

March 1993

## March 1993 Docket

Georgia State University College of Law

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# The Docket

March 1993

A Publication of the Student Bar Association, Georgia State University, College of Law

Vol. I, No. 5

## LETTER FROM THE DEAN

March 2, 1993

Once again the College's moot court teams are off to a very successful start in the spring semester's season of competitions. So far, the following results have been reported to me: our Jessup International Competition team, consisting of ScEtt Anderson, Richard Genirberg, Amjad Ibrahim and Byron Sanford received the award for Third Place Memorial for the applicant and respondent briefs; one of our ABA teams, consisting of Allison Doneghey, Lesli R. Seta and Lawrence C. Schill, had the third best brief and placed fifth out of nineteen teams in the ABA Regional Competition; and one of our trademark teams, consisting of Sandy Cutler, Michael Jones, Carolyn Jordan and Nanette Wesley, won the Regional Competition and has advanced to the national semi-final round which will be held in Washington late this month. Congratulations to all of you!

I am also very pleased to announce that President Carl Patton has recommended to the Board of Regents that Mark Budnitz, Pat Morgan and Roy Sobelson be promoted to the rank of full professor. Dr. Patton's recommendations acknowledge the very strong performance that these faculty members have produced in their respective specialties during their academic careers. In addition, two of our librarians, Rhea Ballard and Nancy Deel have been recommended for promotion to the rank of assistant professor on the library faculty. Each of these successful promotion candidates makes a very important, distinctive contribution to our educational program, and we are proud to have them associated with us.

*Letter continued on Page 2.*

## SBA PRESIDENT'S COLUMN

It is hard to believe that my term as SBA President is almost at an end. In fact this will be the second to last time I will write this column for The Docket. I would first like to take this opportunity to express my sincere gratitude to all of you for your support, encouragement, and suggestions.

When I ran for president I told you that I was not going to make you any meaningless promises that I knew I could not possibly keep. Instead, I asked for your support because as a law student I was "fed up" with feeling as though I had no voice in my legal education. Thus, it was my promise to you that I would act "only" in your best interests, and that I would make sure that "all" students at the law school would be adequately represented by the SBA. I hope that you feel that I have kept my word.

Now, I will be the first one to admit that things at GSU Law are still not perfect. There is still a lot of very hard work that needs to be done by the present SBA, and your newly elected officers. However, I would like to thank the entire SBA Board of Directors for all of their hard work and dedication. Without their hard work and dedication I don't know what I would have done.

We have come a long way since this time last year. Presently, the SBA has garnered a renewed committment from Kinko's copying services to improve their services in the law library. In addition, we have nearly quadrupled the SBA Emergency Fund so as to ensure that future student organizations will have a resource to turn to when they are in dire straits for money.

*Letter continued on Page 2*

*Letter from Dean cont.*

We have also successfully recruited two additional full-time faculty members. Michael Landau is currently a Visiting Professor at Dickinson's School of Law. He earlier engaged in private practice, specializing in the field of intellectual property, which will be his primary teaching emphasis. Basil Mattingly will come to us directly from private practice in Dallas and will bring experience in the financing of real estate transactions to our curricular offerings. Each of them fills a need which the faculty had designated as a very high priority in this recruitment season, and we are eagerly anticipating their arrival in August.

As is typical in an academic environment, I also have one temporary departure to report. Professor Mary Radford has accepted an offer to be a Visiting Professor during the spring semester of 1993-94 at Emory Law School. Such an offer represents important recognition of Professor Radford's academic accomplishments. We are very pleased for her and wish her an intellectually stimulating and refreshing semester.

Finally, a clarification about the extent of the available services at the University's Counselling Center may be needed. At a lunch earlier this semester with representatives of our student organizations, Acting Director Marolyn Wells discussed the Center's programming options. Because of limited staffing, most of the Center's services are offered on a group basis, and its professionals usually cannot undertake extended individual counselling. As we approach the stress-inducing deadlines that will inevitably accompany the end of this academic year, I urge you once again to check out the options which are available (without charge to students at this University). Some of them are specifically targeted at stress-reduction.

Marjorie L. Girth  
Dean

*SBA President's Column, Cont.*

I am also pleased to inform you that at the present time GSU law school has the second highest percentage of student ABA membership in our circuit. This is an even more impressive event considering that GSU is in the largest circuit of the ABA, a total of 19 other law schools our in our circuit. In fact, since July 1992, 150 new members have registered with the ABA from GSU, bringing our total membership up to 244 students.

