October 2002

October 2002 Docket

Georgia State University College of Law

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By Kelly Kesner

Within 60 seconds of opening its doors, Room 170 was packed for the lecture given by Larry Thompson, Deputy Attorney General of the United States. The room was crowded with lawyers from the US Attorney General’s office in Atlanta, members of the press, as well as numerous Georgia State Law students and faculty.

"Wow," Mr. Thompson reacted upon observing the attendance, "I have spoken with several law schools around the nation, including Harvard and Columbia, and this by far is the largest turn-out to date." Mr. Thompson was on a nationwide tour of select law schools to encourage students to join the Department of Justice, explain the DOJ’s agendas, and answer questions.

Mr. Thompson’s long and illustrious career includes working with King & Spalding and serving as the United States Attorney for the Northern District of Georgia. It was his experience as United States District Attorney that Thompson states was "the defining job in my career. I had a wonderful time...there wasn’t a day I was not happy to come to work. I made lifetime friends, learned a lot, and became the kind of lawyer I would be the rest of my career." Mr. Thompson chose to join the District Attorney’s office instead of becoming a partner at King & Spalding, taking the second of four pay-cuts he outlined in his career.

Reflecting on his career, Mr. Thompson had this piece of advice for students, "Never take a position just for the sake of money. The times I have been most satisfied, I took the job because it was the right thing for me to do in my professional development."

While watching the Rose Bowl game in January of this year, Mr. Thompson got the call from Attorney General John Ashcroft asking him if he would take his present job. Now Mr. Thompson has the opportunity to use his experiences to help the department change and determine policies that affect the entire country.

The DOJ in the Wake of 9/11

Since 9/11 there have been numerous new challenges within the DOJ. The Department has changed its agenda to the prevention and disruption of terrorism and counter-terrorism measures instead of the investigation and prosecution of such crimes. As Thompson relayed, "It does not do us any good to prosecute 19 dead men. Now we have to prevent and disrupt terrorist activity."

Referring to the DOJ as the "Guardians of Public Safety," Thompson explained that the FBI, CIA, DOJ, and other entities are now investigating new techniques and revising their guidelines to work with each other to prevent further attacks.

Thompson addressed whether these techniques affect civil liberties by stating that he is very aware of their importance as the foundation of our country; the DOJ would never do anything deliberately to infringe on these rights. Thompson submitted, "The measures we have taken are balanced and reasonable. They are in the open. We are not doing things in secret. People don’t just disappear in the middle of the night never to be seen again."

Thompson stressed that the most basic right and liberty is for U.S. Citizens to be safe and secure in their homes and workplaces. He elaborated that President Bush has the authority and the tools to take measures to protect the country.

Addressing Mr. Thompson further on this issue, 2L Kelly Fitzgerald asked Mr. Thompson to define the term "Enemy Combatant" and explain why persons with this designation do not have access to counsel. Mr. Thompson fielded this difficult question explaining that an "Enemy Combatant" is not fighting for a state nor does the army like territorial prisoners of war. For example, instead of fighting army to army, AI Qaeda attacks innocent civilians. Comparatively, a POW is someone enlisted in an army fighting state against state and is therefore protected under the Geneva Convention.

"Enemy Combatants" have not been caught on the battlefield. Further, they are not considered in the Criminal Justice system where the "Right to an Attorney" or 6th Amendment right would normally attach. The persons with this designation are committing an "Act of War" against this country and therefore under the regulation of the Military Justice system.

Continued on Page 3
War is the Most Humane Solution for Iraq

By Michael J. Sullivan

Once again Saddam Hussein finds himself in the crosshairs of a possible American attack. The Bush administration has made its case to Congress and the United Nations, whom recently reinstated Security Council resolutions to compel Iraq to allow weapons inspectors back into its country without conditions. U.N. Secretary-General Kofi Annan said, "this is not going to be business as usual or a repeat of what happened in the past," referring to Iraq's past defiance of weapons inspectors policies.

The White House, with Congressional supervision, is currently drafting a bill that will allow President Bush to deploy troops to Iraq for an attack, with the ultimate goal of regime change in Baghdad. The majority of Congress seems to support the offensive, but there are skeptics who desire a more multilateral approach utilizing the U.N., and some feel there is no immediate threat in Iraq citing that the offensive would only cultivate more Arab animosity towards the U.S.

Why Iraq?

Saddam Hussein has a long history of creating international chaos. Since 1980 he has attacked Iran and Kuwait, the former including Hussein's use of chemical weapons on Iranian soldiers. He has fired intermediate ballistic missiles at Iran, Saudi Arabia, Bahrain, and Israel. Under the Hussein regime, 16 U.N. Security Council resolutions have been violated, including the disarmament of weapons of mass destruction. Senior Iraqi officials who defected testified that Iraq has manufactured large quantities of gas gangrene, anthrax, botulinum toxin and VX nerve agent, which can kill a human within minutes with one drop on the bare skin. Iraq is known to be continuously working on nuclear weapons. Iraq admitted to previously having an illegal nuclear weapons program before the Gulf War, and intelligence reports reveal that Iraq attempted to obtain high-strength aluminum tubes used to enrich uranium for a nuclear weapon.

