MERCER ANALEIR



FIRST ANNUAL BRAINERD CURRIE LECTURE SERIES P. 7 SYMPOSIUM EXPLORES RELIGIOUS, POLITICAL AND LEGAL ISSUES P. 20 PROFESSOR JACK SAMMONS FROM VIETNAM TO VERMONT P. 26 TRIBUTE TO PROFESSOR REYNOLD KOSEK P. 40



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CONTENTS



COVER STORY

10 A New Master of Laws

The LL.M. in Federal Criminal Practice and Procedure is the only program in the nation designed for law school graduates seeking to prepare themselves for federal criminal practice as a prosecutor, federal defender, or private defense counsel. Our cover story gives you a close look at the LL.M. program, including its curriculum, distinguished faculty, and the ways it will enhance the J.D. program.

FEATURES



16 The Importance of Mentoring

SBA President explains what it means to be part of the Mercer Family.



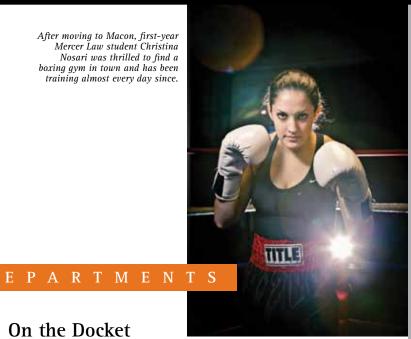
18 U.S. Attorney Michael J. Moore '93

New U.S. Attorney for Georgia's Middle District hits the ground running to make sure justice is being served.

20 Symposium Examines Heated Issues

Internationally recognized philosophers, theologians, historians and legal scholars gather to discuss current hot topics.

After moving to Macon, first-year Mercer Law student Christina Nosari was thrilled to find a boxing gym in town and has been training almost every day since.



4 On the Docket

Highlights from 2011-12

22 **Faculty Essays**

The Move Toward Law and Neuroscience Professor Theodore Y. Blumoff

Last Suppers Professor Sarah Gerwig-Moore

26 **Faculty Profiles**

Professor Jack Sammons, the fearless captain Professor Jessica Feinberg, Mercer Law's newest

29 Student Profile

Q&A with first-year student Christina Nosari on being a Woodruff Scholar and amateur boxer.

30 **History Corner**

The Law School's Centennial

32 **Faculty News and Scholarship**

35 Alumni News

Alumni Profiles: Robert Lipman '77, Martin Fiorentino Jr. '83, Kate Sievert Cook '02

Class Notes

In Memory

Faculty Editor

FROM THE DEAN



Dear Alumni,

As the pages of this magazine suggest, there are many things happening at the Law School that make it an interesting and vibrant place to be. The single biggest development, which is the subject of a feature article in this issue, is the creation of the school's first LL.M. program — a program in federal criminal practice and procedure that is unique in legal education. The LL.M. program, however, is hardly the only news at the school today. In almost every aspect of its operation, the Law School is engaged in new initiatives that promise to make a strong school even stronger.

In the admissions area, for example, we added two fall recruiters to our usual team of three to enable us to recruit students much more actively from parts of the country where we have done little recruiting in the past. In career services, we have responded to the difficult job market facing our students and graduates by putting into place a substantial employer outreach program. In alumni affairs, we are beginning a sustained effort to support and reinvigorate the practice of class reunions. And the list goes on and on.

Some things, such as the outstanding quality of the teaching and the strong sense of community among the student body, are not changing, and we of course would not have it any other way. Ultimately, one of the Law School's most remarkable features is its ability to evolve in many respects while staying true to those traditions that are at the heart of what has made it great.

If you have not visited the Law School lately, I hope you will come soon and experience first-hand its energy and vitality. I also invite you to ask Mercer to come to you. One of my greatest pleasures as dean is meeting with the graduates of the school. I welcome invitations to attend any gathering of Mercer Law alumni. I always look forward to hearing about your careers and getting your thoughts about the Law School. I also would be delighted to speak at a meeting of your state, county or city bar. Those meetings provide a wonderful opportunity for me to spread the word about what a great school this is.

Thank you for your interest in the Law School. I know you will enjoy reading about it in this issue.

Best wishes,

Dary Surson

Gary J. Simson, Dean and Macon Chair in Law



MARCH 2012

Mercer Law Brings Noted Speaker For 2012 Law Day



Dougla Kvsar

On March 16, Douglas A. Kysar, Deputy Dean and Joseph M. Field '55 Professor of Law at Yale Law School, delivered the keynote address at Mercer's Law Day luncheon. Kysar's presentation examined "Limited Government in an Era of Unlimited Harm: A Case Study of Climate Change Litigation."

Kysar has published articles on a wide array of environmental law and tort law topics, and is co-author of a leading casebook on torts. His recent book, *Regulating from Nowhere: Environmental Law and the Search for Objectivity*, seeks to reinvigorate environmental law and policy by offering novel theoretical insights on cost-benefit analysis, the precautionary principle and sustainable development. Kysar joined the Yale Law School faculty in 2008. He received his B.A. *summa cum laude* from Indiana University in 1995 and his J.D. *magna cum laude* from Harvard Law School in 1998. After a federal judicial clerkship and two years at Foley Hoag and Eliot in Boston, he began his law teaching career at Cornell Law School in 2001.

"In only 10 years as a law professor, Doug has established himself as one of the nation's premier scholars in the areas of environmental law and torts. His writing consistently offers not only analytical rigor but also new and creative ideas," said Gary Simson, Mercer Law Dean and Macon Chair in Law. "Having been his colleague during his first few years of teaching, I can also attest to his talents as a teacher and speaker."

During the luncheon, three alumni were recognized for their outstanding contributions to the legal profession: Judge John T. Laney, CLA '64 and LAW '66, Outstanding Alumnus Award; Dwight J. Davis, LAW '82, Alumni Meritorious Service Award; and Charles Adams, CLA '80 and Law '83, Manley F. Brown Distinguished Adjunct Professor Award.

For photos and videos from the event, visit law.mercer.edu/lawday.

NOVEMBER 2011

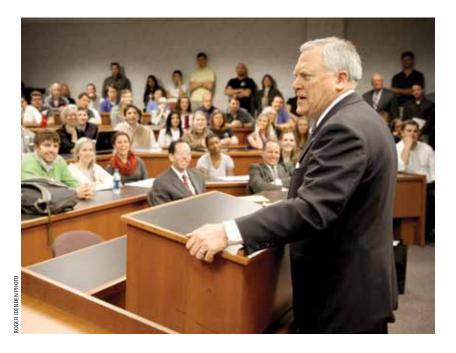
Mercer Law Grads Appointed To University Board of Trustees

Three of the Law School's most distinguished graduates were named to Mercer's Board of Trustees at the board's November 2011 meeting. Judge M. Yvette Miller, B.A. '77 and J.D. '80, of the Georgia Court of Appeals, and Frank C. Jones LL.B. '50 and LL.D. '96, of Jones Cork & Miller in Macon, were elected to their first five-year terms. Richard A. "Doc" Schneider, J.D. '81, of King & Spaulding was elected to his second five-year term.

NOVEMBER 2011

Georgia Governor Deal Speaks To Students

Georgia Governor Nathan Deal, B.A. '64 and J.D. '66, visited his alma mater to speak and take questions from current Law School students. Governor Deal reflected on his time at Mercer as an undergrad and law student and also discussed what makes a good lawyer in today's society. Governor Deal is one of 12 Mercer alumni to serve as a governor of a U.S. state or territory. Since becoming governor, he has appointed more than 10 Mercer Law graduates to serve on boards and fill judicial positions.



NOVEMBER 2011

Brazilian Judges Visit Mercer

Under the auspices of a program created and directed by Mercer Law School Professor David Ritchie, 19 federal judges from Brazil participated in early November in a unique 10-day experiential learning visit to Macon and Atlanta. The judges attended law classes and panel discussions with Mercer Law School faculty and students and met with various Georgia judges and lawyers. In return, the Brazilian jurists led panel discussions on the Brazilian legal system, met with the Law School's International Law Society and Race, Racism and American Law class, and spoke to Mercer's undergraduate pre-law society. "This intercultural exchange between Brazilian jurists and legal scholars, students, judges and practitioners in the United States creates a mutually beneficial learning experience for all who are involved," said Professor Ritchie.





GIVOOG TIME



OCTOBER 2011

Second Annual Legal Ethics And Professionalism Moot Court Competition At Mercer Law School

Mercer Law School held the second annual moot court competition in legal ethics and professionalism on Oct. 20-22. Established by the Mercer Advocacy Council in 2010, the competition is the first in the nation to have legal ethics and professionalism as its focus.

This year's competition, in which a University of Georgia team prevailed, included 22 teams from 17 law schools across the nation. (In keeping with its dedication to legal ethics, Mercer did not attempt to capitalize on its "homecourt advantage;" it did not enter the competition.) The final round was judged by Judge James G. Carr of the U.S. District Court for the Northern District of Ohio, Judge Louis W. Sands, J.D. '74, of the U.S. District Court for the Middle District of Georgia, Judge Sara L. Doyle, J.D. '94, of the Georgia Court of Appeals, Mercer Law Dean Gary Simson, and Daisy Floyd, former dean and current University Professor of Law and Ethical Formation.



OCTOBER 2011

Mercer Makes Strong Showing At Emory Moot Court Competition

Two Mercer Law School moot court teams competed in the fifth annual Emory Civil Rights and Liberties Moot Court Competition. The competition was held Oct. 14–16 in Atlanta with 32 teams competing from around the country. Students Abby Ammons, Skye Gees and Grant Tall won an Outstanding Brief Award for the competition, and Tall won an Outstanding Oralist Award.

The second team competing included students Jonathan Futrell, Ashley Pruitt and Ashley Wood. Both teams advanced from the preliminary rounds to the elimination rounds, and the Futrell-Wood-Pruitt team advanced to the quarterfinal round.

OCTOBER 2011

Former Dean Of Cornell Law School Speaks To Students And Faculty

Peter Martin, former Dean of Cornell Law School and an innovator in the field of digital technology law, delivered the lecture "Rewiring Old Architecture: Why U.S. Courts Have Been So Slow and Uneven in Their Take-up of Digital Technology" to Law School faculty and students. A strong proponent of the use of computers in law practice and in legal education, Martin was the creative force behind Cornell's pathbreaking Legal Information Institute, today's most heavily used non-profit legal web site.



SEPTEMBER 2011

Inaugural Brainerd Currie Lecture

Brainerd Currie, widely recognized both as the leading conflict of laws scholar of the 20th century and as one of the most influential legal scholars in any field, received his undergraduate and law degrees from Mercer University. Mercer's law school is also where Currie began his illustrious teaching career. In honor of Currie and his seminal work in the field of conflict of laws, Mercer Law School began in September an annual lecture series in his name.

Gary Simson, Mercer Law Dean and Macon Chair in Law, delivered the first annual Brainerd Currie Lecture on "Choice of Law after the Currie Revolution: What Role for the Needs of the Interstate and International Systems?"

This and later Currie Lectures will appear annually in the spring issue of the *Mercer Law Review*. Dean Simson has taught Conflict of Laws for many years and is the author of *Issues and Perspectives in Conflict of Laws: Cases and Materials*, now in its 4th edition, and various articles in the field.



Brainerd Currie



SEPTEMBER 2011

Constitution Day Celebration

Noted constitutional law scholar Kathryn Abrams, Herma Hill Kay Distinguished Professor of Law at University of California, Berkeley Law School, presented "Fear and Loathing in Maricopa County: The Emotions of Immigration Regulation" at Mercer Law School's Constitution Day celebration on Sept. 16.

"Kathy Abrams is one of the most prolific, wide-ranging, and respected legal scholars of our time," said Dean Gary Simson. "The Law School is honored to have her speak on Constitution Day, the national holiday commemorating the signing of the document that has proven to be such a brilliant charter for our nation."

Professor Abrams' Constitution Day lecture grew out of her recent scholarship, which analyzes the various ways that emotion shapes social movements that seek to influence the law.





SEPTEMBER 2011

An 'Evening Of Respect' Celebrates Otis Redding

On Saturday, Sept. 10, The Big "O" Foundation held a special "Evening of Respect," a dinner and musical tribute concert, to honor what would have been the 70th birthday of music legend Otis Redding, who grew up, and first performed, in Macon. The Redding family asked Dean Simson to serve as an honorary co-chair and speaker at the event, where he invited contributions to the Law School's Otis Redding Scholarship Fund. This Fund for minority student scholarships at the Law School was created by Capricorn Records



co-founder Phil Walden, who had been Mr. Redding's manager throughout his spectacular, and much too brief, career.

In 1974, Mr. Walden announced a goal of \$250,000 for the Fund, which at that time would have produced enough endowment income to permit the Law School annually to give two entering students 3-year, full-tuition scholarships. However, the Fund in its early years fell well short of reaching the \$250,000 goal. Though the Fund experienced some growth in subsequent years, that rate was far surpassed by the rate at which tuition grew at private law schools across the country, including Mercer. Today, to cover the cost of awarding two 3-year, full-tuition scholarships annually, the endowment fund would need to be \$4.5 million.





