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The Voice of the Georgia State University College of Law

COL Team Raises Over \$4K

2007 AIDS Walk Atlanta

February 2008

INSIDE



The Future of Legal Education

Read about the history of legal education in the United States and how COL students compared



Law Students with Children

Students balance law school with life. Read about this growing trend



Farewell Friend

Students, faculty and staff say goodbye to a friend

Spotlight on: Kene Stephens

Behind the scenes, making sure we have the books we need and our



Law Day of Service

Students, faculty and staff join together at Bright Futures Atlanta in conjunction with

Editorial

Is it tough luck for the war on drugs or a safe haven for drug addicts: San Francisco

Downtime Fun

Anyone seen the two movies? Test your knowledge of movie trivia

New Semester, New Possibilities

What a challenging semester this has been! So many exciting happenings, so many things that have students talking. There was tremendous excitement created by the administration in preparation for the September 28 Open House. This event was an incredible success with alumni from across the state visiting the school and interacting with current students.

This editor had the opportunity to meet STLA alums and listen to their interesting stories about, who else? Our own Tom Jones, head coach of the mock trial team. No doubt, students in other areas had similar experiences.

To top off the festivities, attendees visited the future home of the College of Law and enjoyed live music at a fabulous alumni reception.

To stay on top of more anniversary events, see the Events Calendar on page 3 and remember to check your email.

As the semester ends, students are also thinking about the job market. In the Careers section, a legal headhunter gives some helpful tips and advice for students looking for employment.

Everyone is also continuously talking about the U.S. News Rankings and how well the COL is doing. Did you also know that our law school is ranked to be one of the top schools for non-traditional students? Many non-traditional students (like me!) are those changing careers. As such, they are older and more likely to have spouses and children. In the Student Life section, we reprinted an article featured in the February 2008 edition of Student Lawyer Magazine. This article discusses the challenges of juggling family life with law school life. It doesn't sound easy to me! Kudos to law students with children...everyone else, stop complaining!

At the forefront, of many student discussions, is the issue of crime. This semester alone, there have been several muggings, an armed robbery and a kidnapping. I had a conversation with a student who had the interesting opinion that if you choose to go to

a school in downtown Atlanta, those are the consequences you must deal with. I personally do not believe I should have an "expectation" of crime, simply because I attend a school in an urban area. What I expect is exactly what our administration has done: increase police presence, provide escort services and ensure areas where students congregate are well-lit and patrolled. I implore you to take advantage of these services and use the "buddy" system when leaving the school at night. Please stay safe.

Tragically, this semester also saw the loss of a promising student. Paul Brady, a One L, was hit by a car, near the COL, and on October 8, he succumbed to his injuries. Two days later, in the spirit of our great school, members of the COL community held a candlelight memorial on the

second floor courtyard. This event, led by the Black Law Student's Association, included thoughtful words by the Dean, students and members of the faculty. For more thoughtful memories about Paul, visit the Student Life section on page 4.

On another bittersweet note, the Georgia Supreme Court finally came to its senses and released Genarlow Wilson. In case you don't remember, Wilson was the 17 year old child who was sentenced to a 10 year prison sentence for engaging in consensual oral sex with a girl two years his junior. The Docket brought this story to you last Spring in an effort to bring awareness to this issue. Good job B.J. Bernstein, Wilson's attorney, and our own Sherrie Brady for keeping this issue in the forefront.

Well, with so many exciting announcements below, I am running out of room. So, good luck on exams, have a wonderful holiday season and to the December graduates—including our own Staff Writer John Gunn (who will be sorely missed!)—Congratulations and good luck on the bar exam! As always, thanks so much to all of the people who made this issue of The Docket possible. Your hard work is ever-appreciated. See all of you next year.

Best wishes,

ANNOUNCEMENTS

Georgia State Students Rock the Bar !!!

Georgia State's Bar passage rate was the highest of all of the law schools in Georgia. 96.8% of first timers passed the Bar Exam and 96.3% passed overall. Emory students passed at a rate of 92.1 and UGA, 92.6. In addition, with an average score of 151.9, Georgia State students had the highest average MBE scores of all law schools in Georgia. "We are extremely proud of our students," said Dean Steven Kaminshine. "Their bar exam performance, as well as many other indicators and accomplishments, are reflective of their talents and the strength of our program," he said.

Mock Trial Team wins National Championship

From a field of a dozen invited law school mock trial programs, a team from Georgia State University's College of Law came away with a national title from the first competition of the fall.

The four-member team, coached by adjunct professor Tom Jones and alumna Cheryl Champion-White (J.D. '93), took top honors at the 17th Annual Cathy Bennett National Student Trial Competition in Key West, Florida. The competition was held during the National Association of Criminal Defense Lawyers' fall conference Oct. 18-20.

Georgia State law students Ernessa Brawley, Zach North, Holly Muehleman and Mitch Freehauf worked over three days of competition, acting as defense and prosecuting attorneys (advocates) and as witnesses. North also took home honors as Best Advocate.

Dean Steven Kaminshine offered his congratulations to the team and its coaches. "Tom's developed an outstanding mock trial program and news like this reminds us that it keeps getting better," he said. "The students simply did a great job."

Professors Johnson and Hartfield Honored Nancy Johnson, the College's law librarian and professor of law, is the recipient of this year's Southeastern Chapter of the American Association of Law Libraries (SEAAAL) Service

to SEAALL Award. The award is given to the chapter member who has made special, significant and sustained contributions to the chapter. In addition, the Georgia Association of Black Women Attorneys (GABWA) has named College of Law Professor Bernadette Hartfield as the recipient of the Bensonetta Tipton Lane Award for Commitment to Family at the recent GABWA annual Founders Awards Gala. The award recognizes an individual who has used her professional and personal leadership to advance family and child-related programs and initiatives, including those that focus on education, domestic violence, health care, child advocacy, adoption and other issues impacting the family. Congratulations to both on their achievements in service.