Consider the above facts coupled with Iraq's violation of U.N. Security Council resolutions 1373 and 687 demanding Iraq to cease terrorist involvement, including sheltering and supporting terrorist organizations that promote violence to Iran, Israel, and western governments. Yet Iraq continues to remain one of the world's largest financial backers of terrorism. Several Al-Qaeda senior operatives are known to have taken shelter within Iraq after their defeat in Afghanistan.

After the September 11th attacks, the U.S. cannot afford to allow a dictator to remain in power who has shown that he will continue to develop and use weapons of mass destruction; to continue aid, finance, and shelter terrorists responsible for attacks against the U.S.; and completely defy United Nations resolutions that are designed to protect the Middle East from instability and the world from weapons of mass destruction.

Still not convinced? Pay attention, liberals. It is amazing to me why so many liberals seem reluctant for regime change in Iraq. Human and civil rights are some of the main staples of the liberal platform and Hussein's human rights violations are staggering. According to the U.N. Commission on Human Rights, tens of thousands of Iraqi civilians have been subjected to arbitrary arrest, imprisonment, summary execution, and torture by beating, burning, electric shock, starvation, mutilation and rape. Wives are tortured in front of husbands and children in front of parents. One U.N. reported that in 1998, Iraq executed over 1,500 people for "political reasons" and over 16,000 disappearances were unaccounted for. Defectors testified that Hussein once ordered the killing of every person between 15 and 70 in some Kurdish villages and sprayed poison gas over at least 40 Iraqi villages.

Can you imagine watching relatives being raped and killed in front of you? This is a common occurrence in Iraq – not according to the Bush administration or its western media, but by U.N. reports.

Why War, Why Now?

Less intrusive policies have failed to curb Iraq's behavior in the last decade. After the 1991 Gulf War, U.N. weapons inspectors were sent to Iraq to discover and destroy weapons of mass destruction. Iraq continually impeded the inspections by not allowing inspectors to certain areas, labeling the mandated military installations as "presidential palaces." The impediments continued until finally inspectors were expelled from the country in 1998.

In response to Iraqi insubordination, the U.N. imposed sanctions on Iraq, severely restricting imports to weaken the economy and to prevent Iraq from receiving dual-use materials used to develop weapons of mass destruction. Rather than punish the Iraqi government, the policy merely weakened the Iraqi citizens while the Iraqi elite thrived from black market dealings.

The Clinton administration punished Iraq for its non-compliance with several limited air strikes with little result. Iraq continues to develop weapons of mass destruction and interact in terrorist activities.

Let's face it...the U.N. has tried to do everything necessary, short of war, to get Hussein to comply with the international community. They have tried weapons inspections, sanctions, and limited offensives; all have failed.

If the U.N. wishes to remain legitimate, it must enforce its resolutions or face irrelevance. The way to cease Iraq's terrorist activities and its quest for weapons of mass destruction is regime change, which means the end of Saddam Hussein's reign. This regime change will not be possible by sending Jimmy Carter or Jesse Jackson for tea and crumpets. Hussein will not go down without a fight. Admittedly, the war will not be as quick or easy as the 1991 offensive, but it will certainly not be another Vietnam as some liberal doomsday soothsayers tend to forewarn.

It is true that Iraqi soldiers will never step foot on American soil, but September 11th reminds us that much of the enemy is already among us. A peaceful, democratic Iraq will eliminate a huge resource from the terrorist network which threatens world peace and stability and free the Iraqi citizens of decades of tyranny and oppression.
By Brian Nichols

The Bush Administration recently released a new foreign policy that includes preemptive strikes against foreign nations and terrorists. This policy makes the debate on attacking Iraq broader, because it is clear that the possible attack against Iraq is the first utilize of this policy. To date, I oppose preemptive strikes generally, and specifically oppose a unilateral attack against Iraq. If the United Nations or nations within striking distance of Iraq requested America’s aid in attacking Iraq, I would support a limited American invasion. The decision to send people to die and kill in war deserves the highest scrutiny of the American people, particularly because there is zero public evidence linking Iraq to any deaths in America. Although Mr. Rumsfeld stated that such evidence exists, he refused to publicly disclose its content. But he said that the evidence would not stand up in American court. The evidence required to invade another country should be higher, not lower, than the standard in American courts.

I oppose the unilateral invasion of Iraq for five principle reasons. First, an attack on Iraq contradicts the war on terrorism. Second, it harms our foreign policy with other nations. Third, deterrence has worked in the past and would work with Iraq. Fourth, an attack increases the likelihood of future attacks against Americans at home and abroad. Finally, it is unclear what should be our primary foreign policy objective, a long-term strategy for peace with Muslim nations. Following the September 11th attacks, President Bush spoke to the nation about a war on terrorism. He stated that this war would be unlike other wars because terrorists did not have a nation. Therefore, a war against terrorism would be longer, the method of the war would be more diffuse and episodic, and it would not be clear when the war was over and support such a war.