Dean Simson urged those in attendance, who included many notables in the entertainment and recording industries, to contribute toward a more reachable, though still ambitious, goal: an endowment fund of \$2.25 million, which would allow the Law School to give one 3-year, full-tuition scholarship each year. With the enthusiastic concurrence of the Redding family, Dean Simson noted that it would be particularly apt for a scholarship in the name of so great a singer-songwriter to be awarded each year to an entering minority student who aspires to practice entertainment law.

Also during the event, Dean Simson presented Zelma Redding with an Honorary Certificate of Lifetime Achievement in Entertainment and Great Friendship to Mercer Law School. To find out more about the Redding Scholarship and the Big "O" Foundation, visit law.mercer.edu/otisredding.

Clockwise, from left: Dean Simson speaks; current Otis Redding scholarship recipient Ashley Pruitt speaks; Dean Simson and wife Rosalind, Associate Professor of Philosophy and Interdisciplinary Studies, on the red carpet.

MARCH 2011

Lawson Moot Court Award To Sarah Phaff

First-year Mercer law student Sarah Phaff (second from left) won the Hugh Lawson Moot Court competition held in March 2011 on Law Day. The King & Spalding Cup and \$500 are awarded to the first-year student who most effectively argues before a panel of judges that includes the third-year student who as a 1L received the award. The judges for the final round in 2011 were three alumni — Dwight Davis and Doc Schneider, both partners at King & Spalding in Atlanta, and April Holloway, an associate at Moore, Ingram, Johnson & Steele in Marietta - and Mercer 3L Christopher Steele.



Four New Senior Staff Hired

In the first six months of the 2011-12 academic year, Dean Simson announced the creation of two new senior staff positions and the appointment of four individuals to fill those positions and two existing positions that came open. According to Dean Simson, "Our senior staff has never been stronger. Particularly with the two new positions, we are poised to undertake new initiatives that will advance the Law School in virtually every area of operation." The four named to the positions:

- LEAH AIKEN, Director of Admissions & Financial Aid, is a 2011 graduate of Mercer Law. She divides her time between traveling around the country helping recruit a strong incoming class and managing all scholarships, loans and student loan portfolios.
- LESLIE CADLE, a 2007 graduate of the Law School, filled the newly created position of Associate Director of Development and Director of Alumni Affairs. She has primary responsibility for reviving and supporting the practice of class reunions and for improving the alumni records database. In the development area, her principal focus is doing prospect research, writing major gift proposals, and helping cultivate potential major gift donors.
- **BILLIE FRYS,** Director of Marketing Communications, is a 2007 graduate of Mercer's Stetson School of Business. She worked in Mercer's Marketing Communications department for two years prior to coming to the Law School. She is responsible for all marketing and communications for the Law School and manages the alumni magazine.
- STEPHANIE POWELL, a 2003 graduate of Mercer Law School, was serving as the Law School's Director of Admissions & Financial Aid when Dean Simson told her that he was creating a new position of Assistant Dean of Career Services and asked her to consider taking on the challenge of being its first occupant. Among her responsibilities as head of the Career Services Office, she is charged with creating and developing an employer outreach program.



From left: Stephanie Powell, Leah Aiken, Billie Frys and Leslie Cadle

MASTER OF LAWS

Mercer Law launches a new LL.M. in Federal Criminal Practice and Procedure, the first of its kind in the nation

or the first time in its 139-year history, Mercer Law School has created a Master of Laws degree: Federal Criminal Practice and Procedure. With its inaugural class scheduled to begin this fall, not only is it the school's first LL.M. program, it's also the only one of its kind among law schools nationwide.

"This is a perfect program for Mercer for so many reasons," says Law Dean Gary Simson. "Federal Criminal Practice and Procedure is, by definition, a national program. People will look at this from everywhere in the country. It's also an opportunity to get national recognition for our strengths and to create a program that's unique."

The new program combines and maximizes the strengths of two resources unique to Mercer. The first has been allied with the university since 1985. Every summer, led by its dean, Deryl Dantzler (herself a Mercer Law School grad), the National Criminal Defense College administers two two-week sessions of its Trial Practice Institute on the Mercer campus.

"We're pushing 30 years now," Dantzler says proudly, referring to the "generations of lawyers" who have taken the boot camp-style legal training on the Mercer campus, forging a national reputation for NCDC.

The second prime resource and the chief architect of the new LL.M. program, James P. Fleissner has been on the faculty at Mercer Law School since 1994, while continuing to be active in high-profile prosecution cases with the Department of Justice. (He served as Deputy to Special Counsel Patrick Fitzgerald's DOJ investigation of the CIA leak grand jury investigation — a.k.a. the Valerie Plame affair.)

>> Continue on page 12





"Jim was an Assistant U.S. Attorney and a special prosecutor. He has tremendous connections in that area, so this program draws on his expertise," Dean Simson says. "Deryl Dantzler, with the National Criminal Defense College, is known across the country by the criminal defense bar."

"When you add a program like this, you want to enhance the Law School over all," Fleissner says. "We think this program has the potential to enhance our J.D. program in a number of ways. We're hoping to bring new students to the Law School from around the country, and to complement our faculty with practitioners who will teach in the program. The entire Law School community will benefit from guest speakers and special events sponsored by the LL.M. program."

Among others, the program's first-year faculty includes Marc T. Treadwell, Federal District Court Judge for the Middle District of Georgia, and Cynthia Roseberry, Director for the Federal Defenders Office for that district. Fleissner, Dantzler and program co-director Margaret (Peg) McCann are also on the faculty for the eight-course curriculum.

"We're hoping to have this be a signature program that

Professor Jim Fleissner

Graduating *summa cum laude* from Milwaukee's Marquette University in 1979, Jim Fleissner earned his J.D. from the University of Chicago Law School in 1986, and worked from that year as Assistant United States Attorney until 1994, when he joined the

Mercer Law School faculty. Since then he has also served part-time as a federal prosecutor as a Senior Associate Independent Counsel (1998-2000). He has also served full-time during a leave of absence as Chief of Criminal Appeals for the U.S. Attorney's Office in Chicago (2003-2005) and Deputy Special Counsel (2004-2009), during which time he was Deputy to Patrick Fitzgerald for the Department of

SCR IDENDEN PHOTOS

Justice's CIA leak grand jury investigation. The scandal concerning the leaked identity of covert CIA agent Valerie Plame led to the perjury conviction of Vice President Dick Cheney's chief of staff, Scooter Libby.

Describing him as a phenomenal lawyer and teacher, Fitzgerald, the current United States Attorney for the Northern District of Illinois, says, "I have been awed by watching his lawyering up close in very real cases and learned a lot from him in the process."

"What sets Jim apart is that he has the keen insight of an appellate lawyer or academic into what motivates particular rules — but also has the trial lawyer's appreciation for how the facts shape and determine an outcome," Fitzgerald continues. "Jim is extraordinarily adept at integrating the facts of a given

case into a developing legal landscape and coming to the right answer. Jim has that rare gift of being equally comfortable talking to juries, judges and appellate panels."

On creating the coursework for the Federal Criminal Practice and

Procedure program, Dean Simson says, "Jim had this curriculum in his head. I'm telling you, most law schools couldn't begin to replicate it. Even if they have someone with Jim's experience, they don't have Jim. He is unusually thoughtful, exceptionally bright but very careful, with great attention to detail. He has done this like a master architect. You couldn't hire a consultant anywhere to do what he did."

Fleissner himself sees the

LL.M. program as the culmination of his dual work, teaching at the Law School and practicing in the field.

"One of the things that has been really terrific since I've come to Mercer is that they've been very flexible about allowing me to pursue continued government service, including letting me go on leave for two-and-a-half years. When I came back, I was able to get a special appointment that allowed me to continue my government work on a part-time basis, which I did until early 2009.

"The school has been generous in terms of making that possible. I think it pays dividends all the way around, in the sense that I can have further involvement in practice, and bring that experience into the classroom. I think it helps get the name of the school out there as well."



builds on the resources that we have, both here in the law school and from people in and around Georgia who have real expertise in the area of federal criminal practice," Fleissner says. In addition, he and Dantzler can draw on the considerable network of national federal practitioners they've cultivated over the years. One element of the two-semester, 24 credit-hour program is a clinical course that will place LL.M. students in U.S. Attorneys', private criminal defense attorneys' and Federal Defenders' offices in the Macon and Atlanta areas. Unique in the nation, Mercer's program is oriented to both prosecution and defense, providing the academic grounding and practical training needed for both.

"Even though Jim is in fact a very objective and open person, his background is prosecutorial, and that's what people expect from him," Dantzler says. "My attachment, with NCDC, gives the program a little more balance. That is the unique aspect of this offering, nationally: being both prosecution and defense, and restricted to the federal criminal sphere."

In the fall of 2010, Dean Simson raised at a faculty meeting the idea of creating the Law School's first LL.M. degree and announced that a committee to be chaired by Professor Chris Wells would be soliciting comments and suggestions. After the committee reported to Dean Simson general enthusiasm for an LL.M. program and provided him with a list of proposed programs, Dean Simson turned to Fleissner and McCann to examine the viability of a few proposals and spearhead the pursuit of one. Starting in April, Fleissner and McCann put the LL.M. program on the fast track.

"We're standing this program up in about half the time that is often done," Fleissner says, adding that the truncated time frame has given the program's creation some vital momentum. He was initially hesitant to focus the LL.M. degree on his own field of expertise. In fact, he tried to look beyond his own skill set in order to be open to other areas of study. "Then I thought, 'Well, maybe federal criminal practice would work.' And the more I looked at it, I thought, 'Wow, this has some potential."

"The fact of the matter is, our program is one of the few that you can look at and say, unambiguously, it adds to the J.D. program," Dean Simson says. A majority of LL.M. degrees administered by the nation's law schools cater to students from other countries who enroll to get credentials necessary to take a U.S. bar exam. This often translates into a dilution of the scholarly experience for J.D. students, as LL.M. candidates — often of widely varying ages and national backgrounds — compete for the same classroom resources.

"Let's say you bring in 50 foreign graduates, and many of them want to take first-year Contracts," Dean Simson says. "So, you end up with a first-year Contracts class of 75 J.D. students and 20 LL.M. students. Now that is a very hard class to teach."

Rather than look to the J.D. curriculum to meet the needs of LL.M. students, Mercer actually bolsters the J.D. curriculum by opening every LL.M. course except the field placement to a limited number of J.D. students who have satisfied the course prerequisites. In addition, the J.D. curriculum benefits from the third-floor renovations made possible by the LL.M. program (see sidebar).

"The faculty has been completely supportive, and we've gotten really great help from the administration," says Fleissner. "The Dean has personally been involved in the nitty-gritty details." It was approved unanimously by the faculty, and welcomed by Mercer University, "all the way up the line to President Underwood and the University Trustees," he says.

"Jim and Peg did not leave anything undone," Dean Simson says. "They attended to every detail."

Once the LL.M. program was announced, interest in it was immediate from current Mercer Law students and alumni, and from practitioners in state and out. Even a reporter for a legal newspaper in Georgia called to express interest, but there was one problem: she doesn't have the J.D. degree required for entry.

As Federal Criminal Practice and Procedure prepares for its inaugural class this August, the only surprise is that no other law school in the nation has attempted a degree program as ambitious but, also, practical as Federal Criminal Practice and Procedure. "I am surprised that there isn't another program like this," Fleissner says.

In fact, a prominent Macon attorney on the Board of Visitors asked him and program co-director McCann, "If this is such a great idea, why hasn't anybody thought of it before?"

"He says to us, 'Are you two just the smartest people?'" McCann recalls. "And we said, 'Yes."

With a quick laugh, she demurs: "No, that is not how we answered."

It may have taken 139 years, but Mercer Law School's first LL.M. degree promises to make a nation-wide impression.

"It gives us recognition in an area of strength, nationally. It's got great potential financially. And the other thing I would add: We're making a real contribution to the legal profession by doing this," Dean Simson says. "The country needs people who know federal criminal practice. We're providing a real source of expertise and a real service to the profession."

Renovations for LL.M. Space

A source of mystery and slight unease for law students for many years,

the Mercer Medical School laboratory that occupies much of the law building's third floor is being dismantled and renovated to accommodate the LL.M. program.

Dean Gary Simson and Associate Dean Michael Dean met with Mercer's provost, CFO and medical school dean to discuss returning the lab space to the Law School. If the LLM. program was to become a reality, Simson says, "we had space needs that needed to be satisfied, and the med lab was the obvious solution. It's an enormous space right in our own building."



The renovation space is approximately 5,000 square feet. The redesign will provide a small conference or seminar room, a 50-seat courtroom flexibly designed to double as a classroom, storage space, additional faculty offices and a lobby and seating area. Although the LLM. program is the primary beneficiary, the J.D. program will benefit as well.

"Getting back the medical lab space is one thing I've done that everybody thinks is right!" Simson laughs.

WANTED:

VOLUNTEERS TO SERVE AS CLASS CORRESPONDENTS

MERCER LAW IS LOOKING FOR ALUMNI
TO VOLUNTEER TO SERVE AS
THE CORRESPONDENT FOR THEIR GRADUATING CLASS.

