

MERCER LAWYER

IN MEMORY
AND HONOR OF
LEGENDARY ALUMNUS

Frank C. Jones

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INSIDE

D RUTH DRAKE FIELD HOUSE

Scene from Macon

Mercer's football team held an intrasquad scrimmage during Homecoming 2012. The weekend's events also featured the dedication of Drake Field House, for which Judge Homer Drake, CLA '54 and LAW '56, and his wife, Ruth, CLA '59, made the lead gift.





COVER STORY

8 Remembering a Mercer Legend

Frank C. Jones, one of the most distinguished graduates in Mercer University's long history, passed away at the age of 87 in August 2012. Jones was a 1950 graduate of the Law School and was widely considered one of the Southeast's premier trial lawyers.

At his death, he was a member of both the Law School's Board of Visitors and the University's Board of Trustees.

FEATURES



12 Intense Boot Camp for Defense Attorneys

Criminal defense attorneys from across the United States travel to Macon every summer to attend the highly acclaimed National Criminal Defense College. Thanks to longtime Mercer Law Professor and NCDC Dean Deryl Dantzler, NCDC has provided invaluable training for three decades.



16 Mercer Law Review Symposium

This year's annual symposium tackled the cutting-edge issue of Federal Prosecutors' duty to disclose exculpatory evidence. The symposium brought together a distinguished group of experts from the Department of Justice, Federal Defenders offices, private defense bar, academia and the federal judiciary.

Mercer Law's Second Amendment Society raised \$3,100 for Child Life Services of Georgia through their Eighth Annual Charity Skeet Shoot held last spring. More than 75 students, attorneys, judges and their guests attended the skeet shoot to help raise money for Child Life Services – a non-profit organization devoted to helping children and their families overcome fears and anxieties associated with in-patient medical care.



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Father Thomas Healy '80 celebrates 45 years as a Catholic priest.

Mary Jane Saunders '81, general counsel of The Beer Institute, discusses hops, barley, legislation and regulations.

Bryan Anderson '92, vice president for governmental affairs for the Southern Company, balances policy, customer needs and hockey games.

Reunions

Class Notes

In Memory

MERCER LAWYER

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FROM THE DEAN



Dear Alumni,

Today is a time of both challenge and opportunity for law schools. Largely in response to trends in legal employment, the number of applicants to law school has declined nationally by roughly a quarter over the past two years. The downturn in law jobs may have run its course. Yet, the number of law school applicants may continue to decline nationally for another couple of years, and it may never reach the heights of several years ago. Although Mercer Law School continues to receive many more applications than it has seats to fill, the time is ripe to reconsider the optimal size of our entering class.

In its current strategic plan, adopted in 2008 when the number of law school applicants was still on the rise nationally, the Mercer law faculty announced a goal of reducing the target size of the entering class from 150 to 135. According to the plan, the proposed reduction "maximizes the opportunities" for an education that "is personal, occurs in a supportive environment, and involves faculty and student interaction outside of the classroom." It also "increases the selectivity of admitted applicants," thereby bringing to the school "the students who can best enrich the Law School community." In the years since the strategic plan was adopted, as the job market has tightened, another benefit of reducing class size has become more important: it increases the likelihood that the law school will be able to place all or almost all of its graduates.

With market forces now encouraging us to move in the direction charted by the 2008 plan, we should seize the opportunity and reap the benefits of a smaller class. The lost tuition payments are no small cost to absorb, but I am confident that we can successfully absorb the cost by a combination of strategies. Growing the LL.M. enrollment, developing new program initiatives, and trimming inessential expenditures all hold significant promise. The key to success, however, lies in increasing substantially both endowed and annual-fund gifts.

One of the joys of serving as dean here is the opportunity to experience first-hand the great enthusiasm and affection that so many of you, its graduates, have for the school. This is a wonderful law school. I firmly believe that with your assistance, it will achieve even greater distinction in the years ahead.

Best wishes,

Gary J. Simson, *Dean and Macon Chair in Law*

SEPTEMBER 2012

Annual Brainerd Currie Lecture

Erin O'Hara O'Connor, Milton R. Underwood Chair in Law at Vanderbilt Law School (far right in photo), delivered the second annual Brainerd Currie Lecture on "How Choice Has Killed the Private Attorney General."

An article by Professor O'Connor based on her lecture will appear in the Spring 2013 issue of the *Mercer Law Review*. She is the author of *The Economics of Conflict of Laws* and the co-author of a conflict of laws casebook. She has also published various articles in the field.



ROGER IDEN PHOTO

SEPTEMBER 2012

Constitution Day

Douglas Laycock (photo right), Robert E. Scott Distinguished Professor of Law and Professor of Religious Studies at the University of Virginia, presented "The Constitution and the Culture Wars — with Special Attention to the Religion Clauses" at Mercer Law School's Constitution Day celebration on Sept. 21.

Professor Laycock is one of the nation's foremost scholars on the First Amendment's Establishment and Free Exercise Clauses. He recently published the first two volumes of a planned four-volume work titled *Religious Liberty*, and he has authored numerous articles on the subject. He also has won acclaim for the many religious liberty cases that he has argued successfully in the courts.



ROGER IDEN PHOTO

OCTOBER 2012

Court of Appeals

On Oct. 3 the Georgia Court of Appeals heard oral arguments in the moot courtroom of Mercer Law School. The annual visit provided an opportunity for students and the local community to observe Georgia's intermediate appellate court in action.

The panel hearing cases at the Law School included Presiding Judge Herbert Phipps, Chief Judge John Ellington and Judge Stephen Dillard.

OCTOBER/DECEMBER 2012

Faculty Development: Jim Marshall & Jessie Hill

In October, Hon. Jim Marshall (far right in photo) spoke to faculty members about his current job as president of the U.S. Institute for Peace. In addition to speaking at the Law School, Marshall was the keynote speaker at the Annual Concerned Philosophers for Peace conference, hosted by Mercer this year. Marshall was previously on the faculty of Mercer Law School, and subsequently served as Mayor of Macon and as U.S. Congressman for the district.

In December, Jessie Hill (inset), Associate Dean for Faculty Development and Professor of Law at Case Western Reserve, spoke to faculty on the working draft of her article, "Parens Patriae: Minors' Rights to Bodily Integrity vis-à-vis Parent and State." Professor Hill has published and spoken often in the areas of constitutional law and reproductive rights.



ROBERT IDENBEN PHOTO; PHOTO COURTESY, JESSIE HILL

Outstanding Bar Passage Results Announced

The state bar authorities announced that 93.1% of Mercer law graduates taking the Georgia bar exam for the first time in July 2012 were successful. This is the third highest passage rate for the July Bar over the last decade.

NOVEMBER 2012

Annual Legal Ethics and Professionalism Competition

On Nov. 16 and 17, Mercer Law School held its Third Annual Legal Ethics and Professionalism Moot Court Competition. Established by the Mercer Advocacy Council in 2010, the competition holds the distinction of being the first in the nation to have legal ethics and professionalism as its focus.

The University of Georgia prevailed over 22 teams from across the nation. The final round was judged by two Mercer Law alumni — Georgia Court of Appeals Judge Michael Boggs, J.D. '90 (left in photo), and Federal District Court Judge Richard Mills, J.D. '57, of the Central District of Illinois — Federal District Court Chief Judge Lisa Wood of the Southern District of Georgia, Mercer Law Dean Gary Simson, and Daisy Floyd, former dean and current University Professor of Law and Ethical Formation (right).



AMY MADDOX PHOTO



STEVE SCHROEDER PHOTO

Oren Griffin Appointed New Associate Dean for Academic Affairs

On July 1, 2012, Associate Professor of Law Oren Griffin began his appointment as Associate Dean for Academic Affairs. Griffin has been a member of the Mercer Law School faculty since 2006. In announcing the appointment, Dean Simson said, "In my time here, I have had the pleasure and privilege of working closely with Oren on a number of occasions, particularly on faculty appointment matters, and I look forward with great enthusiasm to the superb work that I know he will do. The Mercer Law community is extremely fortunate to have someone of Oren's abilities and talents ready and willing to take on the position." Griffin made clear his eagerness to take on the new challenge, saying, "This is a wonderful opportunity to serve the Law School and students."

Griffin's teaching and scholarly interests include employment law, civil procedure, alternative dispute resolution and education law. He has significant experience in private practice representing educational institutions and for-profit organizations in federal and state courts. Griffin earned his law degree from Washington and Lee University and a Ph.D. in Higher Education Administration and Policy Studies from the University of Iowa. Additionally, he holds an M.A.E. from the University of Northern Iowa and a B.S. degree from Southern University at New Orleans.

Two New Senior Staff Hired

During the first two months of the 2012-2013 academic year, Dean Simson announced the addition of senior staff members to the Office of Admissions and Financial Aid and the Office of Career Services.

Christine Guard (left photo), director of career services, is a graduate of Tulane Law School. She spent the last 13 years as a practicing attorney in Florida. In the past few years, she worked both as an Assistant Attorney General with the Florida Attorney General's Criminal Appeals Bureau and as a J.D. Placement Advisor at Florida State University College of Law. In her current role, she primarily focuses on revamping the Career Services Office's development programming and materials.

Natalie Sundeen (right photo), assistant director of admissions, is a 2012 *cum laude* graduate of Mercer Law. Her principal focus is helping ensure the successful implementation of the Law School's new recruitment and communication plan. She works closely with both Admissions Dean Marilyn Sutton and Financial Aid Director Leah Aiken.



ROGER DEGEN PHOTOS



Mercer Law Professor Hal Lewis Retires After 35 Years of Teaching



SALVIA-JONES PHOTOGRAPHY

Left to right: Richard Gerakitis, '81, Professor Hal Lewis, Professor Emeritus Joe Claxton, Judge Marc Treadwell, '81, and Jerome L. Kaplan, '61

Harold S. Lewis, Walter F. George Professor of Law, retired at the end of the fall semester after teaching for 35 years at Mercer Law School. The Law School held an event in November in the Atlanta offices of Troutman Sanders to celebrate Lewis's career. The event simultaneously honored Lewis's dear friend, the late Charles A. Mathis Jr., who was a student in Lewis's first Employment Discrimination class at Mercer Law. After graduating in 1978, Mathis joined forces with Lewis in several long-running cases. Several months after Mathis's death in 2011, Lewis spearheaded the creation of the Charles A. Mathis Jr. Scholarship Fund. The Fund is designed to help provide financial assistance to a law student who aspires to a career in civil rights or civil liberties, with

a preference for students from Middle Georgia. The reception featured remarks by three of Lewis's former students — Troutman Sanders partner Richard Gerakitis '81, King and Spalding partner Dwight Davis '82 and Federal District Judge Marc Treadwell '81. As Dean Simson later wrote to the University Provost and Trustees in nominating Lewis for the honor of emeritus status, "Very simply, if Hal's career is to be evaluated in terms of quality of teaching, scholarship and institutional service, he gets straight A's."

To contribute to the scholarship fund, contact Leslie Cadle, Associate Director of Development and Director of Alumni Affairs, at (478) 301-2180 or cadle_l@law.mercer.edu.

MERCER REMEMBERS LEGENDARY ALUMNUS FRANK JONES 1925–2012

IN MERCER LAW SCHOOL'S LONG HISTORY, FRANK C. JONES, WHO PASSED AWAY IN MACON ON AUG. 29 AT AGE 87, SURELY RANKS AMONG ITS VERY MOST EMINENT AND ESTEEMED GRADUATES. THROUGHOUT HIS MORE THAN HALF A CENTURY OF PRACTICE, HE WAS WIDELY CONSIDERED ONE OF THE SOUTHEAST'S PREMIER TRIAL LAWYERS.

At the time of his death Jones was continuing a lifelong commitment to serving his community and his alma mater. Among other things, he was serving on both the Law School's Board of Visitors and the University's Board of Trustees.

"Frank Jones lived a full and meaningful life," Mercer President William D. Underwood said following the attorney's death. "He made a difference in his community and in the lives of his loved ones, clients, and >> *Continue on page 10*



PHOTO COURTESY OF JONES FAMILY



Left to right, Jones as an eagle scout in 1938, as an ensign in the U.S. Naval Reserves in 1945, and as newly wedded husband of Annie Gantt Anderson on March 31, 1951.

Jones (third row, fourth from left), pictured with various of his King & Spalding colleagues as well as executives of SunTrust Bank and Coca-Cola Corporation.



many friends. And he tirelessly served the institutions he loved. Frank was among Mercer's most distinguished and faithful alumni. He will be missed."

Educated in Bibb County public schools and ranking as an Eagle-level Boy Scout, Jones graduated from Lanier High School. He served for three years during World War II in the Naval Reserve, spending his last year during that period as an original crew member of the USS Midway, CVB-41. He was honorably discharged with the rank of Lieutenant.

After earning his bachelor's degree at Emory University, Jones returned to Macon and enrolled at the Law School, where he served as the *Law Review's* editor-in-chief. In 1950, the year of his graduation, he joined the Macon law firm — now known as Jones, Cork & Miller, LLP — that was co-founded in 1872 by his great grandfather Isaac Hardeman. His father and grandfather had also practiced there.

