

Center Briefings

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Georgia State University College of Law

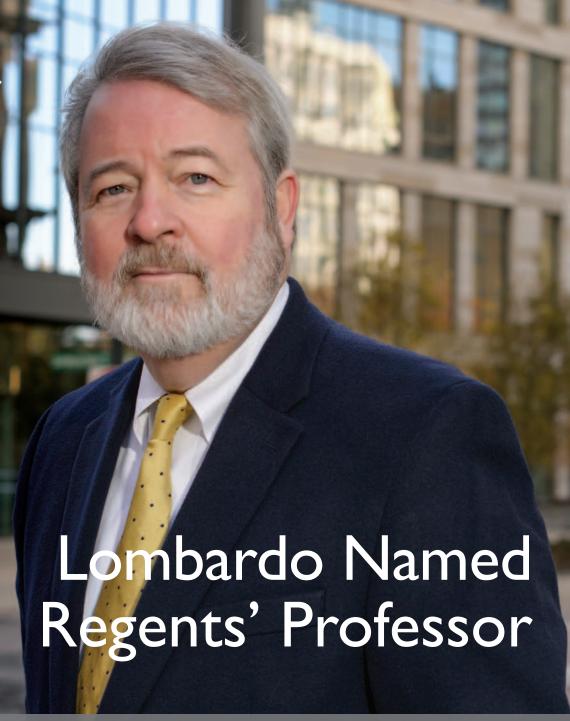
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aul A. Lombardo, Bobby Lee Cook Professor of Law, was awarded a Regents' Professorship, the highest academic appointment in the University System of Georgia; he is one of only two law professors in the system to receive the honor.

A quick review of Lombardo's curriculum vitae is enough to understand why he has been selected as a Regents' Professor. It chronicles his hundreds of publications and presentations, including lectures at the Vatican and in Canada, Italy, Pakistan, India, Russia, Austria and the Netherlands. It also documents honors, like Lombardo's 2011 election to the American Law Institute, leadership positions in the American Association for the History of Medicine, the American Society of Bioethics and Humanities, and the American Association of Law Schools, and service as a senior adviser to the Presidential Commission for the Study of Bioethical Issues and as a member of other government committees.

But it requires a deeper look to see the impact Lombardo's work has had in academia and beyond.

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Director's Message

In June, as we welcome our health law colleagues to Atlanta for the 40th Annual ASLME Health Law Professors Conference, we will also be preparing for new leadership at Georgia State Law, as Dean Steven J. Kaminshine returns to the faculty.

For many of us in the center, Steve is the only dean we have known, and we owe our presence to his staunch support of the vision Charity Scott had for building the health law program. He has been instrumental in successfully expanding the faculty under two university initiatives, establishing the Health Law Partnership (HeLP) and the HeLP Legal Services Clinic, and fostering the interdisciplinary research in which many of us engage.

More recently, Steve has become interested in online education and has encouraged our efforts in that regard. We thank him for his incredible leadership and look forward to working with him as he rejoins the faculty.

Best wishes,

Director, Center for Law, Health & Society



The Center for Law, Health & Society welcomes Adelaide Obasanya as the new administrative specialist. She previously provided administrative assistance in the Dean's Office and brings experience in the areas of mass media, journalism, marketing, design and customer service.

Obasanya assumes a variety of responsibilities for the center, including coordinating communications, events, and administration. "We are excited to have Adelaide on our team," said

Leslie Wolf, director of the center: "Her experience within the College of Law, coupled with her creativity and problemsolving skills, will benefit the center."

Obasanya is a graduate from the University of Georgia, where she studied mass media arts, with a minor in sociology and new media. She also works as a freelancer on small independent films around the Atlanta area. She is a native of Nigeria, speaks fluent Yoruba and plays the ukulele.

Best Wishes to Hayasaka

The Center for Law, Health & Society bids farewell to Cassondra "Cassie" Hayasaka, who served as project manager and administrative specialist since 2013.

"We will miss Cassie's unique and wonderful combination of organizational, financial and creative skills," said Stacie Kershner (J.D. '08), associate director: "She played an integral role in our day-to-day operations, and ensured that our special events, such as the center's 10th anniversary celebration, guest speakers, and public health law faculty fellowship in Park City, Utah, went off smoothly and elegantly. We wish her the best of luck in her future endeavors."



TOP 10

The health law program at Georgia State Law is ranked in the top 10 in the nation by U.S. News & World Report for the 11th consecutive year.



"It is a great privilege to have the freedom to teach and write as a university professor. I am even more gratified that the Regents have recognized my work with this honor."

— Paul Lombardo, Regents' Professor and Bobby Lee Cook Professor of Law (right), with Bobby Lee Cook (left)

Lombardo Named Regents' Professor continued from p. 1

A 1980 newspaper article Lombardo read over breakfast when he was a graduate student at the University of Virginia led to the research for which he is best known. The article described two sisters that the Commonwealth of Virginia involuntarily sterilized in the 1920s. One of them was Carrie Buck, the subject of the infamous U.S. Supreme Court case, *Buck v. Bell.* In upholding the Virginia statute authorizing the sterilization, Justice Oliver Wendell Holmes Jr. declared, "Three generations of imbeciles are enough."

Since coming across that article, Lombardo has conducted research on the people involved in the case and, more broadly, the American eugenics movement, which has fundamentally altered our understanding of Buck v. Bell. His research, including interviews with Carrie Buck and review of her and her daughter's report cards, shows that neither of them demonstrated any mental deficiency. This refutation of the fundamental premise on which the case and the numerous state sterilization laws are based is reflected in the title of his acclaimed book. Three Generations. No Imbeciles: Eugenics, the Supreme Court and Buck v. Bell (2008). Lombardo's academic articles, presentations, and press commentaries highlight the enduring legacy

of *Buck v. Bell* and the American eugenics movement and the need to remember the lessons of the past to understand our present.

These academic contributions would be enough to confirm Santa Clara University School of Law Professor Michelle Oberman's assessment that Lombardo "embodies the perfect balance of passion and dispassion needed to produce enduring and meaningful contributions to our collective understanding of the law and of what we aspire to call civilization." But Lombardo's work has not stopped there.

Lombardo has focused public attention on the impact of the American eugenics movement on the lives of individuals in a variety of ways. Lombardo personally paid for a roadside historical marker in Charlottesville, Virginia, Carrie Buck's hometown, to commemorate the 75th anniversary of Buck v. Bell. The marker concisely describes the number of states with eugenic sterilization laws like Virginia's, what happened to Carrie Buck, the Supreme Court's decision upholding Virginia's sterilization law, the 8,000 Virginians sterilized under the law, and the later evidence that Buck and others had no "hereditary defects" the laws were intended to address. Lombardo has also worked tirelessly to educate state legislators and other government officials

about their states' sterilization laws and how they were used. As a result, several states have apologized for their involuntary sterilizations policies, and a few states have offered restitution to victims.