PRIMARY QUALIFICATIONS:

Fond memories of your time at Mercer Law and a desire to help make your classmates' lives even more fulfilling by reconnecting them with the Law School and each other.

PRIMARY RESPONSIBILITIES:

Reach out to your classmates to learn first-hand the breaking news about their professional and personal lives, help find 'lost" classmates and write fact-filled and impossible-to-put-down class news twice a year for the Mercer Lawyer.

If you are interested, act now and be the first in your class to contact the Director of Alumni Affairs, Leslie Cadle, at cadle_l@law.mercer.edu or (478) 301-2180.

THE IMPORTANCE OF MENTORING MAND THE FAMILY'S THE THE FAMILY'S THE FAMILY'S THE FAMILY'S THE FAMILY OF MENTORING AND THE FAMILY OF MENTORING A

By Justin Purvis, SBA President, Class of 2012

ONE OF THE FACTORS that distinguishes Mercer from other law schools is the sense of community among professors, students and administration.

At the start of law school, first-year students are divided into six sections. They attend all classes with that section throughout the year. The bonds formed between students in a section often last not only through law school but for years after.

During first-year orientation, the students participate in a cultural competence program that is invaluable in building

community among them. As part of this program, students break up into their sections to discuss cultural issues they have faced, how they would handle certain situations, and the expectations they have in their practice going forward.

Another key contributor to the family atmosphere is a peer mentoring program that pairs students having academic difficulty with high-achieving upperclass students. The program currently has about 20 mentors and 30 1L mentees.

Mercer Law has a very active Student Bar Association (SBA), which sponsors over 25 student organizations. The SBA provides an effective means for students to voice their ideas and concerns to the faculty and administration. The SBA and student organization leaders work closely with the administration to resolve conflicts and promote positive change.

The Association of Women Law Students (AWLS) has its own well-developed mentoring program. Every fall, AWLS matches incoming 1L AWLS members with a 2L or 3L member. The 1L women get help not only with courses, but also with balancing their academic and social lives and dealing with stressors that the 1L year can place on friendships, relationships and family.

The two legal fraternities at Mercer, Phi Delta Phi and Phi Alpha Delta, also contribute to the family atmosphere and academic success. Among other things, they make available outlines tailored to specific classes and host exam-preparation seminars.

Throughout the year, the SBA in conjunction with the Director of Academic Success, hold seminars and advisory meetings to help ensure that all students receive the best possible preparation outside of classroom lectures. Each semester the SBA hosts Academic Success Panels for 1Ls. Successful 2Ls and 3Ls speak,

offering advice on the best ways to study for classes, to outline notes, and to prepare for exams. Distinguished alumni share how they achieved academic success.

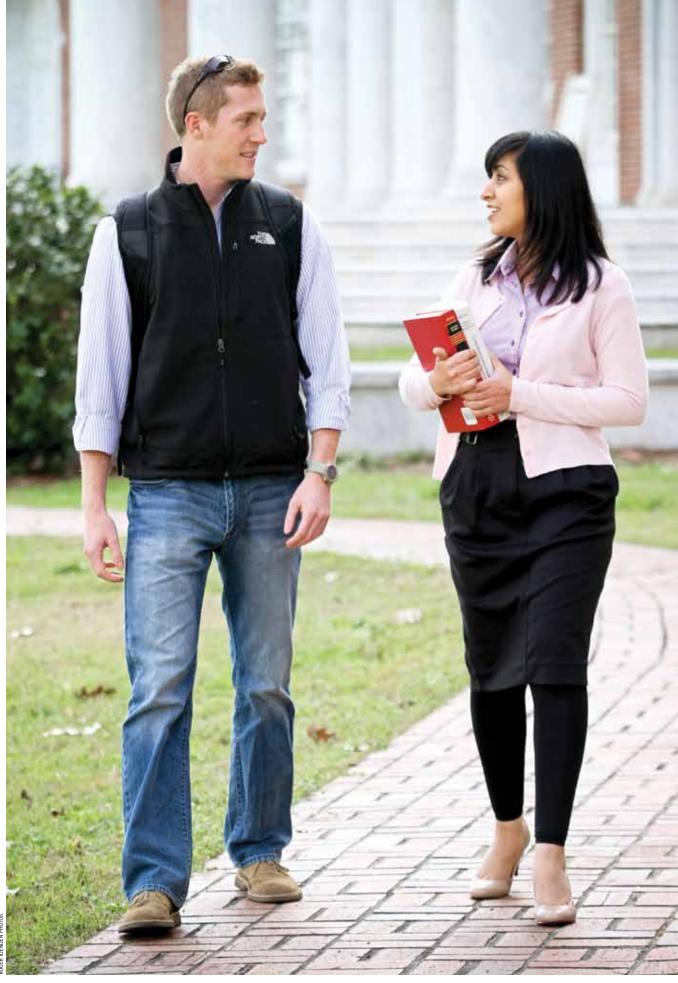
As a student's time at Mercer Law comes to a close, the family connections made there continue to strengthen and grow. The dean's office hosts a senior dinner where students reminisce, celebrate and say their goodbyes. But the sense of community fostered at Mercer never

and say their goodbyes. But the sense of community fostered at Mercer never leaves its graduates. Mercer Law prides itself on promoting a competitive yet considerate atmosphere. Mercer is second to none in cultivating civility and professionalism. It is no accident that Mercer Law alumni have a reputation for being ethically sound

Dean Simson recently created the position of Associate Director of Development and Director of Alumni Affairs and named Leslie Cadle '07 to fill it. Her responsibilities include reviving and supporting the tradition of class reunions and improving the alumni records database. Having annual reunions will encourage graduates to return to Macon, reconnect with old classmates, and build on relationships that began in their days of study and will surely continue into the future.

and zealous advocates for their clients.





UNITED STATES ATTORNEY MICHAEL J. MOORE '93

"I REALLY DO

BELIEVE THAT

WHAT WE DO

IT'S A GREAT

HONOR - A

REALLY - TO

ON BEHALF OF

PRIVILEGE.

STAND UP

THE UNITED

STATES."

IS IMPORTANT.

MAYBE IT CAME TO HIM as he was drifting off to sleep at night, hearing his dad watching "Perry Mason" on TV. That's a joke — sort of — but Michael J. Moore can't really explain why he grew up with an urge no one else in his

family shared: He wanted to be a prosecutor.

Nominated by President Obama and sworn into office in October 2010, United States Attorney Moore returned to the very Macon office where he'd clerked 20 years earlier, while studying at Mercer Law School, for then-U.S. Attorney Ed Ennis.

The legal landscape has changed in two decades. "The days of the United States Attorney primarily chasing bank robbers and drug dealers up and down the interstate in this district are gone," Moore says. Actually, he adds, the freeways ripping through Georgia still make this part of the state a hotbed for drug and money transport. But since 9/11, the greater emphasis is on domestic protection. "Our priorities and our resources have to be focused on making sure that people are safe."

In the years since he graduated from Mercer Law School, Moore has been a State Senator (2002-03), a partner at Clarke, Moore and Hall PC in Warner Robins (1997 to 2005) and manager of his own practice in Warner Robins (2005-10).

Adopted by schoolteacher mother Beverly and father Frank, a civil servant with the Health, Education and Welfare Department, Moore grew up in Norcross with two kid sisters (surprise arrivals to his parents, who'd originally been told they couldn't conceive).

"We spent a lot of time as a family trying to figure out what you could do that was important, that would make a difference," Moore says. "We had to eat dinner together." The TV was turned off. Mealtime was family time. "I can remember my dad and mom wanting to know what we were doing, and the things we

were involved in." His father, who wielded a big vocabulary, sometimes taught his kids a new word during dinner.

Living in Perry with his wife, Debbie, a physical therapist,

and his two stepdaughters ages 16 and 20, Moore continues to honor that family tradition. Due to his busy schedule, their dinner hour can sometimes be late. But the time is dedicated to conversation — about school, the day's events or a favorite family topic, politics.

A Mercer student in Atlanta (like his mother) who graduated in 1989, majoring in philosophy with a double-minor in political science and religion, Moore came to the Law School shortly after marrying his first wife. That meant he not only spent time studying, but also had to work to support the couple. He recalls classes taught by Chris Wells, Deryl Dantzler and onetime dean Karl Warden. "He had that formal, old-school, British type of legal training," Moore says of the latter. "He would take us out on the steps of the law school and recite the Rule in Shelley's Case."

Another memorable professor was the late

Laura Webster, because her background with defense work made the gung-ho, wannabe prosecutor see legal arguments from a new angle. "It was enlightening to hear things from another side," he says. "It made me think a little bit differently about the law and constitutional protections, and to re-analyze some ideas I thought were ingrained."

Since the tenure of a U.S. Attorney can be as brief as the single term of a president, Moore has tried to hit the ground running. "When I came here, as a goal I had for myself, I wanted to get out in the district and go see the sheriffs in the counties," he says. His office oversees 70 of the state's 159 counties. "Instead of having them come to me for a meeting, I've been going to them and saying, 'Look, I'm committed to making a difference on a local level. You tell me what I can do to help you.' Sitting in their office



United States Attorney Moore watches over the community he serves from his office in the Gateway Plaza Building in Downtown Macon.

in a rural county in southwest Georgia, I've had sheriffs say, 'We've never been visited by a U.S. attorney before.'

"They really want to know that there is an open line between the federal system and the local system," Moore explains. "They want to know that they can call on you for help, and we've done that."

Last year, among notable cases his office litigated were one against the nonprofit food distributor Angel Food Ministries on fraud, money laundering and conspiracy charges, and another against Perry aircraft maintenance worker Michael Todd for illegally supplying jet and helicopter parts to Iran.

Moore says one humbling aspect of being a U.S. Attorney is recognizing and respecting the power that comes with the job.

"You have an enormous amount of autonomy, and truly you have a lot of authority," he says. "You have the ability as a U.S. Attorney to call for investigations, to have grand jury subpoenas issued. If you wanted to, you could mess with somebody's life,

and I think that's fundamentally wrong."

Not long ago, when he was speaking to a group of students, they asked him what he'd be most proud of when he left the job. He did not name one of the high-profile cases his office has prosecuted. Instead, in keeping with his view that the best work he can do is to make sure, quietly and steadily, that justice is being served, he told them, "I'll probably be most proud of something I do that nobody even knows about."

"I don't think there's any greater honor than to stand up in court and say you represent the United States," Moore says. "I really do believe that what we do is important. It's a great honor — a privilege, really — to stand up on behalf of the United States."

Oh, and just in case you were wondering: Yes, Moore has been kidded a few times about sharing the same name as that muckraking filmmaker from Michigan.

"I got more of that when I was politicking," he says. "But I still get ribbed sometimes at the checkout line."

Symposium Examines Heated INTERNATIONALLY RECOGNIZED SCHOLARS IN SEVERAL DISCIPLINES CONVENED IN OCTOBER AT THE LAW SCHOOL

FOR THE 2011 MERCER LAW REVIEW SYMPOSIUM.

Part of the university-wide Mercer Lyceum, the Symposium had as its topic one well-tailored to the prevailing national climate of contentious viewpoints: "Citizenship and Civility in a

Divided Democracy: Political, Religious and Legal Concerns." Articles by the participants based on their Symposium presentations will appear in 2012 in the Mercer Law Review.

"We had fantastic people here, truly leaders in their fields. Philosophers, theologians, historians and legal scholars - all with great expertise," says Law Dean Gary Simson, one of the organizers. "Various units of the University worked together to make it happen."

"There is a history of collaboration across the University that I think is quite unusual," said Professor Mark Jones, chief faculty organizer of the event. It was facilitated in ways both academic and practical by student members of the Law Review and other professors from Mercer University. "We were only able to do this because everybody pitched in."

The Symposium included four parts. The first three panels were on "Our Divided Democracy: The Fracturing of the Republic and the Deterioration of Political Conversation," "Restoring Democratic Citizenship and Civil Political Conversation: The Role of Our Religious Traditions," and "Restoring Democratic

Citizenship and Civil Political Con-

versation: The Role of Our American Legal Tradition." The final component was a round-

table case study among the panelists and two expert practitioners from the public school systems. Drafted by Professor Jack Sammons and drawn from an actual federal appellate court decision, the case study focused on a mother who objected to subjects to which her two children were being exposed in the classroom.

Addressing ways to discuss hotbutton issues, the case study had as its larger concern to explore, more generally, the current tenor of the national political conversation. "Clearly, we're not in a good state at the moment," Jones says. "Incivility is part of it, as well as excessive partisanship and an inability to compromise."

In the end, the structure and tone of the Symposium seemed to prove that our fractious period of national dis-

SYMPOSIUM PRINCIPAL SPEAKERS AND COMMENTATORS

- ROBERT AUDI, O'Brien Professor of Philosophy and Professor of Management, University of Notre Dame
- EUGENE GARVER, Regents Professor Emeritus of Philosophy, St. John's University.
- · DAVID LYONS, Professor of Law and Philosophy, **Boston University**
- JEREMY WALDRON, University Professor and Professor of Law, NYU; Chichele Professor of Social and Political Theory, Oxford University
- DAVID GUSHEE, Distinguished University Professor of Christian Ethics, Director of Center for Theology and Public Life, and Chair of Lyceum, Mercer University
- MARIANNE CONSTABLE, Professor of Rhetoric and Zaffaroni Family Chair in Undergraduate Education, University of California at Berkeley
- STEVEN SMITH, Warren Distinguished Professor of Law, University of San Diego

course on questions of religion, politics and the law might be survivable — if people learn to address the issues directly and sincerely.