More than once during more than 25 years at the firm, he was courted by Atlanta-based King & Spalding. Family duty, however — especially in the wake of his elder brother Baxter's death in the 1962 Orly Airport crash of the plane carrying Atlanta's arts leaders — kept him in Macon until 1977. That's

when the courtship resumed, with a special effort being mounted by fellow Law School alumnus Griffin Bell as Bell prepared to leave the firm to become Attorney General for the Carter administration.

"Later, Judge

Bell was often heard to say that the best thing he ever did for K&S was to get Frank," said King & Spalding colleague Chilton Davis Varner in comments she delivered at Jones's funeral.

Jones served as chairman of the policy committee and head of the litigation department for King & Spalding. With Bell and other attorneys there, he established the Frank Cater Jones Endowed Scholars Fund to provide scholarships to attract and retain outstanding law students. He also was instrumental in



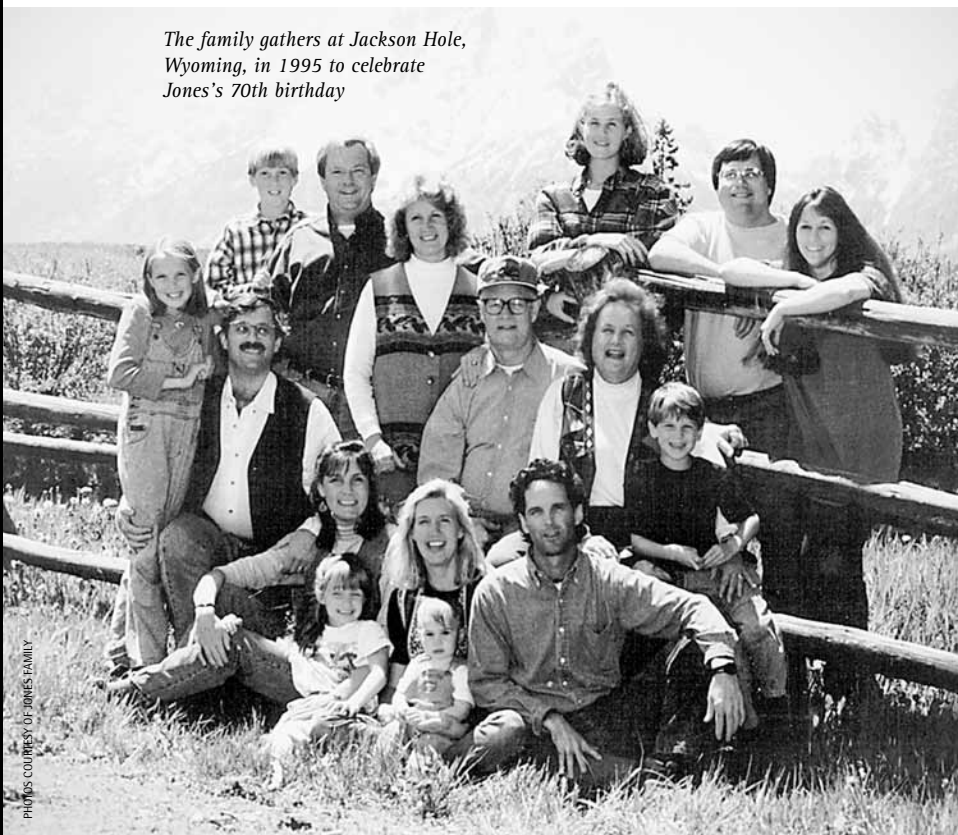
Jones serves as a judge in a mock trial competition at Mercer Law School.

the acquisition for the Law School of the grand building that the school has occupied for the past three decades.

A glance at Jones's career attests to his lifelong commitment to legal organizations on the local, state and national levels. For more than two decades he was a member of the House of Delegates of the American Bar Association. He served as president of the Macon Bar Association, the Young Lawyers Section of the Georgia Bar Association, and the State Bar of Georgia. A fellow of the American College of Trial Lawyers, he was elected its president in 1993. He was a trustee of Emory University and of Wesleyan College, where his 30-plus years of service included chairmanship of the board for six years starting in 1980.

Of the citations Jones earned, there's scarcely room to include but a few: the Distinguished Service Award for the State Bar of Georgia; Outstanding Alumnus Award from his legal alma mater in 1995; and an honorary Doctor of Laws the following year for his contribution to Mercer University and the legal community. In 1998 the Georgia Chapter of the National Society of

The family gathers at Jackson Hole, Wyoming, in 1995 to celebrate Jones's 70th birthday



PHOTOS COURTESY OF JONES FAMILY

Excerpts from King & Spalding's memorial tribute to Frank C. Jones

"Frank Jones was a giant among men. He was admired and respected for his love of family, his country and the legal profession. Our state and our nation have lost a true patriot. I have lost a dear, dear friend and confidant in whom, time and again, I placed faith, trust and confidence, and by whom I was always rewarded."

— **Saxby Chambliss,**
U.S. Senator from Georgia

"As a member of the Greatest Generation, he held our enemies at bay, came home and rebuilt his section of the country after the war. Frank did this knowing that, if we stayed the course, our children and grandchildren would have a great, safe place in which to live for the short time we have on this earth."

— **Carr G. Dodson,**
partner, Jones, Cork & Miller LLP

"One of the greatest events in our 125-plus years was that Frank joined the firm. It was my good fortune to work with him on many issues for King & Spalding. They were all tough jobs but, thanks to Frank, we came out on top. [He] was a hero by any standard and his coming to King & Spalding made all of us very proud."

— **Robert L. Steed,**
retired King & Spalding partner

"Practically any litigation lawyer at K&S could tell stories about the way Frank Jones had influenced his or her career. I can't tell you how many times over the years I have stopped to ask myself, 'Is this the right thing to do?' or better yet, 'What would Frank do?' He has made every one of us raise the caliber of our game."

— **Dwight Davis,**
King & Spalding partner

"Frank was just a beautiful lawyer. None of us — not one — can ever remember seeing Frank make a mistake. He was always immaculately prepared. He would never have believed he could or should proceed on his considerable wits alone. He had to be better. And he taught that to so many of us."

— **Chilton Davis Varner,**
King & Spalding partner

"Frank Jones was a lawyer and mentor to the end. [He] was a straight arrow shot true and clear across the skies of 87 years. We were a lucky bunch to walk by his side."

— **Doc Schneider,**
King & Spalding partner

Fund Raising Executives named him Volunteer Fundraiser of the Year. While in Atlanta he chaired the board of Emory University's Michael C. Carlos Museum, headed the Atlanta Symphony Orchestra League and was a longtime member of the board of trustees of the Carter Center. That's not to mention either the substantial pro bono work he performed or the decades he was a teacher of Bible classes in his lifelong church, Vineville United Methodist.

In 2001 Jones retired as an active partner at King & Spalding and returned to Macon and his family-built law firm,

where he continued to practice of counsel.

"Although I believe words like 'superstar' and 'giant' are used too freely today, Frank truly was a legal superstar and a legal giant," Gary Simson, dean of the Law School, said in the wake of Jones's passing. "The imprint that he has left on the legal profession and on our system of justice is extraordinary. No less remarkable is the grace, modesty and humanity with which he did it. As a person, he was a superstar and giant as well. His passing is a very sad day for the Law School."

NATIONAL CRIMINAL DEFENSE COLLEGE

As any good attorney knows, failure or success comes down to details – even a detail as small as a coffee cup.

It's July, the start of 2012's second session of the Trial Practice Institute. Deryl Dantzler, dean of the National Criminal Defense College, stands under the unblinking gaze of the framed, painted judges lining the walls of Mercer Law School's primary courtroom. She runs through a couple of housekeeping notes to the bustling audience of eager attorneys who've come to Macon from around the country.

Don't lose your name tags, she tells them. As for the coffee cup, emblazoned with an NCDC logo that each participant has received, "You only get one," she stresses in the parchment-dry drawl that identifies her immediately. "And use the lid."

There's history to that remark – nearly 30 years' worth. When NCDC first began running its Trial Practice sessions in the Law School in 1985, "There were a few times in the early days when I would get a lot of flack for stains on the carpet," Dantzler explains. "People would slosh their coffee. So, for a few years, NCDC paid to clean the hall carpet after each summer."

"The NCDC faculty member Martin Sabelli came to Argentina and gave a great seminar to the criminal lawyers of my city, Rosario. I'm so glad and happy! Thank you NCDC!"

— **Malena Corvalan**, Rosario, Santa Fe, Argentina



PHOTOS BY SALDIVIA-JONES PHOTOGRAPHY

"I want to give a mid-January morning shoutout to NCDC and the Jedi Mind Tricks method of cross-examination. Had a Motion to Suppress in Circuit on Tuesday. I was able to put together a tight constructive cross, and made an affirmative case of unreasonable search & seizure and inadmissible un-Mirandized statements at a hospital, all through an unintentionally cooperative police officer. The OPD in Queen Anne's County, Md., thanks you, NCDC faculty and classmates."

— **Joe Pappafotis**, Baltimore, Md.

Maybe that coffee is to blame for the energy on display. From an outside perspective, the process of teaching, challenging and training two groups of 96 attorneys each summer can resemble an attempt to herd a particularly intelligent but willful band of cats. (No offense to Linkon, the stoically ferocious mascot cat who keeps neighborhood watch from the windowsills of NCDC headquarters on Orange Street.)

The Trial Practice program draws defense lawyers from all zip codes. The cars in the shimmering-hot Law School parking lot sport license plates from Tennessee, South and North Carolina, Alabama, Mississippi, Florida, Kentucky, Indiana and Texas — vehicles of people close enough to drive here on their own speed.

Inside the courtroom, accents (among faculty and participants alike) encompass a broader geography. Massachusetts, Connecticut, places in the cool northeast where anybody sane would stay, rather than undergo the deep swelter of a Macon summer.

Maybe so, but slots for the Institute are competitive. For good reason. Molly Hastings, from the Missouri State Public Defenders, is pretty typical in her written praise following her participation. A small excerpt:

“[It] was my best two weeks on the planet, hands down. I

could go on and on about the incredible faculty and amazing risk-free practice you get at this program. I could talk forever about what I learned, about the support of my instructors and classmates, and about the confidence I left with. But nothing I could say would do it justice.”

Inside the courtroom on this first day, one instructor rapidly succeeds the next. First, Tony Natale from Miami’s Federal Defenders Office — dapper suit, a shock of white hair — asks the roomful of lawyers to close their eyes and consider two words, “auto accident,” then raise their hands when they visualize it clearly.

Oh, but first he asks if anyone is offended by bad language. This prompts some joker near the back to lob the F-word at him. Laughter erupts.

Later, Wisconsin attorney Keith Belzer runs through three important steps for communicating with a jury, stressing the importance above all for a lawyer to convey to jurors an ingrained belief in the client’s innocence. “Sometimes it takes a little stretch to get to that place,” he says, “but you will get there, I promise.”

No laughter this time. But the energy in the room is palpable. It will surge and recede during intensive sessions of hands-on exercises, lively discussions in the courtroom or tipsy

“I highly recommend NCDC and lovely Macon to all defenders.”

— Michael Marley, New York City, N.Y.

Several Mercer Law students get the opportunity to work for NCDC every summer. They gain valuable insight into criminal defense practice and meet practitioners from across the country.

*Left to right:
Chance Hardy, Jessica Lee,
Belle-Anne Bowen,
Alveta Summers, Adam Miller*



dancing after-hours at the host hotel ("the palatial Ramada," in Dantzler's words) — but that energy will sustain itself for 14 days.

Affiliated with Mercer but largely independent, NCDC is an outgrowth of the defunct National College for Criminal Defense, which was based in Houston, Texas. It was funded by the Law Enforcement Assistance Administration (LEAA), and administrative control was shared by NACDL (National Association of Criminal Defense Lawyers), NLADA (National Legal Aid and Defender Association) and the ABA. Dantzler participated in its trial program in 1974, returned the following year as a junior staffer and became a faculty member in 1976.

The college closed its doors due to loss of government funding in 1983 when the LEAA was abolished. Dantzler continued as a program director for one year in San Diego, funded by NACDL. Then the college reconstituted as the one now known as NCDC, and sought a new home.

"A lot of places wanted it, including some of the big names — Virginia, Harvard," Dantzler says. "But all of them wanted to fold it into their own CLE programs, and they would have ended up populating the faculty primarily with their own law school faculty. Mercer was the one place that was willing to be completely hands-off, to not interfere with the internal operation of NCDC, the selection of faculty, and so forth."

"Yesterday was my first trial since NCDC and it ended with an acquittal on a defense that my boss thought was ridiculous and had essentially no chance. I have never felt so comfortable and at home in court in my life. That is only true because of the experience I had in Macon and to the enthusiasm my new friends have given me. Thanks from the bottom of my heart for helping me save this client from conviction!"

— Justin Rosas, Medford, Ore.

"The chance to learn from and be with the best practitioners from around the country who are also the best human beings you could ever hope to know is a very special gift. I am deeply ashamed of my weak skills and incompetence and this week has been both exhilarating and utterly flattening. I thank you all for the lessons you have taught me."