Zach North, Holly Muehleman, Mitch Freehauf & Ernessa Brawley

Professor Neil Kinkopf Named Faculty Scholarship Award Recipient Professor Neil J. Kinkopf has been named the recipient of the College of Law's third annual Patricia T. Morgan Award for Outstanding Faculty Scholarship.

Established to recognize faculty excellence in scholarly research, the award was named in memory of one of the faculty's most prolific scholars, the late Patricia Morgan.

Faculty award recipients receive a \$12,500 summer research grant and a course release during the next academic year.

Professor Kinkopf's areas of teaching and scholarly interest include civil procedure, constitutional law, legislation, legislation practicum and administrative law. He has been with the College of Law since 1999.



Prof. Bernadette Hartfield

Legal Headhunter Offers Advice to Students

By Joslyn

SHERIE BUSH is the founder and president of West Highland Placement LLC, an Atlanta-based legal recruiting firm. In the first of this 3-part series, she offers advice to students for law school and beyond.

Sherie is a Phi Beta Kappa graduate of Emory College (B.A. in Political Science and Music) and Emory Law School, where she served as the Editor-in-Chief of the inaugural edition of the Annual Survey of Bankruptcy Law (now known as the Bankruptcy Developments Journal), was a research assistant for Professors Charles A. Shanor and William T. Mayton, received the AmJur Award in Contracts, and the Corpus Juris Secundum Award her 3rd year for the most significant contribution to legal scholarship. Prior to becoming a search specialist in 2004, she practiced law in Atlanta for 20 years, including as a partner at Holland & Knight, as counsel to Arnall Golden Gregory and Long Aldridge and Norman, and as an associate at Jones Day and Powell Goldstein. During her legal career, she managed a commercial lending practice and was very involved in firm life, including service on associate, marketing and recruiting committees, participation in mentoring programs and pro bono activities. Sherie is married with one high-school age daughter. Her husband is a partner in a national law firm with an office in Atlanta.

So your advice to students is .? Soon-to-be graduates should analyze what they view as a "normal" life, should determine what balance they want between the various components of that life, should consider what time investment level they are comfortable with and for how long, and should have some long-range plan so that options remain open. And then they can plan their track accordingly. Big firm life offers much in the way of compensation and training, but it is not always a fit for – or even available to everyone - and there are many other excellent alternatives. But keep in mind that a rigorous, full-time schedule for three years regardless of environment is advisable in order to get good training and keep options open.

Let's talk a little more about the analytical process you refer to.

Second-year law students should be given counseling or maybe even a mini-course on how to balance expectation with reality, on how to manage career and family life, and how to perform some self analysis on long-range goals before they embark on their summer associate or clerkship experiences. This will give them more of a perspective and background from which personally to:

- observe and be more aware of the true lifestyles of the attorneys at the firm or agency (as opposed to the social whirl that surrounds most firm summer programs);

- observe the quality of the personal relationships and private lives of the associates, partners, prosecutors, defenders;
- observe the responsibility and autonomy given to each level of associate;
- observe whether real-life marketing opportunities and support are given to associates for building a client base (the best route to long-term professional security in private practice);
- listen for candid feedback about the quality of child-care, maternity and healthcare benefits;
- ascertain whether the firm offers a "safe harbor" to attorneys who experience serious personal difficulties in any particular year;
- talk candidly with non-traditional path attorneys about how they arrived in their position (was it voluntary or involuntarily; how long did they practice on the normal track before switching to the non-traditional path; are they happy with the quality of work they're provided).

Then they can ask themselves what they did and didn't like about what they observed. Most law students – at least those who have enrolled straight from college and haven't had a prior career – are completely unaware of what issues to look for and how those might clash with their personalities down the road. They really should be educated on how to balance early opportunity vs. long-range goals and make a good professional match given their individual temperament and personal priorities.

And the questions you would have them ask themselves as part of the process? Here are a few.

And these apply to all students although the last few are probably directed more to the female students because of maternity leave "impact" issues which are generally still with us in the profession.

There are no right or wrong answers to these questions, and each student's combination of answers will be unique.

The questions do require honest self-analysis and self-awareness, an ability to imagine life 5 or 10 years down the road, and perhaps even a reflection back on the student's own family life.

The answers to these questions then should be used in evaluating all available opportunities – some rule out a big firm career, others point to it! Your school's placement office may be able to help in this exercise.

1. Do you have outside responsibilities or commitments that might make a 50 -60 hour (or more) work week difficult now? For the next three years? Over the long term?

