are not insulated. On the downside for us though, because they are more aware that they have a lot to offer, but may not be at the top of the class, will have a more important to stay open-minded about the kind of work you would like to do and where you would like to do it. The key here is networking. "Networking can be a very scary word, but if thought about within the context of making friends, it becomes less intimidating. You are not being sly or thin by striking up a conversation with a stranger in a coffee shop just because you notice him wearing a suit and reading the Fulton County Daily Report. Lawyers are everywhere! Even if a lawyer you approach does not have a job on a silver platter in her purse, she may know someone to refer you to or keep you in mind for the next time a job at her firm does open up. Introduce yourself and talk to people everywhere: community events, your place of worship, the grocery store, on the elevator, on MARTA. Stay open, alert and available for when opportunities present themselves. Vickie has noticed that students are often not aware of the opportunities in their surrounding industries and may in fact be letting a job walk right by them.

If you were in a fraternity or sorority, you should be contacting your brothers and sisters and inviting them to lunch. For those of us who went to colleges without fraternities or sororities or were not part of the scene, the alumni association of your college or university probably has a list of people who went on to law school after graduation, or a list of local alumni. They may know someone you could contact.

You are your own best advocate, so work as hard for yourself as you would for a client. There is definitely hope for all of us to find a job after graduation, even those who stare blankly at the specter of THIS SUMMER. The statistics are not complete yet, but the vast majority of the last graduating class are employed. Of the 7% who are not, some are not looking for jobs right now for various reasons. There are no statistics yet available for this year's class, but for those having a hard time finding employment the CSO offers several job fairs, including the Atlanta Interning Conference and the Small Firms Exchange Program. Attende-

tance by 3L's to these fairs is typically sparse, but they are provided for all students.

There are some specific things you can do while still a student to make you as hireable as possible. First, do not focus your course work too narrowly. Perhaps from having to choose a major in college, many of us are hung-up on the idea of specializing. Taking a variety of classes broadens your appeal to employers by making your knowledge base more versatile. Remember that those who specialized in mergers and acquisitions a few years ago are scrambling now to learn bankruptcy law!

Second, keep your mind open about practice areas that you may not have considered. Some areas that continue to flourish in poor economies are labor and employ-

ment, health law, bankruptcy, and intellectual property (particularly for those with backgrounds in electrical engineering and/or technology). So, take a class that you might not have thought about or join a student organization that represents a field you have not yet considered. Third, take advantage of your CSO and the community. Use the resources that are available to make contacts that can pan out later. For example, the summer survey forms are available in the CSO for students to look at. These surveys are com-

bined by students who work over the summer and are a great way for you to find out about which firms hire over the summer, as well as which students to ask about those firms. There are many, many resources available for your use in the CSO, including the wealth of information and advice that Vickie and Leah have that can be tailored to your needs just by meeting with one of them.

Finally, get out there, pound the pavement, and network, network, network! The jobs are out there!
To: 1Ls, 2Ls & 3Ls
From: Brian Miller
(Your New Best Friend)

By Jerri Nims

This school year brought with it a realization – the amount of messages in my email account indicated that I either had a new best friend or was the victim of spam- mania. After reading some of the emails, I knew the answer – Brian Miller, our new Assistant Registrar, is definitely my new best friend. He keeps me plugged into the pulse of the College of Law. Without his emails, I knew the answer – Brian Miller, our new Assistant Registrar, is definitely my new best friend.

Profile of Brian Miller, Assistant Registrar:
--grew up in Cleveland, Ohio
--attended John Carroll University
--currently working on a Master's Degree in History at GSU
--trained Brew Master

Geogia Justice Project
Gives New Perspective on Criminal Justice

By David Dorsey

Last semester, I externed with the Georgia Justice Project, a small non-profit agency that uses a holistic approach to serving its indigent clients who are criminally accused. The legal staff works hard to defend each client, and after accepted, the client and GJP, through its social dimensions, does whatever necessary (education, employment, civic skills, etc.) to create a stable, productive life after either incarceration or acquittal.