— V. Michelle Parry, Birmingham, Ala.

"Guilty on one count, NOT GUILTY on 284 counts. Two NCDC alums on the defense team including myself. Thanks for all of your help and support! The rule of law won a terrific victory last night and we should all be proud!"

— Michael Bachrach, New York City, N.Y.

"This place and the people that come here are awesome — the best!"

— Royve Brent Bishop, Miami, Fla.



PHOTOS BY SALDIVIA-JONES PHOTOGRAPHY

As it continues to draw an ever-changing roster of preeminent defense practitioners from around the nation, Dantzler, an alumna and faculty member of Mercer Law School herself, has been the sole constant since the college's arrival in Mercer's orbit. Her favorite personal description of her role at NCDC: "Keeper of the Flame."

"We started with the pledge and commitment to never ask for or accept government money," she says. "We would not be dependent on any single entity. Mercer, by making the space available and supporting me, is the only real, primary benefactor. Everything else is run off tuition."

The mutually beneficial relationship has deepened with the

inauguration of the Law School's LL.M. program. The longtime presence of NCDC at Mercer served as a kind of anchor for the creation of the Master of Laws Degree in Federal Criminal Practice and Procedure, which addresses the law from both defense and prosecutorial sides.

If the LL.M. is brand new, NCDC is aging well. Some of the lawyers it now trains were mere toddlers during the first summers of the Trial Practice Institute. And, for the record, NCDC hasn't had to pay a carpet-cleaning bill in a long time. The newer participants know how to keep a lid on their coffee cups.

Dantzler says, "Our people now may be a little better behaved than earlier generations were."

"My first post-NCDC jury trial. My first post-NCDC not guilty. Thanks for everything NCDC!!!"

— Carl Folsom, Lawrence, Kan.



LAW SCHOOL HOSTS CONFERENCE ON FEDERAL CRIMINAL PRACTICE & ETHICS

On Oct. 5, 2012, the Law School hosted a conference titled “Defining and Enforcing the Federal Prosecutor’s Duty to Disclose Exculpatory Evidence.” The conference was the *Mercer Law Review’s* Annual Symposium for the 2012-13 academic year, and it provides the basis for a collection of articles that will appear in the *Law Review*. In addition, the conference was the 13th Annual Georgia Symposium on Ethics and Professionalism – a symposium that rotates annually among four of Georgia’s five law schools and that is funded by an endowment created as part of a settlement agreement.

Patrick Longan, who holds the Law School’s William Augustus

Bootle Chair in Professionalism and Ethics, organized the event with assistance from his Mercer Law colleague Professor Jim Fleissner, the chief architect of the Law School’s LL.M. program in Federal Criminal Practice and Procedure. Longan cites two reasons for the choice of topic:

“The first reason was to make a significant contribution to the ongoing and intense national debate that was spurred by several admitted failures by the Department of Justice to meet its obligation to disclose exculpatory evidence, most notably in the prosecution of former U.S. Senator Ted Stevens,” Longan explains.

The second was to draw attention to the LL.M. program, which enrolled its first class this fall. The program is not only Mercer’s first LL.M. program, but also the very first of its kind in the country.

The symposium brought together from across the nation a distinguished group of experts in legal ethics and federal criminal practice. They came from the Department of Justice, Federal Defenders offices, the private defense bar, academia and the federal judiciary.

“The keynote speaker, Andrew Goldsmith, who is national criminal discovery coordinator for the Department of Justice, argued that the status quo, including recently expanded Department training programs, adequately ensures a fair process.” Longan says. “Speakers on the four symposium panels offered a variety of perspectives on how to define the federal prosecutor’s duty and how best to enforce the law when

*Bruce Green,
Fordham law
professor, opens
the symposium.*



ROGER IDENBEN PHOTOS



Front row: Joseph Colwell, Bruce Green, Bennett Gershman, Roberta Flowers, Patrick Longan; back row: Joe Shelley, Rory Little, Kevin McMunigal, Peter Joy, Jennifer Laurin

prosecutors fail to fulfill their duty.”

The daylong symposium included four sessions. “Federal Criminal Discovery Reform: A Legislative Approach” featured Bruce A. Green, Louis Stein Professor of Law at Fordham. Bennett Gershman, professor of law at Pace, headed “Lessons from the Schuelke Report.” Kevin C. McMunigal, Judge Ben C. Green Professor of Law at Case Western Reserve, was lead speaker for “Punishment vs. Education: Do We Have to Choose?” The final session, “‘But What Exactly Do You Mean?’ The ABA Criminal Justice Standards and the Challenges of Implementation,” featured Rory K. Little, professor of law at University of California-Hastings.

According to Longan, the final session underlined the wisdom of a key aspect of Mercer’s LL.M. program. “The fourth panel involved voices from the defense and prosecution perspectives agreeing that training of prosecutors and defense lawyers might

be enhanced by programs that train them together or in ways that improve the appreciation of the role and viewpoint of the opposing side,” Longan says. “On this score, Mercer’s LL.M. program may be ahead of the curve, since it is designed to train prosecutors and defense lawyers side by side.”

The panels included as commentators Professor Fleissner; Peter Joy, Henry Hitchcock Professor of Law and Vice Dean at Washington University; Hon. Marc T. Treadwell, U.S. District Judge for the Middle District of Georgia; Atlanta attorney Seth Kirschenbaum; Jennifer E. Laurin, assistant professor of law at the University of Texas; Roberta K. Flowers, professor of law at Stetson; Cynthia Roseberry, director of the Federal Defenders Office for the Middle District of Georgia and professor of federal criminal practice in Mercer’s LL.M. program; and Charysse L. Alexander, executive assistant U.S. attorney for the Northern District of Georgia.

Dan Bradley

Class of 1967

By Joseph E. Claxton, *Professor Emeritus*

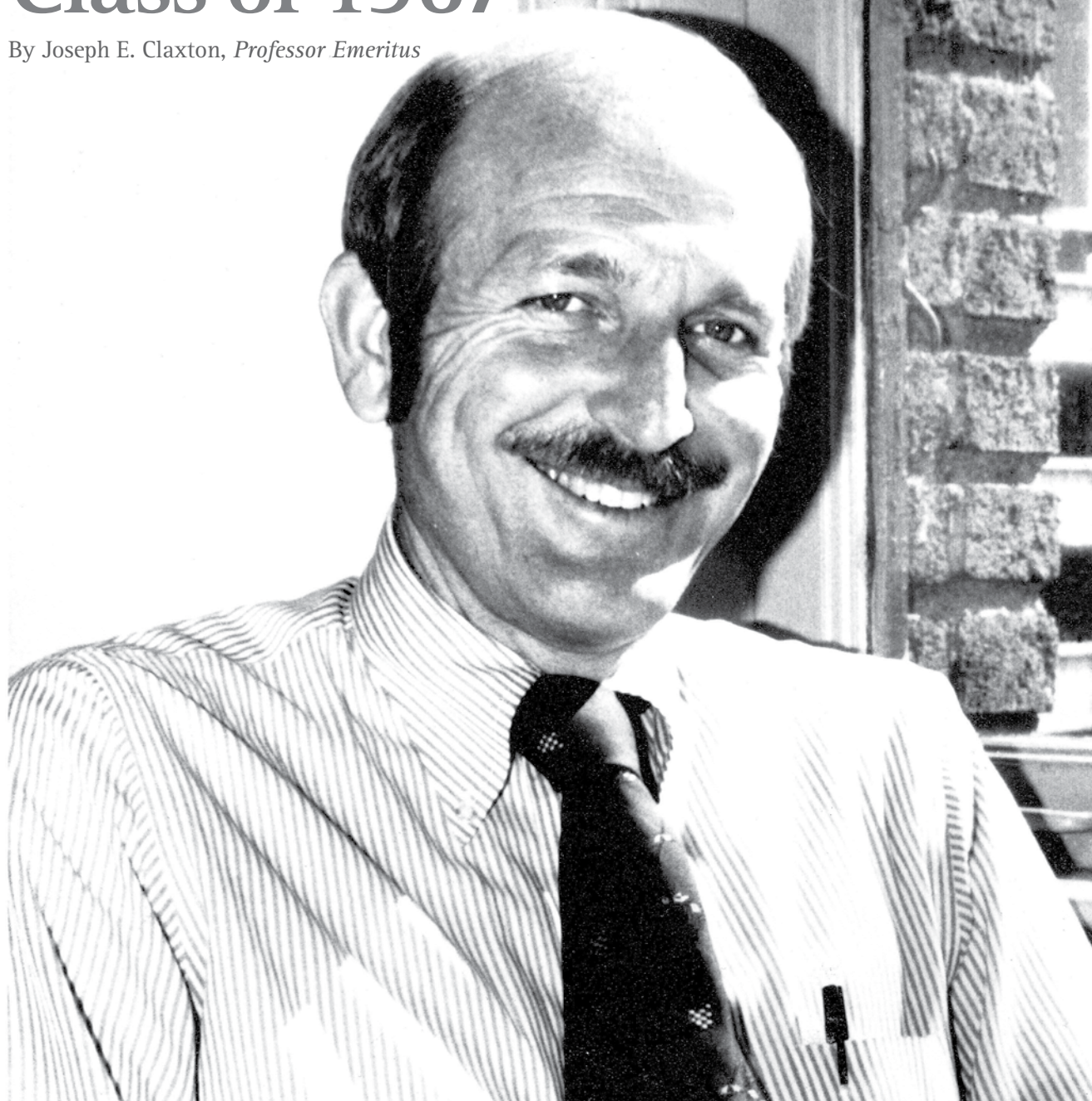


PHOTO COURTESY OF LEGAL SERVICES CORPORATION

Dan Bradley is remembered by his friends as a dynamic yet gentle soul cloaked in loneliness. During his life he constantly challenged the legal, political, and social status quo across the South and, eventually, the entire nation.

Such men tend to sow discomfort in their wake. Even now, almost a quarter century after his death, it would not be a surprise if his mention in this publication provoked some controversy. At his core, though, Dan Bradley was a man who simply sought to preserve the rule of law and, in the last years of his life, to open the eyes of all Americans to the humanity of gays and lesbians.

If Dan had lived, I am reasonably certain that he and I would disagree on a range of political and economic issues. My only contact with him was a 10-minute conversation prior to a Law Day luncheon over three decades ago. And for most of my life, I have made a conscious effort not to draw first impressions of anyone I meet. Those points notwithstanding, Dan Bradley was the most impressive Mercerian I have encountered during my 40 years with the university. There are no exceptions. I still can point to the exact spot on the floor of the Macon City Auditorium where he and I talked.

A man with thinning hair and a plain suit, Dan exuded charisma in a quiet, effortless way that far exceeded anything I observed in conversation (also in the Auditorium) with a young Bill Clinton when the latter was still an Arkansas politician. I have a great distrust for charisma, however, and had that been the principal trait I saw in Dan Bradley, I would remember him simply as another bright lawyer. What struck me was a characteristic I can only describe as a sense of genuineness as a human being – a characteristic that would allow him to relate in a meaningful way to almost anyone, regardless of a particular individual's makeup.

Dan was from Warm Springs, Ga., and encountered the vicissitudes of life at an early age. By the time he was five he and his five siblings were orphans living in the Georgia Baptist Children's Home, a formative experience that opened his eyes to the needs of the abandoned and oppressed. Able to attend college at Mercer University, he played a leading role in the institution's desegregation, helping to pair its first black student, Sam Oni, with a roommate, Donald Baxter (later a member of Mercer's Board of Trustees). That 1963 event was a landmark in Mercer's history for which many have since claimed a share of the credit, but with which only a few wished to be associated when it was occurring.

Dan eventually enrolled in the Walter F. George School of Law, a step that opened the doors to much of his life's work. To a remarkable degree, he became immersed in providing legal services to the poor, at times convincing previously unsympathetic figures to work

with him. Dan brought to his work a rare combination of leadership and political skills that he attributed to his years in the special environment of an orphanage. The skills he learned there, as explained by one very close friend and professional associate, Hulett "Bucky" Askew, made Dan an extraordinary advocate and bureaucrat.

The label "bureaucrat" is not particularly prized in our society, but it was as a consummate bureaucrat that Dan Bradley accomplished his greatest feat on behalf of the American legal system. As President of the Legal Services Corporation from 1979 to 1982 he steered the organization through an extremely serious threat to defund it. Many seasoned Washington political observers dismissed Dan's efforts as a lost cause. They were wrong.

It was in tandem with his resignation from the Legal Services in 1982 that he made the announcement which would determine the course of the remainder of his life: Dan was homosexual.

Almost immediately, he morphed from leader of the Legal Services Corporation to a major advocate for gay rights. Not surprisingly, at Mercer there were varying opinions of this "new" Dan Bradley. In some quarters, there was concern about how his revelation would affect what already was becoming a tense relationship between the university and the Georgia Baptist Convention. When Dan died at age 47 on Jan. 8, 1988, one of a legion of victims who succumbed to AIDS, those concerns reached a peak.