In a draft of his Symposium article looking back on the event, Sammons writes: "One of the participants in the Symposium said to me in a subsequent e-mail ... that the Symposium was a place of calm. Vigorous challenges to differing positions with academic egos at stake a place of calm! A very lively and very public discussion of a case study with an almost intractable issue involving religion and public education a place of calm! Yes, it was, exactly right."

The 2011 Symposium also served as a sort of ambassadorial model for bringing great minds to Mercer and sending them

back into their own spheres with an appreciation of what the University offers.

"It reached out across the campus, brought different disciplines together, and brought in speakers from all around the country who are top-flight in their areas." Dean Simson said. "Those people then go back out and say, 'Wow, Mercer is really an interesting place. And it's a great school."

Front row: Brandon Veasey, David Lyons, Marianne Constable, Billie Pritchard, Mark Jones Back row: Steven Smith, Robert Audi, Jeremy Waldron,

Sam Harben, David Gushee



ROGER IDENDEN PR

The Move Toward Law and Neuroscience*



 \mathbb{Z} By Theodore Y. Blumoff

In July 1990, President Bush proclaimed the 1990s "The Decade of the Brain." The President expressed hopefulness that "a new era of discovery is dawning in brain research." He pointed to research that brings us closer to understanding brain chemistry and devastating illnesses such as Parkinson's Disease, Alzheimers and the like; major breakthroughs in our ability to view neuronal action in real time; and the work of geneticists and neuroscientists questioning human disease and behavior.

The breakthroughs Mr. Bush noted were exciting. And, lawyers being lawyers, we - especially the criminal defense bar - didn't wait long to exploit the promise of the brain sciences. DNA testing in the right circumstances and with sufficiently well preserved evidence could actually determine whether or not a particular person had committed a crime. But there was more to come. It wasn't long before academics like myself, trained in law and having a science background, seized on the excitement of the brain sciences – neuroscience, cognitive psychology, behavioral genetics, and the like - as a way to examine the assumptions that underlie our norms of behavior. At the same time, academic courses in Law and Genetics and Law and Neuroscience began appearing in many law school curricula, including Mercer's. In the fall of 2010, we were fortunate to bring to the Mercer campus some of the leading national scholars in these fields to participate in a symposium on the brain sciences.

To an academic researcher, the findings being made in neuroscience promise to deliver a more thorough understanding of the models of human behavior on which our law depends, because all of our social cognition, emotions and behavior emanate from the brain. My own work deals with the cruel fate that often envelops toddlers and children raised in seriously

abusive and neglectful environments. These children tend to produce children who abuse and neglect their own children; some of those children become violent adult criminals. This "cycle of violence" is, sadly, a robust social fact.

My approach begins with an assumption born of observing neonates, including my own three, as they slept in maternity nurseries. It is impossible for me to see some inherent evil in these gentle tots; they all appear to be pure potential. If some among the many neonates were to become violent criminals, therefore, it was almost certainly because of something in their environments, beginning in utero, that worked with their genotypes to produce an individual who becomes prone to violent crime. Those observations produced the unavoidable conclusion that we bear social responsibility for some violent crime. Many working in this domain hope to understand the gene/environment interaction, GxE, where "G" includes the substantial, hard-wired portions of our personalities, our temperaments, and our ability to commit ourselves sensitively to our fellow humans; "E" includes everything else. Among the more stunning findings of the past decade is that most of our genetic material, 97 percent, operates not as a blue print that determines when puberty begins, when our hair grays and our chins drop, and so on. Instead, as others note, most of our genetic inheritance and epigenetic changes are like a cake recipe, in which the critical ingredients, our waiting genotypes, are enabled by environmental cues. The cake that emerges – our phenotype – is a product of the interactions of our genes and environmental triggers – GxE.

How does this triggering process work? The short answer is that it works through the process of selection, which operates on all creatures, and entails the constant effort to match the elements



in an area of the brain known generally as the prefrontal lobe of the cerebral cortex, on the one hand, to all the elements of the world around us, on the other. Natural selection operates mostly at the level of the genome – changing or mutating our genetic alphabet – and it does so on the basis of "recognition" rather than "information." But there is also an important process called "epigenesis," which changes the way our genes express themselves without altering our DNA. Our adaptive resources, when operating within normal ranges of effectiveness, stand ready to absorb information from the outside and respond automatically thereto. We are designed to react to our environments, and these processes are always on duty, usually for better, sometimes for worse. As the neurologist Antonio Damasio points out, "As we develop from infancy to adulthood, the design of the brain circuitries that represent our evolving body and its interaction with the world seem to depend on the activities in which the organism engages, and on the action of the innate bioregulatory circuitries, as the latter react to such activities."

The work that most sparked my interest began with research done in the early 1990s, which identified male children who enter the world with low levels of monoamine oxidase type A (MAOA), a brain enzyme responsible for inhibiting neurotransmitters associated with aggression. A decade later, a team of researchers examined the records of more than 1000 children who were embroiled in the criminal justice system. They discovered that "maltreated males with the low-MAOA activity genotype were more likely than nonmaltreated males with this genotype to be convicted of a violent crime by a significant odds ratio of 9.8." Ten-fold! For two groups of boys with low MAOA, one group comprised of abused children and

the other nonabused, the difference is accounted for solely by the experience of their significantly abusive and/or neglectful early childhoods. This is especially troubling if the severe abuse and neglect occur in the first years of life, when positive emotional memories should be, and usually are, created and stored.

The MAOA study of GxE provides a template for a more general discussion of the role of GxE in producing violent crime, and especially for an examination of the neuroscientific basis for this cycle of violence. Well-replicated research data now make clear that our genetic make-up and our environments, acting together, shape in significant and sometimes permanent ways who we are - and who we can be - through the process of selection and adaptation. That shaping affects one's moral luck: the significant extent to which constitutive and antecedent conditions over which individuals have no control shapes behavior – for good or ill. Inasmuch as well-researched data exist, that data should influence the direction of our jurisprudence, although we will always need to restrain some violent individuals. The data indicate that some severely abused and neglected young children suffer neurobiological deficits suggesting that as those children become adults, they are not fairly held fully responsible for their aggressive behavior. As a polity, we should devote far more resources to early childhood development and try to break the cycle of violence.

* Adapted from Theodore Y. Blumoff, How (Some) Criminals Are Made, in Michael Freeman, ed., 13 Law and Neuroscience (Oxford University Press 2010), and When Nature and Nurture Collide: Early Childhood Trauma, Adult Crime, and the Limits of Criminal Law, ©2012 Theodore Y. Blumoff.

Last Suppers



By Sarah Gerwig-Moore



About the same time that Troy Davis was executed in Georgia last fall, another controversy emerged involving the death penalty. Lawrence Brewer's case, however, seems to have gained notoriety more because of the change in Texas policy it provoked than because of Brewer's actual execution.

Brewer had been convicted in the late 1990s and sentenced to die for dragging James Byrd to his death. With his execution looming, Brewer requested a final meal of two chicken fried steaks, a triple meat bacon cheeseburger, a cheese omelet, fried okra, fajitas, a pint of ice cream, a pound of barbecue with white bread, a pizza and three root beers.

With an extravagant meal in front of him (although it is not clear that he was served his entire request), Brewer didn't eat a bite. When Texas State Democratic Senator John Whitmire learned of the request (and Brewer's failure to eat his final meal), he wrote a letter to the Texas Criminal Justice Division requesting that it immediately end the last meal practice and warning that if it did not, he would introduce legislation to end the practice in the next session. "It is extremely inappropriate," Whitmire wrote, "to give a person sentenced to death such a privilege."

Casually breaking with a Texas tradition that extended back 87 years, the Criminal Justice Division immediately and summarily ended its practice of offering Texas death row prisoners the opportunity to request a special last meal. Prisoners scheduled to be executed are now served the same meal offered to all other prisoners.

The news stories about this case jarred me for a number of reasons, and so I enlisted two colleagues to work with me on a short article examining Texas's change in practice. One was Andrew Davies, a former colleague who is now in the New York office of Indigent Legal Services, and the other was Sabrina Atkins, a second-year law student and member of the Law Review at Mercer University School of Law.

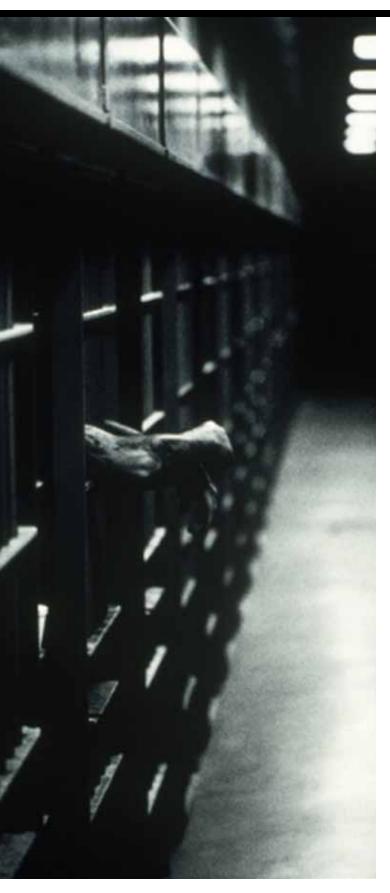
As we discussed the new practice, we began to recognize that it raises a number of questions - political, ethical and even

theological. With a history that goes back centuries, how could a single state legislator successfully demand its end? What does a final meal ritual reveal about the larger, legal processes implicated by the death penalty, and what insight might it offer into the personal relationships between the prisoners and those who guard them? Is there something about a sentence of death that calls for ritual courtesies, or are such courtesies weak and meaningless in the face of an execution?

To our surprise, we discovered that there has long been great interest in the tradition of the prisoner's last meal. Some of the interest has been historical and academic, while some has been more sensational and voyeuristic. Swedish filmmakers Mats Bigert and Lars Bergström's project, Last Supper, carefully traces the origins of offering a ceremonial final meal to prisoners set to die. The blog "Dead Man Eating" includes an archived list that dates back to early 2002, focusing only on what prisoners nationwide request to eat before their sentence is carried out. Similar to Dead Man Eating is the "Last Meals Project" created by Jonathon Kambouris. It focuses on the last meals of some of the most notorious prisoners, including Ted Bundy and Timothy McVeigh, and it includes (reproduced) photographs of the meals the prisoners requested. Those meal requests range from a bag of assorted Jolly Ranchers to a request for justice, equality and world peace.

Texas iailhouse cook Brian Price's book. Meals to Die For. includes descriptions of more than 200 meals he has prepared for condemned inmates awaiting their execution. Notably, Price has offered to cook all Texas inmates' last meals for free. As he explained in an interview with CNN reporters, "We should not get rid of the last meal.... Justice is going to be served when this person is executed, but can we not show our softer side? Our compassionate side?"

Indeed, the history of the final meal – including from countries other than our own – is of a practice held so steadfastly as to rise almost to the level of religious ritual. In 18th-century Germany, for example, the "Hangman's Meal" was attended by



clergy, local dignitaries and often the executioner himself. The food was grand (though perhaps not of the condemned's choosing). The meal also included a series of scripted exchanges, including an opportunity to ask for forgiveness in the next life.

The last meal is an opportunity for a warden or prison staff to show compassion or kindness to a prisoner whom they have likely known for many years. And notably, there are also touching stories of prisoners' empathy, such as this one in the *New York Times*. Recalling a last meal request to Lewis Lawes, the anti-death penalty warden of Sing Sing, an article in the *Times* recounted: "Once, when a condemned man named Patrick Murphy pleaded for a strictly prohibited last drink of spirits, Lawes broke the rules to deliver a medicinal dose of bourbon. Murphy accepted it gratefully and then offered it back to the stricken Lawes, saying, 'You need the shot more than I do, warden.'"

The really surprising thing about ending the last meal privilege in Texas is how easy it was. Contrary to common belief, the final meals served are usually not as extravagant as the request. Texas's policy, for example, had already been to limit a prisoner's meal to the food available in the prison kitchen at the time of its preparation. (Recounts Brian Price, "Requests for large quantities of food were pared down to more practical servings. David Allen Castillo requested 24 tacos in 1998 and got four.") So questions of additional trouble, expense or security would not truly be relevant.

Stories about a prisoner's last meal are stories about culture, politics, and people in a time of fear and uncertainty. Whether the meal actually assuages the terror in the moments before an execution, or whether the Texas decision to end the tradition was right or wrong, I do not know. But the process by which this old custom has ended in Texas — and could end in other states that remain loyal to capital punishment — seems to have been more cavalier and less deliberative than the practice should have commanded. I recall the Last Supper of another condemned man, what it represented, and the rituals it has inspired, and I wonder what Texas may have gained by its decision and what it may have lost.



WAR VETERAN; LOVER OF POETRY, LITERATURE, MUSIC AND FILM; a scholar of legal ethics and philosophy; and a champion of transforming Macon's Ocmulgee National Monument into a national park, Professor Jack Sammons is a true renaissance figure — a man admired for an intellect as intimidating as he himself is approachable.