Although his work takes him around the country and the world conducting and presenting his research, Lombardo is well known for his generosity as a colleague and a teacher. Renowned Harvard professor Stephen Jay Gould, who never met Lombardo but benefited from Lombardo's willingness to answer questions and share original research materials, perhaps put it best when he acknowledged the debt he owed to Lombardo in his 1984 article, "Carrie Buck's Daughter": "[Lombardo] did all this work for kindness, collegiality, and love of the game of knowledge, not for the expected reward or even requested acknowledgment."

Lombardo's colleagues at Georgia State and beyond, his students, the press, and the public benefit from the intellectual curiosity, commitment to development of understanding, and desire to engage with others Gould identified in him. And these are the very characteristics that have made him such an exceptional scholar and earned him the University System of Georgia's recognition as a Regents' Professor.



Todres Presents on Human Rights in Children's Literature at Book Celebration

Jonathan Todres, professor of law and an internationally recognized expert on children's rights, presented his book, *Human Rights in Children's Literature: Imagination and the Narrative of Law* (Oxford University Press, 2016), on Sept. 7, at Georgia State Law.

The book, which Todres co-wrote with Sarah Higinbotham, explores how children's rights—such as identity rights, the right to be heard, and the right to be free from discrimination—are embedded in children's literature from *Peter Rabbit* to *Horton Hears a Who!* to *Harry Potter*.

The book brings together children's rights law, literary theory, and human rights education research to argue that for children to fully realize their human rights, they first have to imagine and understand them.

"Children have a right to be heard," Todres said. "They have a right to participate in the decisions that affect their lives."

In his presentation, Todres used examples from the book and discussed how children can grow to realize their rights and to respect the rights of others, and how human rights norms are disseminated so that they make a difference in children's lives.

Reading an excerpt from Yertle the Turtle, which tells the story of King Yertle standing on top of all the other turtles in the pond and the bottom turtle, Mack, who pleads with Yertle for relief as the turtles are in pain from being stacked, Todres explained

how the main character, Mack, uses terms like "we" and "us" to teach children the importance of everyone's rights, not just one's own. Todres also noted how the reading experience offers an imaginative world where children can explore difficult themes.

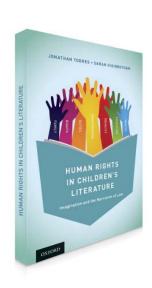
"One of our main goals in writing this book is to start conversations about how children learn about their rights and their responsibility to respect others' rights."

— Jonathan Todres, Professor of Law

Todres discussed various topics including selecting what children's books to read, the lack of diversity in children's literature, and his interest in exploring global perspectives on human rights themes in children's stories.

Todres stressed the importance of building a human rights culture and a rights respecting society and recognizing the emergence of children as members of that society. To learn more about the project, visit jonathantodres.com/human-rights-in-childrens-literature/.

This event was co-sponsored by Georgia State University College of Law's Center for Law, Health & Society, Student Health Law Association, Parents Attending Law School and International and Comparative Law Society.





Students, Professor Collect 200+ Books for Fugees Family

With the book signing and presentation, Georgia State Law sponsored a book drive to benefit Fugees Family, a Clarkston, Georgia-based nonprofit organization that works with refugee children. On Oct. 21, Professor Jonathan Todres and students Chae Mims (J.D. '17), and Min Ji Kim (J.D. '18) delivered the more than 200 donated books.

"The Fugees Family aims to empower refugee children, so this was a natural fit," Todres said. "Their work echoes the messages in our book about how important it is for children to learn about their rights and their duties to respect others' rights and to empower them as individuals. We're happy to be able to support their work."

"When we visited the Fugees Family, we had the pleasure of sitting in on the morning assembly where the students presented book reports," said Kim, the Student Health Law Association member who helped coordinate the book drive.

"The students discussed difficult themes of hope, good and evil, family and community. It was inspiring to hear the students talk about how the themes of the books relatived to their lives and experiences"

Mims, president of the International and Comparative Law Society, who also helped to collect books, added, "The students also provided each other candid feedback, demonstrating their genuine support for one another."

Founded as a soccer program by Luma Mufleh (pictured below on far right), the Fugees Family runs the Fugees Academy, the only school in the nation that is dedicated to refugee education. It also provides year-round soccer programs for children ages 10-18, after-school tutoring and a summer enrichment camp. The academy enrolls more than 100 students from more than 20 countries. Mufleh was also named one of CNN's "Heroes of 2016."





Bliss Teaches Importance of Clinical Legal Education and Access to Justice in India



Experiencing Culture and Tradition

Professor Bliss's visit coincided with the Indian holiday Diwali, known as the Hindu festival of lights, which celebrates the triumph of light over darkness. Traditions during the five-day celebration include exchanging sweets and gifts, lighting diyas (candles), decorating homes with colorful lights and rangoli – patterns created with flower petals, colored rice or powder – and large fireworks displays.

"While there are many festivals in India, this one is particularly special and widely celebrated with many traditions," Bliss said. "I was privileged to spend the holiday with NLU Professor Bharti Yadav and participate in her family's traditions. It was an experience I will never forget."



Lisa Radtke Bliss, clinical professor, associate dean of experiential education and co-director of the Health Law Partnership (HeLP) Legal Services Clinic, traveled to India in November to teach the course, "Clinical Legal Education and Access to Justice," at National Law University, Delhi (NLU) to students from NLU and other universities.

The course explored how various forms of clinical legal education can support students' development as professionals.

During the course, Bliss outlined the models of clinical education most suitable to India's legal and legal education systems. Students participated in activities to learn how law clinics can be responsive to the justice needs in their communities and designed different models of community education and service clinics to help address those needs.

"At the end of each day, students shared their takeaways and how they expected to apply those lessons in practice," Bliss said. "Not only did they benefit from learning skills like interviewing necessary to their roles as professionals, but we had a chance to discuss the impact clinical education can have on society's future through improving access to justice and building a network of ethical, competent and professional lawyers."

The course was funded by India's government and organized through the Ministry of Human Resource Development and Global Initiative for Academic Networks (GIAN) in Higher Education. GIAN is a program that invites global academic and industry experts to share their expertise and experiences to help enhance academic resources in India and address issues facing Indian communities.

Bliss was invited to teach the course because of her vast experience promoting access to justice and clinical legal education through Georgia State Law clinics and experiential programs.

Bliss said that each experience she has teaching and presenting abroad informs her research and scholarship, which she finds important for fellow professors and Georgia State Law.