2. Do you need a regular schedule now or in the foreseeable future?
3. Do you have a passion – e.g. a sport or fitness regime, charity work, music performance, painting,, religious involvement – that you need or just want to reserve time for during the week?
4. Do you want immediate, hands-on practical experience?
5. Do you want as much training and mentoring as you can get, or are you better at figuring things out for yourself and then being evaluated?
6. How important is status/prestige to you? In other words, do you think you want a big firm because that's viewed as "the prize" or do you really want that environment – and if you really want that environment, do you know why?
7. How important is maximizing compensation in the early years? Are you willing to trade dollars for time?
8. Do you work well in a structured, rigid environment?
9. Do you want variety in your practice, or would you prefer to focus on a specific area of the law – or even a sub-specialty within that area?
10. How important is having a daily challenge? Or do you prefer more repetitive processes to stay in your comfort zone (many do!)?
11. How important is achieving partnership?
12. Is law an exciting career or a well-paid job for you? (It's a very hard question, but you'd be surprised how many, when answering honestly, choose the latter answer. I probably would have.)
13. How well do you handle competition?
14. Do you have difficulty coping with change (i.e. could you see yourself gaining experience in one environment, then having no problem moving in 3 or 4 years)?
15. How important is public service? Pro bono work?
16. Do you like to travel? Would a long-term out-of-town project present problems for you?
17. Is your long-range goal to go in-house?
18. Do you plan on having children?
19. Do you plan on working (either full or part-time) after you have children?
20. Would you use firm-sponsored daycare or would you make other arrangements?

NEXT ISSUE:

Career Services Offers Attorneys in Residence Program

Courtesy of the Career Services Office

Your Career Services Office and the College of Law have heard your requests and responded! CSO Director Vickie Brown has created the Attorneys in Residence Program (AIRP), and the College enthusiastically supports it. We hope you'll do the same.

Here's the idea. We've hired two practicing attorneys to provide personalized, hands on career advice to those of you who seek it.

They have each committed to about 20 hours per week, at least half of them on campus, from now until the middle of March.

When they're not on campus, they will advise you via phone, email or any other method you settle on.

They will provide the perspectives of attorneys who have worked, both during and after school, to create rewarding careers for themselves and their families.

We knew Vickie Brown was on to something terrific when we saw the response to the ads for the two positions.

We had well over 50 responses, quite a few from our graduates who just wanted to congratulate us on the idea itself.



Tremelle Fishburne

We also had well over a dozen highly qualified applicants, many of whom are College of Law graduates.

We interviewed quite a few excellent candidates, and have now hired Bonnie Rich and Tremelle Fishburne.

Bonnie Rich is a 1994 COL graduate who has worked in private practice, as in house counsel for a large corporation, and as an independent contractor. She has extensive experience in screening, interviewing and hiring attorneys. Tremelle Fishburne graduated from the University of Pittsburgh School of Law in 1997. She has worked as a law clerk, City Attorney, and a private practitioner.

Both attorneys are well positioned to speak candidly and creatively about your career options. Both are highly enthusiastic and professional, and each eagerly awaits the opportunity to make these positions really work for you. I hope you'll take advantage of these two extraordinary individuals' talents and enthusiasm. And when you see Vickie Brown, please congratulate and thank her for putting together such a great program.



Bonnie Rich

This is another great new program offered by the CSO. Last semester, we got the great news that Career Services announced the formation of the CSO Student Advisory Council. This Council will advise CSO on student perspectives regarding goals and policies of the office and help CSO strategize about how best to serve the professional development and career needs of students. Representatives will be outreaching to their respective classes for input as the Council gets under way very shortly.

Your feedback on these new and innovative programs is greatly appreciated. Please feel free to share your experiences with Vickie Brown, David Smith, Dean Timmons or Dean Sobelson.

Behind the Scenes with Keneé Stephens

By Suzanne Jackson



Keneé Stephens

Who is Keneé Stephens? For one, it's Keneé, not Kenny, not KeeNee...like Reneé, with a "K." Well, most of us 3Ls know her as the person we complained to when we had "witness" issues during Litigation class last Spring. She was calm, cool and collected (and never complained about the occasional "Kenny")...but before today, we only knew her as an "email" address.

What did I find out while talking with Keneé? She's a family person, high energy, has a great sense of humor (ask her about a particular 'ring-tone'--not hers!) and we haven't managed to drive her crazy...yet. And as an extra bonus, she can DJ our Graduation parties!!!

Name: Keneé Stephens
Birthplace: St. Louis, MO
Hometown: Atlanta, GA (been here since age 11)
Position at the law school:
Administrative Coordinator in the Associate Dean's Office
Major responsibilities:
Order all textbooks and coordinate the Litigation Program
Favorite thing about working with law students:
The vast amount of comic relief to an otherwise mellow-dramatic day
Why Georgia State University College of Law is 60 minutes from home and about 20 paces from continuing my education.

What did you do before coming to Georgia State? **Coordinator for Bellsouth.net Project Management**
Favorite Neighborhood: **Kidwood**
Favorite Restaurant: **Antonio's Italian Ristorante in Las Vegas, NV**
Favorite watering hole: **Any place that Phace Oricalz, a local Atlanta group, is playing.**
Favorite musical group: **Phace Oricalz**
Name of 3 CDs that are currently in your car: **Phace Oricalz, Evenessence, Corrine Bailey Rae**
Favorite movie: **Anything with James Bond in the title but I prefer Sean Connery**
Favorite book: **Eyes of the Dragon by Steven King**
Favorite author: **Zora Neale Hurston**
Favorite all-time T.V. show: **The Cosby Show**
Favorite legal T.V. show: **Night Court**
Favorite sport: **Track and Field**
Favorite vacation spot: **Elizabethton, TN**
Three people dead or alive that you would like to meet: **Dorothy Dandridge, Billie Holiday & Common**
Favorite superhero: **Marvin the Martian is my hero!**
What did you want to be when you were grade school? **A DJ and to be getting my kit for Christmas!**