Once when I was scheduled to attend a habeas hearing, I found that it had been postponed. Instead I attended a trial calendar scheduling. The courtroom was crowded and where the jury usually sits were 30 young men. All dressed in blue 'orderly' shirts; all black; all unhoused prisoners. As the judge called each young man's name, one of the four public defenders and two prosecutors stated what motions needed to be filed or answered. It was a placid, speedy routine. The prisoner's only role was to stand while his case was discussed. They all seemed so ordinary that I could hardly imagine any were in a passenger jet, most of them after their trials, would be sentenced, and on release, effectively ostracized from society until dead.

I was familiar with three of the accused. One, with no criminal record, had been illegally arrested and tried to flee. Because GJP invested more time and expertise in this case than a public defender could justify, his case was dismissed. Otherwise, he would have been railroaded by black policemen motivated by indifference to law, lust for conviction, prejudice and stereotype - "He had scary eyes."

The second was a fourteen year old with a fine school record, the stature of an adult, and also no criminal record. He was one of four kids taking turns driving the car of an older brother, when he drove into a tree, killing a passerby, and injuring the others. What seemed like harmlessly mischief resulted in tragedy and a felony charge. The judge referred his case to GJP rather than public defenders, so he will be under house arrest until trial, and, perhaps, sentenced wisely. Hopefully this accident won't cost two lives.

The third client is atypical for GJP: a mentally limited, suicide prone, repeat drug user and purveyor, with a history of gun possession. Despite his criminal record, he has only served a prison term of three years. Now charged with aggravated assault and a list of other crimes, he expects to avoid incarceration! His history reflects that of a simple-minded consent to the means and dangers of the only form of survival he could find. GJP may succeed in reducing his sentence for some crimes, and prove his innocence of others, but, unfortunately, he cannot be rescued.

Long before law school I distinguished "whether she did it" from "whether, with full legality at every step, law enforcement has proved that she did it." This externship has taught me that 'whether he did it' is a small element of criminal law. Serving real clients has shown me that appropriate adjudication is more complicated than guilt or a guilty conviction.

The case dismissed was properly dismissed; but should he have tried to escape? The juvenile is guilty of vehicular homicide, a "proper penalty" - unavailable in this society. He did not cost society any money, but did cost him three years in prison; he is now serving a life sentence. This is not just a false accusation, but a true accusation that has not been found. ThisExternship has taught me that 'whether he did it' is a small element of criminal law. Serving real clients has shown me that appropriate adjudication is more complicated than guilt or a guilty conviction.

The case dismissed was properly dismissed; but should he have tried to escape? The juvenile is guilty of vehicular homicide, a "proper penalty" - unavailable in this society. He did not cost society any money, but did cost him three years in prison; he is now serving a life sentence. This is not just a false accusation, but a true accusation that has not been found. This

You may be asking, why would a law student purposely choose to add more reading to her hectic life? Simple – Brian Miller’s emails are the quickest, easiest way to find out about the numerous possibilities that are available to me as a law student and future lawyer. Further, this information helps me understand all of the ways our student body develops our law school’s image. This collage of information has assisted me with speaking to prospective employers and others in the field of law. For example, it informs me about what other student organizations of which I am not a member are doing which helps me talk to people about various law topics outside of my specialized interest.

Who is the man behind the emails? You will be glad to know that your new best friend is a great guy. Brian grew up in Cleveland, Ohio where he attended John Carroll University and the College of Law. Without his involvement in various organizations began with emails from Brian containing information about them. Beyond extracurricular information, the fabulous Mr. Miller passes anything I want to know – from social activities to job possibilities to externship positions – on to me.

Beyond keeping me informed about ways I can develop my personal interests and needs, Brian’s emails keep me up to date on the variety of things which the school as a whole is doing. While it may be your habit to just delete any message from Brian Miller not directly concerning your interests, my knowledge of the school and the various venues within which I am involved has increased from skimming all (yes, all) of the emails I get.

Throughout his career, Brian has invented all types of beer from German Bocks to British barley. Wines and Irish dry stout. His attention to tradition and quality led Michael Jackson, the renowned beer critic from Britain, to comment that his "brewing is one of the most complex and robustly beowered in the Midwest."

Instead of continuing in the predominantly hands-on field of brewing where Brian was involved in every aspect from brewing to physically transporting up to 6,000 cases and 200 kegs of beer per week, he decided that he wanted to pursue more intellectual endeavors. In that vein, he decided to join his family in Atlanta and work at GSU while he attains his masters in History. Consistent with Brian's enjoyment of the process and history of creating complex brews, he will begin classes in Fall 2002 focusing on Modern European History.