Professor Richard Creswell calls Sammons an astounding teacher and exceptional scholar, and the man colleagues go to when they need counsel: "Whatever the dilemma one of us is grappling with — whether an arcane twist of doctrine, a classroom problem, or some difficult personal relationships among the faculty — almost every one of us ended up in Jack's office at one time or another, seeking his advice."

Entering semi-retirement, Sammons is teaching classes this spring, but spends summer and autumn now at his home in Vermont. On a typical day there, he writes for several hours, walks the dog and handles yard work and household chores. His

wife Laney, a former elementary school teacher, is busier than she was before her own retirement. Author of five books on a teaching strategy called Guided Math, she maintains a blog and travels the country, conducting workshops for other teachers.

In their free time, the couple explores nearby villages and, driving a little more than two hours, they can visit their daughter, Sorrel, son-in-law Dan Niemann and three grandchildren, ages 8, 6 and 2. (Their son Lanier, a musician, lives on the west coast and is completing his Ph.D. in composition from the University of Virginia.)

Born in Ohio during World War II, Sammons came to Macon as a child with his parents, who had family ties in Georgia.





Jack and Laney Sammons with their dog Pon in the quaint town of Turnbridge, Vermont, where they reside during the fall and winter.

(Trivia alert: He attended kindergarten with future Law School faculty colleague Deryl Dantzler.)

Sammons gets his artistic side from both parents. His father moved to New York with a friend to try their musical luck on radio. (Sammons himself plays multiple instruments and has performed with the Law School's faculty band, Sue 'n the Bastards.) His mother studied with stage star Maude Adams and auditioned for Scarlett in "Gone With the Wind." In later years June Sammons worked as Southern Regional Director for the National Center for Voluntary Action, while her husband managed General Motors dealerships.

While in elementary school, Sammons moved with his family to Jacksonville, Fla., then Atlanta. He attended Duke University on a Navy scholarship, then, influenced by classmates whose fathers were Marines, Sammons joined the Corps himself. "Then, Vietnam came – after I signed up."

Following flight and jump schools at Fort Benning, he began a tour of duty as Captain Sammons, leading a company that protected convoys on the supply route just south of the demilitarized zone. "My main focus was to keep my men from getting killed," he says. "At that point, the idea of whether the war was a good idea or not didn't matter. It was a challenging experience, and it shaped me in many ways. But I do not look back at it in horror."

After his military service, he was attracted back to what he had most loved about being at Duke: immersion in scholarly life. Enrolling in law school at the University of Georgia, he met Laney: "There were only six women in that class, so the competition was fierce." Marriage soon followed, as did their daughter.

Following a two-year fellowship at Antioch studying clinical education, he was hired by Mercer in 1978 to develop its own fledgling clinical program. He recalls it as the hardest job he's had. "It was rewarding because of the very personal relationships with students, watching them blossom," he says. "But it was exhausting."

Colleagues Creswell and Hal Lewis recruited Sammons to help them develop Mercer Law School's influential Woodruff Curriculum. "The basic idea was to work on the sorts of things that we wanted our graduates not just to be able to do, but the kind of lawyers we wanted them to be," Sammons says.

Sammons's chief contribution was "helping our students to learn not just the law, but also how to be lawyers," Creswell says. "That is, we wanted our curriculum to enable our graduates to not just think like lawyers, but to be able to perform the writing, advocacy, counseling, and negotiation skills needed in law practice."

Outside the classroom, Sammons is a board member of the Macon Film Guild, sponsoring monthly screenings of art-house and foreign titles that would otherwise never play in Macon. And he's committed to turning Macon's Indian mounds — currently designated as a national monument — into a national park that could be a boon to Middle Georgia in terms of natural conservation as well as tourism and business.

"Jack has always been an inspiration," says Brian Adams, a Mercer alumnus and Macon attorney who worked with Sammons and a Law School class in spring of 2011 to launch the Ocmulgee National Park and Preserve Initiative. "Without him, this effort would be nowhere near what it is."

Sammons's influence on Macon life and culture is certain to continue. And he's sure to maintain his distinctive, eclectic blend of artistic erudition, of kindness and command.

One example: Creswell recalls that after one "particularly inspired and frenzied performance" by Sammons as blues harpist for Sue 'n the Bastards, "a student said that Jack — in a rumpled fatigue jacket and slouch hat — looked like 'a half-crazed, burned-out Vietnam vet."

"Jack replied, 'Well, I am half-crazy, right now I'm burned out, and I am a Vietnam vet!'

JESSICA FEINBERG

When Mercer Law faculty newcomer Jessica Feinberg attended Boston University, the Connecticut native majored in psychology. "A psychology aspect gives you a better insight why people might be behaving the way they are, whether you're practicing or teaching," Feinberg says.



Plus, an interest in how minds work can be a good excuse for a guilty pleasure. "I admit to watching reality TV, because I think it's one big psychology experiment — how people interact with each other in different environments," she says, laughing. "So, there is a scholarly reason why I'm doing this."

After leaving B.U., Feinberg pursued her J.D. at Washington University School of Law. "I felt like I had had my fun in college and was ready to buckle down," she says. "I worked really hard in law school, harder than I had even imagined working before."

She had a goal. She knew she wanted to teach. Her professors supported her, but stressed that any student not graduating from Harvard, Yale or Stanford's law schools had a steeper climb into academia. She would need to graduate in the top of her class. "That put some extra pressure on me."

It worked. After graduating *summa cum laude*, Feinberg clerked for Judge Michael R. Murphy on the United States Court of Appeals for the 10th Circuit. "It was really interesting, to go behind the curtain to see how judges make their decisions." Next she taught in the Criminal Appeals and Death Penalty Clinics at DePaul University College of Law (taking her to Orlando and the media circus of the Casey Anthony trial). She also served as a teaching fellow at Tulane University Law School. Feinberg's teaching interests include Contracts, Family Law, Gender and Sexuality Law, and Immigration Law.

Settling into the Law School, Feinberg says, "The students really seem to support each other. You don't have that cut-throat feeling that you have at other schools."

She adds, "There's a culture at Mercer that I like, of students and professors really having a lot of interaction, an open-door policy. It's a really nice feeling, and definitely not the case at other schools."

After living in larger cities, Macon is a pleasant change. "You have the opportunity to really get to know people," she says, "and it's not just this bustle." And for someone who's athletic, it's a good place to be. "I hadn't played tennis since high school and wanted to get back into it — and discovered there's a huge tennis community here. There are tons of different teams. [Also] it's kind of crazy that you can still be playing, in November."

CHRISTINA MARIE NOSARI

Tell us about your background.

I was born in New York but moved to Georgia when I was very young. I spent three years at UGA before graduating. I have been playing guitar since I was about 11 years old, and I have been boxing for about three years now.

Why do you want to become a lawyer?

I had no idea what I wanted to do with an English degree after I graduated. I never even thought it was a feasible option to come to law school, until I had a few people suggest it. I didn't realize that the kind of reading, writing, and research I loved to do as an English major were the same kinds of things I would be spending most of my time doing in law school and as a lawyer. I feel as

though a career in law fits my personality — it is demanding of my intelligence, it presents me with a challenge, it requires hard work, but it is also highly rewarding.

Why Mercer Law School?

The nationally recognized legal writing program here certainly intrigued me. I was also very impressed by the "family" atmosphere I kept hearing about and seeing. Once I was offered the Woodruff Scholarship as well, I knew that Mercer would be the best place for me. It seemed (and still seems) like Mercer — its faculty and students alike — really cared about making my time here meaningful.

We hear that you're quite the boxer.

It probably has to do with the wrestling meets I used to go to, to watch my brother in high school. UGA offered a boxing fitness class and I thought it would be fun to go hit the heavy bag every now and again. After I started the classes, I discovered that the trainers were professional boxers, and some of the students were competitive amateur boxers. We decided to revive the UGA Boxing Club and began training outside the fitness class. A group of us went to Atlanta to compete in the Georgia Games last July. I ended up having a match with a girl who was a good deal more experienced than I (she is now competing in the U.S. Olympic Trials). I lost on points, but I loved the feeling of competing and being in the ring. When I moved to Macon, I was ecstatic to find a boxing gym in town. I have been training almost every day since.



What are your thoughts about the interactions between faculty and staff, and relationships among Mercer students?

Everyone is very open, helpful and generous. The professors are eager to answer questions and help students understand and actually enjoy the material. 2L and 3L students are equally eager to help out 1Ls. I have had so many offers for outlines, study help and just gestures of friendship. And the interactions between students in the 1L class are phenomenal. It is amazing to see how close everyone has become in a few short months. I have heard horror stories about other law schools where students try to make each other do poorly just so they can come out on top. I have never seen anything like that happen at Mercer. The kind of people I have met here are the kind of people we need in the legal field.



The Law School's Centennial

By Joseph E. Claxton, Professor Emeritus

THE WALTER F. GEORGE SCHOOL OF LAW marked its first century of life in 1973. The principal event of the centennial was a program on November 18, 1973, in Willingham Chapel that was combined with a 90th birthday tribute to former Congressman Carl Vinson, a 1902 graduate of the Law School who had served for 50 years and



one month in the United States House of Representatives and will go down in history as one of the most powerful individuals ever to serve in the House.

The drama of the centennial commemoration lay in its incredible cast of characters, the paths they already had taken in their lives, and the paths they would follow in the future. The platform party was composed of several distinguished men, but three of them (in addition to "Uncle Carl" Vinson) were the "stars" of the occasion.*

One was Senator Herman Talmadge, senior senator from Georgia, widely viewed as the unbeatable king of the state's politics. Earlier in 1973 he had served with distinction as a member of the Senate Watergate Committee.

A second star was Jimmy Carter, nearing the end of his third year as Georgia's governor. In 1973, Georgia governors were not eligible to run for successive terms, but many believed that Carter had been too independent-minded as governor to be reelected in any event.

The third star was the most recognizable man on the planet — Richard M. Nixon, President of the United States. He was accompanied by his wife, Pat, who sat in the audience looking tired and forlorn. Her escort was Ronnie Thompson, Macon's Mayor. Numerous senior officials of the Nixon administration also were present, including Alexander Haig, the White House chief of staff; Bryce Harlow, a senior adviser; Secretary of Defense Melvin Laird; and Secretary of the Navy John Warner.

The Watergate scandal loomed over Nixon and clearly threatened to destroy his presidency. The presence of Talmadge among the platform party at Mercer was an obvious reminder of that. The night before Nixon flew to Macon he had appeared in Florida before 400 managing editors of the Associated Press and announced, "I am not a crook." Mercer officials were so fearful of protests during Nixon's visit that they released a statement two days prior to the event that read in part:



The President of the Republic is entitled to a courteous and respectful hearing. More than that, as Georgians, we are sensitive to the fact that hospitality and courtesy to visitors and guests are important parts of our tradition. Everyone in the community is urged to join us in assuring that all of our guests for this historic occasion are treated with courteous regard and appropriate dignity.

Protesters appeared on Nixon's route to Mercer, but the ceremonies inside the Willingham Chapel were not marked by any disruptions.

The future of Talmadge, Carter and Nixon would be almost unbelievable in a work of fiction. Talmadge was reelected overwhelmingly in 1974, but his political career later came to a crashing end after allegations of financial corruption led to denunciation by the Senate for improper financial conduct. A political unknown, Republican Mack Mattingly, ended Talmadge's Senate tenure in 1980.

Perhaps no one in Willingham Chapel in 1973 knew that Jimmy Carter and his two closest aides, Hamilton Jordan and Jody Powell, already were planning the astonishing campaign that led to his election as president in 1976. That political triumph over incumbent Gerald R. Ford undoubtedly was made possible in large measure by the fallout from Richard Nixon's self-inflicted travail.

Nixon's presidency, of course, fell victim to the Watergate scandal in August of 1974. Although Nixon's Mercer speech contained no reference to Watergate, part of it is almost eerie in retrospect:

"[A] law school means more than whether it produces public figures of quality. A law school means the *character* of the young men and the young women who go through those three years and then go out into public life and what they contribute." (Emphasis added.)

At the end of his speech, Nixon made a surprise announcement: that America's third nuclear-powered aircraft carrier would be named the U.S.S. Carl Vinson. He then presented a model of the planned warship to Vinson.

On that same day, November 18, 1973, a 16-year-old boy was enjoying the life of privilege accorded to a male child in a wealthy Saudi Arabian family. That boy was named Osama bin Laden.

In the summer of 2011, almost 38 years after President Nixon used the Mercer forum to announce the naming of the Carl Vinson, that mighty warship delivered bin Laden's body to its final resting place in the Arabian Sea.

The ceremony of November 18, 1973, was an opportunity to look back at 100 years of history. Almost four decades later, it stands as a perfect example of the utter unknowability of the future.

^{*} In addition to Nixon, Harris, Carter, Talmadge and Vinson, the platform party included Mercer University organist James Carmichael, vocalist John Van Cura (whose rendition of the national anthem was considered by many in the audience to be the program's highlight), Baptist minister Dr. Louie Newton, Law School Dean Edgar Wilson, U.S. Rep. Phil Landrum and Dr. Charles Giddens Jr., chairman of Mercer's Board of Trustees.