While these are only a few examples of what the SBA has accomplished up to this point, they are truly representative of the SBA Board's commitment to you , the students of GSU Law. Although our term is almost at an end, there is still much to look forward to. We have recently finalized details on the Barrister's Ball, Race Judicata, and a student directory containing pictures of all the students at GSU law. In addition, the SBA has allotted fellowship money to both the National Lawyer's Guild and the GSU Public Interest Law Society, to ensure that their summer internship programs are successful.

Again, I want to thank each and every one of you for giving me the opportunity to serve as your SBA President. I only hope that you are as proud of SBA's achievements as I am. I wish you all the best of luck in whatever your future endeavors may be. Oh, and by the way a special good luck to all of you 3rd year students awaiting your bar exam results.

Sincerely,

Alan Rosenberg

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"Six hours in sleep, in law's grave study  
six, Four spend in prayer, the rest on  
Nature fix."

Sir Edward Coke

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## NOTES FROM STUDENT ORGANIZATIONS

### CHRISTIAN LEGAL SOCIETY

Greetings once again from the Christian Legal Society. We hope that your week of break was relaxing and productive.

Before the break, Professor Lynn Hogue came to speak at our meeting. Professor Hogue shared his personal testimony, and we discussed several important topics facing Christians and Christian attorneys today. Professor Hogue also led a discussion on the role of Christian faculty.

Mark your calendars for March 17 - 12:00 noon. Douglas Ammar of the Atlanta Criminal Defense and Justice Project will be speaking to CLS. This is a ministry to the indigent accused in Atlanta. Mr. Ammar is a very enthusiastic speaker and challenges your ideas about indigent defense. If you are planning to go into any type of criminal law, this is a must see. If you are not interested in criminal law, come anyway because you will leave with a new appreciation of this branch of practice. Watch your boxes for more details.

All of the members of CLS mourn the death of Kelly Megan Grogan. Her warm personality and ability will be greatly missed. We look to her as an example of grace and courage. Our prayers go up for her friends and family and for their comfort in this difficult time.

Do not forget our weekly meetings on Wednesdays at 12:00 noon in room 144. If you would like more information, please contact Johnny Herbert in Room 228, Box 513, or call at home 389-8769.

### MOOT COURT ACHIEVEMENTS

**TRADEMARK COMPETITION**, Atlanta, GA, February 27TH

Congratulations to the GSU Moot Court Board Trademark Competition Team of Sandra Cuttler, Michael Jones, Carolyn Jordan, and Nannette Wesley. The team finished **FIRST** in the regional competition held at the Eleventh Circuit Court in Atlanta. The team will compete in the national competition in Washington, D.C. on March 27TH.

**ABA REGIONAL COMPETITION**, Birmingham, AL, February 26-28

In a competition of 19 teams from 11 law schools from the southeast, the team of Allison Doneghey, Lesli Seta and Lawrence Schill finished 5th overall and their brief was ranked 3rd. The team of Scott Anderson, Dennis Blackmon, and Cathleen Robson finished 9th overall.

**THE 1993 JESSUP MOOT COURT TEAM**  
Atlanta, Ga February 19-21

The team of Scott Anderson, Richard Genirberg, Amjad "M.J." Ibrahim, and Byron Sanford received 3rd place for their brief. The team was sponsored by the GSU International and Comparative Law Society and was coached by Professor E.R. Lanier.

*For more on this competition, see page 9.*

# NOTES FROM STUDENT ORGANIZATION

## STLA SPRING COMPETITIONS

The 1992-93 STLA competition season began in full force immediately after New Years Day with both the ABA and ATLA teams beginning to practice. The ABA competition was held in Memphis, Tennessee on February 4-7 (SEE Results Below). The ATLA competition is scheduled for March 5-8 in West Palm Beach, Florida. The John Marshall team began practice late in February (after the Bar) and will compete late in March. The Intrastate team will begin practicing early in March and will compete the first weekend in April.

All law students should feel free to attend any of the practice sessions involving the teams. Second years may especially want to attend to observe a full trial prior to the required Litigation trial. PLEASE SUPPORT ALL OF THESE TEAMS!