Brian encourages students to stop by his office on the third floor with any questions or just to chat. Beyond offering law students the necessary information to succeed at law school, Brian also has some words of wisdom that ring true for hard-working law students – "Life's too short to drink bad beer."

For more information about the Georgia Justice Project, visit http://www.gjp.org.
The Docket needs a facelift!

Are you a graphic artist or just like to doodle in your spare time?

The Docket needs a new logo and you could be known as the creative genius who designed it!

We are accepting submissions of possible logos until Friday, April 5 at 5pm.

Submitted logos will be voted on by the Editor-in-Chief, Managing Editor, Chief Layout Editor, Print Layout Editor, Online Layout Editor, and Associate Layout Editor. The new logo will be chosen by Wednesday, April 10 and will be revealed in our last edition of the semester, due out the third week of April.

Logos should be conducive to both our print and online editions, must include our name (“The Docket”), and may also include an image (such as the scales of justice, a gavel, or other type of legal identifier).

Please send all submissions and any questions to thedocket-gsu@yahoo.com with the subject line specifying “Logo Contest” and your name.

Happy doodling!

Apology

Thanks to Jennifer Kane who wrote the Careers article in the February 2002 Edition on job hunting and prospects for 3Ls. We neglected to give her a byline.
Year Ends. President Started.

By Trish Hinton

And so we have arrived at the end of a year, possibly more remarkable if this year marks the end of your time here in law school as it does mine. I have very little time left to be at the top of the totem pole, the graduating senior, before I am plunged into the world of work and revisit first year status as an attorney. In parting, I do have a few words.

First, I would like to thank all of the student body for allowing me to represent you as your Student Bar Association President. I hope I was able to help things at least a little this year. Special thanks to the 2001-2002 SBA Board, who worked to make my job easier—most of the time! Whatever I did wrong, please make sure the next board fixes it! I know this is not an awards show, but I also want to thank my best friend in law school for his countless hours of advice in his special role as SBA Consigliere.

More importantly, I want to share what made law school a great experience for me. I just want to warn students who still have a chance to do something outside of the classroom if you want to enjoy law school a little bit more. You don’t have to do everything, just one thing, or two things, or whatever makes you happy, but if you can, do something. Litigation may not be the best class ever, but if you really want to lead a trial, try a case, tryout for an STA team. RWA is hard and painful, but briefing-writing and oral argument can and will be real life for many of us moot court competitors who have a jump start at practicing those skills, meeting future colleagues, and trying the judges who will try not only the moot court competitions, but your real-life cases.

SBA and ABA (American Bar Association) can put you in contact with law students across the country, as well as local professors, our administration, and fellow students. Outside of school, and I’m almost sick of hearing myself say this, join a local bar association. There’s the Atlanta Bar and its many practice sections and community activities, national and regional practice area associations such as NACDL and GACDL. Stonewall for gay and lesbian attorneys, Gate City for minorities, GABWA for African American females, GAPABA for Asian Americans, undergraduate alumni associations... try any and everything to increase the contacts you have with actual lawyers while you are in school. They would rather talk with an interested and active student than a desperate graduate wheedling for a job.

I wish everyone the best of luck in the upcoming months, whether they are spent in fear of what the bar will bring or what the next year of law school has in store.

Congratulations, 3Ls! We’re out of here.... do we dare disturb the universe?

Don’t forget to join in these SBA sponsored events during law week!

Kickoff Party at Smith's Olde Bar, Friday, March 29, from 7:00 p.m. to 12:00 a.m.

Hear Keynote Speaker, Assistant District Attorney Kellie Hill, discuss the roles of her life on Tuesday, April 2 at 12:00 p.m. in Room 170.

Enjoy dinner, dancing and drinks at the Annual Barrister's Ball at the Crowne Plaza Ravinia on Saturday, April 6 from 7:00 p.m. to 1:00 a.m. Tickets are $35/ person or $60/ couple and can be bought from any SBA representative.