The Law School, however, did not forsake Dan. The issue of the *Mercer Law Review* published shortly after his death began with a memorial section for him. It is a virtual certainty that if Dan Bradley were still alive today, he would be treated as one of Mercer's greatest sons. A century's worth of change has occurred in 25 years.

A Mercerian who greatly influenced two generations of undergraduates, Joe Hendricks may have summarized Dan Bradley's life as well as anyone during a memorial service in New York a few weeks after Dan's death.

The crowning achievement of Dan's career was the presidency of the Legal Services Corporation, a position in which he conferred daily with the most powerful statespersons in the land. But he never lost sight of his mission to bring good news to the poor, release to the captives, and liberty to the oppressed. More than a lawyer, more than a statesman, Dan was a minister, and his flock was the alienated, the marginalized, the hurt – wherever he found them.

That man was Dan Bradley, Class of 1967.

Mercer Law School and Georgia Legal Services are co-sponsors of the Dan Bradley Legal Services Fellowship, which enables second-year students to serve in the Macon office of Georgia Legal Services for ten weeks during the summer. This fellowship is one of many programs and awards around the country that honor the memory of Dan Bradley.

Non-Marital Relationship Recognition in the Era of Same-Sex Marriage



BY JESSICA FEINBERG
ASSISTANT PROFESSOR OF LAW



In recent decades, major advancements have been made with regard to the diversity of relationships eligible for legal recognition. Not only have a number of states expanded marriage eligibility to same-sex couples, but through the implementation of various non-marital statuses, states across the country have started to provide legal recognition to relationships between individuals who cannot marry or choose not to marry. The lesbian, gay, bisexual and transgender (LGBT) rights movement has been a driving force behind these advancements, as it has worked tirelessly to obtain legal rights and protections for LGBT individuals and their families. While advancements have occurred both in obtaining marriage equality for same-sex couples and in obtaining relationship recognition for the many diverse relationships that exist outside of marriage, same-sex marriage has become the face of the LGBT rights movement, receiving great publicity and a large share of the movement's time and resources.

There is far from universal agreement within the LGBT rights movement, however, regarding the prioritization of marriage equality. The movement's focus on marriage equality, rather than on acquiring legal rights and protections to serve the needs of the diverse relationship and familial forms in existence today without regard to marriage eligibility (pluralistic relationship recognition), has long been the subject of criticism. While the debate has ebbed and flowed over the years as same-sex marriage has become one of the most prominent, if not the most prominent, civil rights issue in the United States, the discussion remains very much alive today. In fact, the debate seems to have been revived in recent years, with many of the fears of those who disfavor the movement's prioritization of marriage equality over pluralistic relationship recognition coming to fruition.

The goal of pluralistic relationship recognition has suffered measurable harms in many states as a result of marriage equality advancements. In order to promote marriage equality, supporters have been utilizing tactics that involve touting marriage as a superior relationship status and disparaging non-marital relationship statuses as inadequate, inferior and discriminatory substitutes for marriage. With this treatment of non-marital statuses, it is unsurprising that non-marital statuses in a number of states have been repealed or limited upon the legalization of same-sex marriage without much resistance from the LGBT rights movement – thereby dealing severe blows to the goal of pluralistic relationship recognition. Moreover, the anti-marriage messages advanced by some pluralistic relationship recognition supporters, which are likely to increase in response to the tactics used by marriage equality supporters, will further entrench the idea that the goals of marriage equality and pluralistic relationship recognition cannot coexist successfully and will widen the division that already exists within the movement.

The negative consequences of the division within the LGBT rights movement regarding marriage equality and pluralistic relationship recognition are both unfortunate and unnecessary. Marriage equality and pluralistic relationship recognition are both important, core goals of the LGBT rights movement, and the attainment of each would improve the lives of many individuals both within and outside of the LGBT community. The advancement of one goal at the expense of the other creates measurable harms for LGBT individuals and families, as well as for the overall cohesiveness of the movement, and should be avoided at all costs. It is important that individuals within the movement understand that the two goals are not incompatible and do not need to represent an either/or choice.

There are a number of strategies that the LGBT rights movement could implement to successfully further marriage equality and pluralistic relationship recognition simultaneously. First, the movement needs to advocate marriage equality legislation that does not involve the repeal of non-marital statuses. Second, it is important to restructure the core message set forth by supporters of each goal so that the messages complement, rather than undermine, each other. For example, marriage equality supporters should refine their message to underscore why marriage is essential for many, but not all, same-sex couples, just as it is for many, but not all, opposite-sex couples, and should explicitly acknowledge that for a significant number of individuals, both LGBT and non-LGBT, statuses other than marriage are essential to meet their relationship needs.

Third, the movement must work toward the implementation of non-marital statuses that include, rather than exclude, opposite-sex couples. Including opposite-sex couples in non-marital statuses would provide a greater number of people with a personal stake in supporting these statuses and make the maintenance of such statuses in states that legalize same-sex marriage more feasible both legally and politically.

Finally, non-marital statuses should be further differentiated from marriage so that they offer a real alternative to marriage instead of providing the same rights and responsibilities as marriage without the title. This would increase the demand for non-marital statuses, allow for the widespread enactment of such statuses, and change the common perception that non-marital statuses are unnecessary in states that have legalized same-sex marriage.

Taking steps to ensure that the goals of pluralistic relationship recognition and marriage equality can coexist successfully within the LGBT rights movement will lead to a number of positive



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results for the movement. If each of these important, longstanding goals is pursued in a proper manner, the advancement of one goal should bolster, rather than undermine, the advancement of the other. Moreover, the more success the movement has in advancing both marriage equality and pluralistic relationship recognition, the greater the number of individuals who will have their important relationships recognized. In addition, successfully pursuing both goals simultaneously will go far toward mending the divide in the movement over this issue and will help the movement acquire more supporters and form valuable coalitions. Finally, it will send the movement down a path that is more true to its core purpose of protecting and improving the lives of all members of the LGBT community.

Reflections on Justice, Mercy and the Death Penalty



BY TIM FLOYD
PROFESSOR OF LAW AND
DIRECTOR OF LAW AND
PUBLIC SERVICE PROGRAM



In explaining to his daughter Scout why he was representing Tom Robinson, Atticus Finch said: “Every lawyer gets at least one case in his lifetime that affects him personally. This one’s mine, I guess.”

United States v. Louis Jones Jr. is that case for me. I began representing Louis Jones in early 1996, shortly after he was convicted of murder and sentenced to death. I spent seven years trying to save Lou’s life. He was the first person in the nation sentenced to death under the Federal Death Penalty Act of 1994, and the United States Supreme Court affirmed his sentence in a five to four decision. When an execution date was set for March 2003, I requested that President Bush commute the sentence to life imprisonment. Ultimately, the President denied our request, and Lou was put to death.

Louis Jones committed an especially cruel and brutal crime. He kidnapped, raped, and murdered a 19-year-old private in the United States Army. The killing was brutal – he crushed her skull and left her body under a bridge. Before he killed her, Jones sexually assaulted her, and she experienced several hours of psychological and emotional torture. The act of killing itself was cold and calculated; he tried to cover up his crime by having his victim walk on towels and wash herself after the rape. If anyone deserves society’s ultimate punishment it is the person who commits such a crime.

Yet there is another side to the story. I came to know Louis Jones well, and the Lou I knew was a kind and thoughtful man. After his arrest, Lou was visited by a prison ministry, and their work with him led Lou to embrace for himself the promises and the hope of the Christian faith. Louis Jones knew the power of God’s new life and healing, and he shared of that love from death row. He developed a communion ministry on death row, so that those facing their last days could experience God’s grace and peace.

This case affected me personally, and not just because Lou was executed. I had represented clients on death row before. The Jones case did bring several “firsts” for my career: it was the only time in my career to appear before the U.S. Supreme Court, to meet with White House Counsel in the West Wing, to strategize with Ross Perot and with staff of United States senators, to appear on national television – and to witness an execution.

I have spent much of my career as a lawyer and a professor working on behalf of capital defendants and writing against the death penalty. I am also a Christian who is convinced of the reality of God’s love, mercy, and grace, even in the most hair-raising and horrific of circumstances. The Louis Jones case has affected me most profoundly because the relation between justice and mercy is at the heart of the case.

Lou never denied his guilt, and he offered from the start to accept a sentence of life without parole. The only issue in his case for eight years was whether the sentence would be death or, instead, life without parole.

We in the United States tend to equate “justice” with punishment. Justice consists of giving people what they deserve, and when they do evil and cruel things, justice demands that they receive suffering in return. Under this view of justice, mercy is the exception to justice, exercised on occasion to prevent unduly severe punishment.

Over the last generation, criminal justice in this country has become remarkably punitive. Our incarceration rates are the highest in the world, and we cling to the death penalty when the countries of Europe and the other nations of the Western hemisphere have abandoned it.

We are also distinctive in our religious belief and practice. Christianity has far more adherents in the United States than it does in Europe, and Christianity plays a far larger role in American politics.

Christians, especially Protestant evangelicals, express support for the death penalty at higher rates than do most other Americans.

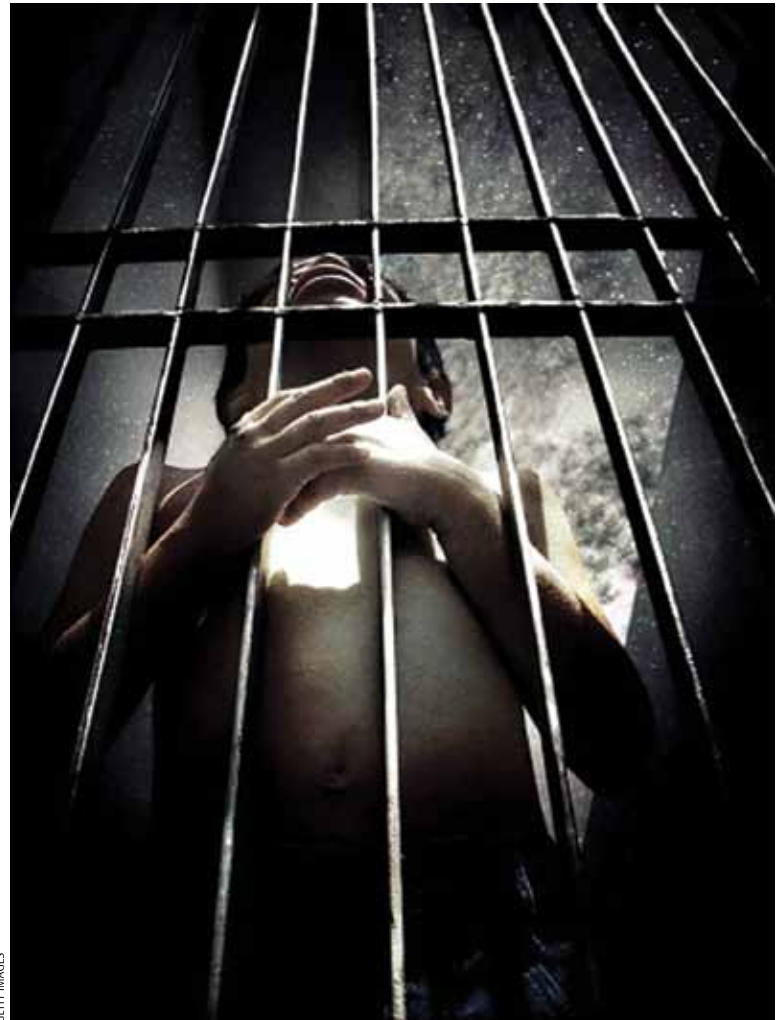
But here lies a curious paradox. Jesus was executed as a criminal by the governing authorities of his day, and the means of his execution, the cross, is the central symbol of Christianity. Moreover, Jesus unequivocally rejected retributive punishment. Jesus taught his followers. “Judge not, lest ye be judged.” “Blessed are the merciful.” “Love your enemies.” “Pray for those who persecute you.” “Turn the other cheek.” Jesus lived out that message: he willingly suffered death on a cross rather than resist with violence or seek vengeance.

Justice is a prominent theme in the Bible – but biblical justice is a far deeper concept than punishment. Biblical justice is a rich blend of truth, peace, mercy, and righteousness. Justice is the power of God to bring about reconciliation among neighbors, redemption for individuals, and restoration of community. In a violent, punitive world – a world of fallen individuals and broken relationships and communities – God’s healing power of redemption and reconciliation is an abiding reality.

The death penalty is often justified on the ground that certain people are wholly evil and are incapable of redemption. But biblical faith insists that God’s mercy and grace extend to all, and no one is beyond the possibility of redemption. Indeed, Jesus commands his followers to love their enemies precisely because God loves them. Mercy in biblical faith is not primarily forgiveness or pardon; mercy is compassion. The parable of the Good Samaritan poses the question “Who was the neighbor?” It provides as an answer: the one who showed mercy, that is, compassion, to the robbery victim.

Justice and mercy are not opposites. Compassionate mercy is at the core of justice.

But ... Lou Jones was not the Good Samaritan. He played the role of the robbers in the parable, except his crimes were far



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worse. He kidnapped, raped and killed his victim, leaving her dead on the side of the road. How do we reconcile justice and mercy in such a case?