News from the Career Services Office

CSO Announces the establishment of CSO Student Advisory Council
The Career Services Office is pleased to announce the formation of the CSO Student Advisory Council. Among many things, the Council will advise student perspectives regarding goals and needs of students. Representatives will be getting under way very shortly.
Friday, November 14, 2007
Career Treks, 10 a.m. & 1 p.m.
Come trek with CSO to visit several employer offices. Students hear presentations about work in diverse practice areas, submit resumes directly to employers for school year, summer and post graduation opportunities, etc. CSO has a track record of 100% hiring through Career Treks.
Tuesday, November 27, 2007
Career Connections Series, "Transition: From Theory to Practical Application," 12-1:30 p.m., Room 230.
This professional development program is sure to win positive responses. Join members of the legal community to help educate students about the "business" of law, preparation tips for "developing" good relationships and future clientele, how to effectively "transition" from law school to lawyer, and a lot more.
Job Fairs sponsored or supported by CSO. Still to come fall semester:
Judicial Clerk Job-Posting
Graduation positions for 3Ls and recent graduates only and Prosecutors Interview Program
Summer and post graduation positions

25th Anniversary Events Calendar

To stay up to date on the 25th Anniversary festivities, check your email and the College of Law website. New events are being added daily!

- | | |
|--|--|
| November 15, 2007
Newly Minted Lawyers Reception & Swearing In Ceremony | March 11, 2008
The Hon. Justice Sandra Day O' Connor, Keynote Anniversary Speaker, 42nd Henry J. Miller Distinguished Lecture |
| November 16, 2007
National Briefing Day for the Convention on the Rights of the Child (CRC) | April 7-11, 2008
Law Week |
| Jan./Feb. 2008
Law Review Symposium (Date & Speakers TBD) | April 17, 2008
25th Anniversary Celebration Gala at the Atlanta History Center |
| February 7, 2008
Ben F. Johnson Jr. Public Service Award Ceremony | May 9, 2008
College of Law Hooding Ceremony |
| February 16, 2008
Public Interest Law Association (PILA) Annual Auction | |
| February 20-24, 2008
National Conference on The Future of Legal Education | |



Tell Us:

Which "behind the scenes" person are you interested in learning more about? Email slee88@student.gsu.edu and we'll see if they'll "tell us"

DOCKET

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Be sure to congratulate John! He graduates in December, we'll miss him!!!
Thanks for your contributions!

Contributing Writers

This Issue
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Sharif Jones
Jen Kampsen

Heather McPhillips
Alana Nichols

Meg Smothers Robinson

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PILA AUCTION 2008

By Morgan Stone

Countless index tabs are squished between the pages of Matt Wolfe's Constitutional Law casebook. Exam time is quickly approaching. While Wolfe isn't looking, his two-year-old son Brayden efficiently pulls out each index tab. One by one.

Scenarios such as these have become the norm for Wolfe, a law student at Duke University and co-president of Parents Attending Law School (PALS) at Duke. "It's not a difficulty. It's more of a challenge," he says. "It's just another component of my life that I have to work on." Most law students don't have that added component, but an increasing number of law students have the added responsibilities of missing index tabs and the everyday tasks of child rearing. The number of students age 35 and older in undergraduate and graduate programs doubled from 9.6 percent in 1970 to 19.2 percent in 2001, according to the National Center for Education Statistics. Many older students bring kids along with them. Attending law school as a parent is without a doubt challenging, but there are ways to manage. Treating school like a job, finding a support network, being open with your family, and avoiding getting involved in too much will make your time in law school more enjoyable not only for you, but also for your family.

Treat school like a job

You're in law school to get a job, not have one. Getting in the routine early won't hurt you, though. And it certainly won't hurt your family. Thomas Kramer, director of the Student Counseling and Resource Service at the University of Chicago, says there's a danger of law school consuming all of your time, so it's best to set limits for yourself. Liam Montgomery, father of three, law student at the University of Virginia, and co-president of Virginia Law Families, does this by treating his studies as a job. "I work from 8:30 to 5:30," he says. "I try to limit weekend work, so sometimes I have to get up earlier to do work, or I'll do work after the kids go to bed." Wolfe uses the same tactic and does school work between 9 a.m. and 5 p.m. He says it forces you to prioritize. "Every 15 minutes during that time that I'm not doing something productive... is 15 minutes less that I get to spend with my son." Wolfe's family also makes it a point to be together from 5 p.m. until the time Brayden goes to bed. They also plan weekend activities. Spending time together "means I can't brief every case or I can't read everything," he says. "But you have to find the most effective way to be a law student with the resources you have."

Michael Anne Conley, clinical director of counseling services at Golden Gate University, thinks having such a routine is beneficial. "Have study time and parent time," she says. "Have a routine so children know when they have their time." It creates stability and structure, two things children need.

And keep in mind that parents are not exempt from job-seeking responsibilities during law school. This means making a commitment early in law school to have a career game plan in place that's realistic and changes with circumstances. Visit your career services office and get advice about how to build a solid resume. Just because you're stretched in 100 different directions does not mean you're exempt from finding a summer job (paid or volunteer) to build your resume. Simply getting through law school academics is not enough and would ultimately be a disservice to your family. Keep your eye on your career. That means multitasking (even more than your nonparental classmates) throughout law school.

Find a support network

Greg Wong, law student, co-president of PALS at the University of Washington, and father of three, learns from his support network. Wong not only has the responsibilities of being a parent and a law student, but also the pressure of being on a law review. In his case, talking to and seeing others successfully manage the same responsibilities is advantageous. It helps you find different strategies to succeed. "It lets you know it's okay not to commit 24 hours a day to studying," he says. Wolfe sees his support network as a place of belonging. "Being a law student can be isolating, and being a parent can be

isolating," he says. "Having a support network makes you feel unisolated." Emil Rodolfa, director of Counseling and Psychological Services (CAPS) at the University of California, Davis, agrees. "Sometimes students feel isolated," he says. "Seeking help helps out." Talking about the experience with others in the same situation also helps. Rodolfa also recognizes that spouses may struggle. "Find groups where partners of law students can talk about what they're going through," he says. Groups such as PALS and Virginia Law Families schedule activities that engage the spouses and children of law students.