Law By the Numbers: Two GSU Law Third Years Mount a Grand Jury Array Challenge

Last Spring, Neal Wester, a prominent criminal defense attorney with the firm of Mitchell & Mitchell, P.C. in Dalton, Georgia was engaged to represent a new client accused of murder. While no murder case is routine, Mr. Wester is no stranger to this area of the law. Indeed, spending a few minutes examining the memorabilia that he houses in his office across the street from the Whitfield County Courthouse would convince anyone that he is at home in criminal legal domains that many other lawyers would find uncomfortable. But thanks to the firm’s new associate, State v. Brewer would not be an ordinary case.

James Ty Ross, a third year law student at Georgia State University College of Law, spent his summer at Mitchell & Mitchell and has remained with the firm as he completes his final year of legal education. Working on research related to Brewer, Mr. Ross came across cases that investigated the extent to which jury arrays were representative of the underlying population. Having recently completed research detailing the meteoric rise in the Hispanic population in Whitfield County, Mr. Ross was intrigued. He gathered demographic data from the 1990 and 2000 Censuses and compared those numbers to the official reports of the Whitfield County Jury Commission obtained from the Clerk of the Superior Court. Something seemed awry.

Mr. Ross remembered that a law school colleague of his, Gregory Jones, was also completing a Ph.D. in Decision Sciences (applied statistics) and worked as a statistical expert. He asked his friend to review the numbers. What Mr. Jones found was a systematic pattern of Hispanic under representation on the jury arrays, an extraordinarily egregious pattern that was steadily getting worse over time.

“What Mr. Jones found was a systematic pattern of Hispanic under representation on the jury arrays, an extraordinarily egregious pattern that was steadily getting worse over time.”

The results of Mr. Jones’ extensive analysis presented serious cause for alarm. He analyzed every jury pool found in the Jury Commission records on file with the Clerk of Court. He compared these findings with the demographic makeup of Whitfield County reported in the 2000 Census. To be cautious and conservative, Mr. Jones reanalyzed each pool, using the 1990 Census figures which did not show the dramatic increase in Hispanic population that had been witnessed in the latter part of the last decade. Still, in every case, Hispanics were systematically underrepresented. And in every case, the statistical results pointed to an inappropriate selection process with what was, for practical purposes, mathematical certainty.

Mr. Ross convinced Mr. Wester to move forward with a challenge to the array and Mitchell & Mitchell retained Mr. Jones as a statistical expert. In fact, Mr. Ross explained the challenge to the Whitfield County Superior Court and conducted the direct examination of Mr. Jones under Georgia’s Third Year Practice Act. Whitfield County District Attorney Kermit McManus remotely handled the cross-examination.

Similar challenges have since been successfully mounted in other Georgia counties -- a ruling in Whitfield County seems destined to wait for the results of another challenge now pending on appeal.

The Hispanic Population
(from March 2000 census figures)
Number of Hispanics in the U.S.: 32.8 million (12% of total population)
Breakdown of the Hispanic population: 66.1% are of Mexican origin
14.5% are of Central or South American origin
9.0% are from Puerto Rico
4.0% are from Cuba
6.4% are of other Hispanic origin

Mr. Jones and Mr. Ross worked in Whitfield County as they studied Hispanic representation in juries.
**CALENDAR OF EVENTS FOR LAW WEEK APRIL 1 – APRIL 6**

**Friday, March 29, 7:00 p.m. to 12:00 a.m. — Kickoff Party at Smith’s Olde Bar**  

**MONDAY, APRIL 1**  
7:00 p.m.  
**Religious Discrimination in the Workplace**  
WHERE: Room 170  
**DESCRIPTION:** All students and faculty are welcome!  

**TUESDAY, APRIL 2**  
12:00 p.m.  
**Keynote Speaker: Assistant District Attorney Kellie Hill (Al Amin’s Prosecutor)**  
WHERE: Room 170  
**DESCRIPTION:** Wrapping up work on her prosecution of Al Amin these past several months, Kellie Hill, Assistant District Attorney, will be speaking with GSU law students about the various “roles” she plays (attorney, prosecutor, African-American, and mother of two) and how all of these roles affect her life as an attorney.  

**WEDNESDAY, APRIL 3**  
12:00 p.m.  
**Anatomy of a Medical Malpractice Case: Plaintiff’s Side and Defendant’s Side**  
WHERE: Room 170  
**DESCRIPTION:** Well known plaintiff's attorney, Tommy Malone, and highly successful defense attorney, Lori Baer, with the firm of Alston & Bird will be presenting their opposing positions on preparing and presenting a medical malpractice case. The forum will include presentation of the issues involved on both sides of a malpractice case.  

