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2002-2003 Annual Report

Georgia State University College of Law

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ANNUAL

REPORT

2002 - 2003

GEORGIA STATE UNIVERSITY

ANNUAL REPORT

FY03

COLLEGE OF LAW

JANICE C. GRIFFITH, DEAN
September, 2003

College of Law
2002-2003 Annual Report

Section **A.** Summary of Major Accomplishments

Planning for the Future

In 2002, the College of Law celebrated its 20th Anniversary. In the college's first twenty years, there have been many accomplishments of which to be proud. The college's reputation has steadily increased, especially in the last five years. The US. News & World Report ranked the college among the top 100 law schools in the country in its 2004 Survey of the best graduate schools. The college, which was ranked 91st in the survey, is the youngest law school in the top 100 list. The number of on-campus recruitment interviews has increased in recent years as has the number of Georgia State graduates hired by Atlanta's top law firms. Applications for admission increased from 2900 in 2002 to 3600 in 2003 and the median LSAT of admitted students moved up one notch from 157 to 158.

Not wanting to rest on its laurels, the faculty initiated efforts to implement the 2002 strategic plan and action steps that provide a roadmap for the college to build upon its past successes and achieve its desired goals for the future. The faculty strategic planning committee conducted an extensive environmental study required by the plan that focused on projected changes in the environment over the next 10 years. The study covered trends in the areas of gifts, admissions, career services, resources, and faculty activities. The Board of Visitors at its October 2002 meeting provided additional trend analysis and emphasized that the college could distinguish itself by instituting policies and programs to: (1) train foreign lawyers in United States law, (2) prepare students to work in city and state governments, and (3) address policy and legal issues affecting the urban environment.

Other action steps were met as well. The curriculum committee is engaged in a full review of the college's curriculum. As part of its curricular review, the college decided to continue the required Litigation Workshop and publicize faculty expertise in specialized areas rather than develop certificate programs. The faculty also adopted a new policy to encourage students to participate in pro bona activities. Students who complete 50 hours or more of pro bono work will receive a certificate and recognition in the graduation program. Another action step was completed by securing the services of Consulting Solutions International of Atlanta to undertake a security review. The hiring of a fifth writing instructor for the 2003-04 academic year met another curricular action step. Further progress was made by the addition of 7,500 sq. ft. to the Law Library, providing wired seating for 50 library users and shelving for 20,000 books.

Interdisciplinary Programs

Interdisciplinary programs are one of the strengths of the College of Law. The College of Law has three joint degree programs with other colleges at Georgia State University

where one can earn a J.D. degree and a M.A. in Philosophy, a Masters in Public Administration, or an M.B.A. degree. In June 2003, the Board of Regents approved a joint J.D./Masters in City and Regional Planning degree program with the College of Architecture of the Georgia Institute of Technology. This joint degree program developed from growth management courses Professor Julian Juergensmeyer has co-taught with Georgia Tech's College of Architecture professors. This year Professor Juergensmeyer and Professor Jerry Weitz of Georgia Tech's College of Architecture explored the legal and policy issues of growth management in classroom discussions among city planning students and law students.

Professor Charity Scott continues to collaborate with faculty members of Emory University's School of Medicine to introduce law and medical students to the interdisciplinary issues that arise from the intersection of law, medicine, and ethics. In addition, she is exploring additional collaborations with Grady Hospital to establish a Health Law Partnership.

Law faculty members continue to teach courses for Georgia State's Colleges of Arts and Sciences, Business Administration, and Education. Correspondingly, a member of the Risk Management and Insurance faculty of the College of Business teaches insurance law to College of Law students. William Edmundson holds a joint appointment with the Department of Philosophy.

Technology Enhancements

Technology has had a profound effect upon the practice of law, legal research, instruction, and law school administration. The College of Law at Georgia State University is proud to be recognized as a leader in embracing these new innovations. By nature technology changes rapidly, and the College of Law is changing just as rapidly with evermore integration of technology into all aspects of its academic endeavors. The college still holds its rank as the 11'''"most wired" law school in the country by the *National Jurist Magazine.*

The technology upgrade to each of the law school's eleven classrooms was completed in the fall of 2002. The project, which took over two years to plan, design, construct, implement, and test, enables faculty members to use technology to enhance their classroom instruction. These upgrades include smart podiums containing multimedia equipment to operate a ceiling mounted LCD projection system, a PC with a digital versatile disc player, a video cassette recorder and player, laptops and the e-Beam dry erase recording system. Training aids and personalized training were provided to the faculty regarding the use of the latest technology. An upgrade to the courtroom is planned for completion in December 2003. This upgrade will provide the latest instructional technology in a user-friendly environment.