## STLA: ABA COMPETITION RESULTS

Two STLA mock trial teams competed recently in Memphis, Tennessee. The trial problem involved the possession and sale of cocaine. Both teams represented the law school well throughout the competition.

The team made up by Jessy Lall, Mike Brown, and Kim Stephens advanced to the semifinal round before being eliminated by Wake Forest University 2-1. This team had the highest score of all 20 teams participating after the preliminary rounds.

The second team made up of second years Tony Del Campo, Rebecca Grant, and Cindy Zebrowitz was a victim of a tough draw. The team lost 2-1 to traditional power Campbell University and 2-1 to eventual finalist Memphis State in the preliminary rounds.

Congratulations to both of these teams on their fine performances!

## ASSN. OF WOMEN LAW STUDENTS

Thank you to all students who contributed to the clothing drive. Your thoughtfulness and generosity are appreciated by the women at the Breakthru House.

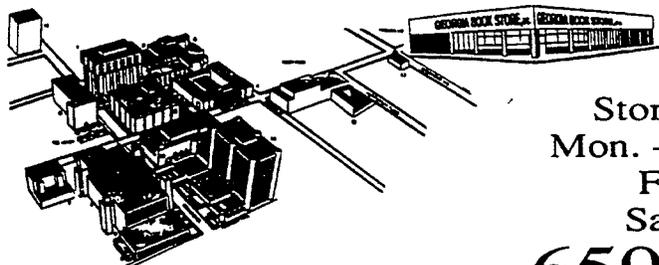
## NOTICE OF MEETING -

Wednesday, March 24--Noon

Four women attorneys will discuss the practice of law in the big law firm, the corporation and the solo practice.

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MARCH IS THE MONTH FOR CAREER PLANNING PROGRAMS!

**Criminal Law: Defense and Prosecution**  
Tuesday, March 2  
12:00 noon Room 405

*Nancy Allstrom from the DeKalb District Attorney's Office;  
Phil Jackson from the Fulton Solicitor's Office;  
Steve Phillips from the Fulton Public Defender's Office;  
Glenn Fogle, Solo Practitioner specializing in Criminal Defense.*

**LEXIS/WESTLAW Career Database Training**  
Wednesday, March 3  
5:00 p.m.

Cameron Keels, WESTLAW representative;  
Charles Kelley, LEXIS representative.

**Tax Law**  
Tuesday, March 9  
12:00 noon Room 405

*Lyonnette Davis from Swift, Currie, McGhee & Hiers;  
Mark Mesler from the I.R.S.*

**Trial Viewing Experience**  
Tuesday, March 9  
3:00-6:00 p.m. Room 100

*Obtain 3 hours of trial viewing experience for the Georgia State Bar (9 are required for practice in court). John Gravante (Class of '92) will supervise the viewing of the tapes. If you have any questions, see Beth Brown in the Career Planning Office.*

**How to Succeed in Your Summer Clerkship**  
Thursday, March 11  
12:00 noon Room 405

*Featuring hiring partners and recruiting administrators from a variety of local law firms.*

**Domestic Relations Practice**  
Monday, March 15  
12:00 noon Room 405

*Susan McMullan of Thomas C. Blaska & Associates;  
Debra Gold of Turner, Turner & Turner;  
Howard H. Johnston of Johnston & March.*

**Trouble Signs: How to Tell If A Firm Is Stable (Or Not)**  
Thursday, March 18  
12:00 noon Room 405

*Seaborne Jones, formerly of Hurt, Richardson, Garner, Todd & Cadenhead; Al Chapar, formerly of Trotter, Smith & Jacobs.*

**Public Service Employment Forum**

Saturday, March 20 All Day  
Georgia State University College of Law  
**Registration Deadline: Tuesday, March 2, 5:00 p.m.**

*Featuring scheduled interviews, panel discussions and a table forum with a variety of public interest, government and other non-profit employers.*

**General Corporate Practice**  
Tuesday, March 23  
12:00 noon Room 405

*Fred Paul Anthony of Harmon, Smith, Bridges & Wilbanks;  
P. Brian Campbell of Boyce, Ekonomou & Atkinson;  
Lyonnette M. Davis of Swift, Currie, McGhee & Hiers.*

**Curriculum Planning Workshop**  
Wednesday, March 24  
5:15 p.m. Room 100

*Professor Patrick Wiseman and other faculty members. This program provides extremely valuable assistance in planning which courses to take.*