"International faculty exchange programs help Georgia State Law establish relationships that further the education, research and scholarship of our students and faculty," said Bliss, who has also taught programs in Thailand, Myanmar and Vietnam. "They also develop our global knowledge and increase the exchange of knowledge about law, legal systems and justice."

"The students and I taught each other, enabling us to understand commonalities between our education and judicial systems and how clinical education concepts can be applied to specific issues that are being faced by populations in India who are most in need of help."

— Lisa Bliss, Clinical Professor, Associate Dean of Experiential Education and Co-Director of the HeLP Legal Services Clinic

South Korea's health care system is facing pressure as its society ages; the life expectancy of its citizens is one of the highest in the world, while its birth rate is among the lowest. Many Koreans are aging alone. Against this backdrop, the Ewha Institute for Biomedical Law and Ethics at Ewha Law School in Seoul, Korea, held the conference, "Justice in Delivering Health Care to Aging Society: Its Legal and Ethical Issues," at which Professors Leslie Wolf and Sylvia Caley (M.B.A. '86, J.D. '89) were speakers.

"It was a privilege to participate in the conference and engage with leading legal scholars from around the world," Wolf said. "We all face challenges in providing health care to all our people as our populations age, and we can learn a lot from how other countries are address these issues."

In their presentation, "Vulnerable Patients and End-of-Life Decision-Making," Wolf and Caley provided a critical view of end-of-life decision-making in the United States. While supporting the efforts the federal and state governments have taken to enable patients to express their preferences regarding end-of-life care, Wolf and Caley noted that few people actually fill out an advance directive or appoint a health care surrogate. They also argued that the ideal of the empowered patient with capacity exercising her autonomy over her care decisions often is not realized in real world medical decision. Accordingly, they argued for specific changes to the U.S. approach that would focus on how providers and health systems can better support patients' decision-making.

"Korea has only recently adopted laws allowing patients to express their care decisions, so sharing our experiences from the past 40 years might help them avoid some of the shortcomings we have experienced in the United States," Caley said. "The conference also highlighted some opportunities for future collaboration. The issues that older Koreans face, for example, might benefit from a medical-legal partnership like we have for children in our Health Law Partnership (HeLP)."

The paper Wolf and Caley wrote for the conference was published in the Asia Pacific Journal of Health Law & Ethics.



Wolf and Caley Discuss Views on End-of-Life Decision-Making in Korea



scholars from other countries. Their approaches and experiences can challenge us to revisit our assumptions and spark new ways of thinking about the issues we seek to address."

— Sylvia B. Caley (M.B.A. '86, J.D. '89), Director of HeLP, Co-Director of HeLP Legal Services Clinic and Clinical Professor



"Lauren was the best kind of graduate student: creative, self-motivated and relentless at tracking down historical source material,"

— Paul Lombardo, Regents' Professor& Bobby Lee Cook Professor

Research on the history of birth control often focuses on Margaret Sanger, who tied birth control to eugenic ideas of "better babies" to achieve social acceptance and legalization. Lauren MacIvor Thompson (Ph.D. '16), a historian of law, medicine and women's rights, who joined the Center for Law, Health & Society as a visiting research fellow this academic year, offers an alternative framework.

With the New York Academy of Medicine awarding her the Paul Klemperer Fellowship in the History of Medicine, Thompson is continuing her research on birth control. As part of the research fellowship, she is revising her dissertation into a book, tentatively titled Suffrage is Not the Goal: Medicine and Law in the Early Birth Control Movement, examining an alternative framework.

"This book will be the first to examine the reproductive rights movement through the lens of the earliest feminist rhetoric on legal privacy and to explore the influence of Mary Ware Dennett," Thompson said. Her book will also illuminate a deeper context for lower and Supreme Court rulings on birth control and privacy in the 20th century.

As a visiting assistant professor of history at Kennesaw State University, Thompson teaches a U.S. history survey and the History of Science, a course focusing on "Science and the Law, from Eugenics to Bioethics." She also serves as an editor and writer at the popular "Nursing Clio," an open access, peer-reviewed, collaborative blog project that ties historical scholarship to present-day issues related to gender and medicine.

"The skills Lauren has developed in research and writing will serve her well as her scholarship matures," said Paul Lombardo, Regents' Professor & Bobby Lee Cook Professor of Law, who served on Thompson's dissertation committee. "It is a great bonus to have a colleague spend time here at the center whose interests intersect the fields of history, law and medicine."

Real-World Impact

The Center for Law, Health & Society faculty are well-regarded teachers and scholars, but they also seek to have an impact beyond the world of academia. A sampling of their activities over the last several months provides a glimpse at the ways in which faculty members bring their research and expertise to others.

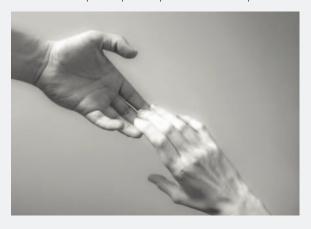
Sylvia Caley (M.B.A. '86, J.D. '89), who brings her interprofessional training in nursing, law, and business to her work in the Health Law Partnership (HeLP), commonly reaches across the professions, most recently as an invited speaker on legal services to address the social determinants of health and congenital heart disease at the American Heart Association conference in New Orleans.

Yaniv Heled and Leslie Wolf recently presented at a continuing legal education program at the Georgia Capitol organized by the Georgia Senate Research Office. Heled spoke about the state of autonomous vehicles regulation, and Wolf on laws about end of life decision-making.

Paul Lombardo applies his research in eugenics as a member of the Advisory Board and a consultant for the Eugenic Rubicon, a University of Michigan project to put data about sterilization survivors online. He also is consulting on the National Institute of Health and Hasting Center on a project to assess the ethical significance of the next generation prenatal testing technologies.

Jonathan Todres brings his expertise in human rights, especially children's rights, and child trafficking to his service on the Georgia Asylum and Immigration Network Board and as a child rights advisor on the board of advisors of ECPAT-USA, which focuses on ending child slavery.

Patti Zettler's experience with FDA law informs her work as a consultant for the National Academies of Sciences, Engineering, and Medicine's Committee on Pain Management and Regulatory Strategies to Address Prescription Opioid Abuse. The committee is developing a report that will inform the U.S. Food and Drug Administration as to the state of the science regarding prescription opioid abuse and misuse and will make recommendations on the options available to FDA to address the prescription opioid overdose epidemic.



Anderson Speaks on Cultural Responsibility at Harvard Law



In September, Courtney Anderson, assistant professor of law, participated in Harvard Law School's fourth Celebration of Black Alumni: Turning Vision into Action event. The event brought together more than 800 black alumni and focused on the challenges local, national and global communities face and opportunities to respond to them.