Computer-based test taking was offered for the first time in the fall of 2001. For the 2002-2003 academic year, some 400 exams were administered to 185 students utilizing proprietary exam software.

Development and Alumni Cultivation

With the assistance of the college's Development Director and her staff, the Dean devotes considerable time to fund raising, alumni and community cultivation. The fruits of this effort are clearly reflected in the accomplishments of the past year. As a result of the volunteer efforts in law firms and other organizations, as well as the leadership of the graduates who serve on the Graduate Leadership Council, the overall percentage of alumni giving during the college's annual fund drive increased to 17%. During 2002-2003 the college received over $549,000 in current gifts (up 20% from the previous year), as well as the first three planned gifts to the college. Graduates increased their total giving to $162,441, up from $147,902 for the previous year. A 20th Anniversary Law Scholarship endowment was established and secured over $88,000 in gifts and other donations. Four other endowments were created—three scholarships and one to support Student Trial Lawyers Association and Moot Court teams.

New Faculty & Staff Recruited

The college's recruitment effort was successful this past year. Professor Colin Crawford joined Georgia State University from the Thomas Jefferson School of Law. Professor Crawford received his B.A. from Columbia University, a B.A. and M.A. from Cambridge University, and his J.D. from Harvard University. Professor Crawford taught political philosophy and history while at Harvard, where he also served as the Tutor in Law at one of Harvard's undergraduate residences. He spent a year in Tokyo working for an international securities firm and then worked as an environmental litigator with White & Case in New York. He has taught property, environmental law, land use, and local government courses as well as legal writing at the Brooklyn Law School.

Professor Wendy Hensel joined the faculty after serving as a visiting professor and writing instructor with the College. Professor Hensel received a B.A. from Michigan State University and a J.D. from Harvard Law School in 1995. She served as a judicial clerk to the Honorable Orinda D. Evans of the U.S. District Court, Northern District of Georgia, as well as an intern at the United States Supreme Court in 1991. Professor Hensel was an associate at Alston & Bird in its labor and employment group from 1996-1999.

In addition, Bill Prigge was recruited to become the College Administrative Officer, replacing the college's long time Associate Dean for Administrative Services Robert Shuford, who retired in December 2002. Bill Prigge comes to Georgia State from Georgia Tech where he served as the chief operating officer for the Georgia Centers for Advanced Telecommunications Technology (GCATT). Bill Prigge brings over twenty years of experience in management and operations from both industry and academia to support the College of Law.

Faculty Scholarship

The impressive record of scholarly research and publications by the faculty of the College of Law continues, building an ever greater professional reputation for themselves

and contributing to an increasing scholarly reputation for the college and university. Legal scholarship constitutes an important part of the college's mission to provide new insights on molding the law to better serve our society. Many of the faculty engages in original and influential scholarly inquiry. The appendix indicates the productivity of the faculty in their scholarly endeavors and reflects an increase in scholarship in tune with the college's articulated goals and promotion and tenure policy. Only a portion of faculty endeavors can be mentioned in this summary.

The following represents faculty members who had published products of their scholarship this past year: Ronald Blasi, 2002 Bank Tax Guide; William Gregory, teacher's manual on unincorporated business associations; Julian Juergensmeyer, two book series on land use planning and development regulation law; Paul Milich, Courtoom Handbook on Georgia Evidence; Andrea Curcio, an article in the Nebraska Law Review; William Edmundson, an article in the Canadian Journal of Law and Jurisprudence; Anne Emanuel, an article in the Texas Forum on Civil Liberties and Civil Rights; Dean Janice Griffith, an article in The Urban Lawyer; Michael Landau, an article in International Review of Law, Computers, and Technology; Ellen Podgor, an article in the UC-Davis Law Review; Mary Radford, an article in the *Stetson* Law Review; Natsu Saito, an article in the Yale Law & Policy Review; Eric Segall, an article in the Florida Law Review; Jack Williams, an article in the *Cardozo* Law Review; Douglas Yarn, an article in the *Washington* Law Review.

Student Accomplishments

The College of Law continued its active involvement and success in student moot court and mock trial competitions. Over 65 students participated in 15 different competitions on the intrastate, regional, national and international level. One of Georgia State's mock trial teams placed third overall in the Association of Trial Lawyers of America Trial Competition in Birmingham. Another of the college's mock trial teams won the southeastern regional championship at the American Bar Association Trial Competition in Atlanta.