I have grappled deeply with that question for more than 15 years. Currently, I am completing a book on the Louis Jones case, the death penalty system in the United States and Christianity. Titled *Jesus Keep Me Near the Cross: Justice, Mercy and the Death Penalty*, it contains my reflections at the intersection of this remarkable case, our broken death penalty machine and the central symbol of my faith.



Professor Emeritus Joseph E. Claxton

Recent Publications

The Gray Ghosts of Coleman Hill, J. Southern Legal Hist. 93 (2013) (published in abridged form in Fall 2012 *Mercer Lawyer*).



Professor Jessica Feinberg

Select Speeches & Presentations

Panelist, *Sister to Sister*, Southern Region of Black Law Students Association Academic Retreat, Atlanta, Ga.



Professor Jim Fleissner

Select Speeches & Presentations

Defining and Enforcing the Federal Prosecutor's Duty to Disclose Exculpatory Evidence, 13th Annual Georgia Symposium on Professionalism and Ethics, Macon, Ga.



Professor Daisy Hurst Floyd University Professor of Law and Ethical Formation

Recent Publications

Practical Wisdom: Reimagining Legal Education, St. Thomas L. Rev. (forthcoming).

The Authentic Lawyer: Merging the Professional and the Personal, Essential Traits of the Professional Lawyer, American Bar Association (forthcoming).

Honors, Awards & Activities

Elected to Board of Directors of Georgia Appleseed Center for Law and Justice
Site Team Chair, ABA Accreditation for the Sabbatical Reinspection of McGeorge School of Law, Sacramento, Calif.



Professor Timothy W. Floyd Professor and Director of Law and Public Service Program

Honors, Awards & Activities

Site Team Member, ABA Accreditation for the Sabbatical Reinspection of University of South Dakota School of Law, Vermillion, S.D.



Professor Stephen Johnson Walter F. George Professor of Law

Recent Publications

Beyond the Usual Suspects: ACUS, Rulemaking 2.0 and a Vision for Broader, More Informed and More Transparent Rulemaking, Admin. L. Rev. (forthcoming 2013).

Select Speeches & Presentations

Is Religion the Environment's Last Best Hope?, Conservation, Restoration and Sustainability Conference, Brigham Young University, Provo, Utah.



Professor Mark L. Jones

Recent Publications

Perspectives On (and In) Legal Education, Mercer Lawyer (Fall 2012).

Select Speeches & Presentations

Panelist, Concerned Philosophers for Peace Annual Conference, Macon, Ga.



Professor Jeremy Kidd

Recent Publications

To Fund or Not to Fund: The Need for Second-Best Solutions to the Litigation Finance Dilemma, J.L. Econ. & Pol'y (Oct. 2012).

Survival of the Fittest? The Origins and Evolution of the Substantial-Similarity Doctrine, Wayne L. Rev. (Sept. 2012).

Select Speeches & Presentations

The Need for Caution in Liberalizing Litigation Financing, Congressional Civil Justice Caucus Academy, Washington, D.C.

Litigation Financing and Tort Reform, University of California at Berkeley School of Law, Berkeley, Calif.

Rich, Smart, Honest?: Does Success Lead to Unethical Lawyering, Hol-loran Center on Ethical Leadership in the Profession, University of St. Thomas School of Law, Symposium on Empirical Professional Ethics, Minneapolis, Minn.



Professor Patrick E. Longan W.A. Bootle Chair in Ethics and Professionalism

Recent Publications

Defining and Enforcing the Federal Prosecutor's Duty to Disclose Exculpatory Evidence: Foreword, 64 Mercer L. Rev. (forthcoming).

Introduction to a Conversation with The Honorable W. Homer Drake, Jr., 20 J. Southern Legal Hist. (forthcoming).

A Day in the Life of a Lawyer, Aspen Publishing (video series) (Contracts module published 2012, Property module forthcoming) (co-authored with Profs. Karen Sneddon and Susan Chesler).

Select Speeches & Presentations

Panelist, *Ethics and Professionalism Uncorked*, Georgia Defense Lawyers Association CLE, Macon, Ga.

Co-Chair, *Beginning Lawyers Program*, Georgia Institute for Continuing Legal Education, Atlanta, Ga.

Moderator, *Acting for Your Client*, Beginning Lawyers Program, Atlanta, Ga.

Update on Legal Ethics and Professionalism, Georgia Trial Lawyers Association CLE, Macon, Ga.

Ethics and Professionalism in Entity Representation and Dealing with a Mistake by Opposing Counsel, Georgia School Board Association School Law Seminar, Atlanta, Ga.

Panelist, *Georgia Stakeholders Roundtable*, 2012 Convocation on Professionalism, Georgia Chief Justice's Commission on Professionalism, Atlanta, Ga.

Ethics and Professionalism in Media-tion, Georgia Institute for Continuing Legal Education, Macon, Ga.

Co-Chair, *Defining and Enforcing the Federal Prosecutor's Duty to Disclose Exculpatory Evidence*, 13th Annual Georgia Symposium on Professionalism and Ethics, Macon, Ga.

Ethics for Law Assistants and Judicial Staff Attorneys, Atlanta Bar Association, Atlanta, Ga.



Professor David Ritchie
Professor of Law and Philosophy

Select Speeches & Presentations

The Kill Lists, Mercer Philosophy Department Lecture Series, Macon, Ga.

Responsibility in Developing a Global Ethic, Carnegie Council for Ethics in International Affairs, New York, N.Y.

A Meditation on State Violence, Symposium on Urban Pacification Policies of the State Government of Rio de Janeiro, Brazil.

Outside-Inside, Colloquium on Law and Cinema, Federal Judicial Cultural Center, Rio de Janeiro, Brazil.

Honors, Awards & Activities

Hosted Federal Judges from Brazil at Mercer University School of Law.

Hosted the 2012 Concerned Philosophers for Peace Conference at Mercer University.



Professor Jack L. Sammons
Griffin B. Bell Professor of Law

Recent Publications

The Law's Mystery, British Journal of American Legal Studies (forthcoming 2013) (co-authored).

The Impossible Prayers of James Boyd White, *The Legal Imagination: The Future and the First Forty Years* (Univ. of Mich. Press, forthcoming 2013).

Select Speeches & Presentations

The Impossible Prayers of James Boyd White, Annual Meeting of the Association for the Study of Law, Culture, and Humanities, Birkbeck College, London, U.K.

The Origin of the Judicial Opinion as a Work of Art, Annual Meeting of the Association for the Study of Law, Culture, and Humanities.



Dean Gary J. Simson
Macon Chair in Law

Select Speeches and Presentations

Religion and Politics, one of two featured speakers, Interfaith Forum co-sponsored by American Jewish Committee and Cooperative Baptist Fellowship, Atlanta, Ga.

Commentator on paper on administrative law and religious liberty, Association of American Law Schools Annual Meeting, Administrative Law Section's Works-in-Progress Program, New Orleans, La.

Guest lectures on legal education and freedom of religion, Mercer University undergraduate courses on U.S. Legal System and Constitutional Law.

Luncheon speeches at various law firms in Atlanta, Columbus, and Macon on developments at Mercer Law School and in legal education generally.

Honors, Awards and Activities

Site Team Member, ABA Accreditation Inspection of Gonzaga Law School, Spokane, Wash.

Accepted invitation to offer course, *The Constitution and Religion*, as one of eight required courses in curriculum for Mercer University's planned Ph.D. in Religion, as approved by University Board of Trustees.

Met with alumni in Columbia and Greenville, S.C., Orlando and Tallahassee, Fla., Washington, D.C., and various cities in Georgia.

Served as Mercer Law School's representative at House of Delegates sessions, AALS Annual Meeting, New Orleans, La.



Professor Karen J. Sneddon

Recent Publications

Improving Routine Documents Part 2: Memo to File, 18 No. 4 Ga B.J. 70 (Dec. 2012) (co-authored).

Improving Routine Documents Part I: Engagement Letters, 18 No. 2 Ga B.J. 54 (Oct. 2012) (with Prof. David Hricik).

Select Speeches & Presentations

It's About Time: Assessing Transactional Skills in Thirty Minutes or Less, Third Biennial Conference on Teaching Transactional Law and Skills, Emory Law School, Atlanta, Ga.

Honors, Awards & Activities

Appointed member of the 2012 Poster Committee for the AALS Section on Legal Writing, Reasoning and Research.



Professor Scott C. Titshaw

Recent Publications

The Reactionary Road to Free Love: How DOMA, State Marriage Amendments and Social Conservatives are Destroying Traditional Marriage, 115 W. Va. L. Rev. 205 (2012).

Why Yes, This is My Spouse – Same-Sex Partners and Significant Others, American Immigration Lawyers Association.

Select Speeches and Presentations

The Discord Between Assisted Reproductive Technology and Immigration, American Immigration Lawyers Association National Audio Seminar.

LGBT Families and U.S. Immigration and Citizenship Laws, National LGBT Bar Association Annual Conference, Washington, D.C.

LGBT Immigration Issues, National LGBT Bar Association Lecture Series.

Crossing the Border to Marriage Equality, AILA Rome (Europe and Middle East) Chapter Fall Conference, London, U.K.

Shifting Immigration Options for Same-Sex Couples and Their Children, American Immigration Lawyers Association, Georgia-Alabama Chapter Conference, Atlanta, Ga.

What's Law Got to Do with It?: Discussion Regarding the Constitutionality of Section 3 of DOMA, Charlotte Law Review Symposium, Charlotte, N.C.

Steve Johnson

RECEIVES WALTER F. GEORGE PROFESSORSHIP

A dual passion for environmental protection and computer technology has driven Professor Steve Johnson's 20-year career at Mercer Law School. Being a law professor wasn't foremost on his mind when he was a young man. That may be a little surprising since, while growing up in central New Jersey, his mother was a teacher and his father was a beloved attorney (real estate, wills and land-use) whose clients treated him like Atticus Finch. "At Christmastime, we'd get ice cream and food from clients who couldn't pay," says Johnson, whose grandfather was also an attorney.

When he went to college, though, Johnson started off majoring in English – until a little bird called practicality chirped in his ear. He switched focus and got a bachelor's in computer science from Villanova University. After a summertime externship in programming, though, he decided, "that wasn't really what I wanted to do with my life."

So, he perpetuated a family tradition, receiving his J.D. from Villanova Law School and an LL.M. in Environmental Law from George Washington University Law School.

In Pennsylvania, he did regulatory work in what was then called its Department of Environmental Resources, focusing on industrial nonhazardous waste regulations. Things like monitoring sewage sludge and disposing properly of waste tires.

Glamorous? No. Interesting? Yes.

"It was all government work, and I really enjoyed it, because you get thrown into the nitty-gritty," he says. "You really get to see how the decisions are made from the frontlines of decision-making, and the reasons behind the policies – for better or worse."

His wife, Anne – now an adjunct professor who teaches legal research at Mercer Law – also worked at the DER then. They'd met as undergrads through mutual friends and the campus ministry at Villanova. After two and a half years at the DER, Johnson joined the Department of Justice's Environmental and Natural Resources Division as a trial attorney. He and Anne were living in Maryland; she commuted north, he commuted south. A lot of driving.

Joining Mercer in 1993, Johnson was very recently named by Dean Simson to the Walter F. George Professorship, assuming the professorship from newly retired Hal Lewis, who held it for two decades. "Hal has been a mentor to so many new faculty, and always valued scholarship so highly," Johnson says. "It's an honor to follow him in this position."

As a professor, Johnson has united his interests in the environment and computers by serving as a national board member of CALI (Computer Assisted Legal Instruction) for more than a decade.

In 1998, he created the Environmental Law Virtual Guest Speakers Program, an online way for Mercer and affiliated law schools to share digitally recorded lectures of visiting speakers, and invited students from all involved universities to ask questions or post comments (law.mercer.edu/elaw/speaker.htm). John-



AMY MAUDOX PHOTO

son estimates that more than 50 speakers and some 60 universities have been involved with the program.

He also created a website that serves as a kind of clearinghouse for faculty and students to learn about moot court competitions, LL.M. programs and clinical programs on environmental law and other related topics.

During his time in Macon, Johnson has gained an overview of elements that keep the Law School competitive: "The things that I liked about Mercer 20 years ago are still the things that we've managed to keep as the focus of who we are." Things like emphasis on real-life skills and the values and ethics that students will need in the working world after graduation.

Johnson has also taught as a visitor at Notre Dame Law School, the University of London, Strathclyde University, and, on a Fulbright grant, the University of Tokyo when his three children were 10 and younger.

Now, the youngest of these, Caroline, is a 16-year-old student at Mount De Sales Academy. Son Keith, 18, is at Georgia Tech and daughter Lyndsey, 20, studies at Georgetown University. Though the two eldest are away for much of the year, Johnson's favorite activities – apart from rooting for the New York Mets – are the times he spends with his wife and kids. "It's usually something outdoors, going hiking or biking, or going to the beach."

On his own, he's a dedicated runner. "It's a nice way to clear your head and think about things – or not think about anything," he says.