"Once a month, we have family activities such as pizza dinners, potluck dinners, or apple picking," says Montgomery. If there's not a group at your school, start one. Even starting off small and creating a listserv is extremely useful. "You can e-mail people for babysitters, recommendations on pediatricians, daycare facilities, and other needs that parents have," says Wolfe.

Be open with your family

One of the biggest problems is that your spouse doesn't know how or when things happen in your school life. You need to have a strong communication channel. "Stay as candid as possible about what law school demands of you," says Wolfe.

"Talk about how demanding it is, and talk about the challenges in the relationship," says Rodolfa. "Talk about the effects of the... academics on the relationship." Your spouse has to be aware that the demands of your studies can possibly take a toll on your relationship. Also, keep in mind that, as the relationship is affected,

your partner will be affected. Focus on your relationship and listen to your partner as [he or she] goes through the changes," he says. It's always better to listen to your partner, even when you don't want to hear about it. Your partner has

Just because you're stretched in 100 different directions does not mean you're exempt from finding a summer job (paid or volunteer) to build your resume.

to understand the program in order to go through it with you.

"I make sure I remember my goals... but I'm not the person who sets the goals for the whole family," says Wong, who makes a point to support his wife and meet her needs in her endeavors. Wong admits that it can be difficult when he has multiple-day obligations. He spent days traveling the lengthy road from the University of Washington to Vanderbilt University to participate in a moot court competition. Beforehand, he spent hours reading endless amounts of pages to prepare. "It's challenging when you're gone," he says. "You have to maintain that relationship with your spouse, though." It's important to be open with your family about your time commitments. Law school is stressful and time consuming, but your family needs to be prepared for how stressful and unpredictable practice will be following graduation. With the pressure of billable hours and unrealistic client demands, law school is merely a dress rehearsal for your family. Creating realistic expectations and flexibility regarding your time constraints will be essential.

Don't over commit yourself

Wolfe stretched himself too thin during his first year as a law student. "I got caught up in the whole vibe of law school," he says. He got involved with a play, a mock trial, and moot court, among other things. "There was a two-month span where I wasn't home every night," he says. Wolfe says he appreciates the experience, but it's not what he needed in his life. There's always something more you can get involved in or do. "It's nice for my family to give me that slack when I need it, but you need the family there to hold you back sometimes and help you maintain the balance," says Montgomery.

Ellen Murphy, executive director of Lawyers Concerned for Lawyers in Massachusetts, advises setting boundaries that work for you and your family, not for your professors, your study group, or others. Remembering your priorities is essential in not getting overly involved.

"There's always more you can be doing, and you always feel the pressure for more," says Wong. "Know how much is enough for you. Know your goals and what sacrifices you have to make to achieve them." Murphy suggests scheduling time for doing things outside of school, such as a hobby or church. And post your schedule where the whole family can see it. "Knowing that there is downtime scheduled is good for everyone," says Murphy.

As the average age of law students increases, so does the number of students who are parents. Their challenges may be greater, but they're not insurmountable. It's always helpful to look at the perks of being a parent and student like Wolfe does. "After a day at school, I'm excited to pick up my son and come home and run around the house and act like a two-year-old," says Wolfe. "At the end of the day, though, I'm excited to go back and figure out how a case works."

"A Growing Minority Law Students with Children" by Morgan Stone, published in Student Lawyer, Volume 36, No. 3, February 2008. Copyright © 2007 by the American Bar Association. Reprinted with permission.

OPENINGS AT THE DOCKET 2L EDITORS

Editors are required to contribute articles and article ideas. In addition, Editors will be required to proofread articles submitted by writers.

WRITERS

If you are interested in writing an article for The Docket, sign up on TWEN. The next edition will be published on or about February 10, 2007.

The deadline for article submissions is 10 days prior to publication date.

Send submissions, resumes and questions to: slee88@student.gsu.edu.

Farewell, Friend...COL loses a promising student

By Alana Nichols

On October 8, 2007, Georgia State University College of Law (GSU COL) tragically lost a great friend. Paul Brady died that Monday evening after a very strong willed and heroic fight for his life. Paul Brady suffered serious injuries on October 2, 2007 after being hit by a truck at the intersection of Piedmont and Decatur. He was taken to Grady Hospital where he was initially listed in critical condition and underwent abdominal surgery. Paul's initial improvement was stalled by a lung infection and fever that he developed later that weekend.

Paul Brady, 26 years old, was beginning his first year of law school as a full time student here at GSU. He is remembered as a God-fearing man, a friendly face, and a person who never met a stranger. Paul left a positive impression with everyone whom he came in contact with.

On, Tuesday, October 09, 2007, the Black Law Students Association at GSU COL distributed memorial ribbons to students and provided greeting cards to present to the family. Additionally, BLSA, in conjunction with the law school, held a candlelight vigil on Wednesday, October 10, 2007 at 7:15 p.m. in the second floor courtyard of the school. Many of Paul's family members were in attendance in addition to an overwhelming number of people who Paul had impacted in there very short amount of time he had known them. Representatives from each class, Ron Wheeler, a librarian and Legal Bibliography instructor, and Dean Kaminshine presented reflections to those in attendance.