**Environmental Law**  
Thursday, March 25  
12:00 noon Room 405

*Dennis Manganiello of Freeman & Hawkins;  
Linda Birchall of Powell, Goldstein, Frazer & Murphy;  
Robyn Sosebee of Alston & Bird;  
Additional speakers to be announced.*

**Going Solo: Tape Viewing and Networking Reception**  
Saturday, March 27  
1:00-5:00 p.m. Room 230

*Tapes detailing considerations for starting your own practice (insurance, client development, office arrangements, etc. Graduates who have started their own law practices will be invited to attend.*

**Civil Litigation Practice**  
Tuesday, March 30  
12:00 noon Room 405

*Featuring plaintiff- and defense-side civil attorneys. Speakers to be announced.*

STAY TUNED FOR MORE PROGRAMS COMING IN APRIL....  
Check with the Career Planning Office for details.

**Career Planning & Placement**  
**15 Most Recent Student Job Listings**

- |   |   |
|---|---|
| 1. #2871<br>Posted 3/1/93<br>Intern - enviro. lit.<br>Rutgers Enviro Law Clinic         | 2. #2870<br>Posted 2/26/93<br>Judicial Law Clerk<br>Northern Judicial Circuit             |
| 3. #2868<br>Posted 2/26/93<br>Legal Researcher<br>Tim Hamil, David Dickinson            | 4. #2866<br>Posted 2/23/93<br>Law Intern<br>Fulton County Public Defender's Office        |
| 5. #2865<br>Posted 2/23/93<br>Law Clerk<br>Joseph Weinberg                              | 6. #2864<br>Posted 2/23/93<br>Law Clerk<br>Anne E. Barnes                                 |
| 7. #2863<br>Posted 2/22/93<br>Legal Assistant<br>Leibel & Associates                    | 8. #2862<br>Posted 2/22/93<br>Law Clerk<br>Ga. Commission on Continuing Lawyer Competency |
| 9. #2860<br>Posted 2/19/93<br>Law Clerk<br>Charles Ballard                              | 10. #2858<br>Posted 2/17/93<br>Law Clerk<br>Hyatt & Rhoads                                |
| 11. #2854<br>Posted 2/17/93<br>Legal Research Asst.<br>Welch, Spell, Reemsnyder & Pless | 12. #2853<br>Posted 2/17/93<br>Filing Clerk<br>Ganek, Wright & Dobkin                     |
| 13. #2850<br>Posted 2/12/93<br>Internship<br>Women's Legal Defense Fund                 | 14. #2847<br>Posted 2/11/93<br>Law Clerk<br>Nils Ljungman & Associates                    |
| 15. #2844<br>Posted 2/9/93<br>Law Clerk<br>Steven K. Leibel & Associates                |   |

*For more information on these job listings and others please stop by the Career Planning & Placement Office. Job listings are posted in the "Blue books" daily. The Blue books are always available during the week in the Career Planning Office. These books are also held at the circulation desk in the law library for your convenience in the evenings and on the weekends.*