Anderson, a 2006 Harvard Law graduate, served on a panel, "Life Beyond the Bar: Strategies for Balancing the Blessing and

the Burden of a Harvard Law Degree," which focused on navigating the legal community as a black, lvy League law school graduate.

She discussed the importance of working in an environment that allows pursuit of professional interests that align with personal values. "The ability to work in the field of health disparities provides the integration of the cultural responsibility that often accompanies being a black, lvy League graduate with providing scholarship and teaching in an emerging discipline," Anderson said.

Attending law school with a diverse student body has informed Anderson's law teaching. "Georgia State's community outreach initiatives have been a great vehicle to continue to provide legal assistance and education to underserved populations, which I believe is a responsibility of all legal scholars," she said. "It is particularly important for me, as a black Harvard Law School alum, to find opportunities to serve minorities."

Students Visit Biotech Company

Georgia State Law students interested in careers in health law and intellectual property, along with Center for Law, Health & Society director, Leslie Wolf, visited the Marietta, Georgia, corporate headquarters of MiMedx®, a regenerative biomaterial company that manufactures human amniotic membrane derived from full-term donated placentas. Its products have multiple therapeutic uses including ophthalmology, spine, chronic wounds, dental, orthopedic surgery, sports medicine, and urology.

The company has a number of Georgia State graduates in lead roles, including Parker H. "Pete" Petit (M.B.A. '73), chair of the board and chief executive officer, who assisted with funding of the science center building at Georgia State that bears his name. Laura Trivette (M.Ed. '87), vice president of reimbursement and health policy and a member of the Georgia State University Alumni Association Board of Directors, hosted the group. The students had an opportunity to meet with three MiMedx® lawyers, including Georgia State Law graduate Brian Teras (J.D. '06), and to talk about the day-to-day work of in-house lawyers at a biotechnology firm and their career paths. The students also had an opportunity to tour a portion of the manufacturing facility and discuss how the business is regulated.

"It is so helpful for students to see a variety of settings in which to practice law, as they think about their own careers," Wolf said. "The visit provided insight into how students can work at the intersection of law, health and science, as well as highlighted the type of opportunities that are available in the Metro Atlanta area. We're grateful to the people at MiMedx® and the Alumni Association for arranging this visit for us."

KEYNOTE

Margaret (Peggy) Battin

Distinguished Professor of Philosophy and Adjunct Professor of Internal Medicine, Division of Medical Ethics, University of Utah.

SYMPOSIUM EDITORS

April Meeks (J.D. '17)

Georgia State University College of Law

Kianna Hawkins (J.D. '17)

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SPEAKERS

Michele Bratcher Goodwin

Director of the Center for Biotechnology and Global Health Policy and Chancellor's Professor of Law, University of California - Irvine School of Law

Sylvia Caley (M.B.A. '86, J.D. '89)

Director of the Health Law Partnership (HeLP), Co-Director of the HeLP Legal Services Clinic, and Clinical Professor of Law, Georgia State University College of Law

Mary Crossley

Professor of Law, University of Pittsburgh School of Law

Erin Fuse Brown

Assistant Professor of Law, Georgia State University College of Law

Samantha Johnson (J.D. '03, M.B.A./M.H.A. '14)

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Marshall Kapp

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Dean Karampelas (J.D./ M.S.H.A. '14)

Physician, North Georgia Medical Group

Paul Lombardo

Regents' Professor and Bobby Lee Cook Professor of Law, Georgia State University College of Law

Alan Meisel

Dickie, McCamey and Chilcote Professor of Bioethics and Professor of Law and Psychiatry, University of Pittsburgh

Thaddeus Pope

Director of the Health Law Institute and Professor of Law, Mitchell Hamline School of Law





Georgia State Law Review and the Center for Law, Health & Society co-sponsored the symposium "Quinlan at 40 – Exploring the Right to Die in the U.S.," in honor of the 40th anniversary of the New Jersey Supreme Court's landmark decision, In Re Quinlan.

Quinlan was the first major judicial decision to hold that life-sustaining medical treatments may be discontinued, even when the patient lacks capacity.

The symposium gathered experts from around the country to discuss the evolution of the law of end-of-life decision-making since *Quinlan* was decided. To set the stage for the day, Paul Lombardo and critical- care Dr. Dean Karampelas discussed how physicians grapple with issues such as the definition of death, surrogate decision-making, and the right to refuse life-sustaining care, in their day-to-day work.

Next, Alan Meisel and Thaddeus Pope, who collaborate on the authoritative treatise, The *Right to Die*, provided an overview of legal developments since *Quinlan*. Meisel emphasized areas of consensus, and Pope highlighted areas of continuing or emerging controversy. Following Margaret (Peggy) Battin's keynote address (see sidebar), panelists built on the complexities she surfaced by examining endof-life decisions in the context of specific populations. Michele Bratcher Goodwin

(appearing by video) commented on laws that restrict pregnant women's rights to make decisions at the end of life. Mary Crossley focused on the need to include the voices of people with disabilities in developing these laws. Finally, Marshall Kapp highlighted the need to change laws to account for progressive cognitive



and physical decline in our aging populations. The symposium concluded with a discussion between Sylvia Caley, and Samantha Johnson about end-of-life decision making in Georgia and noted the challenges of deploying these laws in practice.

"The presenters are all experts who engaged the audience on the most challenging questions on this topic. The resulting papers and videos from the day are an incredible resource for those who are interested in continue to improve the law concerning end-of-life decision-making." said Leslie Wolf.

Margaret (Peggy) Battin, University of Utah distinguished professor of philosophy and adjunct professor with the Division of Medical Ethics, gave the keynote address, "A Contemporary Death," that demonstrated how difficult end-of-life decisions are, even for those who have thought deeply about these issues.

Drawing on her celebrated TedMed Talk, Battin shared her experiences with her husband's decision to stop life-prolonging medical care several years after an accident rendered him a quadriplegic. That decision challenged her decades-long work in bioethics on end-of-life care, physician aid in dying, and euthanasia.

"We have moved toward deaths, which are more predictable, where doctors can do more to shape and postpone deaths," Battin said. "These new patterns of death, though, don't mesh with many of our political, religious and moral ideas."

Battin remains a proponent of aid in dying and urged the audience to listen to its opponents whose concerns suggest ways for making human life – and death – better.



For more information about the symposium, visit clhs.law.gsu.edu/Quinlanrecap



Impact of the ACA on Financially Distressed Health Care Providers

The Center for Law, Health & Society cosponsored a Sept. 30 panel in the College of Law's "From the Tower to the Trenches" CLE series on the Affordable Care Act's impact on financially distressed providers and patients and the different challenges faced by different health systems.