There's another advantage to his calorie-burning pursuit. "Mostly, it's because I like to eat junk food," he says, laughing. He's, well, half-joking. "My wife is very healthy. She's big into all the right foods and green vegetables, so I eat well at night."

He sleeps better lately, too. From 2002 to 2012, Johnson served as associate dean for academic affairs. While he misses parts of his administrative service, the accompanying stress isn't among them. Regarding the transition back to the faculty, he says, "I really enjoy the extra time that I can now spend on teaching and scholarship."

The Inevitable Road to Teaching Jeremy Kidd

Jeremy Kidd's six months as a legislative assistant on Capitol Hill ended in his 20s, when stress-related high blood pressure put him at risk for a heart attack. "I'm a political junkie and like listening to politics on TV," says the new Mercer Law professor. "But having people yell at you because of something that happened on the floor of the House that you had nothing to do with – I couldn't take that."

So he left Washington and returned to Utah State to bolster his undergraduate dual degree (economics and political science) with a Ph.D. in economics. After that came George Mason University School of Law, where he was editor of the *Journal of Law, Economics & Policy* and graduated with honors in 2007. Kidd returned to George Mason in 2011 and taught as a visiting professor there for a year before joining Mercer Law in fall 2012.

He clerked for Judge Ted Stewart of the U.S. District Court for the District of Utah and Chief Judge Alice Batchelder of the U.S. Court of Appeals for the Sixth Circuit. His postgraduate goal was always to teach, and he became the only one of six Kidd siblings to follow in their father's path.

Being a math teacher was just one of many jobs the elder Kidd held during Jeremy's childhood – including carpet cleaning, working as an accountant and supervising at a molybdenum mine.

The family traveled a lot, moving homes almost yearly and hovering on the poverty line. Even so, "My dad did whatever he had to do, and there was always food on the table," Kidd says, "so he was kind of a hero."

So is his mother. She's the one who set him up on a blind date with the daughter of some friends – a neighbor when both had been toddlers two decades earlier. It's a long story, but with a happy ending: They married in 2004, and Heather, a speech therapist, gave birth this January to their first son – Logan (for Kidd's hometown in Utah) Wickham (Kidd's mother's maiden name).



The couple enjoy the slower Macon lifestyle. Kidd sees much of the town on foot, as an avid long-distance runner.

As Kidd looks back, it now seems inevitable that he would become a law professor. "In my childhood I argued so much my parents said I should be a lawyer, or a politician," he says. "And politics didn't work out." While he was on the Hill, he saw how lawmakers were setting policy for everyone else in the country, "but seemed to be doing it without taking into consideration the economic assumptions I had learned in undergrad." He hopes to distill the cause-and-effect realities of economics for his Law School students, rather than mire them in mathematical theorems.

He's thrilled to be teaching. "It is everything I dreamed of and more," he says. "When I see 'Professor Kidd' on my office door, I have to refrain from giggling."

EDUCATION LAW SOCIETY

DISCUSSING EDUCATION ISSUES,
MENTORING STUDENTS,
CHANGING LIVES

By: Scott Dennis, 3L

As the saying goes, “It takes a village to raise a child.” In other words, it is our job as a community to educate our children.

Lawyers have tremendous power as communicators. We inspect every word, learn to be subtle, and pore over our inflections, all with the purpose of making complex problems appear to have obvious answers. At work, we give clients a voice, solve problems and keep the peace. But it is outside of court where some of our greatest opportunities arise. A lawyer who does not work for the village wastes the great gift.

Last year, students saw a need for a forum at the Law School to discuss our country’s education system. Mercer offers a seminar in education law, but it has traditionally only been open to students in their final semester. In the early spring of 2012, a group of six students began asking others if they were interested in forming an Education Law Society, and they received an overwhelmingly positive response. Students wanted a forum to discuss legal problems in education, opportunities to volunteer for underserved children, and career opportunities for attorneys in education. With these goals in mind, we applied to the school’s Student Bar Association, seeking permission to be a campus organization. The Student Bar Association granted our request. Associate Dean Oren Griffin graciously offered to serve as faculty advisor and has provided tremendous support ever since.

We are grateful for the terrific speakers who have come to Mercer. Dr. Mark Pevey, director of Georgia’s Race to the Top initiative, led a discussion of several state educational initiatives – ones to hold teachers accountable for their performance, to create a more rigorous curriculum and to assimilate data about student performance from kindergarten through entry into the workforce. Cayanna Good, the state associate superintendent for school turnaround, spoke about both the large-scale problem of low-performing schools in Georgia and the Department of Education’s actions to assist such schools. Rob Fortson, an attorney at McGuireWoods, discussed career paths in education law, as well as opportunities for public service through membership on charter school boards and representation of indigent special education students.



ROGER IDENEN PHOTO

All the talks were well-attended. Scheduled speakers this spring include Mercer Law graduate Brad Bryant, former state school superintendent, and Chief Judge Curtis Collier of the U.S. District Court for the Eastern District of Tennessee.

In addition, we partnered with three local non-profits in an effort to take a more active role in the community – The Motivating Youth Foundation, Campus Clubs and The Mentors Project. Since then, 13 students have volunteered over 100 hours as tutors and mentors. The following comments by Lindsey Hansen, a 2L, about her first day at Motivating Youth captures well what probably each of the volunteers experienced:

“Mr. Jackson, the founder of the after school program, surprised me by asking if I would introduce myself and say a few words to the children about why I was there. So, in front of 70 pairs of eyes, I told them about my commitment to the foundation as a volunteer. It was terrifying and exciting at the same time. At that point, I realized that I had a responsibility to these kids.”

As attorneys, we must use our abilities to serve our community’s children. Without an adequate education, all that is left of the American dream is luck. As leaders in the village, we have to identify the crippling problems facing our schools and advocate for solutions.

ASHLEY VANDEVENDER

SECOND-YEAR WOODRUFF SCHOLAR AND BLACKSTONE LEGAL RESEARCH INTERN

How did a B.A. in English literature from Maryville College lead you to law school?

My journey started in high school after traveling to China to adopt my little sister. That peek into the way China's government, economy and adoption process worked sparked a desire to do meaningful work through the field of law. For undergrad, however, I wanted to study something I really enjoyed like literature, in which I studied the way brilliant, creative minds throughout the centuries would depict the world. My senior thesis was – quite excitingly – over the word “they,” used as a singular pronoun. I developed an experiment to determine if “they” could effectively be used as the replacement generic pronoun for “he,” which many view as a sexist generic pronoun. Now you must be asking yourself, “Well, is ‘they’ an effective replacement?” (Read my study at www.maryvillecollege.edu/academics/research/1109/.)

Last summer you were a legal research intern for CARE in London. Tell us about that.

My internship provided the opportunity to work for a group that seeks to influence the UK Parliament and the EU in certain civil liberties and social justice areas. My primary focus was researching global patterns of marriage and divorce laws throughout Europe,

Canada and the U.S. so that I could submit a brief that CARE could use to inform Parliament about potential implications of proposed changes to marriage laws in the UK. Also, since I was there during the Olympics, human trafficking was another forefront issue, given the amount of people coming to London. CARE gave me the privilege to participate in an intimate discussion with key international lawyers and government officials at the Royal Institute of International Affairs on how to stop global trafficking.

This summer, before you start your 3L year, you'll be interning at King & Spalding. What do you hope to do there, and how do you feel Mercer Law School has prepared you?

I hope to experience a variety of practice areas, from corporate governance to mergers and acquisitions as well as industry-specific practice areas, from healthcare to energy and natural resources. My hope is to use this summer to develop a more concrete idea of the direction to take my career. I do feel prepared to go into King & Spalding with the ability to adjust and bend, learning new fields and meeting new demands, similar to the way Mercer has prepared me to adjust, bend and meet the demands of the rigors of law school.

What sort of law do you hope to practice? And has Mercer given you a good foundation for your future?

Going into law school, I was anticipating non-profit civil liberties work. While that work will always have a place in my heart, I have taken a fancy to corporate law and hope to work in corporate governance or mergers and acquisitions. Mercer has given me a good foundation. My legal research and writing professors were wonderful and taught me how to navigate the ocean that is legal research. Mercer also spoiled me in my 1L year with fantastic professors who helped rewire my brain to think like a lawyer.



PHOTO COURTESY OF ASHLEY VANDEVENDER

LAUREN DUNCAN

A SINGLE MOM HITS THE LAW BOOKS (WITH A LITTLE FAMILY HELP)

Before coming to Mercer, you worked as a paralegal in Atlanta, and you were a specialist on title clearance of bank-owned properties in Georgia, Tennessee and Mississippi. How did those real-world experiences influence you in the classroom?

Working prior to law school allowed me to begin my legal education with the knowledge of how to apply the new legal theories I was learning to the actual work an attorney must do on a daily basis. In the first year of law school, the focus is on legal theory only and not its everyday application. Synthesizing the two is generally a mystery for students and can take all three years of law school to learn. My work experience allowed me to begin on day one with this understanding.

You're raising a son. Does he appreciate how much his mom has to study?

My son Robert is three and a half years old! Even though I tell him all the time that "Mommy is leaving to go study," he has no idea how much his mommy studies. Unfortunately, all my studying takes place only when he is at school, asleep or with his father — and I say unfortunately because I really wish he were old enough to understand the long hours of studying and hard work required for success.

You've done some admissions recruiting for the Law School in the Atlanta area. What did you tell prospective students about Mercer?

The one thing I made sure to share was that, while Mercer is most definitely a competitive school, the atmosphere is one of healthy competition and not cutthroat competition. Personally, this is what drew me to the school. Additionally, I talked about Mercer's commitment to preparing well-rounded attorneys equipped to handle just about any legal or ethical situation.

Law school by itself is a huge undertaking. But on top of raising a child, you commute from Stone Mountain. How do you make everything fit together?

Time management and my awesome support system! My life is scheduled down to the minute, allowing me to move



smoothly from one task to another. Additionally, reliance on my support system is pivotal. Shortly before my 1L year, I moved back home with my mother. She has been my right-hand man for all the pop-up issues with my son. Even my 85-year-old grandmother has helped out. And, luckily, although we are no longer together, my son's father has been extremely involved as well. Without this system, this would have been an impossible undertaking.

You've been involved with Moot Court competition, mock trial and client counseling competitions, and have been regional communications specialist and secretary for the Black Law Students Association. As a second-year student, which one have you found most valuable?

My participation in the Moot Court and Mock Trial competitions was the most valuable. Though I have done my fair share of public speaking, the thought of courtroom litigation terrified me! While I do not feel my legal career will involve being in the courtroom a lot, I am no longer afraid of it, because the intra-school competitions demystified the process. I would tell anyone who is terrified of public speaking and the courtroom to participate.

Jared Westbroek

Alumnus Returns to Enroll in the Inaugural Class of the LL.M. Program in Federal Criminal Practice and Procedure

You earned your J.D. from Mercer in 2008. How would you characterize your experience at the Law School?

My experience at Mercer was exceptional. The legal writing and trial practice programs were my favorites. That education allowed me to hit the ground running when I began practicing and providing meaningful, professional services to my clients. Mercer treats and cares for students the way a school should. Whether it was letters of recommendation or transcripts, the attention I received after I graduated was the same, showing nothing short of exceptional care for the students.

After graduation, you've practiced, among other places, with Smith, Gambrell & Russell and as a solo practitioner. Can you tell us a little about your work?

At SGR, I started in the environmental litigation group and, because of the economy, ended up in the general litigation group. My time at SGR helped me develop the skills necessary to provide my clients with the representation they are entitled to. As a solo practitioner – which includes Criminal Justice Act (CJA) Panel appointments – I have represented indigent persons at both the District Court level and before the Eleventh

Circuit Court of Appeals. I have helped, among others, a single mother of four and a teenager brought to the U.S. illegally by his parents. It is satisfying to know that, at some level, I have helped these folks.

You earned an LL.M. in Taxation at the University of Alabama Law School. How do you see that working with the Federal Criminal Practice and Procedure LL.M.?

I initially started the program in tax to help with my Environmental Law Practice Group at SGR. After my work from that group dried up, I started to think about how I could use my advanced law degree to get back to my roots. The solution was criminal tax law. That plan has already paid off, as one of the CJA Panel appointments that I have handled this year was a tax crime case. I hope to be able to do the same for other indigent persons charged with tax crimes.

How does it feel to be a member of the inaugural class of the LL.M. program?

It is something that I am quite proud of. I am excited to be able to help get this program off the ground and help establish a lasting legacy fitting for Mercer University.

What has been your favorite, most challenging or most surprising part of the program this fall?

The preparation that has gone into the program is second to none. I love the fact that full-time practitioners are teaching some of the substantive courses (Federal Pre-Trial Practice with Cynthia Roseberry and Advanced Trial Practice with Frank and Laura Hogue). I have had CJA Panel appointments that I handled while undertaking the program. Those cases ... gave me a sort of "hands on" learning experience. I would literally go to class one night, learn something new, go back to the office and implement it in one of the cases I'm handling. The exceptional instruction facilitated this learning process. I also thoroughly enjoyed the Advanced Trial Practice class with Frank and Laura. Having the opportunity to go through a trial, from start to finish, with masterful instruction from the Hagues cannot be quantified.