While many tears were shed at this emotional event, even more smiles were revealed as people remembered Paul's smile and the positive attitude he seemed to always maintain, despite the rigors we all are very well aware of during our first year of law school. Although we mourn the manner in which Paul left us, we must celebrate and remember his life, never forgetting the impact he had on ours.



Paul, you will be forever missed and appreciated.

Law Review Board Announces Publication Selections

The Law Review Board announced that the following notes and comments were selected for publication. Please join the Law Review in recognizing these students' hard work and dedication to the enhancement of legal scholarship! Congratulations!

Bareboat Charters: Can a Shipowner Limit Liability to Third Parties? Answers for Owners Attempting to Navigate the Unsettled Waters in the Eleventh Circuit
 By Chris Chitty

The Monster in the Closet: Declawing the Inequitable Conduct Beast in the Attorney-Client Privilege Arena
 By Alexis Fairweather

Adult Guardianship Oversight: Perception Versus Reality
 By Caroline Freeman

Is The Doctrine of Continuous Employment Starting to Equal Absolute Coverage In Georgia?
 By Nathan Gaffney

Opportunity Costs: Nonjudicial Foreclosure and the Subprime Mortgage Crisis in Georgia
 By Barry Hester

FASB, the IRS's New Best Friend: How FIN 48 Affects the Taxpayer-IRS Relationship and Potential Taxpayer Challenges
 By Andrew Jones

Divorcing the Husband and Wife Business: An Analysis of I.R.C. § 761(f)
 By Adam Winger

Severance Sucker Punch: Employers Risk Financing FMLA Lawsuits Against Themselves in Unenforceable Contracts with Former Employees

By Brett Zudekoff

ALTERNATES

Illegal Immigration, Social Security Numbers, and the Federal Privacy Act: A Suggested Avenue of Litigation
 By Madison Burnett

What Not to Wear: The Constitutionality of Ordinances Attempting to Regulate Baggy Pants
 By Myrece Johnson

Mental Retardation and the ADA
 By Carly Record

Congratulations!

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Georgia State Law Community serves Atlanta at-risk

By Jen Kampsen

On Saturday, October 6, GSU College of Law students, faculty, and staff joined together for the annual GSU Law Day of Service at Bright Futures Atlanta, a nonprofit organization that provides mentoring, tutoring, and safe haven for at-risk adolescents. The project was in conjunction with Hands on Atlanta Day, the single largest day of community service in the Atlanta area.

This event was made even more special for the volunteers by the opportunity to work side-by-side with adolescents that are a part of the Bright Futures Atlanta program. The COL community labored with the local teens on a variety of projects, including intensive hedge-

pruning and landscaping, digging an impressive drainage ditch, building the foundation for a volleyball court, and the artistic assembly of a

back-porch mosaic. What better time to show our dedication to the community than in the midst of our 25th anniversary and our 25,000 pro bono hour pledge?

It was a proud day for the Georgia State College of Law. If it is true that a law school's maturity may be gauged by its dedication to service, then in my humble and certainly unbiased opinion, GSU Law has reached a new level of maturity.

And what better time to show our dedication to the

community than in the midst of our 25th anniversary and our 25,000 pro bono hour pledge?

I would like to extend a heartfelt thank you to the volunteers who attended Saturday – not just from your colleagues, but from the children whose lives are touched by your contributions. Your selflessness is much appreciated.

Bright Futures Atlanta is always looking for volunteers to serve as after-school tutors and mentors any day of the week.

For more information or to sign-up to volunteer, visit the Bright Futures Atlanta website



Students assemble the back-porch mosaic.

16th Annual PILA Auction in the Works

By Meg Smothers Robinson

Mark your calendars – the 16th Annual PILA Auction is scheduled for February 23, 2008 at the Georgia Freight Depot!

All proceeds from this event go towards providing summer fellowship funding for students working at public interest organizations.

These funds enable our law students to take on unpaid summer internships at local community agencies, helping those members of society whose rights are often unrepresented because of economic disparity, lack of education, or other forms of prejudice. Last year, our efforts raised more \$18,000, which enabled seven students to volunteer at a variety of public agencies, including the DeKalb County Public Defender Office, Georgia

Innocence Project, and Georgia Public Defender Standards Council, and other agencies in Atlanta.

What can you do to help?

Mark your calendar and plan to attend this year's auction! Tickets will be available through PILA beginning in January.

Do you have something to donate? Let us know! We're still gathering items for the silent and live auction. Contact Auction Chair Nichole DeVries if you have an item you would like to donate.

Finally, are you a member of a student organization? Start thinking now about what your organization will

donate to the auction! Last year, several student groups donated baskets of items related to their group's "theme" to the auction. For example, the Environmental Law Society donated a basket full of environmentally-friendly household cleaning products and the Student Health Law Association donated a basket of items to keep a student healthy through flu-season. Other student groups donated items related to the winter season – like OUTLaw's Valentine's Day-themed basket.

The Association of Women Law Students held a fundraiser pool tournament and donated the proceeds to the Auction. Our goal for this year is 100% student organization participation in this year's auction.

Thank you in advance for your support – we'll see you

GSU COL AIDS Walk Team raises Over \$4,000

By Brian Basinger

After raising more than \$4,300.00 in donations, College of Law students and faculty took to the streets of Midtown on Oct. 21 to participate in the 2007 AIDS Walk Atlanta.

The College of Law team raised more money than any of the 26 other teams from Georgia State University which took part in the fund-raising event. The donations collected by COL team members easily surpassed the group's goal of \$2,500.00. The money raised helps to fund various HIV/AIDS services throughout the city.