Students achieved noteworthy success as well in the following competitions: the John Marshall Law School International Moot Court Competition in Information Technology and Privacy Law (Chicago); the National Health Law Moot Court Competition (Carbondale, IL); the National Moot Court Competition (Atlanta); the Georgia Intrastate Moot Court Competitions (Atlanta); the Evan A. Evans Constitutional Law Competition (Madison, WI); the Robert F. Wagner Sr. National Labor and Employment Law Moot Court Competition (New York); the William B. Spong Invitational Moot Court Competition (Virginia); the William E. McGee National Civil Rights Moot Court Competition (Minnesota); the National First Amendment Moot Court Competition (Nashville); the ABA National Appellate Advocacy Competition (New Orleans); the Dean Jerome Prince Memorial Evidence Competition (New York City); the National Trial Advocacy Mock Trial Competition (Michigan); and the William Daniel National Mock Trial Invitational Competition (Atlanta).

Students made many contributions to the community over the last year. Under the sponsorship of the Student Bar Association, an entire week of projects, seminars, pro bono activities and speakers was organized by various student groups in celebration of Law Week. Under the leadership of Student Bar Association President Erin Baird, students played an active role in promoting the college's 20 anniversary. They designed and sold anniversary t-shirts and license plates as a fund raiser to commemorate this special occasion for the law school. The SBA distributed an informative mailer to all 2,700 of our graduates inviting them to become involved with student-organized activities.

Students engaged in many pro bono activities in 2002-03. Georgia State earned recognition as the second largest fund raising team in the annual Breast Cancer Walk by raising over $7,500. Students delivered Halloween treat bags to children at Hughes Spalding Hospital. During Law Week, students collected donations for "My House," a non-profit organization that cares for medically fragile abandoned babies. Other pro bono activities included reading books to students at Wadsworth Elementary School and participation in a mock trial presentation to elementary students. Student Bar President Erin Baird played an active role in encouraging these pro bona activities and promoting the college's 20th anniversary. Erin's leadership received national recognition. The American Bar Association designated her as the third-runner up in its annual Student Bar Association President award.

Community Outreach and Service

The College of Law hosted many outstanding speakers, highlighted by the Henry J. Miller Distinguished Lecture series featuring the Honorable Ruth Bader Ginsburg of the United States Supreme Court in February 2003. Professor Randall Kennedy of the Harvard University Law School delivered the Fall 2002 Miller lecture. The Law Review's Symposium, entitled "The President's Authority Over Foreign Affairs," brought renowned experts to campus, including Professor H. Jefferson Powell, of the Duke University School of Law. Former Governor Roy Barnes, current Governor Sonny Perdue and U.S. Deputy Attorney General Larry Thompson all participated in programs at the College of Law. Lawyers Andrew Patel and Donna Newman, who are challenging Jose Padilla's "enemy combatant" status, also addressed students.

The Georgia State University Tax Clinic continues to serve low-income individuals who are involved with disputes with the Internal Revenue Service. Besides this public service, it is an important laboratory for the training of law students and graduate tax students from the Robinson College of Business. It remains the only such entity in the southeast. Despite the adversarial role of the Georgia State Tax Clinic, the Internal Revenue Service respects the clinic for its success in providing equitable solutions for troubled taxpayers. The Tax Clinic continues to receive support from the Internal Revenue Service to fund the clinic's activities, and this past year received $85,000 as part of a three-year program of support. In the past year, the clinic handled 245 cases.

Under the direction of Todd Vincent, a 1997 graduate of the college, the College of Law completed an Electronic Court Filing Project for the Georgia Courts Automation

Commission. This project explored the automation of Georgia's courts through the electronic filing and signing of court documents. The project's research encompassed and impacted on the areas of digital signatures, electronic records and signature legislation, and national legal and technical standards development. It demonstrated that courts using different filing technologies could successfully share documents and case information with each other, which is an important step for standardizing this new technology.

The College continues to offer a Legislation Clinic and Practicum course in which law students interned at the State Capitol and performed legal research for Georgia General Assembly committees. The students analyzed and provided legal research on such key topics as proposals to regulate ethics in the state government, options for allowing counties to collect franchise fees, repeal of the premarital blood test requirement, and reform of the state's certificate of need laws.