The series brings together faculty members and practicing attorneys to discuss legal issues. This session, "Full of Patients but Low on Cash: Managing Conflicts between Health Care Needs and Budget Woes," featured William H. Boling, owner and principal of Boling and Co.; Samantha R. Johnson (J.D. '03, M.B.A./M.H.A. '14), senior associate general counsel for Grady Health System; Samuel R. Maizel, partner of the Restructuring, Insolvency and Bankruptcy Group at Dentons; and Professor Jack F. Williams.

"The way we deliver health care is one of the largest political issues facing our country," said Maizel, who was the 2016 Southeastern Bankruptcy Law Institute Visiting Distinguished

Professor. "The shift to pay for outcomes rather than services can disproportionately negatively impact already distressed hospitals serving lower-income patients."

For example, hospitals receive less in reimbursement if a patient is readmitted within 30 days of discharge. However, the greatest predictor for readmission is socioeconomic status. "The patients served by safety net hospitals, like Grady, often are uninsured and low income," Johnson said. "These patients may not be able to make follow-up appointments due to lack of transportation, inability to take time off from work, or are unable to purchase their medication and food."

Patient satisfaction is also considered in reimbursement; however, satisfaction scores often have less to do with quality of care than with the building's physical appearance, staff friendliness, or quality of the food. Yet, budget constraints prevent financially distressed repealed given the industry changes since hospitals from spending on these kinds of items. the law's passage.

Rural health care faces additional challenges. "Georgia is tied for second in the nation with the most hospital closures. When a hospital closes it reduces access to care but also hurts the local economy and employment market," Boling said. "Rural health care practice is adapting by developing affiliations with larger facilities and sharing resources."

Hospital closures increase the distance between patients and health care facilities, which can be dangerous in an emergency and reduce the health outcomes generally in the local area. Increasing use of telemedicine, which allows patients to be seen by specialists who are far away is a new and growing trend in supporting access to health care at the local level, said Boling.

Looking at the future, Maizel predicted more health care facilities will face bankruptcy or restructuring if the ACA is

Reproductive Justice and Reproductive Rights in a Technological Age

The technology of assisted reproduction has come a long way since the world's first "test tube baby" was born in 1978, but it continues to raise legal and ethical questions. On Sept. 20, Kim Mutcherson, vice-dean and professor of law at Rutgers Law School, addressed many of these questions in a presentation at Georgia State Law entitled, "Reproductive Justice and Reproductive Rights in a Technological Age: How Making Babies without Sex is Changing the World."

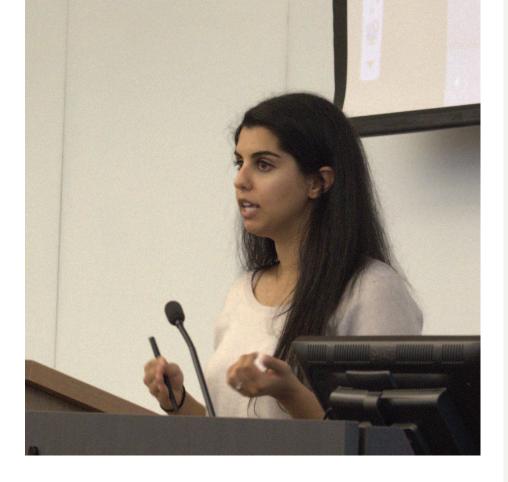
"The options for assisted reproduction have expanded from simply in-vitro fertilization and artificial insemination to pre-implantation genetic diagnosis, cytoplasmic transfer, gestational surrogacy, and beyond," Mutcherson said. "While the business of making babies booms, unsurprisingly, the law continues to lag behind the pace of technology."

Babies and Babymaking at Rutgers, described how family creation is treated differently in law and public opinion based on race, class, gender, sexual orientation and other characteristics.

To illustrate, Mutcherson shared recent news headlines of a pregnant transgender man, women impregnated after the age of 65, a single mom of 14 children, outsourcing surrogacy to women in low-income countries, sperm donors who sue for custody of the child, and others, and facilitated discussion on ethical and legal issues raised by these stories.

She concluded the presentation by challenging the idea of normalcy. "Over time, things that seems extraordinary become mundane and we become accustomed to them," she said. "Recognizing this, we should be enormously careful about how Mutcherson, who teaches a course called Bioethics, we change the landscape of what is ordinary."





Georgia Asylum and Immigration Network Training

Individuals seeking asylum in the United States face a complex process that includes an interview to assess the asylum seeker's "credible fear" or "reasonable fear" of persecution. Asylum seekers must pass this initial interview stage in order to be granted a judicial asylum hearing. In Georgia, only 2 percent of individuals are granted asylum at the hearing.

On Sept. 13, Georgia Asylum and Immigration Network (GAIN) held a training event at Georgia State Law for students interested in volunteering to assist in asylum cases. Zainab Alwan, GAIN's Asylum Project attorney, led the training, which focused on how law students can help asylum seekers during their initial Credible Fear Interview/Reasonable Fear Interview (CFI/RFI).

"Many individuals seeking asylum have escaped civil wars or other violent settings," Alwan said. "The process can be confusing and frustrating, adding to the trauma they have already experienced. Advocates can provide critical support to asylum seekers navigating this process."

Law students volunteering with GAIN can help ensure the rights of individuals seeking asylum are protected by telephonically attending and documenting the CFI/RFI interview between the federal asylum officer and the individual. Additional volunteer opportunities include interpretation, translation, and assisting attorneys who have taken asylum cases pro bono. Through volunteering with GAIN, students are provided with an exciting opportunity to get hands-on experience while also helping individuals in need of legal assistance.

Founded in 2005, GAIN provides pro bono legal services to asylum seekers and immigrant victims of human trafficking, domestic violence, sexual assault, and other crimes. The College of Law has an externship program with GAIN. In addition, Professor Jonathan Todres serves on the board of GAIN.

Interview with a Law Student Volunteer for GAIN

Peter Faile (J.D. '18) attended the GAIN CFI/RFI training and enlisted as a volunteer.

How did you hear about GAIN and why did you decide to volunteer?

I first heard about GAIN from Professor Todres. I researched them and, after learning about the important work GAIN does to support vulnerable immigrants, refugees, and asylum seekers, decided to volunteer.

What did you have to do as a GAIN volunteer?

After the training, I volunteered on a two-hour credible fear phone interview involving the asylum officer, the detainee (an undocumented woman from Guatemala detained at the US/Mexico border, and held at a Georgia immigration detention center), a translator and myself. My role was to relay information to the detainee about her rights and GAIN's services, and support her as the asylum officer asked questions about her experience in her home country. After the call, I completed a memo about the interview for GAIN's records.