"I am doing this walk because I think it's important to raise awareness for AIDS whenever you can, and this is a great time to do it," said 3L Nancy Rhinehart, who collected more than \$260.00 in donations for the walk. Those taking part in the Walk met in Piedmont Park for a brisk 5-kilometer stroll through Midtown, including 10th Street, Peachtree Street, and the Ansley community near the Atlanta Botanical Gardens.

With sunny skies and temperatures in the low 80s, COL team members said the day was perfect for the event.

Adam Ford, a 2L, said it was important for him to come to the AIDS Walk because of the event's impact on local organizations, such as AID Atlanta, which offers free HIV testing and other services. "AID Atlanta and all the other organizations do an excellent service for the



THE COL team begins its march in the 2007 AIDS Walk Atlanta, covering 5 kilometers through Midtown.

community battling and treating those who are living with HIV/AIDS," said Ford, who raised \$145.00 for the event.

Marching with students was Associate Dean of Academic Affairs Roy Sobelson, who said the AIDS Walk fits in well with the COL's focus on pro bono events during the school's 25th anniversary. Administrators have challenged students, faculty, and

staff to give at least 25 hours of community service this year.

"As lawyers, it's your responsibility to use the skills that you develop to help the community, whether it be the law school itself, or the greater community, or your client community," said Sobelson, who raised \$100.00 for the event.

Topping the COL team's fund-raising list was 1L Deana Spencer, who amassed \$1,125.00 in donations from 14 different contributors. "It was the right thing to do," Spencer said of her efforts.

Student Bar Association President Joshua Saunders expressed appreciation for those who walked in the event, as well as for those who raised money. "I just have to say congratulations to the Georgia State College of Law AIDS Walk team," said Saunders, who raised \$275.00, and whose mother, Cynthia Stewart raised \$775.00 on her own, and funneled more than \$200.00 to other participants. Saunders said he was optimistic that the success of the COL AIDS Walk team would encourage more students to take part in pro bono events during the remainder of the academic year.

"I think it's a great start," Saunders said. "I am glad that we were one of the top fundraising groups out of the Georgia State's broader community. I think it's great because it brings visibility to the College of Law."

Next Issue:
 Tired of cafeteria food?
 We'll tell you some
 great places to eat in
 your neighborhood.

Congrats
 December
 Grads!
 From the Staff
 of The Docket

Good Luck
 on Exams!
 From the Staff
 of The Docket

Read the
 Docket:
 Earn Rewards
 See your WestLaw Rep
 For Details!

...On the Other Hand

By Suzanne Jackson

In this issue we consider the legality and ...of legal, safe "crack" houses...

IT'S AGAINST
THE LAW

San Francisco recently took steps towards opening the nation's first legal safe-injection room where addicts are free to shoot up heroin, cocaine and other drugs under the supervision of nurses. I must ask, has the City of San Francisco lost its mind? Apparently it has.

City officials assert that they are concerned with reducing the number of HIV and hepatitis C infections.

Their solution? Give intravenous drugs users-no, addicts- a comfy room to get high in and the number will somehow, magically, decrease! But it seems that the City has forgotten a few things in its poor judgment and analysis. For one, it is estimated that the majority of addicts in San Francisco are homeless men. I do not think it is a stretch of the imagination to believe that these unfortunate individuals are probably uneducated and lacking in employable skills, not to mention, they probably have criminal records of some sort. So let me see if I have this right; instead of providing education or training or even some form of drug counseling, giving already despondent and distraught individuals a place to get high will...oh yeah, reduce the number of....

Secondly, unless these facilities are open any and everywhere, what does the City believe these addicts will do in the mean time, say when the "safe rooms" are closed? Do officials really believe that these individuals in need of a fix will stay clean until the safe rooms reopen in the morning? No, they will manage to get high anyway that they possibly can-dirty needle notwithstanding. Hence, the City's concern/argument about reducing HIV and hepatitis infections is literally punctured with holes. More importantly, what type of message does the City send to its young or those at risk? Providing safe rooms, whether the City wants to admit it or not, sends the message that drug use is no longer taboo or just simply wrong.

I could go on and on about why this is a bad idea (umm, increased incidents of violence, prostitution, drug addicted children, destruction of families and communities...)

But, I'll finish on the strongest argument: for the reasons stated above, it's against the damn law.

The Moral Bankruptcy of Prohibition

By Eric Coffelt

San Francisco has recently considered allowing "injection rooms" where addicts of intravenous drugs will have access to clean needles, supervised medical care, and freedom from fear of arrest for possession of controlled substances. Supporters of the proposition claim that dirty needles shared by these addicts are responsible for many of the new cases of HIV, and that access to immediate medical care will help prevent fatal overdoses. Opponents argue that such a program will encourage more drug use, and send the "wrong message" to children.

Well, I must say I am happy that at least one city has started thinking outside the box! Drug use, along with prostitution and gambling, is what is known by some as a "victimless crime" because (usually) the only people directly harmed by the activity are the consenting participants. For purposes of this editorial, I will instead adopt author Peter McWilliams' term "consensual crimes" to describe drug use/abuse, as this term emphasizes the voluntary nature of the activity in question, and avoids the cries of my opponents that "society" is somehow the real victim. Here, I will advance a considerably unorthodox view. That is to say, it is unorthodox in the U.S., where puritanical moral absolutism is favored in place of rational discourse based on the realities of our current situation. Ladies and gentlemen, brace yourselves. The "War on Drugs" is lost, and it could never have been won. A peace must be declared, prohibition must end, and new ways of dealing with our drug problems must be explored. The reasons are numerous, and the evidence overwhelming, but I will try to condense as much as I possibly can here.