FACULTY NEWS AND SCHOLARSHIP



Professor Emeritus Joseph Claxton

Recent Publications

Book Review, 95 Ga. Hist. Q. 177 (No. 1) (2011) (reviewing David Oshinsky, Capital Punishment on Trial: Furman v. Georgia and the Death Pen-ALTY IN MODERN AMERICA (2010)).



Professor Jessica Feinberg

Recent Publications

Exposing the Traditional Marriage Agenda, 7 Nw. J.L. & Soc. Pol'y (forthcoming 2012).

The Plus One Policy: An Autonomous Model of Family Reunification, 11 Nev. L.J. 629 (2011).

Select Speeches & Presentations

Panelist, Invisible Families and U.S. Immigration and Citizenship Law, National Lesbian, Gay, Bisexual and Transgender Bar Association.

Workshop Presentation, Exposing the Traditional Marriage Agenda, Junior Scholars' Forum, Lavender Law Conference.

Panelist, Out in the Classroom and the Academy, Association of American Law Schools.



Professor Jim Fleissner

Select Speeches & Presentations

Constitutional Criminal Procedure and Georgia Criminal Law Update, Sponsored by Mercer Law School, the Macon Bar Association and the Institute of Continuing Legal Education. Retained by the Dougherty County School Board to provide advice concerning the Board's legal options for investigating and combatting possible criminal fraud in the school lunch program. Campbell Kirbo, Mercer Law 3L, is assisting in this project.



Daisy Hurst Floyd

University Professor of Law and Ethical Formation

Recent Publications

Foreword: Empirical Professional Ethics Symposium, U. St. Thomas L.J. (forthcoming 2012).

Pedagogy and Purpose: Teaching for Practical Wisdom, 63 Mercer L. Rev. (forthcoming 2012).

Select Speeches & Presentations

With Professor Timothy Floyd,

made three presentations based on an empirical study of bar discipline in Georgia and other states at the Workshop of the National Institute for Teaching Ethics and Professionalism and the 2011 Burge Conference on Law and Ethics.

An Overview of American Legal Education, Brazilian Judges Educational Conference, Mercer University.

Moderator, Hypothetical Case Study Roundtable Discussion, Mercer Law Review Symposium.

Honors, Awards & Activities

Appointed to the Macon Advisory Committee of the Ga. Justice Project.



Professor Timothy W. Floyd

Director of Law and Public Service Program

Recent Publications

Counseling the Guilty Client: Steven's Choice, Ohio St. J. CRIM. L. (forthcoming 2012).

The Lawyer Meets the Therapist, the Minister, and the Psychiatrist, 63 Mercer L. Rev. (forthcoming 2012).

Co-Authored with Professor Oren Griffin and Professor Karen **Sneddon,** Beyond Chalk and Talk: the Law Classroom of the Future, 38 OHIO N.U. L. REV. (Spring 2012).

Peace with Justice: Ending the Death Penalty, in A New Evangelical MANIFESTO: A KINGDOM VISION FOR THE COMMON GOOD (forthcoming 2012) (book chapter).

Thoughts on Vocation in Charac-TER, PRACTICAL WISDOM, AND PROFES-SIONAL FORMATION ACROSS THE DISCIPLINES (forthcoming 2012) (book chapter).

Select Speeches & Presentations

Justice, Punishment, and the Death Penalty, Mercer University Worship. Torture, Capital Punishment, and the Myth of Redemptive Violence, Charleston School of Law.

Honors, Awards & Activities

Appointed to chair of the State Bar of Georgia's Access to Justice Committee.



Professor Sarah Gerwiq-Moore

Honors, Awards & Activities

Named chair of the Macon-Bibb County Planning and Zoning Commission.



Professor Linda D. Jellum

Select Speeches & Presentations

Shrinking the First-Year Courses: Making Difficult Content Choices, Southeastern Association of Law Schools.

Comparing Public Participation and Transparency in the European Union's and United States' Norm Creation, Law and Society Association.

Honors, Awards & Activities

Named Associate Director of the Association of American Law Schools (AALS) for an 18-month term beginning January 2012.



Professor/Associate Dean Stephen Johnson

Recent Publications

Disclosing the President's Role in Rulemaking: A Critique of the Reform Proposals, 60 CATH. U. L. Rev. 1 (2011).

In Defense of the Short Cut, 60 KANSAS L. REV. 101 (2012).



Professor Mark Jones

Recent Publications

Introducing a Surprising Conversation About Conversation, 63 Mercer L. Rev. (forthcoming 2012).

Fundamental Dimensions of Law and Legal Education: Perspectives on Curriculum Reform, Mercer Law School's Woodruff Curriculum, and.... "Perspectives," 63 MERCER L. REV. (forthcoming 2012).

Honors, Awards & Activities

Symposium Organizer, Mercer Law Review Symposium: Citizenship and Civility in a Divided Democracy: Political, Religious, and Legal Concerns.



Professor Harold S. Lewis Jr. Walter F. George Professor of Law

Recent Publications

Federal and State Anti-Discrimination, Fair Employment and Other Laws in Workers' Compensation and Employee Protection Laws (5th ed. 2011) (book chapter).

Select Speeches & Presentations

Georgia Conflict of Laws in Tort Cases: Making the Simple Complex, ICLE in Georgia Torts Seminar.



Professor Patrick Longan

William Augustus Bootle Chair in Professionalism and Ethics

Recent Publications

Professional Responsibility: Questions and Answers (3d ed. forthcoming Spring 2012).

Annual Survey on Legal Ethics, 63 Mercer L. Rev. 217 (2011).

With **Professor Karen Sneddon**, creating video vignettes for Aspen Publishing to supplement the teaching of all first-year courses with lessons on substantive and procedural law, skills, ethics and professionalism. The first module — one on contract law — is due out late this spring.

Professor Longan drafted the Foreword and, along with Stuart Walker, conducted the interview of Justice Harold Clarke for publication in the *Journal of Southern Legal History*.

Select Speeches & Presentations

A Day-in-the-Life of a Transactional Lawyer: Negotiation, Ethics, and Professionalism, Institute of Law Teaching and Learning, New York Law School.

Teaching About Bar Discipline in a Required First-Year Course, National Institute for Teaching Ethics and Professionalism.

Update on Legal Ethics, Georgia Law of Torts Seminar.

Moderator, *Community Development Lawyering Clinics*, Southeastern Association of Law Schools.



Professor David Oedel

Recent Publications

Why I'm Helping Georgia Challenge Healthcare Reform, SP11 Mercer LAWYER 26 (2011).

Healthcare Reform, the Spending Clause, and Dole's Restrictions, 62 Mercer L. Rev. 623 (2011).

Crossing the Constitutional Line in Spending from Persuasion to Compulsion: A Reply to Gillian Metzger, 62 Mercer L. Rev. 639 (2011).

ObamaCare and the General Welfare Clause, THE WALL STREET JOURNAL (Dec. 27, 2010) (co-authored).

Select Speeches & Presentations

Differences between the United States and Chinese Systems of Intellectual Property, China Watson Bioforum.

Optimal Legal Structures for the Financing of High-Tech Businesses in Both China and the United States. China Watson Bioforum.

Panelist, Federalism in the 21st Century: Balancing States' Rights with Federal Power, Ninth Circuit Judicial Conference.

A Middle Way for Intellectual Property? The West's Over-Deference to IP and China's Under-Deference to IP, China Watson Bioforum and Central South University Law School.

Financing High-Tech Business in China, China Watson Bioforum.

Honors, Awards & Activities

Taught and studied at Nankai University in Tianjin, China, on Denationalizing Economic Sectors.

Continues to represent Georgia in its litigation with 25 other states challenging the constitutionality of the federal health care act's individual mandate and Medicaid expansion.



Associate Professor David Ritchie

Select Speeches & Presentations

Law as a Discourse Community, Association of American Law Schools.

Global Challenges for Legal Education, Southeast Association of Law Schools (international roundtable discussion).

The 1988 Brazilian Constitution and Social Composition, Southeast Association of Law Schools.

Honors, Awards & Activities

Granted a secondary academic appointment in the philosophy department at Mercer University. Hosted an intercultural exchange program for 17 Brazilian judges. Attended a workshop by the Carnegie Council for Ethics in International Affairs

Awarded a Visiting Research Professorship at the University of Buenos Aires (UBA) in Buenos Aires, Argentina during May and June 2011.



Professor Jack L. Sammons

Griffin B. Bell Professor of Law Recent Publications

Confronting the Three Apprenticeships: Character, Practical Wisdom, and Professional Formation Across the Disciplines (forthcoming).

Select Speeches & Presentations

Listening to Law, The Religious Legal Theory Conference, Pepperdine Univ.

FACULTY NEWS AND SCHOLARSHIP

The Origin of the Opinion as a Work of Art, American Society of Law, Culture, and Humanities, Annual Meeting.

Along with **Professor David Ritchie**, *The Law's Mystery*, American Society of Law, Culture, and Humanities.



Professor Jennifer Sheppard

Recent Publications

In Chambers: A Guide for Judicial Externs and Clerks (forthcoming 2012). What if the Wolf Wasn't Really the Big Bad in All Those Fairy Tales but Was Just Misunderstood?: Altering Stock Stories that Are Harmful to Your Case While Maintaining Narrative Rationality, 34 HASTINGS COMM. & ENT. L.J. 101 (2012).

Select Speeches & Presentations

Moderator, *New Scholars Work-shop*, Southeastern Association of Law Schools.

Women Hold Up Half the Sky: Buffy the Vampire Slayer and Images of Women in Law, Third Applied Storytelling Conference.

Panelist, A Room of One's Own: Finding a Place for Legal Writing Scholarship, Association of Legal Writing Directors Conference.

Honors, Awards & Activities

Received the 2010–2011 Eisenberg Prize for her article titled *Once Upon a Time, Happily Ever After, and in a Galaxy Far, Far Away: Using Narrative to Fill the Cognitive Gap Left by Overreliance on Pure Logic in Appellate Briefs and Motion Memoranda,* 46 WILLAMETTE L. REV. 255 (2009). The prize is awarded annually by the American Academy of Appellate Lawyers for the best article on appellate practice and procedure.



Dean Gary Simson Macon Chair in Law

Recent Publications

Choice of Law After the Currie Revolution: What Role for the Needs of the Interstate and International Systems?, 63 MERCER L. REV. 715 (2012).

Introduction to Faculty Essays on Curricular Reform and Instructional Innovation, 63 Mercer L. Rev. (forthcoming 2012).

Teaching Seminars – Pedagogy and Potential, 63 Mercer L. Rev. (forthcoming 2012).

Select Speeches & Presentations

The U.S. News & World Report Rankings Game, Southeastern Association of Law Schools, Annual Meeting.

The Supreme Court Nomination Process — Is There a Litmus Test for Supreme Court Nominees?, Southeastern Association of Law Schools, Annual Meeting.

The Religion Clauses of the First Amendment, Constitution Day Address, Georgia College and State Univ. Religious Liberty, Newton Chapel Speaker Series on Rebuilding Community, Mercer University.

Choice of Law after the Currie Revolution: What Role for the Needs of the Interstate and International Systems?, First Annual Brainerd Currie Lecture, Mercer University School of Law.

Trends in Legal Education and the Roles of the Dean, County Bar

Association Meetings in Columbus and Marietta, Ga.

Remarks to Mercer law alumni groups in Albany, Saint Simons, Savannah, and Valdosta, Ga.; Charlotte, N.C.; Jacksonville and Orlando, Fla.; and Washington, D.C.



Professor Karen Sneddon

Recent Publications

Trusts and Estates Drafting: Avoiding Rigor Mortis in the Law School Curriculum, 63 Mercer L. Rev. (forthcoming 2012).

In the Name of God, Amen: Language in Wills, 29 QUINNIPIAC L. REV. 665 (2011).

Speaking for the Dead: Voice in Last Wills and Testaments, 85 St. John's L. Rev. 683 (2011).

Select Speeches & Presentations

Bottom Drawer: Exploration of Scholarship Topics, Association of Legal Writing Directors Conference. A Day-in-the-Life of a Transactional Lawyer: Negotiation, Ethics, and Professionalism, Institute of Law Teaching and Learning. Storytelling in Last Wills and Testaments, Third Applied Storytelling Conference.

Honors, Awards & Activities

Won the SEALS Call for Papers competition for her article, *The Will as Personal Narrative*.



Professor Scott C. Titshaw

Recent Publications

Is Your Test-Tube Baby a U.S. Citizen?: Assisted Reproductive Technology, American Immigration Lawyers Association's (AILA) VOICE JOURNAL (Nov./Dec. 2011).

Ignoring Family Ties: LGBT Couples and Children in Immigration & Nationality Law Handbook (2011–12 ed.) (co-authored) (book chapter).

Select Speeches & Presentations

The Reactionary Road to Free Love: How Opponents of Same-Sex Marriage are Destroying the Institution They Seek to Defend, New Scholars Panel, Southeastern Association of Law Schools and University of Mississippi School of Law.

The Reception of Foreign Law by Courts in the United States, Mercer University School of Law (co-presented with **Professor Mark Jones** to Brazilian federal judges).