What was your experience like?

Although it was sad to hear the young lady's story of how and why she fled Guatemala, I was glad to be a part of the process. For me, it was a tangible, straightforward way to help in the asylum process. Sometimes in law school we get detached from the people who are affected by our laws, but, by hearing an asylum-seeker's story first-hand, I felt more connected to the laws and systems I hope to work within one day.

What advice would you provide someone considering volunteering with GAIN?

Just do it! The need is great, and, with only a few hours of your time, you can be the ally detainees need.



Graduate Happenings

Order of the Coif

Georgia State University College of Law's new Order of the Coif chapter inducted alumni who were rank in the top 10 percent of the previous three years' classes in a ceremony on Nov. 10. The Center for Law, Health & Society congratulates the following health law certificate and HeLP clinic graduates inducted to the Order of the Coif:

2014

- Gregory Fosheim
- Meghan Jones
- Joshua Kahn

2015

- Allison Averbuch
- Andrew Barksdale
- Jason Stephenson

2016

- Ryan Behndleman
- Luke Donahue
- Chloe Martin
- · Genevieve Razick
- Sheila Salvant Valentine
- Jordan Whitaker



On the Move

- Evelyn Clark Lopater (J.D.'13) joined the Walter F. George School of Law at Mercer University as assistant director of Academic Success & Student Affairs.
- Christian Dennis (J.D. '16) joined Huff, Powell and Bailey LLC as an associate in health care litigation.
- Sal Lucido (J.D. '04) was promoted in May to associate director for Strategic Planning, Partnerships, and External Relations at the Centers for Disease Control and Prevention.
- Samuel Park (J.D. '13) was elected to the Georgia General Assembly for District 101 and began serving in January.
- Bethany Ensley Sherrer (J.D./M.B.A./M.H.A.'16) joined the Medical Association of Georgia as the government relations associate and Georgia medical political action committee manager in September.
- Samuel Shapiro (J.D./M.S.H.A. '14) joined Arnall Golden Gregory LLP's Health Care Practice Group as an associate.
- Gregory Tanner (J.D./M.S.H.A.'16) joined Chilivis Cochran Larkins & Bever LLP as an associate representing health care clients in government investigations, audits and administrative proceedings.

Giving Back

Georgia State Law's Student Health Law Association hosted a panel featuring **Gregory Fosheim (J.D. '14)**, **Barbara Rogers (M.B.A./M.H.A. '09; J.D. '15)**, **Nirvi Shah (J.D. '15)**, and **Christian Dennis (J.D. '16)**. They focused on the transition from law school into practice and discussed interviewing, job search techniques, professionalism and service to the profession.

Do you have news to share? Send news and updated contact information to lawandhealth@gsu.edu.



Graduate Speaks to Health Care Transactions Class

Gardner Armsby (J.D.'15) may have graduated summa cum laude from Georgia State University College of Law only in 2015, but on Oct. 12 he was in class as an invited guest speaker for the Health Care Transactions practicum. The three-hour, advanced health law class, taught and co-created by Professor Erin C. Fuse Brown is offered every fall.

Armsby is an associate at King & Spalding in the firm's Healthcare Practice Group and took the class when it was first offered in 2014, because, he said, "It was the exact area of practice I wanted to go into."

Speaking alongside attorney Laura Little, with the Polsinelli law firm, Armsby gave the nine students a casual but pointed overview of the basics of practicing health care law. He and Little informed the class of "real life," as opposed to academic, aspects of the field in addition to explaining how health care differs from other industries. Armsby spoke easily on what a single day or entire project might entail and gave a talk-through of the ideal due diligence process and a typical transactional timeline touching on the mundane to the more complicated.

Prior to studying law Armsby worked as CFO and corporate compliance officer for a non-profit provider of job training services for adults with disabilities. Among his responsibilities: maintaining accreditation and compliance with service and documentation standards under Georgia's Medicaid Waiver programs.

He's not the first lawyer in his family. His mother, Karen Armsby (J.D. '96), attended Georgia State Law when Armsby and his sister were in elementary school. She specialized in bankruptcy proceedings and worked with the State Attorney's office and Department of Law until her recent retirement.

"I'm a legacy," he grinned.



Improving Health through Supportive Housing

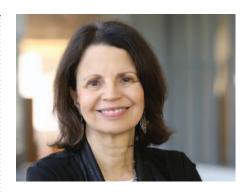
Following in the footsteps of another Georgia State Law graduate Paul Bolster (J.D. '86), Mariel Sivley (J.D. '06) joined the Georgia Supportive Housing Association as the executive director one year ago.

Bringing her background with the Georgia Law Center for the Homeless and her experience in long term care, Sivley promotes public policy to expand supportive housing in Georgia. She also recently organized the 6th Annual Georgia Supportive Housing Conference bringing together government agencies and nonprofits on this important topic.

"Supportive housing programs offer access to affordable housing and coordinated community based services such as mental health and substance abuse counseling, life skills, education, career services and health care," said Sivley, whose legal career has been dedicated to serving people in need. "These programs help transition individuals from homelessness and are more cost effective for the state than jails, shelters, or long term institutions."

Supportive housing also incorporates many different area of the law, including zoning law, property law, tax law and health law. "Supportive housing has been shown to reduce the burden of homelessness on the health care system by reducing emergency room visits and helping individuals locate affordable housing and access needed health care services," Sivley said.

"It is important to see health care as beyond the four walls of a medical center," she said. "Providing quality, stable housing is health care."



Retirement Congratulations

The Center for Law, Health & Society congratulates Gail Horlick (J.D. '90) on her retirement from a distinguished 23-year career at the Centers for Disease Control and Prevention. Horlick was the first Georgia State Law graduate to work at the agency.

"Today, there is much more recognition of the impact of law on public health," she said. "When I was hired, I was one of few lawyers in the agency outside of the Office of the General Counsel."

An early position involved contracts to put computers in state and local health departments in Georgia. "My boss told me that the technology is the easy part, but if people are worried about their privacy they won't use the technology."

She later became the HIPAA Privacy Rule coordinator and a subject matter expert on the impact of privacy and data sharing law and policy on public health practice and research.

Since 2011, Horlick has provided support to Georgia State Law through career advising and mentoring for part-time, evening students. She intends to continue this role into her retirement. Her deep connection to the law school extends beyond her own experience, as her husband Alan (J.D.'87) and son Robert (J.D. '04) are also alumni.