First, drug prohibition imposes unnecessarily intrusive restrictions on personal liberty and individual autonomy. When a consenting adult (no, not a child, an adult) chooses to use a drug that happens to be out of fashion with the current authorities, it is an insult to his dignity to treat him as a child while he remains peaceful. It is also absurd to lump all drug users in with the "addicts", or to lump all drugs into the same heap (marijuana and heroin may both be illegal, but the similarities stop there). While keeping people off drugs is a worthwhile goal, law enforcement does a lousy job of it. This is not surprising, since the proper function of law enforcement is to arrest those who victimize the



Heather McPhillip

rest of us by force or fraud, not to round up peaceful drug users in an astronomically expensive and misguided effort to "cure" them.

An open and regulated market is the best way to preserve the public health, help those that need it, and above all, keep kids off drugs. What's that? Doesn't relaxing our ideological absolutism send the message to kids that drugs are ok? Well, no. We allow alcohol, cigarettes, gambling, pornography, and firearms in our society for adults, while strictly prohibiting them from minors. It would be no different with drugs. Yes, kids would still get their hands on drugs, just like they do with cigarettes and beer. But at least it will be harder, since the lawful sellers of well-regulated items like alcohol and firearms must have a license, and will lose their business if they ignore the law. Under the black market created by prohibition, the current vendors of drugs have absolutely no incentive to refrain from selling to kids, since they go to jail no matter who they get caught selling to. If you don't believe me, just ask kids at your local high school if it is easier for them to buy beer at the grocery store, or marijuana from the local "guy". Furthermore, research into the results of decriminalization in other countries reveals that there is little to no risk of increased youth trying drugs. The Netherlands, where marijuana policies are arguably the most lenient in the world, has fewer youth per capita trying marijuana than we do. Gee, how did that happen?

You may argue that the outrageous profits that can be made from selling drugs would keep the criminal element in the business of dealing, but this view ignores the reason high profits exist in the first place. The profits come from the black market, which comes from prohibition. When prohibition ends, and the prices/profits fall, it would not only take away the incentive for risking prison, but also reduce the likelihood that an addict (even a poor one) will rob you for his next fix. Furthermore, because some of the most dangerous drugs (crack/crystal meth) are a result of the black market trying to cheapen drug production, an end to prohibition may see a decline in the use of the most menacing among the street drugs. After all, where is the incentive to use something so dangerous when the government is no longer keeping the price of safer drugs artificially high?

Next, consider what happened during and after our last foray into the business of telling people what they can and cannot do with their own bodies. During alcohol prohibition, crime (especially murder) rose to unprecedented highs as gangs fought to control the black market. Law enforcement was widely corrupted as they scrambled to enforce the unenforceable, and soon learned to turn a blind eye. Those who formerly enjoyed only beer or wine were forced to drink hard liquor, since the market conditions favored the biggest "bang for the buck" for the moonshiners. Bathtub gin blinded, killed, and crippled people, and since asking for help meant confessing to being a "criminal-drinker," the problems only got worse. When prohibition ended, the market became regulated again, murder rates fell to their pre-prohibition levels, and the Mob was deprived of a serious source of revenue (and Budweiser rarely murders grocery store employees for stocking a rival's product). There is no reason that to think that ending drug prohibition won't result in a similarly stable and reasonable state of affairs.

As for the initiative regarding safe "injection rooms," I think it is a step in the right direction. I would only argue that it is not enough. The government, through its own hardheaded idealism, has created this problem. We now have a cure that's worse than the disease. It seems to me that no reasonable person can honestly say that HIV and fatal overdoses are preferable to admitting that intravenous drugs are here to stay. At least, not without being as

hopelessly naïve as the instructor of an abstinence only sex-ed class.

At the end of the day, you cannot rid the world of consensual crimes through outright prohibition. We've tried, and we've failed. Never mind the reasons why, it just doesn't work! Over three decades of failed drug policy, with all those asset forfeitures, no-knock warrants, and outrageous mandatory minimum sentences (some that punish possession harsher than manslaughter!), and the DEA itself admits that we are only stopping about 5% of the traffic. This should not be surprising, since we cannot even stop drugs from getting into our prisons, where we (supposedly) have TOTAL control. Doesn't this tell you something? Even if we eroded our Constitution to the point that we are all locked behind bars from sea to shining sea, Big Brother would still be impotent to live up to the promise of a "Drug Free America." On this reality alone, San Francisco is right to consider something besides prohibition in order to reduce the harm caused by drugs. As for you diehard prohibitionists, take a good look at the cost in cold cash for housing the largest per capita inmate population in the world, and ask yourself just how far you are willing to go keep your neighbor from catching a buzz when he gets off work.




Eric Coffelt

On the other hand...
...hand onto the other hand...

LEGAL MOVIE TRIVIA

by Suzanne Jackson

Have an idea for a Crossword Puzzle, Word Find or Game for the For Fun section? Email your idea to: slee88@student.gsu.edu Subject line: For Fun



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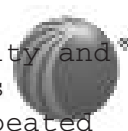
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Best Wishes from Westlaw.

Congratulations to students graduating in December!

Good Luck on Finals & See you in the Spring

Your 2007 - 2008 WestLaw Reps are:

- Min Son Yeo (3L)
- Deniece Carrington (3L)
- Kevin Mitchell (2L)
- Deanna Spencer (2L)

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