As part of the college's efforts in strengthening and increasing community outreach and public service, law faculty serve in leadership positions and on numerous committees for the Association of American Law Schools, the American Bar Association, the State Bar of Georgia, and for other local and regional organizations where their legal training is of value. Marjorie Girth served on the Professional Development Committee of the AALS and as a member of the Board of Directors for the Coalition for Consumer Bankruptcy Debtor Education; William Gregory provided leadership to create a new AALS section on Agency, Partnerships, LLC's and Unincorporated Associations; Dean Janice Griffith served on the Executive Committee for the AALS Section on State and Local Governments, and was a member of the Board of Trustees for both the Institute of Continuing Legal Education in Georgia and the Institute of Continuing Judicial Education in Georgia; E.R. Lanier served as the Chair-Elect of the AALS Section on International Legal Exchange and as a member of the Board of Trustees for the institute for Continuing Legal Education in Georgia; Charles Marvin served as a board member of the Law and Africa section of the AALS and was Co-Chair of the Central and East European Law Committee, International Law and Practice Section of the ABA; Basil Mattingly was a member of the AALS Section on Real Property Law; Mary Radford continued her role as Reporter for the Guardianship Code Revision Committee, Fiduciary Law Section of the State Bar of Georgia; Douglas Yarn was appointed as a member of the Georgia Supreme Court Commission on Dispute Resolution and continued to serve on the Editorial Board for Conflict Resolution Quarterly; Clark Cunningham was a member of the Chief Justice's Commission on Professionalism; Anne Emanuel served as Secretary of the Board, Georgia Center for Law in the Public Interest; Bernadette Hartfield continued to serve on the Board of Trustees for the Law School Admission Council; Marjorie Fine Knowles served as a Foundation Consultant to The Ford Foundation; Ellen Podgor served on the Board of Directors for the National Association of Criminal Defense Lawyers; Natsu Saito served as the Co-Director of the Human Rights Research Fund; Corneill Stephens served as a Judge in the Magistrate Court of Dekalb County; Ronald Blasi was a member of the Editorial Advisory Board of the Journal of Taxation of Financial Institutions; William Edmundson sat on the Editorial Board of Law and Philosophy; Nancy Johnson continues to serve as an Editorial Board Member for Legal Reference Services Quarterly; Julian Juergensmeyer was a member of

the Editorial Board for Black's Law Dictionary; James Bross was a member of the peer review group for selection of materials in Land Use and Environmental Law Annual; Lynn Hogue was a member of the Board of Directors of the Georgia Legal History Foundation; Charity Scott was a member of the Steering Committee for the Georgia Collaborative to Improve End-of-Life Care; Jack Williams served on the Board of Advisors for the American Bankruptcy Institute Bankruptcy Law Journal; Mark Budnitz served on the Board of Directors of the Atlanta Legal Aid Society; Andrea Curcio served as Reporter for the Georgia Supreme Court Equality Commission; Patrick Wiseman served as a member of the Computer Assisted Legal Instruction (CALI) Editorial Board; Mark Kadish served on a special task force appointed by Atlanta Mayor Shirley Franklin to review the municipal and traffic court systems.

International Relationships

The principal on-going international relationship of the College of Law is the Summer Academy in International Commercial Arbitration, which takes upward of 50 students to Europe each spring. The program brings the college in contact with distinguished European experts in commercial arbitration who, in turn, visit the university during the regular academic year. Based in Linz, Austria, the program of instruction includes visits to the arbitration courts in Vienna, Prague, and Budapest. Professor Lanier, who heads the Academy, was awarded an International Excellence Award by the University last fall.

Section B. Progress in Institutional Strategic Planning

See Section A, "Planning for the Future".

Section C. Progress in Assessing Institutional Effectiveness

A goal of the College of Law for the coming year is the evaluation of measurements for assessing learning outcomes. Although new measurements may be identified, the college still believes that several traditional benchmarks used in the past provide valuable information on the effectiveness of instruction and the subsequent success of our students. These include success of student competition teams, bar passage rates, employment statistics of graduates, placement in judicial clerkships, and success in obtaining partnerships in prestigious regional and national law firms.

Success of student teams in moot court and mock trial competitions reflect the rigorous intellectual preparation and practical lawyer skills that students receive in class. The College of Law has a long record of student achievement, and the past year proved no different with successful showings in numerous competitions.