But that is not the type of war President Bush is pursuing against Iraq; he is advocating a traditional war, and honestly I worry that the administration has learned nothing from the cold war against terrorism. We waged and continue to wage a traditional war after September 11th against Afghanistan, where the link between the Taliban government and the war against terrorism was much clearer. The Bush Administration’s policy on preemptive strikes abandons its own principles of the war against terrorism.

The proposed war against Iraq confused and hamstrung our foreign policy. First, we are overlooking the acts of Russia and China, each of whom are attacking alleged terrorists on their own soil. Because we want a green light from countries in Iraq, we excuse without serious investigation their assaults against their citizens. Meanwhile, we ignore the indisputable sponsorship of terrorism by Pakistan (in India) and Syria (in the West Bank and Israel) hoping they will overlook our pending invasion of Iraq. We overlook the likely human rights violations of some countries, including Turkey, Saudi Arabia and Yemen, hoping they will allow the use of their nations as staging areas.

The proposed war against Iraq was confused and hamstrung our foreign policy. First, we are over-looking the acts of Russia and China, each of whom are attacking alleged terrorists on their own soil. Because we want a green light from countries in Iraq, we excuse without serious investigation their assaults against their citizens. Meanwhile, we ignore the indisputable sponsorship of terrorism by Pakistan (in India) and Syria (in the West Bank and Israel) hoping they will overlook our pending invasion of Iraq. We overlook the likely human rights violations of some countries, including Turkey, Saudi Arabia and Yemen, hoping they will allow the use of their nations as staging areas.

Then, we have to explain how Iraq is different than the other “Axis of Evil” countries, North Korea and Iran. Since the Axis of Evil speech, we have diplomatically engaged these nations, while endorsing war against Iraq without explaining the reasons. Finally, we support Israel’s violation of the UN Security Council resolution about the occupation of the West Bank and Gaza, while condemning Iraq’s violations.

Deterrence is a policy that has worked in the cold war against the Soviet Union and could work against Iraq. The threat from the Soviet Union was dramatically more serious than the threat from Iraq. In fact, it seems that the threat from Iraq is minimal compared to the threat from the Soviet Union that the Bush Administration is able to withstand without serious fear of an attack on America. Deterrence and isolation worked in the cold war against the Soviet Union without loss of life, and the same is possible in Iraq, if America is willing to have the necessary patience and long-range vision.

Fourth, an attack against Iraq will increase the chances that religious extremists will attack Americans abroad and at home. This increased possibility of attack is tied to the fifth and most important reason to attack at Iraq. At least since the Iranian Revolution, America has been in an ongoing conflict with Muslim nations. I believe it is imperative that we recognize this and prioritize establishing a meaningful and just peace with Muslim nations. An invasion against Iraq will continue to generate conflict with Muslim nations. Instead, we need a policy that fosters cooperation between American and Muslim countries.

I agree with many of Mr. Sullivan’s points about the inhumanity of the Iraqi regime and the failure of efforts to change the regime thus far. However, I believe the invasion of Iraq is against the interests I have described. Finally, I want to respond to Mr. Sullivan’s jab at liberals. It is certainly true that some people who oppose attacking Iraq overlook human rights violations in Iraq. But, it is also true that some people who support attacking Iraq pay attention to human rights issues only when it serves another foreign policy interest. Further, some Americans like to ignore the fact that America supported and armed Iraq when Iraq was at war with Iran. In fact, the Associated Press recently ran stories detailing how the Centers for Disease Control supplied Iraq with strains of germs that we now believe were used to create biochemical weapons. The possible war with Iraq, and the preemptive strike policy it symbolizes, is adverse to the interests of America, and we are right to expect more information from our President, and more support from the world before we send our citizens to kill and die in Iraq.

Please join us Monday, October 21st, at noon in Room 170 for an informal debate on War in Iraq, introduced by Prof. Hogue.

Lunch will be provided.
Features

Deans Respond to Student Concerns

By Alicia Castillo

On September 24th, Dean Kaminski and Dean Griffith hosted meetings at noon and at five. They opened the floor to students for questions and concerns. This forum gave the students an opportunity to be heard and the Deans a chance to respond in an informal setting. For students not able to attend either session, here is a summary of the evening meeting:

Dean Griffith immediately began the session by talking about the new computer policy aimed at preventing future hacker attacks on the school-wide servers. Two suggestions were made:

1. Get some form of anti-virus protection installed on your computer. Norton Anti-Virus protection is offered for FREE and you can get directions on how to install it from Yolanda in the Computer Lab.

2. Try to avoid using common words as your passwords. Hackers can figure out common passwords to gain entry.

The floor was then open to the students for questions and comments. Following is a summary of issues raised during the meeting:

Student Concern: We might need a policy on dealing with street people. (S)he thought that there are other possible alternatives to helping the homeless other than giving them money or food, while students are en route to and from the Law School. Further, the students’ safety also was a concern, with regard to being approached by homeless persons.