Horlick, who also has a master of social work and practiced for several years before law school, brings unique insight to students who may also be attending law school as a career change. "Know yourself and trust your gut," she advised. "I had no idea that I wanted to work in public health but I knew I wanted something mission-oriented, and I knew I wanted a career that would enable me to balance work and family."









"When HeLP students embark on their careers, they have the advantage of knowing both the benefits of inter-professional collaborations and of working directly with the medical staff and the families referred to them for assistance."

 Dr. Robert Pettignano, Medical Director of the Health Law Partnership and Pediatrician at Children's Healthcare of Atlanta





HeLP Legal Services Clinic Celebrates 10 Years

The Health Law Partnership Legal Services Clinic at Georgia State Law celebrates its 10th anniversary in 2017. The clinic is part of the Health Law Partnership (HeLP), an award-winning, nationally recognized medicallegal collaboration among Georgia State Law, Children's Healthcare of Atlanta and the Atlanta Legal Aid Society. This collaboration between lawyers and medical professionals provides low-income and minority children receiving care at Children's with free civil legal services, addressing issues such as poor housing conditions that exacerbate asthma and barriers to accessing medical treatment or obtaining medications.

Through the clinic, law students work on selected HeLP cases involving issues of public benefits, disability, education, housing and family law. Students assume responsibility for clients in real legal matters, under close supervision of a faculty member.

"The clinic offers the opportunity for students to experience practicing law before they graduate," said Lisa Radtke Bliss, associate dean of experiential education and clinic co-director. "They develop skills in client interviewing, counseling and representation, negotiation, research and drafting, and case management."

The clinic also provides the unique opportunity to work in an interprofessional team. Medical students and residents from Morehouse School of Medicine and Emory University School of Medicine, as well as graduate students of public health, social work and bioethics from Georgia State and other universities participate in the clinic.

"Participation in the HeLP Legal Services Clinic expands the concept of us." It provides students the opportunity to expand skills, such as collaboration, communication and problem-solving," said Sylvia Caley (M.B.A. '86, J.D. '89), clinical professor and HeLP's director. "Working together also encourages and nurtures respect for each profession, and it's rewarding for patients because we achieve concrete improvements."

The inter-professional approach is beneficial to all parties involved including the clients, students and legal and medical professionals, Dr. Robert Pettignano, HeLP's medical director, asserted.

Since 2007, students in the HeLP Legal Services Clinic have handled 250 cases with 199 clients from 25 counties in Georgia and out of state. They have prepared 25 wills, 20 advance directives and 17 powers of attorney. Students have also secured almost \$1 million in Social Security and Medicaid benefits, more than \$100,000 in education services, and more than \$17,000 in housing benefits.



HeLP Legal Services Clinic 10th Anniversary Celebration Thursday, Sept. 14

Donations to support the work of the clinic are greatly appreciated. Visit **law.gsu.edu/HeLP10** for more information.



HeLP Clinic Experience Reinforces Practice of Law Is Service to Others

Reflection by Blinn Combs (J.D. '17)

The HeLP Legal Services Clinic provides assistance to avail sick children—and their families—of their full measure of rights under the law. This work, of providing needy families with the means to survive and sometimes thrive, is pro bono publico in its highest sense, and I'm immensely proud to have had such a rewarding experience.

As the clinic's summer intern, I was fortunate to represent a client at a Supplemental Security Income disability hearing. Most claims for SSI benefits are denied, both initially and on reconsideration. Although parents may request a hearing following denial, they frequently wait two years or more to obtain one, and then often are given less than a month's notice once a hearing is scheduled.

Such was my case. Our client received notice in late May that a hearing would be held in 30 days. The child had debilitating problems. His benefits had been withdrawn after a perfunctory examination. Although he needed over half a dozen medical specialists and therapists, much of this care would likely be inaccessible to him without SSI benefits.

To prepare the case, we obtained a full health and education record — totaling about 5,000 pages—just three weeks before the hearing.

I practiced my opening statement, reviewed the brief, and scoured the exhibits, but nothing fully prepares you for your first hearing. My supervising attorneys, Sylvia Caley and James Mitchell, and I entered the small courtroom with our client, his mother, her translator and the court reporter.

As I started my opening, I realized that I was speaking too fast. I was nervous, not only about the case, but about the effects of my arguments on this small child who was my client. He was young and thankfully distracted. After the medical expert testified, the administrative law judge brought matters to a close, indicating that he would be rendering a favorable decision.

Thanks to my participation in the HeLP Clinic and the dedication of its professors and staff, I've written and submitted my first major brief. I've had my first courtroom experience. I've had my first legal victory. But most importantly, I've helped a sweet child retain the medical care he so desperately needs to survive, and so far as he is able, to thrive, and helped his family to avoid the possible emotional and financial ruin attendant upon the loss of his benefits.

HeLP Provides Model for Other Medical-Legal Partnerships

In 2014, Georgia Gov. Nathan Deal signed SB 352, authorizing government funding of medical-legal partnerships. Georgia State Law students helped draft the bill under the direction of Sylvia B. Caley (M.B.A. '86, J.D. '89), clinical professor of law, director of the Health Law Partnership (HeLP) and codirector of HeLP Legal Services Clinic.

Caley and HeLP colleagues recently helped Mercer University School of Law, Navicent Health and the Georgia Legal Services Program start an MLP in Macon.

"When we established HeLP, one of the primary goals was to serve as a model for the development of other programs. We are honored to have been able to assist Macon in the development of its MLP," Caley said.

The lawyer designated for the new partnership, Tara Vogel (J.D. '14), jumped at the chance to be part of the team in Macon.

"I was a student in the HeLP Clinic and loved my time there," she said.

Vogel said Georgia State Law and HeLP have been an invaluable resource to the Macon partnership. "Sylvia Caley and the rest of the HeLP team have met with us many times, answering questions, offering advice, sharing sample forms, etc. We are extremely grateful for their guidance and support."

Caley and members of the HeLP Clinic have provided their consulting services to other locations, including Case Western Reserve School of Law and Rainbow Children's Hospital in Cleveland, Ohio, and the law and medical schools and legal services program in Memphis, Tenn. In May, Emily Suski, who was a clinical supervising attorney for the HeLP Clinic, was recruited to start an MLP at the University of South Carolina School of Law.

"Other groups seek our counsel because we have a model program of offering direct client services, professional education programs, systemic advocacy, and program evaluation, research and scholarship," said Caley.