AMY MADDOX PHOTO

Father Thomas Healy '80

FULFILLING A HIGHER CALLING

When the church transferred him from his native Ireland to the American South, Father Thomas Healy traveled from the Old World to a New World that was getting even newer – and suffering sharp growing pains.

It was 1968 when he came to Macon. The dream of unity symbolized by the Civil Rights era was stained by the murder of Martin

Luther King Jr. But at the heart of the roiling Deep South, Healy found a town that welcomed him in a broad embrace when he joined St. Joseph Catholic Church.

“As a priest, you can be very confined to your community,” says Healy. “You can live in the rectory and just say mass and just be with your own people.” But he was one of several priests at St. Joseph’s then, and pastor Father John Cuddy – “a very understanding, wonderful man” – gave Healy freedom to explore his new environment.

“People were very friendly and very open,” he says. “My contact with Mercer came in 1970.” That year, he began working on the main campus as a Catholic chaplain and around the same time became acquainted with a group of nuns who served on Native American reservations and in African American communities. They invited him to join them in ministering to jail inmates.

“It was a whole new world for me,” Healy says, and he took to it eagerly. He recalls the summertime swelter of the jail, then an un-air-conditioned block at the top of the courthouse in downtown Macon housing several hundred inmates. “I would take my guitar and sing.”

From serving these inmates came the idea of earning a law degree. “I thought it would be good, since I was doing mostly jail work.” Besides prisoners, he interacted with the poor and with Hispanics in need of help with Social Security issues. (Throughout his priesthood, Healy has routinely performed Mass in Spanish.)

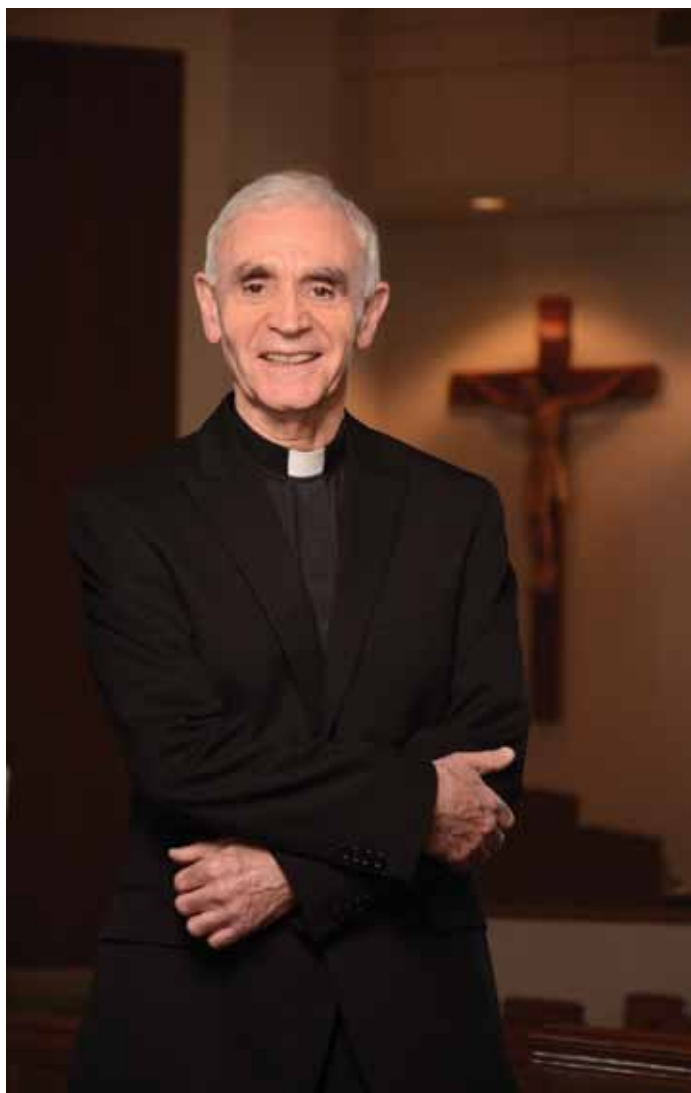
Given a sabbatical by Father Cuddy, Healy continued jail ministry and his tasks as chaplain on the Mercer campus, but he also embarked on the study of law at Mercer. “I wore civilian clothes, which was better, of course.” Law school life reminded him of his days at the Dublin seminary. “It also was a very strict environment,” he says. “It was wonderful to see how people took their work so seriously and were so excited about what they were going to do with their lives and their law degrees.” (Nearly 10 percent of his graduating class became judges, with 11 currently on the bench.)

In 1982, two years after earning his J.D., Healy was transferred to Sacred Heart in Savannah. He maintained ties with the Law School, serving as a staff attorney supervising students placed in the Social Security clinic directed by Karl Rice.

Healy celebrated his 45th year as a Roman Catholic priest last year. His career has included assignments in the German cities of Bonn and Munich and Saint-Bernard in the French Alps. While he’s spent most of his adult life outside of Ireland, his brogue remains as pungent as peat moss.

Currently pastor of Augusta’s St. Joseph Catholic Church, Healy says administrative work now prevents him from the jail ministry he once loved. “I’m not involved with the wider community as I was in Macon,” he says, a bit wistfully.

“My years in Macon were my happiest and most memorable as a priest,” he adds. “It was the place I worked the longest and in a sense will always be my home in the United States. I have a very special love for Macon, and it has a very special place in my heart.”



TIM CONWAY PHOTO

Mary Jane Saunders '81

TOAST TO THE GENERAL COUNSEL OF THE BEER INSTITUTE

When they hear she works for the Beer Institute, some people imagine a work week full of keg stands and pong tournaments. “It is a great conversation starter,” says Mary Jane Saunders, who joined the D.C.-based national trade association for the brewing industry as general counsel in May 2011. “People think that all we ever do is sit around and drink beer.”

For the record, yes, there’s a bar in the conference room. “But we maintain our sobriety,” she says, ahem, dryly....



JILLSON PHOTOGRAPHY

Saunders’s job includes tracking Capitol Hill legislation and regulations that affect brewers and wholesalers, and generally “ensuring that beer is treated fairly.” Previously, she was a partner at the D.C. firm Venable LLP, focusing on intellectual property, copyright, trademark, patent and competition issues. Next, she was general counsel for Subway Franchisee Advertising Fund Trust, the marketing arm of Subway sandwich shops, which don’t serve alcohol of any kind.

Saunders admits she had to get up to speed for her new job, but as a former history major at Virginia Tech she enjoyed the research. “There’s an awful lot of historic regulation of alcohol that, frankly, I find fascinating.”

Like her colleagues at the Institute, she’s decorated her office with such things as 1950s beer ads and a photo of the Brewers Association at their annual meeting in 1942. “This isn’t like the traditional law firm, where you just hang your degree on the wall,” she says.

And for the record, no, she’s not a watcher of HBO’s bootleg liquor epic “Boardwalk Empire,” but she’s a fan of the Ken Burns documentary miniseries “Prohibition.”

Saunders lives in McLean, Va., with her husband, a fellow attorney (a UVA Law School alum). They have a son and two daughters, ages 13 to 25, who vow never to follow in their parents’ career path. “My children know that we love what we do, but they’ve heard us say that unless you have a passion for it, the practice of law can be mind-numbingly boring. You really have to want to do it.”

When Saunders – an Army brat new to the Deep South – came to Mercer Law, attracted by its small class size, her Massachusetts grandmother worried for her safety in a place like Middle Georgia. “When I first arrived,” Saunders recalls, “I had a lot of trouble understanding some people.” Three years later, she could tell what part of the state they came from by hearing their accents. And she enjoyed soaking up the local history and works of Southern writers. (Early this year she was listening to an audiobook of Milledgeville’s Flannery O’Connor.)

She fondly remembers classes at the Law School taught by the late Reynold Kosek and Jim Rehberg, former Macon mayor Ed Wilson, John Cole, Mike Sabbath, and Hal Lewis, who told her something that stuck: “A lawyer is more than what he or she knows. Lawyers are defined by the way they treat people.”

“What I really liked about Mercer was that – from the moment I got my acceptance letter and actually continuing to this day – I felt that everybody at the school really cared about the prospective students, the actual students and the alumni and were really interested in us as people and in what we thought,” she says.

And, three decades after getting her J.D., she maintains friendships she made in Macon, knowing she can count on former classmates for personal support or professional information. “We take each other’s calls. And we don’t take ourselves very seriously.” With or without a little help from barley or hops.

Bryan Anderson '92

HOCKEY DAD DOUBLES AS TOP D.C. LOBBYIST

Protecting the brand of the world's favorite soft drink and providing energy to homes and businesses throughout the Southeast are two very different goals. But the nature of Bryan Anderson's lobbying work – first as Coca-Cola's vice president of government relationships and public affairs, and now, since 2010, as vice president of governmental affairs for the Southern Company – keeps him busy on Capitol Hill in similar ways.

"A big part of what we do every day is focus on issues that might impact our ability to provide clean, safe, affordable and reliable energy," Anderson says from his office on Pennsylvania Avenue. "Representing a consumer product company like Coca-Cola, it was all about the brand. Working for an energy company like Southern, it's all about the customer."

Well, and about interacting with lawmakers, too.

A lot of his work involves "relentless communication" as he builds and maintains relationships with legislators, administrative agencies, the White House and allied trade associations.

Representing Southern's interests in D.C. is a dance, requiring a constant balance of policy issues with economic consequences and customer needs.

Anderson throws out a colorful hypothetical as an example of how the system works: "You can create a completely safe car, but nobody's going to want to drive it because it'll be made out of concrete and only drive five miles an hour."

Born in Macon but raised in Atlanta, Anderson earned a bachelor's degree in business administration with a concentration in finance from the University of Georgia. But he returned to his birthplace for his J.D.

"I was in the first class for the Woodruff Curriculum," he says, "and the smaller class sizes and a curriculum that was geared toward making well-rounded lawyers definitely appealed to me. Mercer was just a good fit."

His wife, Katy, grew up only a mile and a half from his own childhood home in Atlanta, and attended UGA for one of the years Bryan was there. But the couple never actually met 'til later, when they were in D.C. She stays at home and helps navigate the hectic schedules of their three kids – daughter Hayes, 12, son Cole, 10, and Julia, 8. It's a very sports-minded household.

"I've been to six hockey games this past weekend," Anderson laughs. "All three of mine are playing hockey now, which is kind of crazy for a guy from Georgia. I don't know anything about hockey." Other times

of the year, the kids are busy with lacrosse, soccer, basketball, tennis and golf – the latter two being Anderson's own favorites.

The family lives in Chevy Chase, Md. – distant enough from the city to have some breathing room, but still close to the action. So far, Anderson's move to Southern has worked out well. For the last two years, he's been cited by *The Hill*, the daily newspaper covering Congress, as one of D.C.'s most effective lobbyists.

"Mercer provided a great education to do something that is somewhat nontraditional in terms of the legal field," says Anderson, who worked in law offices in Atlanta and D.C. before joining Coke. "Being chief governmental Washington guy for Coca-Cola for 20 years, then doing it for Southern – I don't know how that worked out for me, but it did."



HILSDON PHOTOGRAPHY

Class Reunions



*Above, Class of '67
with Dean Simson and
President Underwood.*



*Left, Class of '76
with the Dean.*

*Below left,
Class of '77
with the Dean.*



*Below right,
Class of '82.*



*Above, Half Century Club visits Ryals Hall, home of Mercer Law School
until 1978.*





Above, Half Century Club members Cubbedge Snow '52 and Jerry Vanderhoef '62 demonstrate the art of pitching pennies.
Below left, Class of '02. Below right, Class of '07.



AMY MADDOX PHOTO

Class Notes

1976

Judge Samuel D. Ozburn was presented the 2013 R.O. Arnold Award by the Newton-Covington Chamber of Commerce. Ozburn has practiced law in Covington since 1976 and has been on the bench since 1995.

1979

Class Correspondents:

Danny Craig, dcraig@augustaga.gov

Mary Katz, mkat@chrkglaw.com

John C. Gordon was elected chairman of the board of Skyland Trail, a nonprofit treatment facility for adults with mental illness, effective December 2012. Gordon has been on the Skyland Trail leadership team for more than 20 years.

Stephen W. Irving's daughter, Rachel Irving, entered Mercer's Georgia Baptist College of Nursing Program in the Class of 2015.

R. Howard Jump was named President of the Illinois Association of Defense Trial Counsel in June 2012.

1981

Richard W. Gerakitis received in November 2012 the YMCA of Metro Atlanta's 2012 Volunteer of the Year award for his service to the organization.

1982

W. Carter Bates III was selected for inclusion in the latest edition of *Best Lawyers in America*.

Paul A. Quiros was elected chair of the Board of Visitors for Mercer Law School. He is a partner in King & Spalding's Atlanta office.

1983

Nathan C. Lee was appointed to Virginia's Sixth Circuit Court bench by Governor McDonnell in September 2012.