Invisible Families and U.S. Immigration and Citizenship Law, National Lesbian, Gay, Bisexual and Transgender (LGBT) Bar Association.

Identity, Family and Other LGBT Immigration Issues, University of Georgia School of Law.

Discussion Leader & Panelist, Recent Developments and Trends in Asylum Law for LGBT Immigrants, National LGBT Bar Association, National Teleconference.

Robert Lipman '77

CREATES RETREAT FOR AT-RISK TEENS

Though he's operated a thriving personal-injury practice in Atlanta for 35 years, the start of Robert Lipman's legal training wasn't especially promising. "I was getting ready to go on a trip to Europe," he says. "And instead, my life was interrupted by a phone call."

The call was from Mercer Law School's admissions office, informing him that a member of 1974's 1L class had withdrawn. Lipman was on the wait list. This was the day before classes started and Yom Kippur. "Did I ever pray at that particular service that night," Lipman says.

Racing to Macon, he knew only two other people in his class, including judge-to-be Wendy L. Shoob. "I had no place to stay, and I was scared to death." That first quarter was chaotic; he considered dropping out. His mettle was tested the most while taking his first exam, for Contracts I. Twenty-five minutes into it, he realized he'd taken the wrong turn on his first answer. He had to start over, or give up. He started over.

"I ended up getting the highest grade on that exam," he said. That grade, and the way it boosted his class ranking, propelled him on to Law Review. "It was a very inauspicious acceptance, but a very gratifying first quarter."

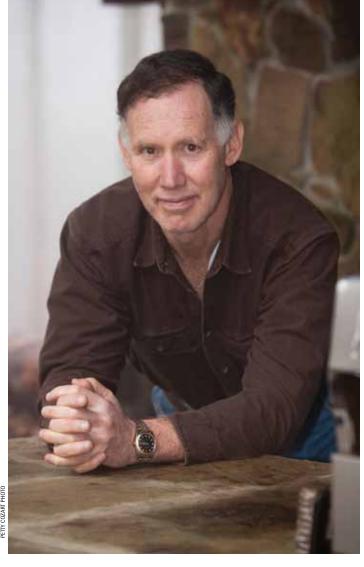
A lifelong Atlantan, Lipman graduated in 1973 from the University of Virginia with a major in government studies. At age 22, he spent a year as a policeman in Atlanta — an unlikely stop-gap for a young man who'd only attended private schools and had never seen a body. On his second day of the job, he encountered his first homicide case.

"This was a ghetto where I was assigned," he remembers. Though he expected a hushed solemnity to drape the neighborhood, "it was like an everyday affair there," he says. "There were kids playing kickball around the body."

Kids like that — underprivileged, prone to crime, often from broken homes — are much on Lipman's mind. Two years ago, he bought nearly 450 wooded acres near Ellijay, Ga., featuring two lakes, three mountains and 15 miles of trails. If all goes as planned, starting this summer they'll be enjoyed by at-risk boys and girls and their parents, who can use the site as a campground/retreat.

"I'm targeting 12- to 14-year-olds, because I think that's where the most impressionable years are," he says. "When you have wayward kids who have never left the city and never seen the forest, the wilderness cleans the spirit and the mind."

At his retreat, a nonprofit public charity with a board of directors, a family member or guardian will be with each child. There is no religious or philosophical doctrine attached to the getaway, called The



Reserve at Tri-Mountain.

Though very proud of his firm's success, "I'm taking steps to broaden my interests and take a few steps away from the practice," Lipman says. "If I can make a difference in just one or two lives, it will be worthwhile to me."

Ironically, at one point during his time as a Mercer student, his chosen legal specialty seemed unlikely: "I've never humiliated myself more than in moot court," he recalls. Asked to deliver an argument to two practicing lawyers and a professor, "I was so nervous, I thought, 'I'll never go into a courtroom, ever. It's not for me!' But lo and behold, within my first year I was trying cases."

He adds: "If it wasn't for Mercer, I wouldn't have succeeded in finding a niche I truly loved, which is helping people."

Martin Fiorentino Jr. '83

HIS JOURNEY FROM ATTORNEY TO LOBBYIST

Tell us about your background.

I grew up in Jacksonville, Fla., the son of parents that adopted me as an infant. My father worked for the railroad and died suddenly just before my 12th birthday. The loss was devastating.... When he passed away he was the president of the School Dad's Club, my scoutmaster and Little League coach. I was lucky I got to spend so much time with him at an early age. He taught me the importance of volunteering and leadership.

My mother was an educator, and after my father died she raised me and my sister on a school teacher's salary. She went back to school and got her master's degree in education and two doctorates in education and divinity. In the summers she would travel around the world doing missionary work, taking my younger sister and me along with her. She introduced me to the world and cultures I had only read about.

Describe your practice, the Fiorentino Group.

The Fiorentino Group is a full-service government relations and business development firm. And yes, we're lobbyists. We provide a broad range of consulting services to clients who want to make their voices heard, influence felt and opinions count. We have offices in Tallahassee, Jacksonville and Tampa.

I started as an attorney with CSX and moved into the management side, eventually becoming Vice President of Corporate Communications and Public Affairs. When CSX merged with Conrail I became Of Counsel at Holland and Knight and my practice quickly morphed into lobbying.

You were appointed to the board of Enterprise Florida in 2010.

I have always been interested in economic development and how it influences and shapes the world we live in. I was honored to be appointed by Governor Jeb Bush to the Jacksonville Port Authority. My work with developing Jaxport, where I served on the board for several years and as Chairman for three years, included growing the port by attracting Asian carriers to Jacksonville, which provided significant economic benefit to the city. I think that experience helped influence Governor Crist's decision to appoint me to the Board of Enterprise Florida.

You served as the Florida finance co-chair for John McCain's presidential campaign. Can you talk about the importance of politics in your life?

I have always felt that you shouldn't complain about politicians and government unless you at least voted and got involved in some



way with our democracy. In my late 20s I was asked to serve as the local chairman of Vice President Bush's presidential campaign. The president of our local City Council, Tillie Fowler, a great leader, chaired the Bob Dole campaign, and everyone followed her and supported Dole. I fell into the job by default. There I got to know Jeb Bush, who had just moved to Florida. After that I got a knack for fundraising and have been very active ever since. When President Bush was elected he appointed me Chief of Staff of the Federal Railroad Administration. Fortunately, I knew a lot about the industry. After a year and a half, the Secretary of Transportation named me Counselor to the Deputy Secretary of Transportation Elaine Chao. So you can see, the dots connect quickly in politics and I have been fortunate the dots have always connected favorably for me.

Give us a sketch of your personal life.

I have been blessed with four wonderful children and a fantastic wife. My wife Mary is a news anchor. We recently co-chaired a golf tournament for Community Hospice here with Jim and Tabitha Furyk. We've also co-chaired the St. Vincent's Hospital Foundation Heart Ball. These days we're trying to cut back and spend more time with our children, our church and our new grandson.

If an undergrad student asked you to tell them about the Law School, what would you say?

At Mercer you can interact with your professors and classmates in a beautiful Southern town. I got to know most everyone in my class and enjoyed the diversity in age and backgrounds. I believe Mercer offers a high-quality legal education with an eye toward the practical and not just the academic.

Kate Sievert Cook '02

WELL-SUITED TO A 'SUITABLE' CHOICE

Kate Sievert Cook, '02, chose to be an attorney when she was 12. Well, she had to: At that age, her Air Force officer father summoned her and informed her that she had a week to decide what her life's profession would be.

She considered accounting: "Boring — no offense to any accountant," Cook says. Medicine: "I didn't like the idea of working around blood." Or the law: "I believe 'L.A. Law' might have had something to do with the decision," she admits. "My father responded that I had made a suitable selection."

Growing up in a military family, Cook was born in the Midwest, but moved every three or four years to destinations including Alaska and Germany. Though the people and environments changed, she recalls, human behavior remained predictable.

"Most people behave, and misbehave, in very predictable ways," she says. "It underscored to me at an early age the utility and necessity of having uniform rules to govern conduct."

Yes, that sounds like a lawyer in the making.

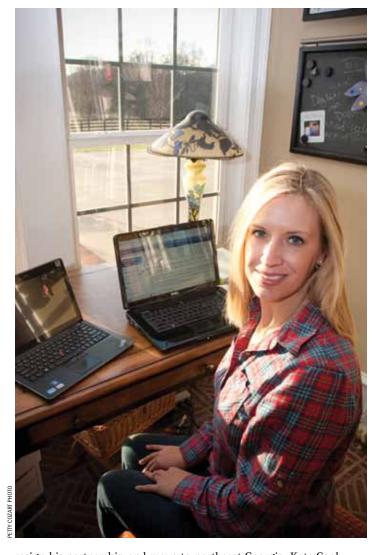
At the University of the South, Cook graduated in three years with a major in Russian (legacy of taking advanced college-level courses while still a high school student). From there, her march to law school proceeded with taking the LSAT ... which she convinced herself she'd flunked. Nope.

Following a Woodruff Scholars weekend, Cook was offered a scholarship from Mercer — and from other schools. "But I felt that the faculty and staff at Mercer had done the best in communicating with me throughout the application and scholarship process, and in taking the time to provide me with advice and introductions to notable lawyers in Georgia (all with no commitment on my part)."

After her first year at the Law School, she married graduating 3L Matt Cook and moved with him to Columbus, Ga., where he joined her now-current firm, Butler, Wooten & Fryhofer. "Mercer was wonderful in working with me to hold open my scholarship while I took a year's sabbatical to have our first child," she says. "I then resumed school and commuted daily between Macon and Columbus."

She calls Professor Hal Lewis's Civil Procedure class the most influential, "It was at 8:30 in the morning, which meant I had to leave Columbus no later than 6:45 to make sure I was there on time, but it was certainly worth every drive."

A member of the *Mercer Law Review* (2000-2002), Cook clerked for Columbus-based Federal District Judge Clay D. Land, then joined Butler, Wooten & Fryhofer. She and her husband practiced there until January 2011, when an illness in Matt Cook's family caused him to



resign his partnership and move to northeast Georgia. Kate Cook remains Of Counsel with the firm, maintaining a plaintiff's practice and working on consumer class actions. She telecommutes from their home near Gainesville, with visits back to Columbus as needed.

She's a member of the Junior League and the DAR, and a representative of the Law School on the board of Mercer's National Alumni Association. Her main focus, though, is on her three children, Madeleine (12), Caroline (8) and Ethan (3). "Their schedules are more complicated than mine at this point."

"Mercer, in my opinion and the stated opinions of several of my partners (who are not Mercer grads), produces skilled lawyers who can actually practice law upon graduation," Cook says. "Especially in these economic times, no one should be turning up their nose at the idea of a professional school that trains its students to practice within their field."

Class Notes

1968

David Sims was appointed to the Georgia Public Defender Standards Council by Georgia Gov. Nathan Deal. The council is a nine-member independent agency within the state's executive branch whose mission is to ensure that clients receive adequate and ethical legal representation.

1970

The Honorable Claude W. Hicks Jr. retired after serving more than 24 years as the first full-time U. S. Magistrate Judge for the Middle District of Georgia. Prior to his appointment, he practiced law in Macon for 15 years. He and his wife, Marilyn, will continue to reside in Macon.

Kirby R. Moore was reappointed to the Georgia Sports Hall of Fame Authority by Georgia Gov. Nathan Deal.

1975

Lynwood Jordan was appointed to the Board of Commissioners of the Judges of the Probate Courts Retirement Fund of Georgia by Gov. Nathan Deal.

1980

Judge Glen E. Ashman received the Special Recognition Award from the Georgia Council of Municipal Court Judges "for years of tireless dedication in producing and editing the Municipal Judges Benchbook." The Benchbook is used by all of Georgia's Municipal Court judges. Judge Ashman has served as a judge of East Point's Municipal Court since 1988.

Charles Andrew Fuller was appointed to the Criminal Justice Coordinating Council by Georgia Gov. Nathan Deal.

Judge M. Yvette Miller, Georgia Court of Appeals Judge, won the State Bar of Georgia's Tradition of Excellence Award for the Judiciary.

Gary A. Barnes was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Bankruptcy & Creditors' Rights Law.

Richard Gerakitis was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Labor & Employment Law.

Mary Jane Saunders was named new General Counsel to The Beer Institute in May 2011.

Linda S. Finley was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Bankruptcy & Creditors' Rights.

Jacquelyn H. Saylor was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Taxes, Estates & Trusts.

Howard S. Marks was selected as a 2011 Florida Super Lawyer. He was also selected by his peers for inclusion in The Best Lawyers in America® 2012. Marks is a partner specializing in commercial litigation at Burr & Forman LLP in Central Florida.

Allen Harris was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Family Law.

W. Lee Robinson was appointed to the Sexual Offender Registration Review Board by Georgia Gov. Nathan Deal. Robinson is the current circuit public defender for the Macon Judicial Circuit.

1986

Henry G. "Chip" Bachara Jr. was named 2012 "Construction Lawyer of the Year" for Jacksonville, Fla., by Best Lawyers. In 2011 Bachara was appointed by Florida Gov. Rick Scott to the Fourth Circuit Judicial Nominating Commission.