Center Highlights



Professor Anderson worked with the Atlanta Volunteer Lawyers Foundation and Purpose Built Schools to examine housing instability and school turnover problems and

solutions in impoverished

housing and health equity

issues at the upcoming

AALS Conference.

neighborhoods. She

will present on panels

examining affordable



Lisa R. Bliss Professor Bliss taught a short course on Clinical Legal Education and Access to Justice to students at the National Law University of Delhi, India. She was an international trainer for the 2016 Asia Regional Clinical Legal Education Summer School, sponsored by Bridges Across Borders Southeast Asia Clinical Legal Education Initiative, which supports the development of clinical legal education. Law teachers from Myanmar, Vietnam, Bhutan,



Jessica Gabel Cino

Associate Dean Cino continues to focus on the reliability of forensic science in criminal cases. In June, the American Academy of Forensic Science asked Cino to serve as the vice chair on the national Standards Boards for DNA evidence. She also serves on the Standards Board for fingerprint evidence. Both scientific bodies are part of a federal effort to create and improve standards and procedures in forensic laboratories across the country.



Yaniv Heled

Professor Heled presented his work at the IP Law Professors Conference at Stanford University and at the 2016 Legislative Attorneys CLE Event at the Georgia Capitol. He is currently working on two projects: one exploring requiring healthcare corporations to incorporate as public benefit corporations (co-authored with Liza Vertinsky and Cass Brewer) and another surveying the state of legislation and regulation of autonomous vehicles in the United States and other countries.



Roberta M. Berry

Professor Berry's co-written article, "Navigating Bioethical Waters: Two Pilot Projects in Problem-Based Learning for Future Bioscience and Biotechnology Professionals," was published in Science and Engineering Ethics. She was selected to join the first cohort of the Provost's Emerging Leadership program, a leadership development program at Georgia Institute of Technology initiated in summer 2016. Professor Berry continues to serve as Director of the Georgia Tech Honors Program.



Cambodia, Singapore, Thailand,

and other countries participated.

Sylvia B. Caley (M.B.A '86; J.D. '89)

Professor Caley presented at a Centers for Disease Control and Prevention conference on sexually transmitted disease and addressing the social determinants of health to improve outcomes. She presented at the International Journal of Clinical Legal Education conference in Toronto, Canada on "Measuring the Impact of Social Justice Teaching: Research Design and Oversight" and at the American Heart Association's Scientific Sessions on addressing the social determinants of health in the management of pediatric congenital heart disease.



Erin C. Fuse Brown

Professor Fuse Brown consulted with the National Academy for State Health Policy to draft comments to the Department of Labor regarding a federal fix for state All-Payer Claims Databases, preempted by ERISA in Gobeille v. Liberty Mutual. She spoke on the future of the Affordable Care Act to the Society of American Business Editors & Writers and to the 12th Annual Meeting of the American College of Business Court Judges.



Wendy F. Hensel

Interim Dean Hensel published her latest scholarship, "People with Autism Spectrum Disorder in the Workplace: An Expanding Legal Frontier," in the Harvard Civil Rights-Civil Liberties Law Review. She presented this same work to the United States Department of Agriculture's National Statistics Service offices as part of their Disability Awareness month series.





Stacie P. Kershner (J.D. '08)

Kershner drafted the proposal for a new master of laws (LL.M.) in health law for attorneys to officially launch this fall. She co-wrote a chapter on public health law for a public health ethics book (with Leslie Wolf) and is part of a research project team examining vaccination exemption laws (with Timothy Lytton).



Timothy D. Lytton

Professor Lytton was quoted as an expert on gun violence, gun litigation, and gun control in the New York Times, Forbes, Bloomberg News, United Press International, the Connecticut Law Tribune, and Estado (Brazil). He was featured in a New York Times video on gun litigation, was a guest on the John Gambling Show (AM 970 NYC), and was interviewed on Radio Sputnik (Moscow).



Charity Scott

Professor Scott presented at Georgia State's "Women Inspire" speaker series on "Mind Full or Mindful: Bringing Mindfulness to Lawyers (And to Anyone Else Who Wants Less Stress and More Happiness in Their Lives)." She spoke on "Conflict Engagement Skills for Ethics Committees" to Children's Healthcare of Atlanta She commented for Medical Ethics Advisor on "Ethical Approaches to Disclose Errors Made by Other Clinicians." She also completed a yearlong "Mindfulness in Law Teacher Training" program.



Leslie E. Wolf

Professor Wolf presented a paper "Vulnerable Patients and End-of-Life Decision-Making" (with Sylvia Caley) at a conference sponsored by Ewha Institute for Biomedical Law & Ethics, in Seoul, Korea, She co-wrote (with Jonathan Todres) the article "The Complexities of Conducting Research on Child Trafficking' in JAMA Pediatrics. She has a chapter on public health law (with Stacie Kershner) in the forthcoming Oxford Handbook of Public Health Ethics.



Paul A. Lombardo

Professor Lombardo was a featured commentator on an Australian Broadcasting Company series "The Hidden History of Eugenics: Fitter Families and the Feebleminded:" he presented "From Psychograph to FMRI" at the University of Michigan; and the "Ethics of Genetic Medicine" at Haverford College. He was also interviewed in podcasts: Ethically Sound from the Presidential Commission for the Study of Bioethical Issues, and This Week in Health Law.



James E. Mitchell

Mitchell closely supervised students in the HeLP Legal Services Clinic during the fall semester. Of note, he supervised students as they successfully drafted and executed wills for their clients, and as they helped a client successfully reinstate her child's Social Security disability benefits. In addition to teaching in the clinic, Mitchell also taught class sessions to both law and medical students at the Morehouse School of Medicine.



Jonathan Todres

Professor Todres co-wrote two publications, "The Complexities of Conducting Research on Child Trafficking" in JAMA Pediatrics (with Leslie Wolf) and "Bullying Prevention: A Summary of the Report of the National Academies of Sciences, Engineering, and Medicine" in Prevention Science (with Daniel J. Flannery, et al.). He also presented on human rights in children's literature at the University of Connecticut and on bullying for a National Academies of Sciences, Engineering and Medicine webinar.



Patricia J. Zettler

Professor Zettler presented her scholarship at Harvard Law School, Stanford Law School, the Ohio State University, and the Southeastern Association of Law Schools Annual Conference, among others. She was quoted on FDA and regulatory issues in the New York Times, the Washington Post, Politico, WebMD, Bloomberg BNA, and STAT News. She also serves as a consultant to a National Academies of Sciences committee on regulatory strategies to address opioid abuse.



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Erin C. Fuse Brown, Assistant Professor of Law

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Yaniv Heled, Associate Professor of Law and Co-Director of the Center for Intellectual Property

Wendy F. Hensel, Interim Dean and Professor of Law

Paul A. Lombardo, Regents' Professor and Bobby Lee Cook Professor of Law

Timothy D. Lytton, Distinguished University Professor and Professor of Law

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Charity Scott, Catherine C. Henson Professor of Law

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