A valuable tool for measuring institutional effectiveness for the College of Law is the success rate of students sitting for the Georgia Bar examinations. Successful passage of such examinations is a requirement for entry into the legal profession. From its inception, the College of Law at Georgia State has built an impressive record of success on bar examinations. The principal date for taking the exam is in July after the spring commencement. Another testing is done in February for the few who graduate in

December or who are repeating the test. For the July 2002 administration of the Georgia Bar Exam all participants trained at Georgia State University had a 90% pass rate, and those taking the test for the first time had a passage rate of 93.6%. For the February 2003 administration of the test all takers affiliated with Georgia State had a rate of 80.9% and first time takers had a rate of 93.5%.

Employment statistics six months after graduation are a standard measure used for assessing legal education and are annually collected by the college's accrediting agency, the American Bar Association, and by *U.S.* ***News*** *and* World ***Report*** for its edition on rating graduate and professional schools in America. The figures for the class of 2002 show an employment rate of 92.59%. Employment in large (51 to 100 lawyers) and very large (over 100) firms is prized and highly competitive. The percentage of Georgia State graduates employed in this category represents 20% of the 2002 class. This means that our chosen graduates were picked from regional and national pools of graduates representing some of the most prestigious law schools in the country.

Another measure of the effectiveness of legal instruction received as a student at Georgia State's College of Law is the success of graduates in achieving partner in prestigious law firms, appointment or election to the bench, and service as legal counsel for major corporations. Georgia State graduates are now partners in Alston & Bird; Arnall, Golden & Gregory; Holland & Knight; Jones Day; Kilpatrick Stockton; Powell, Goldstein, Frazier & Murphy; McKenna Long Aldridge; and others. A number of Georgia State College of Law graduates serve as assistant district attorneys and magistrate judges, and several hold State Court and Superior Court judgeships. Numerous corporate legal offices employ College of Law graduates including AT&T, BellSouth, Coca-Cola, Cox Enterprises, Delta Air Lines, Equifax, Federal Reserve Bank, Georgia Power, and Georgia-Pacific.

Section D. Improvement of Student Retention and Graduation

The summer skills program and the academic enrichment program are two valuable activities at Georgia State University College of Law to assist with student retention and graduation. Both of these entities are intended to improve the success rate of students who are deemed to be at risk of experiencing academic difficulty in law school. The summer skills program is a pre-start program that takes place prior to the beginning of the academic year for first year students. The academic enrichment program takes place during the regular school year and consists of tutorials offered by upper level students under the direction of a faculty committee.

To: College of Law Faculty
Re: 2002-03 Annual Report of the Educational and Informational Technology Committee
Fr: Patrick Wiseman, Chair
Da: June 11,2003

The Committee has a broad charge:

Educational and Informafional Technology Commiftee. The Educational and Informational Technology Committee is responsible for (1) making recommendations to the faculty regarding computer hardware and software, training programs on use of technology for faculty and staff, provision of computer lab equipment, local and wide are networking, and internal and external e-mail; (2) coordinating provision of Internet information services through the College's Internet server; and (3) promoting the appropriate use of technology throughout the College. College of Law Bylaws, Art. V, Sec. 2, para. E.

Almost since its inception, the Committee has made it a practice to hold regular monthly meetings. That practice was to have continued this year, but was abandoned for Spring 2003 as there was so much strategic planning and curriculum work going on, and technology seemed to be relatively stable.

In Fall 2002, the Committee met monthly, receiving reports from staff on the various technologies deployed in the College. The senior technology staff serve as ex *officio* members of the Committee, thus keeping lines of communication open between faculty and staff. Each Fall, and this year was no exception, the Committee brainstorms about proposals for technology fee funding. Those proposals are developed by staff, reviewed by the Committee, and forwarded to the Dean for appropriate action. in the early Spring of 2003, the Committee received from the Dean a list of technology fee proposals, which the Committee reviewed and ranked.

Fall 2002 also saw the final deployment of instructional technology to most of the College's classrooms. The Committee had taken an active role in reviewing proposals for classroom technology. Fall 2002 was also the first semester when exam taking on laptop computer was universally allowed, after the Committee had overseen the pilot programs of the previous two years. Brian Miller, Associate Registrar, who also serves ex *officio* on the Committee, continues to provide data on the computer exam takers, including information on any grade disparities.

Among the continuing issues to be addressed by the Committee: organizational structure of technology support; adequacy of technology staffing; formalizing the technology fee proposal process; requiring student computer/laptop ownership; training and support of faculty in their use of instructional technology; keeping the College website current and useful.