Deans’ Response: The Dean(s) noted that there might be a problem with homeless people begging in front of the school (which they would take care of), but seemed a bit hesitant to look into implementing any type of “policy” dealing with this specific issue. Further, as far as safety goes, campus police are always just a call away.

Student Concern: An evening student wanted to know why alot of Tuesday evening classes are not offered.

Deans’ Response: It makes sense to give part-time students work, which full, time, a break in the week so they have a chance to do preparation for their classes.

Student Concern: Career Services has been short-staffed lately; sometimes there is no one at the front desk. The student was wondering when and if another person would be hired to lend them some assistance.

Deans noted also that communication between the CSO and the students have been affected by this problem.

Deans’ Response: The Deans were unaware that any students were having communication problems, with regard to interview notifications, interview cancellations, etc. The Deans admitted that the CSO was short staffed; however, they were seeking an extremely qualified person to hire, which takes time. They assured us that the vacant position would soon be filled.

Student Concern: Budget Card unavailability. School did not print off enough, so students could not buy them. As a result, students have to pay full price to park daily.

Deans’ Response: Deans were not too happy about this, and would address this problem immediately with Auxiliary Services.

Student Concern: Exam schedules—can they be published earlier so students can actually make plans?

Deans’ Response: Fall exam schedules usually come out after the Drop/Add period. That is when Tricia Rackliffe runs a program to minimize student conflicts in exams.

Student Concern: Regarding the Student Organizations, the student complained of inadequate notice of organizational meetings/events, which hindered the part-time students’ ability to attend the 5 p.m. functions.

Response: As SBA VP, this question was passed to me. It was agreed that one-week notice was sufficient advanced notice. The student organization leaders are advised to please give at least a week notice in the future to accommodate both day and evening students.

Docket: Hang in there Vickie and Regina! You are doing a great job!

Student Concern: Transcripts are a real pain to get from the main campus. Can we get them from the Law School?

Deans’ Response: Sorry, but no. The main campus is the only place a student may obtain an “official” copy.

Docket: Order one through GoSolar. It is very easy and you get it within about a week.

Student Concern: Food Services closes so early in the evenings, even before their actual closing time.

Deans’ Response: We sympathize with the evening students, and will look into it.

Student Concern: Need to Know.

Deans’ Response: It makes sense to turn Legalese into a possible solution for those students whose activities keep them here on campus late at night until early in the morning. Again, students can call for a campus officer to escort them to their cars, if they feel wary of walking by themselves. Finally, as far as the shortage of parking goes, it is a problem, it has always been a problem, and will, in all likelihood, persist to be a thorn in every student’s side.

Docket: “Take Marta, it’s smarta”—plus it’s only $26.00 for a monthly pass.

David Dempsey: Turn Legalese Into Legal Ease

By Samantha Imber

On September 25, 2002, Atlanta attorney and author David Dempsey conducted an entertaining and informative program at the law school entitled, Turn Legalese into Legal Ease. Mr. Dempsey spoke at the law school this spring and he was back by popular demand. His program was based on his recently released new book, Legally Speaking: 40 Powerful Presentation Principles Lawyers Must Know. The book was written to help law students and attorneys speak with power, passion and persuasion every time they speak, in every setting, in or out of the courtroom. The book has been endorsed by Senator Bob Dole, Senator Bob Kerrey, Governor Carl Sanders, Governor George Busbee and a host of prominent national attorneys. The book will be the basis of programs Mr. Dempsey plans to provide to law students, law firms, and in-house counsel nationwide.

Mr. Dempsey has 25 years of experience as a professional, speaker, two decades as a practicing lawyer and a general partner in the Atlanta law firm of Coleman & Dempsey, LLP, and 16 years as an adjunct public speaking professor at Oglethorpe University. Mr. Dempsey had some frank advice for those in attendance: “Words are essential tools for attorneys. We do not drive a truck, toss a football or swing a hammer to make our livelihood—we use words. Your ability to communicate your ideas with confidence and conviction is critical to your success as an attorney.” While he speculated that the vast majority of attorneys would agree with that statement, he also feels that most attorneys are far less effective than they need to be: “Our brilliant thinking is often lost in a thicket of clustered organization, baffling legalese, and dispassionate communication.” He offered many suggestions such as:

1. Prepare and Practice: “There is no substitute for thorough and detailed preparation. If your presentation begins to crumble because you are unprepared, you will pray that the stage will open up and swallow you and your audience may join in that prayer.”

2. Limit Your Points: “Don’t overwhelm your listeners with a blizzard of information. Your position is typically more persuasive if it is concise and focused.”

3. Open and Close Every Presentation with Impact: “The opening and the closing of every presentation is critical. Begin in a manner that will immediately captivate the attention of your audience (a shocking statement, a challenge, a question, or a quote) and close leaving your message ringing in the ears of your listeners (a call to action or an uplifting quote).”