**GET INVOLVED!!!**

**The Career Planning Office's Student Advisory Committee will hold its next meeting on**

**Tuesday, March 16, 1993, 5:15 p.m.**

**in the Career Planning Office. All students are welcome! Please come by and share your input!**

**For additional information, contact Beth Brown or Marie Evans.**

# WHAT CAN YOU DO WITH A LAW DEGREE?

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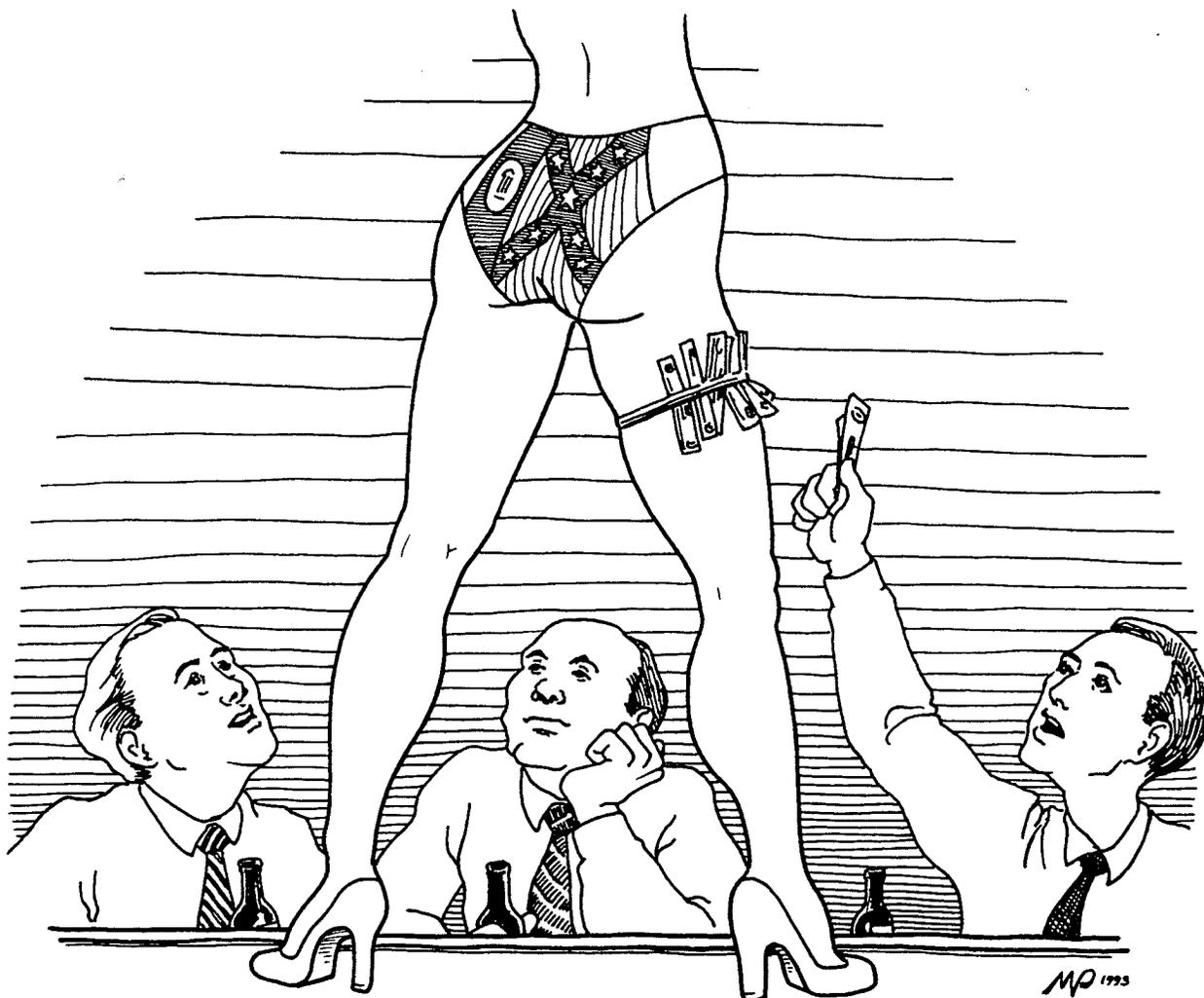
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THE ART OF POLITICAL COMPROMISE - REQUIRING THAT THE STATE FLAG BE DISPLAYED WHEREVER ALCOHOL IS SOLD ...

Elena Mushkin, Julie Ernst and Marcus Patton spent their spring break in Miami. They were not there for fun and sun. Elena filed this report.

### ECONOMIC REFUGEES????

*My faith in inhumanity, government deception and hypocrisy has been restored after a week in Miami helping Haitian refugees seeking political asylum as part of the Haitian Refugee Project organized by the National Lawyers Guild. I grew to know folks who chanced to be born in a country controlled by a bloody dictator. Their only chance of survival hinges upon being granted asylum by the United States, a country which disobeys international law by forcibly returning 99 and 1/2% of all asylum seekers to a country where she or he would face political persecution.*

*Most of the Haitians I met were "detained" at Krome detention center. The detention center is actually a concentration camp. The security of the camp is higher than any jail I have ever visited, although its inmates have committed no wrong and are not dangerous to society. The camp is surrounded by barbed wire and razor grass. The inmates are forced to wear bright orange jump suits. The only visitors permitted are the inmates attorneys and interpreters.*