Frederick S. Bergen was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Personal Injury.

Andrew C. Dodgen was appointed an Associate Judge of the Juvenile Court of the Chattahoochee Judicial Circuit. Dodgen will simultaneously continue to practice law in his Columbus office, Moore & Dodgen.

Cathy Cox received the Traditions of Excellence Award for General Practice presented by the General Practice and Trial Law Section of the Georgia Bar. She currently serves as president of Young Harris College.

1987

James Sadd was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Personal Injury.

Ray S. Smith was reappointed to the Stone Mountain Memorial Association by Georgia Gov. Nathan Deal.

1989

D. Todd Markle was appointed to fill the vacancy in the Superior Court of the Atlanta Judicial Circuit by Georgia Gov. Nathan Deal.

John D. Mills released his fifth novel, The Trophy Wife Divorce.

1990

Judge Michael P. Boggs, Superior Court Judge in the Waycross Judicial Circuit, was appointed to the Georgia Court of Appeals in December 2011 by Georgia Gov. Nathan Deal. Judge Boggs was sworn in Friday, Jan. 6, in the state House of Representatives

The Honorable Lisa D. Herndon was appointed to the Fifth Judicial Circuit Court by Florida Gov. Rick Scott in November 2011.

Sarah B. Akins was appointed to the Finance Committee of the State Bar of Georgia for 2011. Akins also represents the Eastern Judicial Circuit's Board of Governors.

MaryEllen Osterndorf received recognition as a member of the "2011 Leaders in the Law" from the Florida Association for Women Lawyers. Only 25 awards are given yearly to lawyers who have made a significant impact in their local community.

Franklin J. Hoque was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Criminal Law.

Denise D. Dell Powell has been named a 2012 Lawyer of the Year in the area of Litigation - Bankruptcy by Best Lawyers. Powell is a partner with Burr & Forman LLP in Central Florida.

Bruce E. Roberts was appointed by Georgia Gov. Nathan Deal to serve on the State Court of Walker County.

Christopher N. Smith and his wife, Lyubena Smith, were presented to Her Majesty Queen Margrethe II at a dinner at the Danish ambassador's residence in Washington, D.C. Smith, a Macon attorney who serves as the Honorary Consul of the Kingdom of Denmark, traveled to Washington for a symposium at the Danish Embassy, where he made a presentation on public diplomacy.

1992

Lloyd N. Bell was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Personal Injury and General Practice/Trial Law.

Chan Caudell was appointed to the Superior Court of the Mountain Judicial Circuit by Georgia Gov. Nathan Deal.

1993

Deron R. Hicks became Inspector General for Georgia in January 2011. His office is responsible for investigating fraud, corruption and misconduct in the state's executive branch

Ann-Marie McGaughey was recognized in Georgia Trend magazine's "2011 Legal Elite" section for Business Law.

1994

James Branch married Marci Bozeman on Oct. 1, 2011, in Atlanta.

1995

David L. Cannon was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Criminal Law.

1996

James Manley Jr. was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Personal Injury.

1997

James H. Aiken was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Business Law.

Dale Klaus of the marital and family law firm Klaus Doupé PA has joined the board of directors of the Mental Health Association of Southwest Florida.

Sarah C. Serpa was named a 2011 Southern California Super Lawyer and a Southern California Rising Star in 2011 by Super Lawyers. Rising Stars recognizes the top up-and-coming attorneys who are 40 years old or younger or who have been practicing for 10 years or less.

1999

Kevin D. Astl was appointed General Counsel to Savtira Corporation, a new provider of B2B Cloud Commerce solutions.

Brett C. Bartlett was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Labor & Employment Law.

Martin Lee Kent was appointed Chief of Staff for Virginia Governor Robert F. McDonnell.

James C. Overstreet Jr. was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Bankruptcy & Creditors' Rights.

2000

Andrew R. Fiddes married Christina A. Kasper on June 18, 2011, at the Cathedral of Christ the King in Atlanta, Ga. Fiddes owns and operates The Fiddes Law Firm LLC in Atlanta and is an officer with the U.S. Coast Guard Reserve.

2001

Amy Landers May, a shareholder of Rogers Townsend & Thomas PC has been named the South Carolina Bar Young Lawyer of the Year. The award is given to the attorney under the age of 36 or with less than five years of practice who best exemplifies excellence in the legal profession and in public service.

2004

Brandon L. Peak was named a partner in the firm of Butler, Wooten & Fryhofer LLP. Peak and his wife Brooke Cottingham Peak (LAW '04) live in Columbus.

Katie M. Kelley joined Swift, Currie, McGhee & Hiers LLP in 2011. Kelley specializes in defending employers and insurers in workers' compensation claims.

Lake Jordan joined Coleman Talley LLP in 2005. He concentrates in real estate and corporate transactions, including mergers and acquisitions, business planning, entity formations, corporate governance, and state and federal trademark matters.

2005

Justin B. Connell was recognized in *Georgia Trend* magazine's "2011 Legal Elite" section for Labor & Employment Law.

Judge Martha Christian, '80, after working as a general and domestic relations attorney in Macon for 14 years, was appointed to the Macon Judicial Circuit in 1994 by then-Governor Zell Miller. Christian became the circuit's first female Superior Court judge and 13 years later became the circuit's first female chief judge. She retired at the end of 2011 and plans to move to north Georgia with her husband, a federal prosecutor, and continue working as a senior judge while enjoying retirement.

Richard A. "Doc" Schneider, '81, a senior litigation partner with King & Spalding in Atlanta, has become a Fellow of the American College of Trial Lawyers, one of the nation's premier legal associations. The College comprises the best of the trial bar from the United States and Canada. Fellowship is by invitation to lawyers with at least 15 years' trial experience who have demonstrated exceptional skill as advocates, and whose professional careers are distinguished by the highest standards of ethical conduct, professionalism and civility. Schneider is one of the nation's leading class action defense lawyers and has served as lead trial counsel in two of the largest tobacco product liability class actions ever tried.

Anton F. Mertens, '87, completed the Ironman World Championship in Kailua-Kona, Hawaii, on Oct. 8, 2011. After 16 hours, 17 minutes and 59 seconds, he'd swum 2.4 miles, biked 112 miles and run 26.2 miles, all under the 17-hour deadline. Waiting at the finish line were his wife Margaret and children Anton, age 9, and Madeleine, age 7. Anton raced in memory of his father, who died of cancer in 1993, and raised \$10,000 for the American Cancer Society.

Lauren Giddings, '11, of Laurel, Md., died June 30, 2011. Her many family members from Maryland and elsewhere, all sectors of the Mercer law school community, and others filled St. Joseph's Catholic Church in downtown Macon on July 9, 2011, for a mass in her memory. Lauren's classmates are in the process of raising funds for a new Law School sign for the front lawn that will include a bronze plaque in honor of Lauren (pictured below with parents Karen and Bill Giddings).



Class Notes

David R. Cook Jr. has been named a partner at the law firm of Autry, Horton & Cole LLP. Cook's practice focuses on construction, energy and tax law, with specialties in the development of renewable energy projects and public owner construction matters.

2006

Rebecca McKelvey, an associate at Stites & Harbison PLLC in Nashville, Tenn., joined the Board of Directors of the Tennessee Justice Center.

2007

Amanda Kent Smith and Ken Smith announced the birth of their daughter, Lacey Elizabeth, born Sept. 5, 2011.

2008

Eric L. Trivett was elevated to partner at Speed, Seta & Waters LLC.

2009

Leah C. Fiorenza joined the firm of Bryan Cave LLP in Atlanta as an associate to practice in the areas of commercial litigation and bankruptcy, restructuring and creditors' rights.

2010

Matt Wetherington has joined the law firm of Conley Griggs LLP as an associate attorney.

Jessica P. Morgan joined the firm of Swift, Currie, McGhee & Hiers LLP in September 2010 and practices in the areas of insurance coverage, arson and fraud and civil litigation.

Song Chun Kwon joined the firm of Bryan Cave LLP in Atlanta as an associate in the Transactions Client Service Group. He focuses his practice on mergers and acquisitions, corporate finance, and corporate governance.

2011

Jason M. Wilbanks married Judy Jones in Brunswick on Aug. 6, 2011.

In Memory

1940s

Ralph U. Bacon, '48, of Statesboro died July 3, 2011.

Charles A. Scholz, '49, of Quincy, III. died Nov. 29, 2011.

1950s

Dubignion Douglas, '51, of Dublin died Sept. 13, 2011.

Primus Seale Hipp, '51, of LaGrange died Oct. 3, 2011.

Henry R. Smith, '51, of Augusta died July 23, 2011.

1960s

John Milton Harrison, '60, of Eastman died July 15, 2011.

Alan B. Smith, '60, of Brunswick died July 27, 2011.

Richard Bridges, '60, of Thomaston died Nov. 29, 2011.

Coy M. Kiser Jr., '65, of Waynesboro, Va. died Jan. 28, 2012.

1970s

Thomas R. Eason, '70, of Poulan died Nov. 26. 2010.

Fred Amsler Miller Jr., '72, of Eastman died Sept. 14, 2011.

Horace L. McSwain III, '74, of Macon died Sept. 7, 2011.

Berry B. Earle III, '79, of Thomasville died June 4, 2011.

1980s

Larry E. Sikes, '86, of Hilliard, Fla. died March 5, 2011.

1990s

Ronald W. Tigner, '91, of Atlanta died Oct. 21, 2009.

Philip M. Walden Jr., '92, of Atlanta died June 7, 2011.

2000s

Michael Lawrence Scheve, '06, of Delray Beach, Fla. died Aug. 27, 2011.

2010s

Lauren Giddings, '11, of Laurel, Md. died June 30, 2011.

Professor Reynold Kosek: Human Treasure 1947 - 2012

by Professor Harold S. Lewis Jr.

"Gentle, considerate, caring." These may not have been the first three adjectives to occur to generations of Mercer students who found themselves facing Professor Reynold J. Kosek Jr. across a podium in Contracts or Remedies. "Fearsome, imposing, intimidating" may have sprung more readily to mind.

But they learned, as did we all. In a school that places paramount importance on legal analysis and writing, Reynold insisted relentlessly on precision in thought and speech — the necessary antecedents of good writing. His students lost sight of this at their peril. But in a school that justly prides itself on emphasizing professionalism, he was also the consummate professional. He treated each of his students with respect. He manifested that respect by expecting each to do his or her very best. In the same degree he exemplified fairness. Hence the students' appreciation for his many years of service as honor court justice and honor code drafter.

More than anything, the entire Law School community — students, staff, faculty, and alumni — came to appreciate and ultimately love him for his kindness. So often it was what Reynold might have said, but didn't, that mattered the most. In his last days at the Law School in 2010, the student body's love for him literally overflowed the building as students lined the hallways to pay tribute to a master teacher and friend.

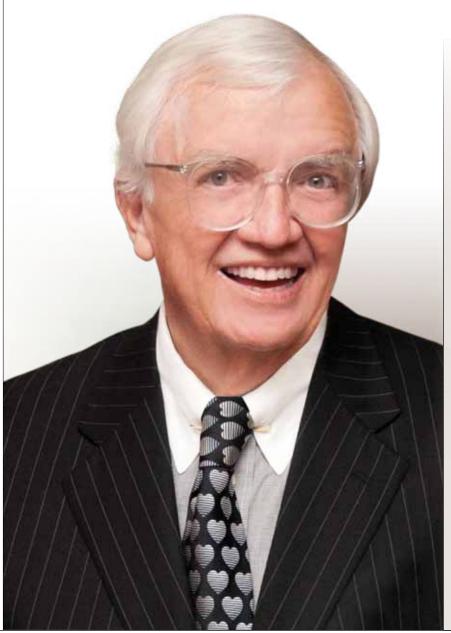
He is irreplaceable. We miss him every day. There will never be another. And we will never forget him.



At the 2010 commencement, the Distinguished Professor Award was renamed the Reynold J. Kosek Excellence in Teaching Award in honor of Professor Kosek.

For Reynold's full obituary, visit law.mercer.edu/kosek.





Bob Steed, B.A. '58, Ll.B. '61 and Ll.D. '79, is one of the few people to hold three degrees from Mercer University and has become one of the most influential figures in the University's recent history. Known for his quick wit, he is an acclaimed author, having written several books published by Mercer University Press. He is a senior partner at world-renowned law firm King and Spalding, where he has practiced law with great distinction for many years.

Steed was a key player in arranging the purchase at a very affordable price of the current Law School building in 1976.

For his service to the University, which includes five years as chairman of the board of trustees, he was named a Life Trustee, a designation given to only nine individuals in Mercer's 179-year history. "Mercer Law has always had great graduates and offered excellent programs for growth as a student and alumnus," says Steed. "We have a great student-teacher ratio and a great legal writing program, which brings honor to the Law School. Now is an especially good time to give."

Steed has often said that he feels a duty to support the institution that prepared him for a life of achievement. He strongly encourages his fellow alumni to join him in helping ensure that the Law School has the financial resources needed for continued success.

Gifts to Mercer Law make a difference in the lives of students and the quality of legal training they receive. For more information about giving to the Law School, please contact the Office of University Advancement at (800) 837-2911, ext. 2180.





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