4. Breathe Life into Your Talks: “Attorneys make far too many dull, dreary and pedestrian presentations. Make your speech lively by selecting vivid, colorful words, by eliminating verbal clutter and by polishing the content to set images floating in the minds of the audience.”

For more presentation tips or information on Legally Speaking, see Mr. Dempsey’s website, www.legallyspeakingonline.com.
Gaps in Act Targeting Corporate Fraud

By Jerri Nims, Editor-in-Chief

The Sarbanes-Oxley Act of 2002 was signed into law by President Bush on July 30, 2002 in an attempt to rectify the damage done to the stock market and consumer confidence by corporate scandals. When Enron filed for Chapter 11 bankruptcy protection, attention was focused on political implications and not corporate governance concerns. Then as fraud and corruption involving numerous other corporate entities surfaced, the focus swung from politicians to companies' top management, accountants, and brokers. WorldCom took Enron's title as the largest Chapter 11 bankruptcy filing in history on July 21, 2002. These companies were attractive to the investing public as officers allegedly concealed or misstated financial information to make profits appear larger.

Tyco's scandal added to the mix by implicating blatant misuse of corporate funds for personal use; the former CEO and CFO allegedly took $170 million for personal use through improper bonuses and forgiven company loans.

Yet the lying and stealing does not stop at the companies' suspected misstatement and misuse of funds. Also involved in widespread fraud were large brokerage firms and accounting firms. On May 21st the SEC required structural reform, a statement of conviction, and a $100 million fine for mishandling of investor accounts by Merrill Lynch. Then, Arthur Anderson, one of the Big Five Accounting Firms, was found guilty of a felony.

The Act aims to reduce the risk of fraud and corruption involving numerous other corporate entities. It also seeks to create a culture of corporate responsibility through incentive-based pay, stock options, and a high-ranking corporate official.

Section 307 of the Act dictates new "Rules of Professional Responsibility for Attorneys." It requires an attorney to report to the CLO or CEO evidence of a corporation's violation of the law. If the CLO and CEO do not respond appropriately (through remedial measures or sanctions), the attorney must then report the violation to the audit committee, the board of directors, or other committee of directors not employed by the issuer. The Amendment requires the violation of the attorney-client privilege as the attorney may be required to report things learned in confidence from the corporation. It also could prevent employees and management from looking to counsel for information. Lower-level management may not know how to respond to the law and be wary of seeking the attorney's advice in fear of being reported to higher-ups.

Further, Section 307 enables the SEC to regulate corporate attorneys. The October 2002 ABA Journal quoted the Commission's Chairman, Harvey L. Pitt, as saying: "There are risks inherent in giving an agency that sometimes finds corporate lawyers as adversaries the ability to regulate whether and how they satisfy our notions of appropriate professional behavior." Pitt balances this issue with the opinion of appropriate professional behavior.

Whistle-Blower Provisions

The Act provides "whistle-blower" protections for corporate employees who have been denounced, fired, or harassed because of reporting alleged financial wrongdoing. This is another milestone for the Act as it enacts federal measures for employees of all public companies as opposed to the former system forcing employees to file claims under state law or a variety of federal statutes. The Act authorizes both a civil cause of action for retaliation ($306) and personal penalties for knowing and intentional retaliation ($1107).

One foreseeable problem is that these protections do not prevent workers from waiving their right to sue. Although the Act creates a civil cause of action for retaliation, this protection is nullified by an employer requiring an employee to sign a waiver. Employers can, and will, simply have as part of their hiring process the employee signing a waiver of her right to sue.

If an employee does escape signing this waiver, she has a very limited time to file suit. The Act allows employees only 90 days from the alleged retaliation to file a complaint with the Labor Department. Employees will have to be much more informed for this protection to be effective.

The Labor Department may give OSHA the responsibility of taking care of the complaints. Because OSHA has traditionally enforced whistle-blower protections involving safety and health issues, these protections do not prevent workers from being fired or harassed because of reporting alleged financial wrongdoing.

The attorney conduct and whistle-blower provisions are prime examples of gaps in the Act's real-life application. An agency which is often in opposition to attorneys is regulating the attorneys' conduct while an agency concerned with safety and health issues will be policing the murky waters of corporate corruption.

GSU to Host Fall ABA Roundtable

On October 18 and 19, Georgia State University College of Law will welcome SBA Presidents and ABA Representatives from across the Southeast for the Fall ABA Roundtable. Student leaders from the 4th, 5th, and 6th ABA Circuits will gather to make plans, establish a valuable network, and exchange ideas. Please join us in welcoming them to Atlanta. Your Student Bar Association has organized a Meet and Greet Friday night (October 18) at the Leopard Lounge, a short walk from where our guests will be staying at the Sheraton. Entrance is free 9pm - 10pm. From 10pm on the cover is $5 and GSU Law students get a deal on the cover - stay tuned!

Party at Leopard Lounge!

When: Friday, October 18, 2002, 9pm - you drop
Details: No cover 9pm - 10pm, discounted cover 10pm on

Holler Back!