*At Krome, I met Dieuleme\*, a farmer, mason, and regional delegate of the Sylvio Claude party, a party "for the people against the oppressors". Dieuleme watched two neighbors with similar political affiliations beaten by the Macoutes (local police/army). One was beaten so badly that his party had to send him to Canada for medical treatment. Several days later, Dieuleme was warned by a neighbor that the Macoutes were looking for him. He fled the next day. The following day, the Macoutes came to his house and interrogated his wife and children. When they did not know his whereabouts, the Macoutes destroyed his home. Dieuleme was in hiding for over a year, working on other peoples farms for one or two days for food, and then moving on. He returned to visit his family once a month at night. While in hiding, his uncle and nephew were beaten and jailed for three days because of their political connections. Dieuleme finally escaped to the Dominican Republic, where he remained for a week, and then escaped to the United States using a fake passport and visa he had purchased from airport officials. He has been in Krome for over two months.*

*Also "detained" in Krome was Dieusele, a nineteen year old woman who fled Haiti after soldiers shot at her school. Dieusele knew that students were a specific Macoute target, and that entire classes are arrested, beaten and killed at random. Like Dieuleme, Dieusele also purchased a fake passport and Visa and escape to the United States, where she was promptly arrested at the airport and jailed for*

*trying to save her life.*

*Chloresse is another Krome camp inmate. Chloresse was a teacher in Haiti, who had the misfortune of punishing a student whose father, unbeknownst to her, is a Macoute. The father did not agree that his child deserved the reprimand, and brought it to Chloresse's attention by threatening her life. The United States asserts that Chloresse will not be endangered if she is returned to Haiti.*

*The United States actions towards the Haitians has and continues to be inhumane, protectionist, and racist, not to mention a violation of international law. Because Haitians are not part of "we the people" they are only entitled to a watered down Due Process. Prison conditions at Krome and in Guantanamo Bay are so inhumane that inmates are starving themselves in protest. Many suicide attempts have been reported. Some Haitians are so weak from hunger that they have been unable to participate in their own hearings, yet immigration judges refuse to grant them a continuance, stating that the applicants are responsible for their medical condition and thus their health is not a grounds for a continuance. The government asserts that "There is no indication that persons returned to Haiti by the US under the interdiction program are detained or subject to punishment by the Haitian authorities". Such a statement is suspect in light of the U.S. Embassy's diminished capacity to monitor even the general human rights situation in Haiti, and with reports issued by Amnesty International, Americas Watch, etc. which show that returnees are particularly in danger of arrest after interdiction. Three Haitians I met were erroneously returned to Haiti. Upon arrival, they were arrested and threatened by the immigration officer and Macoutes. Fortunately, the immigration judge had granted their attorneys motion to have them returned upon arrival in Haiti and the three passengers were returned to U.S. to await their hearing. The United States still contends they are in no danger if their application is denied.*

*Incidentally, there is not such animal as the infamous economic refugee. A refugee is one who demonstrates a well "founded fear of persecution". Persecution is defined as "the infliction of suffering or harm upon those who differ...in a way regarded as offensive. Persecution for a non political criminal offense is not considered "persecution".*

*\* The asylum applicants names have been changed to preserve attorney-client privilege.*

The Phillip C. Jessup International Law Moot Court Competition was held at Emory University over the weekend of February 19 - 21. Teams from thirteen law schools competed in the Southeast Regional, the largest in the nation. Twice consecutive winner Wake Forest reached the finals, but lost their bid for a "turkey" (three in a row to bowling fans) to the team from University of Alabama Law School. Both teams earned a place in the International rounds, to be held in Washington, D.C. early in April.

The Georgia State competition team, comprised of Scott Anderson, Richard Genirberg, Amjad Ibrahim, and Byron Sanford earned the award for Third Place Memorial for the applicant and respondent briefs submitted. Second Place Memorial was awarded to competition winner University of Alabama and First Place Brief went to finalist Wake Forest.

In preparing for the competition, the team was coached by Professor Lanier. The team is grateful to Professors Blasi, Podgor, and Radford, and to attorneys Droogmans and Rubin of Alston and Bird, for providing practice benches for the team. The team is also thankful to Professors Marvin and Kaminshine for listening to arguments at tryouts. The competitors offer a special thanks to Professor Sobelson who suffered through tryouts and the team's practice arguments on three occasions.

The Jessup International Moot Court competition is sponsored at Georgia State by the International and Comparative Law Society. The last two Regional rounds were held in Georgia, so next year's team will surely have an opportunity for travel. Tryouts for next year's competition team will be held early in fall semester.

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