**THURSDAY, APRIL 4**  
12:00 p.m.  
**Law of the Street: Breaking it Down for the Unaware**  
WHERE: Room 170  
**DESCRIPTION:** Description: In the wake of September 11 shaking up our nation, this program will focus on how music is one of the strongest forces for social awareness and change. Berin Downs (REM’s attorney) along with Sandra Brown (from Greenberg Traurig/formerly of ScCo Def Records) will spearhead the program.  

**FRIDAY, APRIL 5**  
12:00 p.m.  
**“Law of the Street: Breaking it Down for the Unaware”**  
WHERE: Room 170  
**DESCRIPTION:** Description: In the wake of September 11 shaking up our nation, this program will focus on how music is one of the strongest forces for social awareness and change. Berin Downs (REM’s attorney) along with Sandra Brown (from Greenberg Traurig/formerly of ScCo Def Records) will spearhead the program.  

**SATURDAY, APRIL 6**  
7:00 a.m.  
**Ambulance Chase 5K Run/Walk (only tentatively scheduled)**

**LAW WEEK EVENTS AND SCHEDULE**

**FRIDAY, MARCH 29**  
7:00 p.m. — 12:00 a.m.  
**WHAT:** Law Week Kickoff Party  
**WHERE:** Smith’s Olde Bar  
**SPONSORS:** SBA and LGLSA  
**DESCRIPTION:** All students are invited!  

**MONDAY, APRIL 1**  
12:00 p.m.  
**WHAT:** “Religious Discrimination in the Workplace”  
**WHERE:** Room 170  
**SPONSORS:** ELLA and CLS  
**DESCRIPTION:** All students and faculty are welcome!  

**TUESDAY, APRIL 2**  
12:00 p.m.  
**WHAT:** “Keynote Speaker: Assistant District Attorney Kellie Hill (Al Amin’s Prosecutor)”  
**WHERE:** Room 170  
**SPONSOR:** SBA  
**DESCRIPTION:** Wrapping up work on her prosecution of Al Amin these past several months, Kellie Hill, Assistant District Attorney, will be speaking with GSU law students about the various “roles” she plays (attorney, prosecutor, African-American, and mother of two) and how all of these roles affect her life as an attorney.  

**WEDNESDAY, APRIL 3**  
12:00 p.m.  
**WHAT:** “Anatomy of a Medical Malpractice Case: Plaintiff’s Side and Defendant’s Side”  
**WHERE:** Room 170  
**SPONSOR:** HLSA  
**DESCRIPTION:** Well known plaintiff's attorney, Tommy Malone, and highly successful defense attorney, Lori Baer, with the firm of Alston & Bird will be presenting their opposing positions on preparing and presenting a medical malpractice case. The forum will include presentation of the issues involved on both sides of a malpractice case.  

**THURSDAY, APRIL 4**  
12:00 p.m.  
**WHAT:** “Artists and Social Activism”  
**WHERE:** Room 100  
**SPONSORS:** SIELS and PAD  
**DESCRIPTION:** Description: In the wake of September 11 shaking up our nation, this program will focus on how music is one of the strongest forces for social awareness and change. Berin Downs (REM’s attorney) along with Sandra Brown (from Greenberg Traurig/formerly of ScCo Def Records) will spearhead the program.  

**FRIDAY, APRIL 5**  
12:00 p.m.  
** WHAT:** “Law of the Street: Breaking it Down for the Unaware”  
**WHERE:** Room 170  
**SPONSORS:** SBA and LGLSA  
**DESCRIPTION:** All students are invited!  

**SATURDAY, APRIL 6**  
7:00 a.m.  
**WHAT:** Ambulance Chase 5K Run/Walk  
**WHERE:** Urban Life Front Lobby  
**SPONSOR:** HLSA and Bar Fitness  
**DESCRIPTION:** Description: Dinner, dancing, drinks, and a whole lot of fun! Tickets on sale now. ($35/person & $60/couple—includes dinner, music, fun, awards, great memories, and 2 “drink tickets”). See an SBA Board Member for more information or to purchase tickets.