Student Feedback

Please take a moment to complete this survey and let your SBA know how we're doing. Completed surveys should be deposited in the box outside the SBA Bookswap. Please be specific:

1) Are there SBA services or events that you have found beneficial? Why?
2) Are there SBA services or events that you have found to be ineffective?
3) Are there additional services or events that the SBA should implement?
4) Are your SBA officers accessible? Friendly? Helpful?
5) Are the SBA services and events adequately promoted/publicized?
6) Additional comments or suggestions:
Student Bar Association

OUT OF THE LIBRARY AND INTO THE COMMUNITY

By Mark Issa

Tired of looking at the same spot in the library? Got more than a few rough drafts crumpled up on the floor? Well, the ABA Law Student Division has a program for you: Work-A-Day!!!

Since it's inception in 1991 at University of Illinois College of Law, every October law students across the country gather to perform service projects in their communities under the ABA/LSD Work-A-Day program. The theme for Work-A-Day is selected every year by the ABA/LSD Public Interest Committee and this year the Committee selected the theme "Make a Difference, One Child at a Time."

Our Work-A-Day is planned for Friday, October 25, 2002 and will be held at Wadsworth Elementary. We leave the GSU Law campus at 9am and we will carnaval to the school together. Once we arrive at the school we will read to the students and open up the floor for a dialogue with the student afterwards.

This is one of the few things during our law school career where no experience is needed and no one is going to use the Socratic method. All you need to know how to do is read!

Students interested in participating in Work-A-Day should contact their ABA representatives (Mark Issa or Matt Hines) or their SBA President (Erin Baird) and of course you can just show up!! By the way, this is in no way an excuse to miss class or any prior obligations with your professors. There will be many other community service opportunities in the future.

Hope to see you there!

Mark Issa: Misssa@student.gsu.edu
Matt Hines: thetaman@justice.com
Erin Baird: sbapresident@yahoo.com

NEW STUDENT REPRESENTATIVES

John Lippincott
- 2L Part-Time Representative
- From Evansville, IL - Went to Tulane
- Firefighter/Paramedic with Clayton County Fire Dept.

Jon Pannell
- 1L Part-Time Representative
- From Savannah, GA - Went to UGA
- Works with Troutman Sanders in Public Affairs Group

Justin Saxon
- 1L Representative
- From East Point, GA - Went to UGA
- Student Gov. rep at UGA
- Degree in Management Info. Systems

Nathan Woody
- 1L Representative
- Graduated in 2001 from the University of South Carolina Honors College with a degree in Music

Careers

HELP! I DON'T HAVE A JOB

Vickie Brown explains that there are many tools that no one uses, such as the Georgia State Agencies Directory, NALP Directory, Prosecutors and Defenders Directory, and many more. "It is also amazing how many people have not subscribed to the Georgia State University College of Law Job Listing website." So, if you have not, do it today by going to the Career Services Office link on the College of Law website and signing up (or go to http://www.gsu.edu/coal/cool.htm).

Another tip is "to look in your own backyard" as Vickie says. Students would be amazed with the leads and jobs they can find by asking people they know, like family, friends, people they work with, and professors. These leads can be the most productive a student can have if they utilize them.

Vicki also suggests that students participate in the externship program offered by the College of law for three main reasons. First, it allows students to get experience in an area of interest, which employers like to see. Second, it is a built-in networking tool and built-in referral system. Finally, it is another way for the student to get a good writing sample.

Vickie also gives other general suggestions such as joining the local bar and discipline groups as well as attending Continuing Legal Education/Seminars in areas of the student's interest to meet possible employers.

If the student has a particular field in which (s)he would like to work, there are ways to tailor the student's plan. For example, if the student is interested in working for a large firm, the focus is on academic record and transferrable skills from previous work experience. Small firms look for the whole package, but do not usually come on campus, so the student has to make a plan to find the firms and contact them, or go to a small firm job fair. For students interested in public interest or governmental agencies, there are many listings in the Career Services Office as well as job fairs like the Equal Justice Works Career Fair and Conference (over 100 public service employers) in October and the Georgia State University College of Law Public Service/Public Interest Job Fair in February.

If you are still worried about not having a job lined up, remember, the only employers that recruit solely in the fall are large firms and very large governmental agencies. The rest are spring and summer recruiters.

The last bit of advice that Vickie gives, other than set up an appointment to tailor your plan, is be creative. There are many other ways to find a job, so do not be afraid to use them. If you get an idea, try it.

As Vickie Brown says, "Exercise the three P's: persistence, perseverance, and patience." If you do all of this, you will find the job you want.

WHAT I DID THIS SUMMER

By Ben Walden

The client said the airport in another state had lost her parents' bodies. What? This was my first week at work for the Georgia Senior Legal Hotline this summer after surviving first year law school. The Hotline, a division of Atlanta Legal Aid, gives free legal advice to Georgia residents sixty years of age and older, regardless of income. The Hotline is a unique place to work because of all the different types of cases you encounter and problems you help solve. You also gain experience in case management and get to work with great attorneys.