1984

Jessica K. Moss was appointed solicitor general of Cherokee County by Governor Deal in August 2012.

1986

Andrea E. Dyke-Allen joined Klores Mitchell P.C. in Washington, D.C., as an associate, specializing in education law.

Kimberly White was appointed to Virginia's 10th Circuit Court by Governor McDonnell in August 2012. She is the first woman appointed to the court.

1987

R. Keith Kelly was elected judge of South Carolina's Seventh Judicial Circuit. As a partner at Lister, Flynn & Kelly in Spartanburg, S.C., he has specialized in family, criminal and personal injury law. He also has served as a representative in the S.C. House of Representatives.

Anton F. Mertens joined the Atlanta office of Burr & Forman LLP as a partner. An experienced immigration attorney, Mertens previously practiced at Smith, Gambrell & Russell LLP.

1989

Brian H. Turpin was appointed by the Virginia General Assembly to the Pittsylvania County Juvenile and Domestic Relations District Court.

1990

John F. Kennedy was named CEO and Managing Partner of James-Bates-Brannan-Groover LLP in January 2013. He was also selected for inclusion in the latest edition of *Best Lawyers in America*.

1991

Jonathan W. Hedgepath announced the formation in Atlanta of Hedgepath, Heredia, Crumrine & Morrison LLC, a firm specializing in family law.

Frank McKay was appointed chairman of Georgia's State Board of Workers' Compensation by Governor Deal in February 2013. A partner at Stewart, Melvin & Frost in Gainesville, McKay previously served on the State Board's Advisory Council.

1993

Victoria Darrisaw was elected Dougherty County State Court Judge in January 2013. She had been serving as a Dougherty County Magistrate Court Judge.

Joseph R. Neal Jr. attended the American Association for Justice's Art of Persuasion Trial Advocacy Course at Harvard University in March 2011. He successfully argued in the Georgia Court of Appeals and Georgia Supreme Court in *Vann v. Finley*, and he was admitted into the Top Trial Lawyers in America Multi-Million Dollar Advocates Forum.

1995

Patrick John Poff was named chairman of the ABA Forum on Insurance, Surety & Liens in December 2012.

1996

Class Correspondent:

Elise Redmond, elise.redmond@gmail.com

William H. Gregory II opened his own law practice, William H. Gregory LLC in Vienna, Ga.

1997

Class Correspondent:

Auden Grumet, auden@atlantayer.org

The following Mercer Law alumni were recognized in the 2012 Legal Elite section of *Georgia Trend Magazine's* December 2012 issue.

(The field of law for which each individual was recognized is indicated in parentheses.)

Darryl B. Cohen '70 of Cohen, Cooper, Estep & Allen in Atlanta (entertainment/sports law).

Stuart M. Neiman '73 of Stuart M. Neiman Attorney at Law LLC in Atlanta (real estate law).

David P. Winkle '75 of Nelson Mullings Riley & Scarborough LLP in Atlanta (healthcare law).

Robert M. Cunningham '78 of HunterMaclean in Brunswick (bankruptcy/creditors' rights).

Ward Stone Jr. '79 of Stone & Baxter LLP in Atlanta (bankruptcy/creditors' rights).

Gary A. Barnes '81 of Baker, Donelson, Bearman, Caldwell & Berkowitz PC in Atlanta (bankruptcy/creditors' rights).

Gregory W. Blount '81 of Troutman Sanders LLP in Atlanta (environmental law).

Richard W. Gerakitis '81 of Troutman Sanders LLP in Atlanta (labor and employment).

Steven K. Bender '82 of McKenna Long & Aldridge LLP in Atlanta (real estate law).

Charles M. Cork III '82 (appellate law).

Gordon R. Alphonso '83 of McGuireWoods LLP in Atlanta (environmental law).

Timothy H. Bendin '83 of Bendin Sumrall & Ladner LLC in Atlanta (healthcare and personal injury).

Jacquelyn H. Saylor '83 of The Saylor Firm LLC in Atlanta (criminal law).

Allen Harris '85 of Peterson & Harris in Atlanta (family law).

L. Robert Lovett '85 of Lovett & Myers in Macon (environmental law).

William J. Rawls II '85 of Mozley, Finlayson and Loggins LLP in Atlanta (personal injury).

Anton F. Mertens '87 of Smith, Gambrell & Russell LLP in Atlanta (immigration law).

Steve Estep '88 of Cohen Cooper Estep & Allen in Atlanta (general practice/trial law).

W. Scott Laseter '90 of Kazmarek, Geiger & Laseter LLP in Atlanta (environmental law).

David Long-Daniels '90 of Greenberg Traurig LLP in Atlanta (immigration law).

John Mabrey '90 of The Mabrey Firm PC in Atlanta (personal injury).

Jonathan W. Hedgepeth '91 of Hedgepeth, Heredia, Crumrine & Morrison LLC in Atlanta (family law).

1998

Rafic H. Barrage joined Baker & McKenzie's Washington, D.C., office as a partner. He is an experienced international tax planning attorney.

John W. Dozier of Macon was selected for membership in The National Trial Lawyers: Top 100 Trial Lawyers.

Jonathan J. Tuggle of Atlanta's Boyd Coller Nolen & Tuggle was recognized in *Georgia Trend* as one of 2012's "40 Under 40: The Best & Brightest."

1999

Michael N. White was selected for inclusion in the latest edition of *Best Lawyers in America*.

Judge Enis Trenton Brown III was appointed by Governor Deal to fill a vacancy in the Ocmulgee Circuit Superior Court. He was formerly the Putnam County State Court Judge.

2000

Class Correspondent:

William Noland, William@childsandnoland.com

2001

Class Correspondents:

Chad C. Hastings, chastings@lesserlawfirm.com

Michelle Pinto, michelle.pinto@harris.com

Laura L. Voght, LVoght@wwhgd.com

Susan Warren, susanwarren@yahoo.com

2002

Mary Dickinson Trammell and her husband, Mark Trammell, announced the birth of their daughter, Rosemaire Sanford Trammell, born Oct. 3, 2012.

Kathleen K. Wright of Gentry Locke Rakes & Moore LLP in Roanoke, Va. was selected for inclusion in the latest edition of *Best Lawyers in America*.

2003

Barret S. Albritton was named Young Attorney of the Year by the Chattanooga Bar Association. The award is for exemplary service and commitment to the Young Lawyer's Division of the Association and to the community.

Donna C. Black announced the birth of her son, Finnegan Barclay Black, on Aug. 21, 2012.

2004

Class Correspondents:

Lauren Thomas, lauren3003@gmail.com

Lauren Shurling Finley, laurenschurling@hotmail.com

2005

Walter E. Jones is now a partner at Balch & Bingham LLP.

Nicholas J. Laybourn was named a partner at HunterMclean. His practice areas include medical malpractice, business litigation, transportation law and products liability.

M. Anne Kaufold-Wiggins was promoted to partner at Balch & Bingham LLP.

Q. Bonita Wang is an associate at the Tampa, Fla., office of Fowler White Boggs, specializing in taxation and corporate and business services. Prior to the firm, she was an associate with Hill Ward Henderson in Tampa.

2006

Jason David Lewis was named a partner at Chambless, Higdon, Richardson, Katz & Griggs LLP.

2007

Jennifer Tyler and her husband, Jason Tyler, announced the birth of their son, Jacob Benjamin Tyler, on Oct. 31, 2012.

2008

Rhett Frasier announced the opening of Huegli Fraser Law in Portland, Ore., specializing in criminal defense and personal injury litigation.

Soo Jung Hong was named a partner in the bankruptcy division of Blevins & Hong PC in Marietta.

Kristin Pollard Kiel married Demetrius Kiel on Aug. 12, 2012. She is an in-house attorney for the NASA Marshall Space and Flight Center in Huntsville, Ala.

2009

Class Correspondent:

Cayce Myers, mcmyers@uga.edu

2010

Class Correspondent:

Rizza Palmares O'Connor, rizzapalmares@gmail.com

2011

Class Correspondents:

Brian M. Jasper, bjasper@wilkesmchugh.com

Bowen Reichert, bowen_reichert@gamd.uscourts.gov

Jonathan L. Simpson, jonathan.simpson.1@us.af.mil

Margaret E. Flynt was hired as a staff attorney for the Appellate Division of the Georgia Public Defender Standards Council in June 2012.

2012

Class Correspondent:

Justin Purvis, justinpurvis10@gmail.com

Terri Benton and **Ronny Hulsey** joined the Macon office of James-Bates-Brannan-Groover LLP as associates.

Beau T. Shrable joined Sell & Melton LLP as an associate, specializing in eminent domain and business law.

Betsy L. Stewart is an associate in the Bailey & Wyant Charleston, S.C., office, practicing civil litigation with emphasis in education, civil rights and labor and employment law.

Chris A. Underwood joined the Atlanta office of James-Bates-Brannan-Groover LLP as an associate.

Laura D. Hogue '91 of Hogue & Hogue LLP in Macon (criminal law).

Lloyd N. Bell '92 of Bell Firm in Atlanta (personal injury).

Ann-Marie McGaughey '93 of McKenna Long & Aldridge LLP in Atlanta (corporate law).

Shawn Lanier '95 of Nelson Mullins Riley & Scarborough LLP in Atlanta (real estate law).

John O'Shea Sullivan '95 of Burr & Forman LLP in Atlanta (general practice/trial law).

James B. Manley Jr. '96 of McKenna Long & Aldridge LLP in Atlanta (general practice/trial law).

James H. Aiken '97 of HD Supply Inc. in Atlanta (business law).

Samuel Franklin Hart Jr. '97 of Dozier Firm LLC in Macon (criminal law).

Gerald Morris Carr '98 of Carr Downey, LLC in Macon (family law).

Erik S. Rodriguez '98 of Greenberg Traurig LLP in Atlanta (immigration law).

Jonathan J. Tuggle '98 an attorney with Boyd Collar Nolen & Tuggle in Atlanta (family law).

Heather C. Wright '99 of The Wright Firm LLC in Atlanta (business law).

W. Thomas Kemp III '00 of Kemp Firm LLC in Atlanta (personal injury and general practice/trial law).

Gina Ginn Greenwood '01 of Baker, Donelson, Bearman, Caldwell & Berkowitz PC in Macon (healthcare law).

Anthony C. Kalka '02 of The Kalka Firm LLC in Atlanta (personal injury and general practice/trial law).

Heather A. Calhoun '05 of Holland & Knight LLP in Atlanta (general practice/trial law).

Yoon Ettinger '06 of Greenberg Traurig LLP in Atlanta (pro bono and nonprofits).

John R.B. Long '06 of John R.B. Long PC in Augusta (general practice/trial law).

Robert F. Glass '07 of Cash, Krugler & Fredericks LLC in Atlanta (personal injury).

Thomas M. Gore '07 of McCorkle & Johnson LLP in Savannah (bankruptcy/creditors' rights).

Haynes M. Studstill '07 of the Studstill Firm LLP in Valdosta (personal injury).

Justin D. Studstill '07 of O'Neal, Brown & Gautreaux PC in Macon (personal injury).

Tiffany L. Williams '07 of Kilpatrick Townsend & Stockton LLP in Atlanta (intellectual property).

Laura R. Anthony '08 of Elarbee, Thompson, Sapp & Wilson LLP in Atlanta (labor and employment).

Will B. Geer '09 of The Offices of Will Geer in Atlanta (bankruptcy/creditors' rights).

In Memory

1940s

Lt. Col. Marion W. Rainey '48 of Macon, Oct. 3, 2012.

1950s

Lyman M. Delk '50 of Atlanta, July 25, 2012.

Frank Jones '50 of Macon, Aug. 29, 2012.

Richard B. Thornton '50 of Macon, Sept. 11, 2012.

James T. Stewart '51 of Springfield, Va., Jan. 20, 2013.

William Wisse '52 of Warner Robins, Sept. 5, 2012.

John W. Denney Sr. '57 of Midland, Nov. 10, 2012.

1960s

Robert Lee Swearingen Jr. '62 of Reynolds, Dec. 29, 2012.

Thomas Clarence Kendrick-Holmes '68 of Macon, Dec. 10, 2012.

Thomas N. Key '69 of Fincastle, Va., Aug. 27, 2012.

The Honorable Elliott P. McCollum '69 of Thomasville, Aug. 7, 2012.

1970s

Frederick E. Graves '71 of Charlotte, N.C., Nov. 12, 2012.

William D. Covington '74 of Carrollton, Sept. 1, 2012.

1980s

Barbara Anne Becraft '81 of Cordele, Dec. 1, 2012.

Christopher N. Shuman '85 of Atlanta, Dec. 24, 2012.

1990s

Jennifer Susan Clark '90 of Covington, Nov. 21, 2012.

Shawn Hideyoshi Pope '90 of Jacksonville, Fla., Oct. 31, 2012.

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Mercer Law Dean Gary Simson recently launched a series of informal lunch talks at law firms with Mercer Law alumni ranging in number from a "critical mass" of 5 or 6 to a potent majority of a dozen or more.

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Claude Smith, CLA '74, LAW '82
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