A client calls in and you first get the basic information, name, address, phone number, date of birth, etc. The next step is figuring out if the client has a legal issue or problem. After listening to several life stories you soon learn what kind of questions to ask to cut to the chase. The client may need to fax or mail copies of documents to you before you can determine what, if anything, you can help them with. Issue defined, facts gathered, now you research the law. Once the law has been determined, the Hotline attorney, or legal intern as in my case, can resolve an amazing number of problems just by making a three-way call or writing a letter. The more involved cases that require court filings and appearances are referred to other agencies or private attorneys.

In the missing bodies case the airport had expanded and sent a letter to our client that the cemetery had to be moved and her relatives were now buried in a new location. The client had driven to the new location and just found a big pile of dirt. This turned out to be a miscommunication issue instead of a legal issue and was easily resolved with a few phone calls.

Working at the Hotline was a positive, enlightening experience. I worked on wills, power of attorneys, guardianships, public benefits, and a surprising number of landlord/tenant and consumer issues. I learned I knew more than I thought I did and it was great working with experienced attorneys to find the answers to things I did not know.
The National Lawyers Guild works “to the end that human rights shall be more sacred than property interests.”

The National Lawyers Guild was founded in 1937 in response to the racially segregated American Bar Association. The preamble to the Guild’s Constitution reflects the organization’s progressive foundation: “to the end that human rights shall be more sacred than property interests.” Over the past 65 years, the Guild has provided legal support to numerous causes, including the labor movement, political activism targeted by the House Un-American Activities Committee, and the civil rights movement. During the 1980s and 90s, the Guild continued its work towards the advancement of human rights through its advocacy of women’s and gay rights and affirmative action while opposing the proliferation of nuclear arms and U.S. involvement in Central America. The Guild has a long history of involvement in immigration and international law matters, and in the wake of September 11 the Guild has published “Know Your Rights” pamphlets in several languages and conducted workshops on the legal implications of post-9/11 legislation.

During the fall semester last year, GSU’s NLG hosted visits by several speakers. The director of the agricultural division of Georgia Legal Services met with students and talked about his work on the behalf of migrant farm workers in South Georgia. In the spring, several chapter members participated in a workshop and learned about serving as legal observers at protests. Last March, the chapter hosted a talk by College of Law Prof. Natsu Saito, whose talk “Putting the USA Patriot Act in Context: Espionage Agencies and National Security in U.S. History” addressed the subject of civil liberties during times of national emergency. The timeliness of the topic along with the irresistible lure of free pizza made for a well-attended presentation. The College of Law’s National Lawyers Guild chapter is open to all interested students (we do not collect chapter dues, nor does membership preclude one from joining the ABA or other student bar organizations). So, if you’re interested in an organization with a rich history in legal activism, check out the College of Law’s NLG chapter. Watch for announcements about upcoming programs and chapter meetings, and feel free to contact me at pffollowill@student.gsu.edu for more information.

When asked to write something about the College of Law’s National Lawyers Guild chapter, I accepted the invitation because (1) many students probably haven’t heard of NLG (which is understandable), and (2) free publicity is free (which, for a cash-strapped student, is hard to turn down). The reason many students may not have heard of NLG might partly have to do with the timing of the chapter’s inception. The chapter has its humble beginnings in the fall of 2001. During the first couple of months, a group of students met a few times, mostly to learn about NLG and discuss ideas and goals for the organization. Getting a fledgling student organization off the ground proved to be not so easy. Not only was this the first brush with law school for many students, but the new organization, along with the rest of the nation, found itself unmoored by the events of September 11. In light of our nation’s unprecedented tragedy, NLG perhaps takes on added relevance, as does the country. Even though the organization’s main focus will be on first amendment - anyone interested in constitutional law is welcome. The organization’s founding members are emphasizing the crucial and vital role that information plays in any society. Indeed, the information is more powerful than any other tool or weapon, because it is a prerequisite for the ability to use it. It is therefore crucial how the flow of information is, or is not regulated in any society.

The organization is soon going to complete its formation process, and is intended to be a place for interested students to discuss first amendment related topics, and critical life issues, improve their knowledge of the law, as well as a place to network with law firms and organizations in this area.

By Pete Followill

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Survival in the University Jungle

By Katherine Davis

First, I want to let you know that I have some qualifications to give advice on surviving student life at G.S.U. I am a 3L here at the law school and I also obtained my undergraduate degree at G.S.U. In fact, except for a small break between my undergrad years and law school I have been coming here as a student since fall of 1994. That’s right, 9 years.

So, if anyone is offended by what I have to say, please remember it is only my opinion and after 9 years I’ve earned the right to make some observations. So here are the top ten problems I’ve run into, plus my tips on how to avoid or minimize student suffering:

1-Financial Aid

Problem: Have you ever tried to call the Financial Aid Office? They have a message that says something to the effect of: We are too busy to talk to you, if you have a problem we really don’t care. Have you ever tried to get assistance at the Financial Aid Office? The people behind the desk will tell you everything is fine and you should hear something in the mail in two weeks. However, in two weeks you will just be a little further behind on whatever bills you haven’t been able to pay because you don’t have your money.

Solution: Never call or go to the Financial Aid Office. Instead, go to the Student Affairs Office here at the Law School on the 3rd floor. They will work with you and the Financial Aid Office to take care of the problem.

2- Parking

Problem: We are law students. We carry lots of large books plus laptops. We cannot scale five to seven flights of stairs with these things. By my count, the M deck elevators have been broken for over two years. Now, one set is fixed – keep your fingers crossed. And if you weren’t lucky enough to get an M Deck card, you better get here before 11:00 a.m. or after 2:00 because the lot will be full and closed.

Solution: In the evening after 5:00 p.m. you can park under the law school in the faculty lot for $2.00. Just ride the elevator! Also, a few M deck cards are released for sale after the lottery because some winners do not pick up their cards. Check on this in the future (that is how I got mine).

3- Lines

Problem: Ever been to auxiliary services to get a parking pass, Marta card, or panther card? At least now you know better than to bother waiting in line at Financial Aid. Then there is the bookstore, was anyone else there last year when the credit card machines quit working? I waited almost two hours!

Solution: The best solution is just to be first. Register for parking early online. They will mail you the pass. Get up to the school bookstore and panther card office early, and be prepared to wait.

4- Beggars, Flashers, Thieves

Problem: On campus the very day I was to write this article, a man came up behind me at a crosswalk and grabbed my shoulder. He then mumbled a barely coherent demand for a cigarette.

Other colorful examples include the gentleman who roves about campus and claims to be a professor asking for Marta fare – watch out for this guy he is almost believable, and he carries a large notebook of G.S.U. stuff and wears a G.S.U. pin. At least the beggars are fairly harmless.

Solution: You’ve heard this before, but travel in pairs whenever possible. It can also be helpful to carry away snack food. A pack of crackers or peanuts will often be enough to satisfy them, and this is a feel good win solution to deal with begging. If you must give money, keep small bills in your pockets for easy access. It is not wise to open your wallet and go sifting through bills on the street corner. Avoid deserted corners, especially in the main library, and never take naps in any public G.S.U. location.

5- Attitude

Problem: A professor once said to me “it is not just that the school’s administrative offices aren’t helpful to the students, it seems as if they go out of their way to be rude.” I understand that customer service doesn’t really exist in the huge university system, but a little common respect for fellow human beings would be nice.

Solution: As with the Financial Aid Office, try to stick with Law School Offices as much as possible, go to the Student Affairs office first, or try the Office of the Ombudsperson.

6- Coffee

Problem: Everywhere on campus sells the same coffee and it is usually bad! Apparently, the School contracts this service, so you can’t even get Burger King coffee at the Burger King.

Solution: Get a good thermos and import some good stuff, give up caffeine, or grin and bear it!

7- The Email System

Problem: I started using my G.S.U. email address this year. It has come to my attention that the server is down constantly. In one of the nations 20 most wired law schools your email is often a lifeline. Plus, the email system is terribly unsophisticated. The Address book won’t download, isn’t compatible with anything, and doesn’t allow you to segregate people into groups!

Solution: One word: Yahoo

8- The Bookstore

Problem: They never have what you need, they often sell you books you don’t need, and then there are the lines – see problem # 3.

Solution: Never believe what the bookstore has listed as required for a course. Go online and check out the professor’s requirements before you shop. You may now purchase books online! Do so! Better yet use the S.B.A. bookswap!

9- Name Changes

Problem: I mailed copies of my marriage certificate to the registrar’s office three times and my name was never changed in the system. Then, one of my undergrad teachers couldn’t match my name on her final role so she failed me! It took almost six months to get this F corrected to an A because, like many teachers she headed straight to Europe after she turned her grades in!

Solution: When you need a name change, go to the Registrar’s office in person. This is one of the few times I would recommend venturing out of the Law School.

10- Solicitations

Problem: I get stuff from credit card companies, insurance agencies, and even the piano sales people. In spite of the general harassment value, the giving out of my personal information, and the waste of paper, these are not even good deals. Students have enough trouble making sound financial decisions. We don’t need to help them find bad ones.

Solution: No, we can’t do anything about this. Just don’t buy the stuff.

All my negative energy being sent I want to give a big “Thanks” to all those who make our lives here at the Law School as easy as possible, and insulate us somewhat from the jungle out there that is G.S.U. A big shout out to those who have helped me just this week: Regina Bryant, Vickie Brown, Dean Kaminshine, and Trish Rackliffe.

Student Achievements & Activities

John Walraven, 3L
Campaign Manager for Shannon Goessling’s campaign for Georgia Attorney General. Shannon is the GOP nominee to challenge Thurbert Baker in the November election.

Philip Robertson, 3L
Appointed to the Board of Directors for the National Lesbian and Gay Law Association (www.nlgla.org). In taking over his duties as a Board Member, Philip attended the Lavendar Law Conference in Philadelphia, Pennsylvania October 10th-13th. Look for an update from the conference in the next edition!